

## **Research Report 3**

# **Improving the Representativeness of Councillors**

**An International Literature Review**



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# Improving the Representativeness of Councillors An International Literature Review

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This research was conducted to inform the deliberations of the Councillors Commission but does not necessarily reflect the Commissioners' views or final recommendations.

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# Executive Summary

In February 2007, the Secretary of State for Communities and Local Government announced a new Councillors Commission to consider how to encourage more people from a wider range of backgrounds to become (and remain) local authority councillors. In order to inform the deliberations and recommendations of the Commission, the Department for Communities and Local Government commissioned an international literature review on the representativeness of local councils. Specifically, this study set out to explore, in an international context, the barriers and incentives to becoming a councillor.

Representativeness, with its core concern for parity, is the outcome of the interplay between supply and demand factors in the democratic process. Supply-side factors include the willingness or availability of people from under-represented groups – women, people from ethnic minorities, younger people, people with disabilities etc. – to offer themselves for election. Demand-side factors determine the acceptability of people as candidates and include the willingness of selectors to adopt them and electors to cast their votes for them. Attempts to address representative deficits have focused on both supply and demand factors.

## Reforms to stimulate the supply of candidates

### *1. Building capacity: encouraging, mentoring and shadowing*

Several countries have adopted measures to encourage members of under-represented groups to seek office. For example, public meetings have been used in New Zealand to encourage women to stand in local elections, and in Wales young volunteers from Black and Minority Ethnic (BME) communities shadow councillors in their day-to-day work.

### *2. Making it possible to serve: remuneration and time off*

A wide range of remuneration, pension and severance systems is in operation in the countries studied, and systems are sometimes designed with the explicit aim of widening access to council office. In New Zealand and Scotland, for example, competitive salaries were introduced with the explicit aim of widening participation.

### *3. Does representativeness encourage representation?*

Women and minority group representation may be enhanced by the representative process itself. The presence or absence of women and minority representative role models may establish cues to participate – or hold back from participating – in the political process. Of equal importance, higher levels of participation – electoral registration and voting – may have positive impacts on the representation of minorities in particular.

Supply-side measures may well be desirable in their own right, but there is very little evidence so far of any impact on the supply of candidates from under-represented groups. A number of countries have thus embarked on more radical reforms of the demand-side.

## Reforms to increase the demand for candidates

### 1. Quotas

The imposition of a constitutional or legislative quota of seats, or (within political parties) candidates, is the most direct method of remedying under-representation, and is very widely used for women. However, evidence on the efficacy of quotas is mixed. While they can increase numerical representation and kick-start attitudinal change among political elites, the prevailing social and political culture, and the design of electoral and party systems, are critical.

### 2. Funding political parties

The International Institute for Democracy and Electoral Assistance (IDEA) has argued that the way in which political parties are funded can affect the number of women elected. There is little evidence on whether such an effect exists and state funding for political parties generally pre-dates the concern for gender equality. Linking funding to, for example, the achievement of candidate quotas or targets for under-represented groups could be a powerful tool but is not generally in place.

### 3. Electoral arrangements

Candidate-centred systems with single-member districts, including First Past the Post (FPTP), are viewed as the least favourable to the election of under-represented groups. Proportional representation (PR) systems are generally seen to provide the greatest opportunities for these groups, but the specific impact of a PR system will depend on its particular design and on how it interacts with other factors such as the size of electoral districts. Crucially, electoral outcomes arise from the interplay of cultural, institutional and behavioural patterns and so the transferability of lessons from other countries is limited. That said, by observing the change to PR in the Scotland and New Zealand, it is evident that changes to electoral systems may take time to produce the desired effects for under-represented groups.

### 4. Redistricting

The manipulation of electoral boundaries has been used to tackle under-representation in cases where ethnic, linguistic or racial minorities are geographically concentrated. In the USA, for example, where electoral boundaries are re-drawn after each decennial Census, the deliberate creation of ‘majority-minority’ districts is permissible. The limited amount of evidence on this approach at the city level suggests that it can work to enhance diversity, but that it is not enough on its own to guarantee the optimum election of minority representatives.

### *5. Limiting terms of office*

Limitations on the number of terms or years in office that can be served address the problem of ‘incumbency’ that is believed to exercise an adverse effect on public respect for the political system. One potential side-effect may be to increase the chances of members of under-represented groups gaining office. However, evidence from the US states suggests that the impact on diversity is modest at best, and that the increase in turnover of legislators resulting from term limits carries the risk of removing experienced legislators from office and adversely influencing the quality of policy making.

## Conclusions and Recommendations

Based on the evidence presented in this paper, four policy recommendations are put forward to the Commission for consideration.

The adoption of candidate gender quotas by political parties, while controversial in some quarters, would be the most effective way of accelerating the move towards parity of representation.

The adoption of some form of proportional system, for example, through extension of the Scottish STV system to England. Its limited impact in New Zealand and Scotland can be countered by a public education programme to help electors understand the new system.

The introduction of a limited system of state funding for political parties linked to equality targets for under-represented groups. Funding to be held back where locally relevant equality targets are not met.

The imposition of a three term limit for councillors to open up opportunities for new entrants, while retaining a reasonable degree of councillor experience.

# 1 Introduction

In February 2007, the Secretary of State for Communities and Local Government announced a new Councillors Commission to consider how to encourage more people from a wider range of backgrounds to become (and remain) local authority councillors. In order to inform the deliberations and recommendations of the Commission, the Department for Communities and Local Government commissioned an international literature review on the representativeness of local councils. Specifically, this study set out to explore, in an international context, the barriers and incentives to becoming a councillor.

Representativeness – how far councillors actually resemble the communities they serve in terms of their personal social characteristics – and to what extent, and by what means, their greater ‘representativeness’ can be achieved, has preoccupied activists and commentators alike. The core concept here is that of parity – that is, the representation of a group in proportion to its presence in the population. Parity may be seen as an ideal, but in the real world representative outcomes fall far short of it.

Removing the barriers to greater representativeness requires us to identify what factors impede or facilitate the improved representation of under-represented groups: women, minorities, disabled people, young people and sexual minorities. Simply put, representativeness can be seen as the outcome of the interplay between supply and demand factors in the electoral process. Supply-side factors include the willingness or availability of people from these groups to offer themselves for election, and these personal factors include their motivations, dispositions, expectations and resources, matters that operate at the level of the individual. These qualities are to some degree culturally determined, vary between societies and may change over time. More objective factors include the costs and benefits to the individual of committing time to contesting for and serving in electoral office. It follows that encouragement, mentoring and training all operate on the supply side and, where pursued, apply to many situations other than recruitment to electoral office. Provisions for councillors, including financial allowances etc., also act to encourage people to come forward for election.

Demand-side factors determine the acceptability of people as candidates and include the willingness of selectors to adopt them and the willingness of electors to cast their votes for them, factors that are also in part cultural in origin, and include prejudice and stereotyping. The operation of electoral systems and the drawing of electoral boundaries may also have exclusionary effects, even when these are not intended. There are also specific barriers relating to qualification and disqualification which may be statutory or simply matters of practice. Special measures may operate on the demand side, of which some will be essentially incremental in nature while others

may be radical in both intention and effect, as when statute or party policy require a quota of seats or candidatures to be set aside for a particular group. Other special measures may be introduced for quite different reasons, yet have an impact on the representation of these groups in electoral processes, an example being term limits in legislatures or the reform of electoral arrangements.

So measures intended to achieve reform and produce an improved outcome may be found on both sides, and they may have direct or indirect effects. Those initiatives that aim to redress discrimination and provide for the fuller integration of any of these groups into the mainstream of society are usually not confined to political representation, but work to a much broader agenda of encouragement and capacity-building. Greater political participation may follow their success.

This paper is organised as follows. The paper begins with a brief comment on under-representation in a comparative context. The section which follows deals with the reforms to stimulate the supply of candidates. It is followed by a treatment of reforms specifically aimed at reshaping the demand for candidates and focuses on the operation of quota systems, electoral arrangements and term limits. The paper concludes by making a number of recommendations for consideration by the Commission.

# 2 Research Findings

## 2.1 Under-representation: an international perspective

It has not proved possible in this paper to treat the several under-represented groups in an equal fashion. As will be apparent, the vast majority of existing literature deals with women in politics.

The under-representation of women and minorities in local politics has been debated for many years. Data drawn from 67 countries presented to the Beijing+10 summit in New York in 2005 showed that only 21 per cent of councillors globally are women. Yet even here there are great variations between countries, with more than 40 per cent of local council seats held by women in Sweden and less than four per cent in Greece (IULA, 1998: 25). In the Netherlands and in some Scandinavian countries female representation in politics is at a high level (Oldersma, 2002). In 2004, the proportion of women councillors in Finland stood at 36.3 per cent, while in the Netherlands, in 2003, 25 percent of all councillors were women. In the same year, a total of 1,679 aldermen were appointed, of whom 16 percent were women, while one in every five mayors in the Netherlands is a woman (Statistics Netherlands, 2003). See Appendix B for a tabular presentation of this data.

Although trend data would perhaps be a stronger indicator of the position of women in local government, consistent and comparable information is hard to come by. In Canada, in 1990, 18 per cent of council members were women – a percentage that rose in some cities during the 1980s and 1990s, but subsequently reached a plateau (IULA, 1998: 27; Briggs, 2000: 76-77). In France, the proportion of women councillors rose from 21.9 per cent to 47.5 per cent after the 2001 municipal elections (Dauphin, 2002) although this striking result was not reflected in elections to higher levels of French government. In Belgium, the number of female local councillors has been steadily growing from less than 10 per cent to over 25 per cent during the last quarter of a century. During this period, the share of female aldermen also grew from slightly more than 6 per cent to 20 per cent, whereas the share of female mayors rose from a mere two to eight per cent (Meier, 2003). In Finland, the proportion of women councillors remained under 10 per cent in every local election between 1953 and 1964, but after 1968 rose by around 3 per cent at each four yearly election to reach the current figure of 36.3 per cent. In Sweden a similar pattern obtained with women's representation rising progressively from 12 per cent in 1966 to its present level of 42 per cent.

Small changes in the representation of Welsh women councillors occurred between 1999 and 2004 representing an increase from 19.5 to 21.8 per cent. The advance of women in local politics has been dramatic in Australia. In 1960 there were only 100 women councillors across the country, a figure that increased to 250 ten years later and almost 800 in 1980. By 2000, this number had risen to 1745 or 26.3 per cent of the total number of councillors (ALGA, n.d)<sup>1</sup>. In New Zealand the proportion of women elected to local and regional authorities was at 27 per cent in the 2004 elections, although this represented the culmination of a small decline in each of three successive elections.

In respect of other groups the evidence as to trends is still more uneven. An analysis of local election results in New Zealand, for example, shows that the trend is towards older councillors with those aged 51 years and more increasing from 71 per cent in 1998 to 75 per cent in 2004 (Shi, 2005). In Australia the picture varies State by State and there is no complete information but it is notable that the proportion of councillors aged 60 and above in South Australia rose from 21.3 per cent in 1997 to 43.8 in 2004 (Local Government Focus, 2007, 11 August). Elsewhere, while the tendency is still for councillors to belong to the older age group, there are some instances of change in favour of younger councillors. For example, Welsh councillors in 2004 had an average age of 57, with 88 per cent of them aged 45 or more. However, these figures represented a quite marked change on earlier years with councillors in the oldest age group of 65 and over in 2001 declining from 35.6 to 25.5 per cent – though it should be noted that a one-off severance scheme operated in Wales in 2003 for councillors who had over 15 years' service. The youngest age groups are only sparsely represented, perhaps because aspiring councillors often serve an apprenticeship as candidates in unwinnable seats. Thus, while in Finland, 11 per cent of the candidates in 2004 were under 30 years of age, they were notably less successful than older candidates.

The experience as regards the representation of ethnic minorities is even more varied. One of the principal difficulties in comparing ethnic representation is definitional. The so-called 'ethnic minority' in any country is composed of a number of distinct groups, rooted in nationally specific contexts. Who *counts* as an ethnic or visible minority will differ from one country to another, depending on patterns of migration to that country and the historical relationships between sending and receiving societies. In addition, there are official differences in the classification and measurement of ethnicity that make the collection and comparison of data across countries especially difficult. For example, in neither Belgium nor France do the census bureaux collect data on ethnicity. In other countries, fully integrated second- and even third-generation descendants of migrants are counted as members of the ethnic minority. Where population statistics on ethnicity are available, they usually take one of two forms: self-identification as in Canada, or objective criteria including

<sup>1</sup> An earlier study of this changing pattern of representation suggests that women entrants to council service were better educated and more likely to be employed than their predecessors (Fletcher, 1999).

one's place of birth, birth country of parents, or mother tongue. In addition, there are various legislative arrangements operating in countries ranging from a reservations system as in India at one extreme and colour-blind law at the other.

Whatever the difficulties in collecting data and making comparisons, it is clear that ethnic minorities are substantially under-represented in local councils. In New Zealand, Maori and other ethnic groups amount to some 25 per cent of the total population but were under-represented on local councils in the 1998 (7 per cent), 2001 (8 per cent) and 2004 (6 per cent) elections (Shi, 2005). In Wales 0.8 per cent of councillors surveyed in 2004 were of non-white origin as against 2.1 per cent of the Welsh population. In France, prior to the cantonal and regional elections of March 2004, there were just three ethnic minority representatives among more than 4,500 *conseillers généraux* seated within the 96 departmental parliaments across France, and just five among the more than 1,700 *conseillers régionaux* in 22 regional parliaments. Among more than 36,000 French cities and towns, just three are led by a mayor of minority ethnic background.

In some instances there are special provisions for linguistic minorities who are themselves often concentrated in particular territories. In Finland the Swedish-speaking Aaland Islands have a directly elected legislative assembly and a guaranteed seat in Parliament. In Italy, five of the 15 regions (Sicily, Sardinia, Valle d'Aosta, Trentino Alto Adige and Friuli-Venezia-Giulia) are described as 'special statute' regions, 'established as a result of particular ethnic or geographical considerations' (ERS, 2004), while the two Italian Autonomous Provinces (Trentino and Bolzano) guarantee electoral representation for the Ladin linguistic group (Palermo and Woelk, 2003).

## 2.2 Reforms to stimulate the supply of candidates

A major factor contributing to under-representativeness is the unwillingness of some groups to put themselves forward for election. Many reasons have been advanced, for example, as to why women play a largely subordinate role in politics, including discrimination against them, cultural expectations and tensions between women's domestic, occupational and public lives. Women also seem often to have lower expectations of their own political potential in comparison to men. They may feel less confident, and are less likely to be politically active or to offer themselves for public office. When elected to office, women are less likely to progress to key positions by competing for leadership roles (Rao, 2005). This would appear to be equally true of other under-represented groups: they are less likely to be active in public life. They are less likely to consider themselves to be candidates for public office, either because they lack confidence, find the practicalities too challenging or fear public intrusion into their private lives. This last issue, for example, has been shown by US research to be both a realistic fear and a crucial disincentive to potential gay and lesbian candidates running for office (Herrick and Thomas, 1999;

Golebiowska and Thomsen, 1999). Whatever measures may be taken to tackle discrimination and remove eligibility barriers to office, supply-side factors ultimately shape the size and character of the pool from which potential councillors are drawn.

Gender-specific explanations of under-representation focus on more subtle arguments about political socialisation: women, it is said, are taught that politics is a 'man's game', while they themselves are socialised into the wife and the mother role, with which politics is incompatible (Welch, 1978: 372). Women are also less active in politics generally because the political culture 'emphasises moral, dependent, and politically less competent images of women which reduce their partisanship and sense of political efficacy and define a less active political role for them' (Lane, 1959: 215). Concepts such as political competence, efficacy, self-confidence and activism enable us to understand why so few women are willing to put themselves forward for election.

The international literature reveals that a range of measures have been designed and introduced to make it easier to enhance the supply of women. These include capacity building through education to challenge the supposed gender differences in political ambition (Fox and Lawless, 2004; Lawless and Fox, 2005; Moore, 2005), and practical help to encourage them to stand and, when elected, combine family, work and politics. Other initiatives include training and skills development, mentoring, provision of crèche facilities, compensation for salary reduction and changes in the scheduling of meetings (CEMR, 2005). Use of secondments by employers to enable employees to return to their jobs after serving as councillors, severance payments and the reform of remuneration have been among the more specific measures to stimulate the overall supply of candidates.

### **Building capacity: encouraging, mentoring and shadowing**

Encouraging women and other minority groups to put themselves forward as candidates is a widely adopted route to securing their representation. In New Zealand the Equal Rights Commission held public meetings around the country to encourage women to stand in the 2004 local elections. Similarly, Local Government New Zealand has encouraged Maori to enroll on the electoral register and Maori media to profile prominent Maori councillors and Mayors, while the churches in that country have prioritised encouraging Pacific islanders to vote.

Under its Strategies for More Inclusive Canadian Communities programme, the Federation of Canadian Municipalities introduced training to help women to organise, mobilise and network. The aim of the courses and workshops is to encourage women to gain political experience through participation in committees in their neighbourhoods, while gender and leadership courses provide them with the skills to speak in public, analyse, argue and defend their interests and to build support networks. Women are provided with the necessary skills and knowledge for campaigning, presentation, negotiation and handling the media, as well as gender-

awareness and self-esteem training, and there are also opportunities to practice these capacities through work placements. The intention is to encourage more women to progress to political involvement in community affairs, eventually seeking representative roles by standing for and winning election to their local councils.

The Welsh Local Government Association (WLGA) has supported an innovative shadowing scheme, working with Operation Black Vote to recruit young volunteers from BME communities to shadow councillors in their day to day work. The participants align themselves with a particular political party so as to gain access to private party forums and meetings. First pioneered in Bristol, there are indications that Operation Black Vote may provide opportunities and encouragement for young people from the minority communities to eventually progress to candidacy. Two Bristol graduates of OBV's shadowing scheme in 2005 and 2006 stood as major party candidates in the 2007 local elections. In addition, the WLGA has run a widening participation campaign to raise awareness and attract new candidates, while their members' charter launched some limited mentoring and buddying schemes.

### **Making it possible to serve: remuneration and time off**

In all the countries considered, it appears to be a universal principle that elected members should not suffer financial loss. In some, far more substantial compensation schemes have been introduced, sometimes with the explicit aim of widening access to council office. Advice to the authors from Local Government New Zealand is that:

*Prior to '89 the participation of women in local government was extremely marginal. One of the factors that made a difference was the decision to enhance the remuneration of elected members... the argument was a simple one that the existing level of remuneration was such that only well-off individuals could afford to stand for election – a meeting allowance and honorarium was introduced. In 2002 we changed the remuneration regime again which saw the income of councillors in the metropolitan cities increase substantially (councillors in Wellington city... earn around \$80,000 pa, which is more than double the average NZ wage) [but] despite the recent increase there is no evidence of any commensurate change in participation rates amongst women and minorities (Reid, 2007).*

Rather similar arguments for widening representation through enhanced compensation were advanced in Scotland, where a progress group on widening access to council membership concluded that:

*it can be argued that many people do not choose to become a councillor for financial reward. Rather, they have a public service ethos and want to serve their community. We believe that it is an admirable position but do not believe that it is completely tenable if we are serious about widening access... The low basic allowance currently available means that becoming a councillor is effectively ruled out for anyone who does not have another source of income. It is clear that most people could not give up a full*

*time job to become a councillor in return for £6-7K and many do not believe they could continue to do their job while holding responsibilities as a councillor because of the time commitment needed to carry out both roles... for those in employment, we strongly believe that the introduction of an adequate basic salary is fundamental to widening access. Without [which] we believe it would be extremely difficult to change the make up of Scotland's councils (Scottish Executive, 2004).*

In parallel with this group, a remuneration progress group was established to report to the Scottish Local Authorities Remuneration Committee (SLARC) which in turn made recommendations to the Minister for Finance and Public Service Reform. The SLARC recommendations were largely accepted. They involved the abolition of the basic and special responsibility allowances and their replacement with a salary for all basic councillors of £15,452. Scottish local authorities were grouped into four bands, from the smallest (Band A) to Edinburgh and Glasgow in Band D. A number of key 'senior councillor' roles were allowable within these bands, from eight in Band A to 24 in Band D, with graduated salaries (to a maximum of £34,768). Council leaders were awarded salaries on a similar basis from £25,754 in Band A to £46,357 in Band D (Scottish Executive, 2006). These proposals were introduced by regulation to take effect for the 2007 elections. The limited evidence currently available would suggest that these reforms have, so far, had little (if any) effect on the participation of traditionally under-represented groups.

As in Scotland, linking remuneration to the size of the authority is a common practice internationally, with population size taken as a proxy for the weight of the duties that fall upon elected representatives. The European Charter of Local Autonomy requires signatory States to guarantee local representatives the free exercise of their mandate, providing adequate financial compensation for the costs they incur for any loss of pay or benefits. Arrangements vary from salaries or duty allowances relating to executive office to attendance allowances. The refunding of expenses is universal although European States vary in what expense is regarded as allowable. In Sweden, the basis on which remuneration is awarded is left to the local assembly to decide, and in some instances it is substantial. Full- and most-time members often have the right to join a contributory pension scheme, while part-time councillors are given pension and holiday benefits to compensate for those which they lose as a result of their council office. Norwegian councillors are also well provided for with allowances and compensation for loss of income on a per diem rate. In Denmark, additional allowances are payable to councillors with young children in order to obtain better representation in terms of age and gender and additional allowances are payable to councillors with caring responsibilities for relatives. In some German *Länder*, loss of earnings may be handled by direct reimbursement to employers – a practice which is also present in Belgium. European countries often provide pensions in respect of council service.

In France, all elected members receiving financial compensation are included in the national public sector pension scheme. In Germany, full time mayors are entitled to a retirement pension but other elected members are not. In Denmark, mayors and aldermen become entitled to pension after eight years service, while they together with some committee chairs, receive continuing payments for some months after leaving office. Dutch councillors benefit from medical insurance, pension entitlements and may also qualify for redundancy payments when they stand down. The idea of redundancy payments also characterised the Scottish reorganisation when it was anticipated that the shift from FPTP to STV would cause sharp perturbations in the fortunes of the political parties and engender considerable anxieties among many serving councillors. A one-off severance payment scheme was therefore introduced as the price of agreement on the adoption of STV, with retiring councillors qualifying for up to £15,000, for which they had to forfeit their right to ever stand again in Scotland. Scottish councillors are also eligible for pensions and those elected in May 2007, with previous experience between 1995 and 2007, are entitled to make payments to buy additional LGPS pension in respect of all or part of this earlier service.

Substantial allowances are payable in some Canadian cities where, as is the case south of the border, remuneration is a matter for local decision. Ottawa's remuneration review of 2004 provides an interesting example of how such sensitive matters might be approached. Rather than reserve the determination of compensation to themselves, the Council pursued an arm's length approach, establishing a Citizens' Task Force on Council Remuneration. The Task Force noted that the creation of larger amalgamated cities, and the devolution of functions from the Provincial governments had not been matched by enhanced pay. 'In any field', they observed:

it is important to ensure that a fair day's wage is paid for a fair day's work. This is as important for politicians as it is for any other person in the workforce. It is equally significant to recognize that our ability to attract good candidates to serve on Council is influenced in part by the fairness of the compensation they will receive.

The Task Force concluded that the mayoral salary should be annually adjusted on a benchmark formula basis, with Councillors paid at 55 per cent of the Mayor's salary, which would initially be set at \$140,000. There would be no additional allowance for committee chairs, or for serving on any outside bodies. Members would be covered by the City of Ottawa health benefit package and on leaving office would be eligible to receive a redundancy payment equal to one month's pay for each year of service to a maximum of six months' pay, providing they were not returning directly to a job (City of Ottawa, 2005).

An effective *right to represent* requires that would-be councillors are permitted to take time out of their employment to serve their communities. In much of Europe, councillors have a legal entitlement to time off, although in some States this is

extended only to public sector employees. Nowhere is the right to time off entirely open-ended: just as in Britain, where councillors are entitled to such time off for council service as is ‘reasonable’ with regard to their workplace duties, restrictions are generally applied. The near exceptions are in Sweden, where the entitlement is to such leave of absence from employment as the elected mandate requires, and in Norway, where a councillor must be released from employment to whatever extent is necessary to attend meetings of the body he or she serves (Young, 2000).

The more common entitlement is to a prescribed number of days, although there may be considerable flexibility at the margin. In France, where there is a statutory right to time off for meetings it is limited to half the legal working hours limit per year, although a system of extra credit hours applies to mayors, their deputies and, in larger towns, all councillors, to enable them to prepare for meetings. Moreover, councils may vote for additional ‘credit hours’ which must be honoured by employers, albeit on an unpaid basis. In Belgium, where the right to time off is also conditioned by the population size of the authority, there are three categories of political leave for councillors employed in the public sector. Some time is automatically given, additional time may be optional and exemption may also be granted providing the job performance is not affected. Elsewhere in Europe, there are marked differences in the effective right to serve depending on whether the councillor is employed in the private or public sector.

### Does representativeness encourage representation?

Female and minority group representation may be enhanced by aspects of the representative process itself. Differential levels of electoral registration and turnout produce skewed effects, while constitutional factors such as the population size of authorities and the ratio of electors to representatives affect public awareness and participation and perhaps serve to send signals to members of underrepresented groups. The evidence however is not conclusive, although the diversity of representation on councils may encourage minority and women voters to go to the polls. A comprehensive study of gender politics in the US concluded that:

*If women were represented equally in the political environment, the resultant gains in political interest and knowledge would boost them sufficiently that they would surpass men by a margin roughly equal to men’s initial advantage... in short, for women, achieving parity among state-wide political elites would produce concomitant gains in their political participation that would, on their own, almost wipe out the gender disparity in political activity (Burns, Schlozman and Verba, 2001: 355).*

That oft-quoted judgment, however, is based on an extrapolation of survey evidence, and is predicated on there being higher levels of representation in the first instance. It extends the proposition that the increased representation of marginalized groups signals that members of those groups are capable of governing, establishing a greater connectedness with minority constituencies. On the other hand, ‘low percentages of

Black and women representatives... create the meaning that Blacks and women cannot rule, or are not suitable for rule' (Mansfield, 1999: 649).

This idea, that patterns of representation themselves establish cues to participate – or hold back from participating – in the political process, has mainly been explored in relation to women:

*When women... become viable players in the political system they empower women citizens. Viable women candidates lead women to feel more connected to and a part of the political system in a way that they do not now when they look around and see only men. To some extent female players in the game indicate a degree of policy responsiveness, system openness, and legitimacy that may not be found when there are few female players (Atkeson, 2003:1043).*

This basic analysis would be applicable to any under-represented group, as might be apparent from substituting suitable terms for 'women' or 'female' in this quotation. The argument is plausible, although the evidence is less persuasive. Atkeson herself concludes that 'simply having a "like" candidate on the ballot is not enough to stimulate political engagement.' For 'symbolic representation' to work, candidates must be seen as serious competitors (Atkeson, 2003: 1053). Even so, it is clear that many other factors intervene, to the extent that at the end of the day the ability of women candidates to mobilise participation is 'rather limited' (Dolan, 2006:17).

Much of the foregoing relates to the impact of representation on participation. Of equal importance is the question of whether levels of participation – and the factors that shape them – in turn shape the patterns of representation. In the USA there is evidence that increased turnout leads to the election of greater number of Latinos and Asian-Americans although there is no clear relationship between turnout and the electoral fortunes of African-American candidates. Conversely, white candidates do less well in higher levels of turnout in multi-racial areas (Hajnal and Hills, 2002). In the Netherlands there is a strong association between participation in ethnic organisations, voting and standing for election to local councils. Taking the several different ethnic groups there, there is a close rank order correlation between the number of councillors from that group and voting turnout rates. The link would appear to be the strength of organisations which can stimulate political participation and integrate their members into the local political system (van Heelsum, 2001).

Although there is a negative correlation in Britain between the size of the South Asian population and levels of electoral registration, this is because white residents in those same areas are less likely to register. The presence of electors from the Indian sub-continent actually increases registration (and turnout) in inner city areas. It seems that political parties and community leaders mobilise these residents, persuading them to register and then persuading them to vote (Fieldhouse and Cutts, 2007). We could, then, postulate a 'ladder' of political participation:

individuals from those groups who are more likely to register are more likely to vote themselves; those more likely to vote are more likely to get involved in community organisations; and those that do are more likely to enter the pool of possible council candidates, and eventually, even stand for election. But it is likely to be a long ladder, not one rapidly ascended.

Although the results of many US studies tend to show that turnout is lower where the size of the minority population is larger, black voters are at least as likely to turn out as white voters, when demographic differences are taken into account; it seems that the increasing size of a black minority raises black voter turnout while depressing white voter turnout, leading to lower turnout overall. According to Geys' meta-analysis of some 83 separate studies of the factors affecting turnout, overall population size also matters and has a statistically significant negative effect on turnout, being higher where the population is smaller. But closeness of the election (marginality, or competitiveness in our terms) is the most analysed element in the turnout literature, and the overwhelming weight of the evidence is that marginality drives turnout. The closer the election is expected to be, the higher the probability that one vote may effect the outcome. However, this may not signify that voters make a rational decision to turn out. Rather, it may be an indirect response to increased campaigning efforts by the competing parties in politically marginal areas. Concurrent elections and the use of proportional representation all significantly stimulate turnout (Geys, 2006). (A note of caution is sounded by the New Zealand experience at the national level, where the introduction of STV appears to have precipitated a small decline in turnout (Vowles, 2002)).

To conclude, a cautionary note: there is little evidence that any of the measures considered above have had much impact on increasing the supply of council candidates from under-represented groups, as supply-side measures have limited impact where the culture of the society is unsympathetic to the progression of minority groups and women. Although it may be reasonable to expect some change to occur in response to supply-side measures, it is also prudent to expect the change to be gradual, perhaps cumulative, over a long period of time. None of that implies that interventions on the supply side should not be pursued; but the limited impact of supply-side measures has led a number of countries to embark on more radical reforms of the demand side.

## 2.3 Reforms to increase the demand for candidates

### 2.3.1 Direct demand-side interventions

#### *Quotas*

The principal – and most direct – means of remedying the under-representation of particular groups is to impose a quota of seats or (within political parties) candidacies. Quotas are particularly appropriate in settings where the gender

(or other) imbalance in government is most marked. It is argued that they can provide the kind of exogenous shock needed to challenge deeply entrenched attitudes and patterns of behaviour, and begin a process of cultural change. They shift the responsibility for under-representation away from under-represented groups themselves and force political decision makers to address discriminatory attitudes and behaviour. Although the experience of operating quotas in most countries relates primarily to women, it may have equal relevance to other under-represented groups such as ethnic or national minorities, where quotas are sometimes used to overcome structural disadvantage. Croatia, Slovenia and Serbia, for example, reserve seats for national minorities at parliamentary level, and Hungary and Slovenia also do so at local level (Palermo and Woelk, 2003).

The case for quotas owes much to the belief in critical mass, that if, for example, women constitute at least 30 per cent of all political bodies (the 'magic number') they will be able to 'make a difference' to the policy agenda or to the attitudes of the male majority (Childs and Krook, 2006). Originating in the work of Kanter (1977) and first applied to the political sphere by Drude Dahlerup (1988, 2006a), the notion of critical mass has focused largely on the ability of women to form coalitions among themselves to advance women's interests. It has been questioned by many scholars (e.g. Bratton, 2005; Grey, 2006; Studlar and McAllister, 2002; Tremblay, 2006) including Dahlerup herself whose 1988 paper instead advanced the idea of 'critical acts', or the influence of individual 'policy entrepreneurs', as an explanation of increasing female influence over policy agendas. However, the critical mass literature remains part of the more general debate on ways of redressing the gender imbalance of political parties and legislative bodies, and has intuitive appeal for its application to the possibilities for breakthrough of other under-represented groups.

The degree to which the prevailing social and political culture accepts the notion of quotas is critical. This applies both to their introduction and subsequent ability to empower women within elected bodies. They are more likely to be accepted and successful in countries with a long tradition of separate representation for different groups (as in some African countries), or in those with previous quota experience. In India, for example, the introduction of reserved seats for women was preceded by a history of constitutional quotas for scheduled castes. Conversely, legislative or constitutional quotas conflict with the principles of liberal democracy. This view is prevalent in the USA and in many European countries, including the UK, where even voluntary quotas at the political party level have been controversial. Members of under-represented groups may themselves find the notion of quotas distasteful, while both active and passive resistance can continue even in countries like Finland where they have been highly successful in quantitative terms at the local level. An in-depth qualitative study carried out in Finland identified a degree of bitterness over the quotas as 'forced' solutions, with resisters – not all of them men – expressing strong disapproval of a system that in their view replaced experienced men with inexperienced women.

Other councillors were more cautious expressing regrets and ‘condolences’ about what they saw as the fact that there ‘just aren’t enough women available’. In some municipalities initial failures were attributed to ‘memory lapses’. One male councillor recalled that the quota law:

*has been mainly a good thing. But then, for example, still this year the political groups tended to forget that the adjustments should have been made according to the quota law. (Holli, Luhtakallio and Raevaara, 2006:177).*

A survey of 5,000 members of ‘local elites’ in eastern and western European countries also suggested considerable resistance to the notion of special rights or participatory arrangements for national minorities (Berry and de Vries, 2004) and they are less common worldwide than quotas for women (Htun, 2004).

Moreover, although the purpose is to liberate and empower, quotas can come to be seen as ceilings and, more fundamentally, can reinforce stereotypes by sending a message that, for example, women can only be properly represented by women (and thus that women cannot represent men). In certain circumstances, for example in some Latin American countries, where candidate nomination is a highly centralised process, quotas have also been accused of reinforcing the status quo: ‘They introduce new players to the political arena but make them play according to old rules.’ (Baldez, 2006).

Fifteen countries including France and Serbia operate constitutional quotas for national parliaments, while forty two countries, including Armenia, Belgium, Bosnia-Herzegovina, France, Macedonia, Portugal, Serbia, Spain and Uzbekistan have election law quota regulations for national parliaments. Quotas at the sub-national level operate in 32 countries, including France, Greece, Macedonia, Portugal, Serbia, Slovenia and Spain. Political party short lists and/or quotas for electoral candidates are to be found in 69 countries, including Australia, Austria, Belgium, Canada, Croatia, Cyprus, Czech Republic, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland and the UK. Voluntary systems vary in percentage terms, with some employing zipper systems (alternating male and female candidates on electoral lists) or other rank placement approaches. In a few countries such as Croatia and Italy voluntary quotas are given some monetary incentive through state party funding systems.

Among those European countries with sub-national constitutional or legislative quotas are Belgium (parity of men and women on candidate lists); France (gender parity for municipal elections in authorities with populations over 3,500); Greece (equal percentage of male and female candidates for local and regional elections); Macedonia (at least 30 per cent of each sex, with gender parity in the first half of the

list); Portugal (33 per cent quota for the under-represented sex); Serbia (at least 30 per cent of each sex, with every fourth place reserved for the under-represented group); Slovenia (every third candidate of the under-represented sex); and Spain (all elections to have a minimum of 40 per cent and a maximum of 60 per cent of either sex; this rule was first applied in the local and regional elections of May 2007). Finland is an unusual case in that the law specifically excludes quotas from applying to directly elected bodies such as municipal councils. However, the quotas must be applied where political or administrative authorities nominate or indirectly elect public bodies. The quota law also applies to municipal executives, where at least 40 per cent must be women (Holli, Luhtakallio and Raevaara, 2006).

Do quotas make a difference? It has to be said that there is no single uncontested international experience of the effect of quotas in improving the representation of women in local politics (Tinker, 2004). Rather the evidence is ambiguous, with a national level quota system for women proving ineffective in France (though this is not the case at the municipal level) while Finland has achieved near parity without the use of quotas (Kittilson, 2005). However, where quotas have been applied to indirectly elected bodies in Finland, they have made a significant difference to female representation: in 1993 just 25 per cent of executive board members were women and, following the introduction of the quota law, this has risen steadily to 47 per cent. Moreover, a considerable degree of consistency in compliance was achieved, with only one of the 432 mainland municipalities failing to achieve the quota. The achievement of gender balance on municipal boards – themselves major sites of power in Finnish social administration – has rectified a long standing tendency for women to be nominated to ‘soft sector boards’ (dealing with social services and education) and men to more technical and economically important boards. Finally, the quota rules do not apply to the chairmanships of these bodies where women remain distinctly under-represented (Holli, Luhtakallio and Raevaara, 2006: 171-173).

The limited impact of quota legislation on the outcome of the 2002 national elections in France is attributed in part to the fact that the major political parties believed the benefits derived from the election of men outweighed the cost of the fines imposed for breaching quota rules. The ability of political elites to ignore, manipulate or circumvent quota rules in the absence of effective sanctions is also evident in countries such as Japan and Mexico. Change comes slowly even with quotas (Huddy and Terkildsen, 1993). In the Scandinavian countries, for example, it took some 60 years for Denmark, Norway and Sweden to reach 20 per cent female representation, and 70 years (after the introduction of voluntary party quotas) to reach 30 per cent. ‘Today, women’s movements are unwilling to wait so long’ (Dahlerup and Freidenvall, 2005) and feminist activists have played a prominent role in the adoption of quotas in countries such as France (Baudino, 2003) and Finland (Holli, Luhtakallio and Raevaara, 2006).

Overall, it would seem that quotas can work, in the right circumstances, to bring under-represented groups into political office and kick-start a change in the attitudes and behaviour of political elites. However, context is all. The prevailing political and social culture is critical, as are the specific natures of electoral and party systems and the existence of effective sanctions to address non-compliance. Thus the direct transfer of quota lessons from one country to another is unlikely to be possible. This is equally true of the experience of those countries like Denmark and the Netherlands (Oldersma, 2002) where high levels of female participation have been achieved in the virtual absence of quota-style positive action. Mansbridge (2005) advises that quotas may best be used as part of a spectrum of fast track and incremental approaches to addressing under-representation. They should ‘be kept as flexible as possible, being instituted preferably at the party level rather than at the legislative level, by voluntary adoption rather than by legislation, and by legislation rather than by constitutional mandate.’ Essentially, they should be seen as ‘a practical and perhaps temporary response to centuries of discrimination, rather than as an eternally necessary recognition of essential differences’.

One of the factors that affects the success of the quota system is the nature of the electoral system in which it operates. Proportional representation (PR) systems are generally seen to be the best solution for the representation of minorities, of whatever kind, and quota systems are most likely to be effective in the context of party-centred, closed list PR systems, and in moderate-to-large rather than smaller districts. Larsrud and Taphorn (2007), emphasise that ‘different combinations of quotas and electoral systems work quite differently’ so that, for example, in single-member, First Past The Post systems the most effective approach is likely to centre on gender quotas to promote women within party ranks rather than on increasing the number of women candidates for election. Another approach which is in use in some countries is the rank placement rule (or the zipper principle), in which, for example, every third candidate is drawn from an under-represented group.

Norris concludes that:

*Variations in the effectiveness of the quotas can be explained by whether the PR list is open or closed (with the latter the most effective), the existence of placement mandates (requiring parties to rank women candidates in high positions on closed party lists), district magnitude (the higher the number of candidates in a district, the more likely quotas are to work) and good faith party compliance. (Norris, 2004, 187)*

### **Funding political parties**

In France, parties receive two elements of State funding, the first related to the number of votes they receive and the second in proportion to the number of candidates that get elected. Under the French law of 1988, individual candidates receive funding to support their campaigns, while those who win at least five per cent of the votes in their constituency in the first round of Assembly elections are entitled to receive State

subsidy of up to 50 per cent of the election spending limit. A proportion of this funding is withheld, however, if a party departs by more than 2 per cent from gender parity on their election list. The parity penalty is applied to the first element of party funding and the penalty that applies outside the two per cent margin is half the percentage of the gender gap. There is, then, a sliding scale of penalties that apply to a party which departs from the parity target. Small parties win few seats and are relatively more dependent on the first form of state funding, while larger parties are more dependent on the second and are, therefore, less affected by the gender parity penalties. Following the introduction of a gender quota requirement in 2001 in France, the number of women elected to the National Assembly rose by just 1.5 per cent to 12 per cent.

For the elections to the National Assembly, where party lists are used for multi-member districts, the largest parties – the Socialist Party and the Union for Presidential Majority – could afford to nominate women in just 20 and 36 per cent respectively of the districts they contested and absorb the financial penalty imposed for non-compliance. On the other hand, smaller parties, which could not afford to risk such a penalty because of their greater relative dependence on votes than seats, were more likely to comply – the National Front nominated women in 49 per cent of the seats it fought – but were less likely to be successful. At the local level the increase in women's representation in the larger towns and communes (more than 3,500 population) has been striking: from 14 per cent in 1993 to 21 per cent in 1995 to 48 per cent in 2001 (Dauphin, 2002). However, the constitutional provision for parity applies at the local level only in these larger communes where elections are held on the basis of proportional representation and party lists.

International IDEA has argued 'the ways that parties get access to money can... affect the number of women elected and condition the level of public trust as a whole' (International IDEA). Evidence as to these effects is however scarce, and while the French example shows how party finance can be a potent tool for bringing about a more equal representation, in no other country is the system of political finance mandatorily linked to such a condition. This is because state funding for political parties generally predates the concern for gender equality, having been introduced in Germany in 1959, Sweden in 1965, Italy in 1974 and Spain in 1978 before France adopted such a scheme in 1988. At one extreme is the United States, as the sole country which provides no public support at all for candidates, while in Japan state support is available only for campaign advertising. In Australia and Canada, media subsidies are supplemented by the part public funding of individual campaigns, while in some continental European countries such as Belgium, Denmark, Finland, Netherlands, Norway and Sweden the public sector provides subsidies for political parties, rather than supporting individual candidates. In Austria, France, Germany and Italy, where there is the most extensive public funding for electoral politics, support is provided for party organisations and for individual candidates who do not run on a party list.

### 2.3.2 Indirect demand-side interventions

While quotas and other measures are intended to remedy under-represented groups in a direct manner, other systemic reforms pursued for other reasons may have incidental or indirect effects on representation. These comprise changes to electoral arrangements and voting systems, and measures such as restricting the term of office of elected representatives.

#### *Electoral arrangements*

Electoral arrangements appear to exercise a powerful influence on under-represented groups (Schwindt-Bayer and Mishler, 2005). The precise nature of that influence will depend on the specific details of each system's electoral formula (plurality; majority; list systems; or a mix); district structure (single or multi-member); and ballot mechanisms (party-centred or candidate-centred; number and type of votes to which electors are entitled). What holds for one under-represented group may not hold for another. For example, a study of the effects of single and multi-member districts in the US concluded that African-Americans were advantaged by single-member districts, especially in the cities, while women were more likely to be elected in multi-member districts (Moncrief and Thompson, 1992), although a larger scale study suggested that the benefits of multi-member districts for women were small and not universal (Welch and Studlar, 1990). A review of multi-member district working in Ireland and elsewhere focused on relations between co-representatives, and between them and the electorate and officers, with some suggestion that multi-member wards under STV might raise the profile of individual members and allow for more discriminating voting patterns (Morrison, Reid and Lightowler, 2007).

Different electoral systems, with or without quotas, have been found to favour or disadvantage women to different degrees (Larserud and Taphorn, 2007; Reynolds et al., 2005). For example, it is clear that candidate-centred systems with single-member districts are the least favourable to the election of women. These include First Past The Post, Two Round Systems (in which a second election is held if a candidate or party fails to achieve a given proportion of the vote) and Alternative Vote Systems. In contrast, Proportional Representation systems are generally seen to provide the greatest opportunities for women and other minorities. However, the specific impact of a PR system will depend on its particular design and how it interacts with other factors such as the size of electoral districts (Meier, 2003). For example, MacAllister and Studlar (2002) in an analysis of 20 western democracies over the 1950-2000 period, identify PR systems, early electoral enfranchisement and political party quotas as the key factors for women, while Norris (2000) argues that twice as many women are elected in PR systems than in plurality-majority systems.

Larserud and Taphorn (2007) identify party-centred electoral systems with multi-member constituencies, such as list Proportional Representation as the most effective means of improving the representation of women, especially in combination with

quotas. Belgium, for example, with its semi-open list PR system, has been described as a 'quota paradise'. Quotas have been operated for some years by some of the Belgian parties, beginning with the Greens in 1985, with other parties operating target figures. Introduced by legislation in 1994, gender quotas stipulated that an electoral list should not comprise more than two-thirds candidates of the same sex. The system was much criticised for its insufficiency, and in 2002, strictly equal proportions were required and same sex candidates were not to occupy the first two list positions (Meier, 2003). There are difficulties in attributing particular electoral consequences to measures such as these, although on balance it would appear that the parties' own quotas and targets have more than a symbolic effect.

In closed-list PR systems (Portugal, parts of Germany and Spain), winning candidates are taken from the lists in order of their position on them, and such lists can be structured in line with proportional quotas and placement mandates to maximise the election of candidates from under-represented groups. In open-list systems (Netherlands, Sweden, Denmark and Finland), voters can influence the order of candidates on a particular party's list by marking individual preferences, so the election of candidates from under-represented groups cannot be guaranteed. This possibility for voting across party boundaries applies equally to the operation of the Single Transferable Vote. The size of the electoral district and of the party within it are also important factors. The larger the number of candidates a party can nominate, the lower the chance that the establishment (incumbents, male candidates, etc.) will feel threatened, and the lower the chance of internal party tension as the result of efforts to improve the position of under-represented groups.

Given that electoral reform can hardly be made a precondition for better representativeness, it would appear that the fast track route to increased success for under-represented groups would be via the political parties. This would be through candidate quotas and short-lists and progress in increasing representation of these groups in party positions, from where they can influence candidate selection. Kunovich and Paxton (2005), for example, show that in non-proportional systems the presence of women in senior party positions increases the likelihood that women will be elected, at least at the national level.

It is also true that the impact of the electoral system appears to vary from place to place. In some places the system exercises only a marginal effect on issues such as the political recruitment or election of women, which may be predominantly influenced by factors such as differences in the composition of the municipal electorate. Elsewhere, local institutions do explain differences between municipalities, and the manipulation of local electoral systems could affect issues such as representativeness. The effects are unlikely to be consistent across countries, and it is difficult to estimate exactly where on the scale particular municipalities are located (Van der Kolk, 2000). While studies of the process of change in local electoral systems are thin on the ground, it is not possible to establish whether they have an impact on

representativeness. As it is generally believed that Proportional Representation tends to enhance the success rates of women and minority candidates at the national level, it would be a reasonable supposition that these effects are also likely to be found at the local level (Van der Kolk, 2007). However, the evidence is by no means unambiguous.

The experience of New Zealand, where authorities were allowed to choose whether to introduce the Single Transferable Vote for the 2004 local elections is pertinent. The Minister for Local Government in 2000 had exhorted local authorities to adopt STV in these terms:

*STV has the potential to make our local authorities more representative of the communities you serve. It increases the likelihood that those communities within our society that feel isolated and marginalised from mainstream political life will have the opportunity for direct participation. That can only enrich the nature of political life in this country and strengthen the foundations of our democratic institutions (Cheyne and Comrie, 2005: 201).*

The bulk of authorities opted to retain the First Past the Post system, and choice simply enabled 'the widespread self-interested rejection of STV by incumbent councillors' despite pleas from central government to consider it seriously as a way of bringing under-represented groups into local political life. Around ten local authorities adopted STV for the 2004 elections but the results were disappointing in terms of achieving better representation. Explanations as to why this was so vary: one view is that voters unfamiliar with STV had yet to learn how to distribute their choices to better effect to get their preferred candidates elected (Reid, 2007). Some hope and expect that this may change in 2007 as public understanding of STV improves. In Wellington, an 18 year old woman was elected and she attributes her success to the abandonment of FPTP system in that city (private correspondence). Overall, the experience of implementing STV in 2004 elections was complex and has worked to discourage other local authorities adopting it for 2007.

In Scotland, where STV was introduced for the 2007 elections, the arguments for change were different from those put forward (with limited success) in New Zealand. In 1999, the McIntosh Commission had recommended the introduction of a form of PR for local government elections, their key criteria for an appropriate system being proportionality; strong councillor-ward links; a fair chance for independent candidates; allowances for geographical diversity; and a close fit with natural communities. A subsequent working group under Richard Kerley was divided on the best system, and the 2002 White Paper, *Renewing Local Democracy: the Next Steps*, instigated widespread public consultation before introducing legislation in 2003. A working group set up to deal with the technicalities of the new system similarly made no reference to the likely impact on the representation of women and

minorities, although it did recognise that there was a need to introduce young people and voters with disabilities to the working of STV.

At first sight, the impact of STV in Scotland was to produce a retrograde change in the long term trend to an increase in number of women candidates and councillors – see Table 1. Although the percentage of candidates who were women fell from 27.7 in 2003 to 22.8 in 2007, the proportion of women *councillors* remained stable at 21.8 per cent. This suggests that the chances of a woman being elected had actually improved under STV. An authoritative analysis of the Scottish election result concluded that this unexpected outcome may have been an unforeseen consequence:

*The parties were looking for fewer candidates and in the scramble to be selected women appear to have lost out. It may be, of course, that in the past women were willing to act as, or were often selected as, sacrificial lambs in hopeless wards and under STV there was less need for such candidates... Previously many women were candidates in unwinnable wards (Bochel and Denver, 2007:3).*

Under the FPTP system, Scottish parties had found it difficult to find candidates. Under STV with fewer, multi-member wards, the parties needed to find fewer candidates and this enables them to field a wider range of candidates and so maximize their appeal to the electorate. In principle, the new Scottish arrangements should have made it easier for women and ethnic minority candidates to be elected, although it seems that the major parties had not, in this first round of STV elections, adapted their recruitment policies to take account of this opportunity. This is clearly true of ethnic minority candidates. In 2003, 36 ethnic minority candidates contested the local elections, a figure which dropped to 32 in 2007. Five minority Labour candidates were elected and two each from SNP and Liberal Democrats.

**Table 1 – Proportion of women candidates and councillors in Scottish local elections, 1999-2007**

Year	Women Candidates (%)	Women Councillors (%)
1999	26.8	23.0
2003	27.7	21.8
2007	22.8	21.8

*Source: Bochel and Denver (2007: 3)*

In both Scotland and New Zealand, there was some recognition that voters might be slow to understand the workings of the system and slow in learning to use it to best effect. A number of studies of public understanding of electoral reform in those countries that have adopted new systems – Italy, Japan and New Zealand – have shown that voters do develop this understanding subsequent to their first experience

of operating within the new system. Research undertaken for the Electoral Commission and Scottish Executive in advance of the 2007 elections showed that there was likely to be low levels of understanding of the system. Indeed, there are suggestions that STV is not well understood even in Ireland where it has been used for more than 70 years (MacAllister, 2004: 7).

### *Redistricting*

Special measures to tackle under-representation may also extend to changing electoral districts themselves, and where ethnic, linguistic or racial minorities are geographically segregated, it may be possible to improve their chances of standing and being elected through the manipulation of electoral boundaries. This approach has been adopted in the USA, where the 1965 Voting Rights Act and subsequent amendments have done much to ensure the political participation of minority groups. The Act, which arose from the civil rights struggles, forced compliance with the fifteenth amendment to the constitution, passed in 1870, to ensure minority populations the right to vote. Following its enactment voter registration among African-Americans nearly doubled in the space of two years in the American south, and the Act was amended in 1982 to prevent the manipulation of electoral boundaries to dilute African-American voting strength.

Interventions produced dramatic increases in the number of minority representatives elected at all levels, accomplished in the main by the delineation of electoral districts in which minorities achieved a majority status – a practice known as redistricting (Webster, 1993). The guiding principle for jurisdictions with large minority populations was that they were legally required to create majority-minority districts, if it was demographically possible to do so (Lennertz, 2000). Latterly, Supreme Court decisions have tempered this drive to change by requiring that electoral districts should be geographically meaningful (Webster 2000b). These decisions mark a return to traditional geographic conceptions of community and a rejection of the notion of a ‘transcendent community of interest’ that overcomes spatial separation (Leib, 1998).

Despite these successive changes in the rules of the game, the underlying principle of redistricting to achieve racial or ethnic fairness remains. Since the passage of the Act, proportionately fewer of those candidates preferred by white voters, and a greater number of minority-preferred candidates, have been elected. These have tended to be overwhelmingly minority persons generally corresponding with the ethnic/linguistic groups they represent. The Voting Rights Act and its subsequent history of implementation has been judged the most successful piece of civil rights action in United States history (Macchiarola and Diaz 1993: 56).

Electoral boundaries at all levels of government are re-drawn after each decennial Census to account for demographic changes and to reflect the constitutional expectation of ‘one person, one vote’. In addition, the Voting Rights Act of 1965 and

subsequent amendments act as a protector of the rights of ethnic, racial and language minorities against redistricting decisions that prejudice their effective use of the ballot. Redistricting, including the deliberate creation of majority-minority districts in which, for example, Hispanics are in the majority, is a hugely controversial process and has generated a great deal of case law and academic research.

Much of this relates to the federal and state levels, and there has been less attention paid to local redistricting. However, the Supreme Court ruling that redistricting should provide for one person one vote by equalising populations is less stringent at local level. When local governments re-apportion their districts they are able to depart from the strict criteria to allow communities to be more appropriately represented. State law often provides for the way in which these departures may be made. In the case of New York, the City Charter permits such considerations as population density, established communities and neighbourhoods, the ethnic/racial and religious backgrounds of dominant communities in particular areas, and other common interests to be taken into account. Among other studies at this level, Gartner (1997) studied the redistricting process in New York that led to 27 majority-minority districts in the 1991 elections: 12 with more than 50 per cent African-American population; nine with more than 50 per cent Hispanic population; and six with a combined minority population of over 50 per cent. The poll resulted in the election of 12 African-Americans and nine Hispanics who together constituted 41 per cent of the new 51-member City council, compared with a figure of 25 per cent in the preceding 35-member council.

These examples clearly show that redistricting can work to enhance diversity in local politics in the US, although other studies conclude that the establishment of majority-minority districts, itself a process conditioned by many local political and other factors, is not enough to guarantee the optimum election of minority representatives (Behr, 2004; Cain and Hopkins, 2002). The chances of candidates standing or being elected is also influenced by factors such as the disparity in resources between majority and minority populations (for example, education levels, income and health, all of which influence political participation) and differences in district population densities.

### *Limiting terms of office*

The movement to limit legislative terms has become an important reform in the United States, where there is deep cultural suspicion of legislative office-holders and where the key executive positions of President and Governor are subject to constitutional term limits. The American public is supportive of term limits for elected officials at all levels of government (Cain and Levin, 1999; Karp, 1995; Stein et al., 2002). Proponents argue that they will create a more democratic and vibrant electoral system by helping to address the problems of ‘incumbency’ and careerism (which have an adverse effect on the electorate’s perceptions of the political system) through opening up opportunities for individuals motivated more by interest in

policy issues than political ambition. The ability of term limits to improve the representation of women and other under-represented groups has been of interest from the outset as an ‘unintended consequence’ (Thompson and Moncrief, 1993).

Term limits swept through many US states in the 1990s, with 21 adopting term limits between 1990 and 2000, although six of these were subsequently repealed by legislatures or thrown out by state courts. The remaining 15 are now in operation except in Louisiana and Nevada where schemes will come into effect in 2007 and 2010. Term limits are generally six or eight years, with three states having twelve year limits. Nine states have consecutive term limits and six states lifetime limits (Carey et al., 2000; Farmer et al., 2002; Kousser, 2005; Bowser, 2005). The Joint Project on Term Limits set up in 2000 by the National Conference of State Legislatures (NCSL, 2007) produced a final report based on in-depth case studies of six term limit states, three non-term limit states, a survey of legislators in all 50 states conducted in 2002, and a survey of legislators in the nine case study states in 2003 (Bowser et al., 2006). A summary of the key findings was published the year before (Bowser, 2005).

The key messages from the Joint Project on Term Limits may be summarised as follows. First, and as intended, term limits induce increases in the turnover of legislators. In the ten state house chambers where limits had taken effect by 2000, turnover increased by an average of 11.5 per cent, while the average turnover for all house chambers in 2004 was 20.6 per cent, compared to 37.1 per cent for term limit chambers. However, many term limit states already had high turnover rates, and these are expected to level out with time. One adverse consequence has been the removal from office of the ‘handful of members who served for many years’ and whose ‘leadership and expertise’ have now been lost.

Secondly, the power and influence of leaders is reduced. In term limit states leaders tend to rise to the top more quickly than before, but stay for a briefer period and wield less influence than in the past. The loss of experienced legislators means that leaders have less legislative experience than their predecessors and the effects of inexperience are also evident within committees. These are described as ‘weaker and less collegial and courteous’ than formerly because of high turnover in committee chairs and reduced policy and legislative experience among members.

Another consequence of reduced experience among legislators has been the increasing importance, and in some cases influence, of legislative staffers. Interviewees in all states report ‘significant efforts’ by state bureaucrats to remain non-partisan, with the result that ‘partisan staff has increased in both number and influence in many term limited states’. A thorough review of the impact of terms limits in State legislatures concluded that they:

*Already appear to be redistributing power within state political institutions in a manner predicted and decried by their critics. Majority party leaders suffer losses of*

*influence at the expense of governors and possibly of legislative staffers. No term limit proponents that we are aware of have explicitly argued that weakening the political influence of elected law makers is a goal of the reforms, but even at the early stage, the institutional impact of term limits appear to be in this direction (Carey, Niemi and Powell, 1998: 296)*

However, it would appear that term limits have little impact on diversity. Published research in addition to that conducted by the Joint Project on Term Limits appears to broadly confirm its findings on the generally modest impact of term limits on diversity, although there is variability. Part of this variability arises from the different circumstances of the many states that have experimented with term limits, although Cain and Levin (1999) also suggest that the term limit debate ‘is confounded by both fact and value disagreements’, and that differing normative standpoints mean that ‘findings about term limit effects can be interpreted in very different ways.’ While their proponents argue that term limits will improve the representation of formerly under-represented groups, by and large, this has not happened. There has been little impact on the age profile of legislators and, with a few exceptions, the number of female and minority legislators has not changed. In the cases where they have, factors other than terms limits seem to be the cause. For example, Latino gains in Arizona and California are attributed to demographic change, while the dramatic gains for women in California are associated with increased activism on the part of the national women’s group EMILY’s List. Only in Arkansas may female gains be attributable to term limits. The only marked effect of term limits on the composition of state legislatures has been to bring in significantly more elected officials from the local or county level.

Carroll and Jenkins (2001a) found that in the six states that had term limits in place for the 1998 elections, the overall number of women elected at the state house level declined, a finding confirmed by a further study covering the 1998 and 2000 elections (Carroll and Jenkins, 2001b). However, at the state Senate level, women increased their numbers in 1998 and maintained them in 2000. Ethnic minority candidates gained seven seats in both elections, but with a clear male advantage: minority women lost two seats in 1998 and gained three in 2000 (Carroll and Jenkins, 2005).

Caress et al. (2003) suggest that term limits may help ethnic minority candidates but only in certain circumstances. Their study of California and Michigan (with term limits) and Georgia and Pennsylvania (without term limits) found a dramatic increase in California and a much smaller increase in Michigan, which was similar to that in Georgia. Pennsylvania that had only marginal increases. This study concludes that term limits might improve representation only where the political environment is supportive, echoing earlier work by Caress (1999) on women’s representation in California. Faletta et al. (2001) find in California and Michigan that ‘both legislatures continue to attract the politically ambitious and involved’ (a finding

confirmed more widely by Herrick and Thomas, 2005) and that the advantages of incumbency not only persist but are intensified. However, they also report 'modest, promising change in the number of minority group members', a 'slight increase' in the number of younger members, a 'larger increase' in the number of older members and mixed results on women.

Rader et al. (2001) find that the most obvious effect of term limits in Michigan has been the institutionalisation of inexperience, such that legislators become increasingly dependent on staff and partisan sources for information and guidance. This outcome, which confirms that of the Joint Project on Term Limits, is clearly an important issue for consideration in the term limit debate given the association between experience and effectiveness (Padro I Miguel and Synder, 2006). Indeed, the huge influx of new members has prompted many term limit states to expand and enhance induction and training programmes (often provided in association with local universities, think tanks and former legislators) and support services for those new to office. Approaches include mock floor or committee sessions to introduce new members to the legislative process and policy issues, on-the-job training through mentoring by veteran members, and improved presentation and dissemination of information using the web.

# 3 Conclusions and Recommendations

There are few firm conclusions to be drawn from the evidence considered above. In any event, it would be wise to be cautious about the transferability of experience as the outcomes we have considered are rooted in very different cultural, political and institutional settings. Moreover, where we have identified instances of change – as in the substitution of Proportional Representation for the First Past The Post system – it is far from clear that patterns of representation have been much affected. It may well be asserted that a country with, for example, PR electoral system has a better representation of women and minorities, but that may be the outcome of an interplay of many factors of which the electoral system is but one. To change just one factor through legislation may not be enough. At the same time, it would be unwise to overlook the possibility that voter behaviour changes slowly over time, with a lag between institutional change and voter response. Such are the lessons of Scotland and New Zealand.

In this paper, we have examined the potential for change offered by intervening in supply and demand factors. It is clear that supply-side measures we have considered, including outreach, encouragement, shadowing, remuneration, better accessibility, training and child-care arrangements all need to be pursued and are worthwhile in themselves. Their impact is likely to be small but cumulative and although no immediate and dramatic results are expected, they are likely to work in the long term to enhance the representativeness of councils. We can expect to see more women, younger councillors and councillors from ethnic minority groups making a gradual entry to public life. While both supply and demand are important, not least for their interactive quality, it is clear that the greatest potential for rapid change is offered through interventions on the demand side.

That being the case, we make four proposals to the Commission as meriting further investigation:

- The adoption of candidate gender quotas by political parties, while controversial in some quarters, would be the most effective way of accelerating the move towards parity of representation.
- The adoption of some form of proportional system, for example, through extension of the Scottish STV system to England. Its limited impact in New Zealand and Scotland can be countered by a public education programme to help electors understand the new system.

- The introduction of a limited system of state funding for political parties linked to equality targets for under-represented groups. Funding to be held back where locally relevant equality targets are not met.
- The imposition of a three term limit for councillors to open up opportunities for new entrants, while retaining a reasonable degree of councillor experience.

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# A Appendix A: Sources used in the review

A range of sources, listed below, were used in both phases of the study. Electronic databases identified relevant literature, copies of which were then acquired. This searching was supplemented by direct contact with key officials and academic experts in the countries studied who provided some additional documentation. Research visits were made to the Scottish Executive and the Welsh Assembly government.

## Phase I

For Phase I of the review broad searches were initially carried out of the type:

*(local govern\* OR local authorit\* OR municipal\* OR councillor\*) AND*

*(women OR gender OR minorit\* OR gay\* OR lesbian OR homosexual\* OR disab\* OR young OR youth)*

At the end of phase I, a number of countries were selected for more in-depth study, these are listed in Appendix B.

## Phase II

Subsequent searches for Phase II combined the local government terms with terms for each of the selected countries, with the aim of identifying as much local government-related material as possible that might prove of relevance. In addition, a wide range of more specific searches was carried out on issues of emerging interest to the Commission, e.g. quotas, term limits, party funding, redistricting, electoral systems, councillor remuneration.

Various other databases (e.g. Social Science Citation Index, Public Affairs Information Service) were also investigated but produced duplicate material or little of relevance. For overseas material, Worldwide Political Science Abstracts was the most productive source, and for British material, Planex.

## Bibliographic databases

ASSIA (Applied Social Science Index and Abstracts)  
 Australian Policy Online  
 Australian Public Affairs Information Service – Full Text  
 British Library Direct  
 Education Resources Information Center  
 Family and Society Plus (Australia)  
 FRANCIS  
 International Bibliography of the Social Sciences  
 JSTOR  
 Planex (produced by Idox plc)  
 Worldwide Political Science Abstracts  
 Google and Google Scholar (in pursuit of particular organisations and authors)

## Websites

- ACE Electoral Knowledge Network <http://www.aceproject.org/>
- Australian Electoral Commission <http://www.aec.gov.au/> and sites of state electoral commissions
- Committee of the Regions <http://www.cor.europa.eu/En/index.htm>
- Council of Europe/CLRAE [http://www.coe.int/T/Congress/Default\\_en.asp](http://www.coe.int/T/Congress/Default_en.asp)
- Council of European Municipalities and Regions <http://www.ccre.org/>
- Democratic Audit of Australia <http://arts.anu.edu.au/democraticaudit/>
- Electoral Reform Society <http://www.electoral-reform.org.uk/index.php>
- Electoral systems <http://www.electionsineurope.org>
- Federation of Canadian Municipalities <http://www.fcm.ca/english/main.html>
- Global Database of Quotas for Women <http://www.quotaproject.org/>
- International Institute for Democracy and Electoral Assistance <http://www.idea.int/>
- IULA <http://www.iula.org/>
- National League of Cities <http://www.nlc.org/>

- OECD <http://www.oecd.org/>
- Public funding for parties <http://www.idea.int/parties/finance/db/>
- United Cities and Local Governments <http://www.cities-localgovernments.org/uclg/index.asp>
- US Conference of Mayors <http://usmayors.org/uscm/home.asp>

## Country specific sites

Many other sites for local authorities, local government associations, states, ministries etc. in individual countries of interest were viewed in pursuit of answers to specific questions, e.g. on rules of eligibility for standing in local elections, and on remuneration arrangements.

### *Australia*

<http://www.waec.wa.gov.au/frames.asp?section=local>

[http://www.elections.nsw.gov.au/local\\_government\\_elections/candidates\\_and\\_nominations](http://www.elections.nsw.gov.au/local_government_elections/candidates_and_nominations)

### *Canada*

<http://www.inclusivecities.ca>

### *Finland*

<http://www.vaalit.fi/15522.htm>

### *France*

[http://www.interieur.gouv.fr/sections/a\\_votre\\_service/elections/les\\_elections\\_en\\_france/modalites-d-elections/modalites-election-france](http://www.interieur.gouv.fr/sections/a_votre_service/elections/les_elections_en_france/modalites-d-elections/modalites-election-france)

[http://www.interieur.gouv.fr/sections/a\\_votre\\_service/elections/les\\_elections\\_en\\_france/cumul-mandats](http://www.interieur.gouv.fr/sections/a_votre_service/elections/les_elections_en_france/cumul-mandats)

### *Netherlands*

<http://www.kiesraad.nl/contents/pages/6154/electionsindenetherlands.pdf>

### *New Zealand*

[http://lgnz.co.nz/projects/2007LocalElections/Booklet\\_WEB.pdf](http://lgnz.co.nz/projects/2007LocalElections/Booklet_WEB.pdf)

<http://www.stv.gov.nz>

*Norway*

<http://www.regjeringen.no/en/dep/krd/kampanjer/The-municipal-and-county-election/The-Norwegian-electoral-system/The-main-features-of-the-Norwegian-elect-2.html?id=457014>

*Sweden*

<http://www.val.se/pdf/electionsinsweden.pdf>; [http://www.val.se/pdf/2005\\_elections\\_act.pdf](http://www.val.se/pdf/2005_elections_act.pdf)

*United States*

<http://www.nlc.org>

<http://www.citymayors.com>

## B

## Appendix B: Countries studied in phase II

Country	Proportion of women councillors (%)	Electoral system	Age eligibility	Project relevance
<b>Belgium</b>	27	Semi-open list	21	Councillors' allowances and salaries, political leave for councillors. Gender quotas.
<b>Canada</b>	21.7	FPTP	18	Effective supply-side factors.
<b>France</b>	47.5	Two round close list	18	Effective municipal election gender quotas linked to party funding.
<b>Netherlands</b>	19	Semi-open list	18	Women's empowerment, high levels of representation without quotas.
<b>New Zealand</b>	32	FPTP/STV	18	STV in some local elections, national support for programmes to enhance participation and representation.
<b>Finland</b>	34	Open list	18	Impact of electoral system. Women's representation. Gender quotas. Zipper principle. Employer release for council service. Minorities. Women's entry into politics.
<b>Sweden</b>	42	Semi-open list	18	Women's representation. Gender quotas. Zipper principle. Employer release for council service.

Country	Proportion of women councillors (%)	Electoral system	Age eligibility	Project relevance
<b>Denmark</b>	27	Open/semi-open list	18	Remuneration and time off practices for councillors, allowances and financial compensation, representation of women.
<b>Norway</b>	34	Open list	18	Quotas, electoral system, employer practices.
<b>Scotland</b>	21	STV	18	STV introduced 2004. Encouragement to long-serving councillors to stand down. Scottish Executive initiatives to promote participation and representation. Pension and severance payments.
<b>United States</b>	23	FPTP		Term limits. Women and minority participation. Electoral arrangements, including districting and council size. LGBT mobilization.
<b>Wales</b>	22	FPTP	18	Innovative supply-side factors including shadowing, mentoring, minority representation.