

The University of Chicago

Gender Quotas the New International Norm?

by Ixchel Bautista

June 2022

A paper submitted in partial fulfillment of the requirements for the Master of Arts degree in the
Master of Arts Program in the Committee on International Relations

Preceptor: Manuel Cabal
Faculty Advisor: Maria Angelica Bautista

Abstract

The European Union is known as one of the most powerful international institutions in the world. It is commonly viewed as granting the most progressive rights to its citizens, yet it seems to have fallen behind several developing states in adopting affirmative action style policies like gender quotas. Gender quotas are not a new concept within the European Union (EU). However, it has not been till recently that a growing number of EU member states are taking action and adopting legal gender quotas. Gender quotas can be a great way to quickly diversify the legislative bodies of states and they could cast states as allies to women and democracy. But why are member states adopting legal gender quotas now? Why would they want to adopt such policies? And what does their adoption mean for the existing values and fundamental norms of the EU? Using a constructivist and transnational feminist lens, I hypothesize that gender quotas have had a significant influence on the constructed social and political culture of the EU, and with their growing approval, it is only a matter of time till legal gender quotas are adopted by a majority of member states and becomes an accepted norm within the union.

Introduction

In western countries like the United States and some European states, the women's movement has paved the way for revolutionary changes to occur within certain countries. Within the span of this movement, women activists were able to gain suffrage, the right to property, bodily autonomy, and the right to run for public office. Feminist activists have taken on the work of educating policymakers and pushing for legislation that aims at keeping women safe and promoting gender equality. One of the significant types of legislative initiatives fashioned by

women activists and government institutions has been the introduction of legislative gender quotas. Beginning in the early 1990s gender quotas were introduced in a few countries in South America¹ (due to pressures from women's rights activist groups). To date, there are over 100 states that have adopted their versions of national gender quotas for their country² and we have seen a fairly recent spike in the implementations of legal gender quotas amongst member states of the European Union.

For this research, I will be restricting the focus of this paper to the implementation of national legal gender quotas within the European Union (EU) and will be primarily engaging with the western perspective of IR feminism and constructivism. Within this context, I will be addressing the question, does the growing acceptance of legal gender quotas by EU member states signal a possible new norm within the EU? In the first section, I will describe the significance of studying gender quotas and the EU. I will then present the current state of knowledge of the nexus between EU norms and gender quotas. In the second section, I will interpret the acceptance rate of gender quotas amongst EU member states within the current political and social context — specifically looking at how the current state of freedoms granted by the EU has contributed to the growing trend of acceptance. Based on the existing literature and research, I hypothesize that since gender quotas have made their way to a large number of EU member states, it is only a matter of time till legal gender quotas are adopted by a majority of member states and are institutionalized as a norm within the European Union. I conclude by uniting the working theories within the current political reality and introducing possible ways in which the research can move forward.

¹ Mark P. Jones. 1998. "Gender Quotas, Electoral Laws, and the Election of Women: Lessons from the Argentine Provinces MARK P. JONES." *Comparative Political Studies* 31 (1).

² Bush, Sarah Sunn. 2011. "International Politics and the Spread of Quotas for Women in Legislatures." *International Organization* 65 (1): 103–37.

The Importance of the EU and Gender Quotas

The existence of the European Union is indeed impressive. It is one of the most powerful political experiments of our time and is constantly evolving. What makes this institution a fascinating subject of research is its ability to house both individual state sovereignty and legal international cooperation and accountability. Member states commit themselves to adopting specific rules, expectations, and responsibilities that create a dominant legal standard. While states retain their individual culture, society, and sovereignty they are still connected by shared fundamental principles, values, and EU laws. Existing research on gender quotas has been centered on either a close examination of a specific state or comparative studies of states within the same region, such as Latin America. As a result, it is difficult to properly compare the effects of gender quotas within countries whose main commonality is their geographical proximity. By studying the EU, we can comfortably assume that the shared laws and standards observed by almost every EU member state will present a more stable environment for comparison and observing the spread of gender quotas.

In the EU, gender quotas have been existing in the shadows of political parties for years. They are extremely controversial and seem to produce the same questions. What do gender quotas do? Why do states adopt them? And why are they important? Legal gender quotas (also known as “Legal sex quotas”³) “are laws that aim to change the makeup of national legislatures. They are constitutional or electoral laws that either reserve a certain number of legislative seats for women or that regulate the sexual makeup of the party lists or candidate pools of the political

³Towns, Ann E. 2012. “Norms and Social Hierarchies: Understanding International Policy Diffusion ‘From Below.’” *International Organization* 66 (2): 179–209. P180

parties wanting to participate in the national electoral process”⁴. Gender quotas can be implemented on a local or national level and can be “weekly enforced or strongly enforced”⁵ (usually seen as legal or voluntary quotas). Simply put, legal gender quotas are laws that aim to diversify and increase the amount of women's representation in legislative bodies. Changing, or diversifying, the legislative bodies of states does not only create a physical change, but it also changes the type of policies being produced. “Characteristics like gender, race, class, parental status, education, and occupation can shape representatives’ preferences and priorities and influence the type of legislation they advocate for, introduce, and support”⁶. It was not until the 2000s that EU states began to legally enforce quotas in their electoral process. Research has observed the implementation of these quotas around the world for decades yet there is little said of their place in the EU. Almost every EU state has some form of legal or voluntary gender quota but there is no sufficient scholarship available that demonstrates how they alter the rules and norms of the EU. There is no denying that the EU is a great international power that possesses a high status amongst others in the international community. Recognizing the significance of legal gender quotas within the EU can have a great impact on the diffusion of quotas and alter the relationship between women and government.

Understanding Existing Scholarship

The existing scholarship on norms, feminism, women’s rights, and equality tends to portray the normative ideas of what these concepts truly are. Take for example the ideas behind equality.

⁴Towns P180

⁵Bush P106

⁶Barnes, Tiffany D., and Mirya R. Holman. 2020. “Gender Quotas, Women’s Representation, and Legislative Diversity.” *The Journal of Politics* 82 (4): 1271–86. P 1271

“‘Equality’ is a concept debated by theories, politicians and activists and one that takes on different meanings in different contexts”⁷. Or take for example the ideas behind women’s rights. To some in the US, it might mean the right to bodily autonomy, equal pay, or an end to discrimination and harassment. Outside the US and western notions of feminism, women’s rights would understandably be different. It is also worth noting that these types of rights mentioned above could also be up for debate within the western context. In sum, these concepts of norms, feminism, rights, and equality cannot be strictly defined by any of the existing scholarships. The following will analyze the existing normative literature on the nexus between the norms of the European Union (EU) and gender quotas and investigate three important components that are imperative to understanding its relationship. First, I will introduce our concepts of norms and norm diffusion. Second, I will analyze EU norm diffusion. Finally, I will present the diffusion of gender quotas within the EU.

Norms and Norm Diffusion

Norms are an interesting and contested subject within the social sciences. According to scholars Martha Finnimore and Kathryn Sikkink, “[there] is a general agreement on the definition of a norm as a standard of appropriate behavior for actors with a given identity”⁸.

Norms can be seen on a domestic or global scale. In their past work *International Norm Dynamics and Political Change*, Finnimore and Sikkink asked two very important questions to

⁷ Kantola, Johanna. 2010. “Introducing Gender and the European Union.” In *Gender and the European Union*, 1–24. New York: Palgrave Macmillan. P 6

⁸Finnemore, Martha, and Kathryn Sikkink. 1998. “International Norm Dynamics and Political Change.” *International Organization* 52 (4): 887–917. P891

their readers. “[How] do we know a norm when we see one?”⁹ and how do we know if a norm has influenced a state’s behavior?

To Finnimore and Sikkink, “[we] can only have indirect evidence of norms just as we can only have indirect evidence of most other motivations for political action (for example, interests or threats). However, because norms by definition embody a quality of “oughtness” and shared moral assessment, norms prompt justification for action and leave an extensive trail of communication among actors that we can study”¹⁰. They further claim that to know if a norm is responsible for influencing a state's behavior, “it is important to operationalize a norm in a way that is distinct from the state or non-state behavior it is designed to explain”¹¹. In a global context, a norm can be identified in the form of a “[shared] assessment”¹² in which many states have a shared agreement or acknowledgment of appropriate behavior. To Finnimore and Sikkink, they argue that “one way to understand the dynamic of this agreement process is by examining what [they] call the “life cycle” of norms”¹³. The “life cycle of norms”¹⁴ illustrates three phases in which norms emerge and influence state behavior: “norm emergence” - which is when norm entrepreneurs work on trying to persuade “a critical mass of states (norm leaders) to embrace new norms”¹⁵-, “norm cascade” - “which is characterized more by a dynamic of imitation as the norm leaders attempt to socialize other states to become norm followers - and “internalization”¹⁶- in which norms take on a “taken-for-granted quality and are no longer a matter of broad public

⁹Finnimore and Sikkink P 892

¹⁰Finnimore and Sikkink P 892

¹¹Finnimore and Sikkink P 892

¹²Finnimore and Sikkink P 892

¹³Finnimore and Sikkink P 892

¹⁴Finnimore and Sikkink P 892-893

¹⁵Finnimore and Sikkink P 895

¹⁶Finnimore and Sikkink P 895

debate”¹⁷. Finnimore and Sikkink stress that “it is not possible to predict exactly how many states must accept a norm to “tip” the process, because states are not equal when it comes to normative weight, [however,] empirical studies suggest that norm tipping rarely occurs before one-third of the total states in the system adopt the norm”¹⁸.

Through this process of the norm life cycle, we can visualize norm diffusion within a global context — especially within international organizations (IOs). Within IOs, like the United Nations or the European Union, norms wield a significant amount of power. The norms of institutions can influence the behavior of a large number of states. Additionally, those at the top of the IO’s hierarchy of power have the authority to create new norms and punish those who disobey them. The ability of a state to follow the norms of an institution means a great deal. Norms have the power to shape the global image of states and by extension their position within the global hierarchy. Why is a state's position in the hierarchy significant? A state’s high rank can help it obtain exclusive privileges¹⁹ and can make it be seen as a legitimate state²⁰ amongst the other lower-ranked states (or as part of the “club”²¹).

While norms can present states in a good light, they also have the potential to cause detrimental effects and cast states as “outsiders”²². Scholar Rebecca Adler-Nissen's past work on norms and norm transgressors indicates that “[the] past twenty years have witnessed a rise in the use of shaming to promote international norms” and “[at] the same time, norm-violating states are now routinely denounced as “pariahs,” squarely positioned outside the company of “civilized

¹⁷Finnimore and Sikkink P 895

¹⁸Finnimore and Sikkink P 901

¹⁹Duque P 578

²⁰Finnimore, Martha, and Michael N. Barnett. n.d. “The Politics, Power, and Pathologies of International Organizations.” *The MIT Press* 53 (4): 699–732. P 713

²¹Duque P 578

²²Towns P 786

states”²³. This concept of norm transgression within IOs is also reflected in the past work of Martha Finnemore and Michael N. Barnett. In *the Politics, Power, and Pathologies of International Organizations*, they argue that “[officials] in IOs often insist that part of their mission is to spread, inculcate, and enforce global values and norms”²⁴. Since IOs can possess such power and are often seen as legitimate extensions of governments, they also can mark states who do not conform to their norms as “illegitimate”²⁵. To preserve the reputation of a state’s legitimacy, states might feel external pressures to conform to and adopt norms.

EU Norm Diffusion

Within the context of the European Union, the political field for norms is not much different than what is described above. To the EU, norms hold a great amount of power in shaping the behavior of both member and non-member states by defining what a European state ought to be, and status is excruciatingly important. Rooted in its very foundation, the Treaty of Rome opened the question of what it means for states to be European. To answer this, “the European Commission offered its own quasi-definition: ‘The term “European” ... combines geographical, historical and cultural elements which all contribute to the European identity. The shared experiences of proximity, ideas, values and historical interaction cannot be condensed into a simple formula, and it is subject to review by each succeeding generation”²⁶. In *The Limits of Europe: Membership Norms and the Contestation of Regional Integration*, scholar Daniel C. Thomas indicates that “the definition of ‘European’ is deeply contested by the

²³Adler-Nissen, Rebecca. 2014. “Stigma Management in International Relations: Transgressive Identities, Norms, and Order in International Society.” *International Organization* 68 (1): 143–76.. P 143-144

²⁴Finnemore and Barnett P 713

²⁵Finnemore and Barnett P 713

²⁶Thomas, Daniel C. 2021. *The Limits of Europe: Membership Norms and the Contestation of Regional Integration*. Oxford: Oxford University Press. P 5

continent's leading politician"²⁷ and that it is still highly controversial. Adler-Nissan echoes this observation and adds that "[over] the years the EU has changed what it means to be a European state"²⁸. In her book *Opting out of the European Union: diplomacy, sovereignty and European integration*, Adler-Nissan indicates an important political behavior of the EU. "Leading political forces in the European states now see their nations as so deeply rooted within the supranational institutions of the EU that they blur their national interests with those of the EU. Political and legal authorities overlap, territorial exclusivity is replaced by functional boundaries and states begin to speak with one voice"²⁹. The unity of member states is what helps the legitimacy of the EU last, and it is what makes norm compliance and transgression more noticeable.

EU norms become more detectable when investigating the process of EU Integration, enlargement, and membership. According to Thomas, any state that applies to the EU "is eligible for membership in a regional community when the community's member states conclude collectively that it possesses the fundamental characteristics required of all members"³⁰ — meaning that the EU "will only consider applications from European states with stable institutions that ensure democracy, the rule of law, respect for human rights, and the protection of minorities, as well as a market economy able to withstand the competitive pressures of the Single Market"³¹. Additionally, Thomas argues that these indicators and close geographical proximity are not enough for states to obtain membership, that EU norms play a significant part in "[shaping] the legitimacy of various membership scenarios and thereby influence which

²⁷Thomas P 6

²⁸Adler-Nissen, Rebecca. 2014. *Opting out of the European Union : Diplomacy, Sovereignty and European Integration*. Cambridge University Press,. P 4

²⁹Adler-Nissen, *Opting out of the European Union : Diplomacy, Sovereignty and European Integration* P 4

³⁰Thomas P 14

³¹Thomas P 5

aspirant states are considered eligible for membership and which are not”³². Thomas introduces his concept of “Membership norms” which “express a regional community’s collective expectations regarding the characteristics that should distinguish community members from other states”³³. Any applicant states that fall short of the expected characteristics or status of a member state does not have a secure chance of furthering their application to join the union. In attempts to appear more like member states, several scholars suggest that some state might try to “mimic” the behaviors or policies of current member states to appear more similar or modern to the institution³⁴. Even those who are already member states must recognize the significance of these membership norms or face repercussions for not committing their country to follow the set expected behavior of members.

As previously mentioned above, norm transgressors risk facing stigma or being seen as pariahs for their inability to follow the norms of institutions, this is no different in the EU. Adler-Nissan researched one major form of norm transgression within the EU and how the fear of the consequences of non-compliance actually fuels additional forms of compliance amongst EU member states. Within her research on states that opt-outs of some of the Treaties of the European Union (TEU), she has found these types of actions are “considered inappropriate in Brussels”³⁵ and are often the reason why these states face much stigma from their peers within the Union. Yet, she argues that the external pressure from EU actors and the fear of being further stigmatized by other members of the union is what pushes opt-out states to prove their commitment and cooperation to the union. She claims that they will seek further cooperation in other policy areas that will strengthen integration amongst member states — regardless of

³²Thomas. P 7

³³Thomas P 17

³⁴Towns P 183

³⁵Adler-Nissen, *Opting out of the European Union : Diplomacy, Sovereignty and European Integration*,P 3

whether or not they have opted out of several of the treaties³⁶. Given that external pressures to comply with EU norms apply to both member and non-member states, it stands to reason that those seeking to apply to the union should take special care to consider the existing and emerging norms of the union to obtain a gentler review of their application.

The Diffusion of Gender Quotas in the EU

The history of gender quotas has a very interesting past within the EU. “It was in Europe that the democratic framing of the problem women’s underrepresentation became more relevant”. Yet what makes the EU interesting to IR feminists, constructivists, and norm researcher is that norms also have free movement within the EU. In her book, *Gender and the European Union*, Johanna Kantola observed that much like people, goods, and services, norms move freely within every level of the EU. “In a multi-level governance framework, ideas, norms and policies travel and are transferred from the international and EU level to national, regional and local levels and back again. Within this process, the EU sets trends and carries particular normative notions of gender equality as well as promoting certain solutions to perceived gender equality problems”³⁷. One popular solution to the low representation of women in government has been the adoption of gender quotas. Out of the twenty-seven EU member states eleven countries have adopted legal legislative gender quotas, while nine have voluntary legislative gender quotas within their political parties. This is indeed a significant number of states that have adopted such policies, but it begs the question, why? Why do gender quotas policies emerge? What would prompt a state to adopt gender quotas? What impact do gender quotas have on the EU? Why now are the EU adopting gender quotas? And finally, is there any social or political

³⁶Adler-Nissen, *Opting out of the European Union : Diplomacy, Sovereignty and European Integration*

³⁷ Kantola P 2

opposition to their adoption? Using an IR feminist and constructivist approach, I will present the existing literature that best investigates the following questions.

The emergence of Gender Quotas - Social Movement

There are many perspectives on the true origins of gender quotas. Scholar Mala Htun in her book, *Inclusion without representation in Latin America: gender quotas and ethnic reservations*, traces the early histories of gender quotas and credits countries such as India and Taiwan to be some of the first to have implemented legal gender quota policies in their governments³⁸. She also claims that the emergence of today's style of gender quotas is in part due to the effort of coalition-building by women activists and politicians. Htun finds that “[gender]-based exclusion from power compelled women to acknowledge their shared disadvantages, and the desire to challenge it facilitated their collective action. Political mobilization around quotas began as women from different backgrounds, sectors, and political parties united to combat their common exclusion, suffered because they were women, not because of their other characteristics”³⁹. Many activists and politicians simply could not wait for gradual change to occur over time to balance out the uneven distribution of political power. Gender quotas were then seen as the right mechanism to quickly diversify legislative bodies and proved to have a surprising factor to them as well. Scholar Lisa Baldez's research uncovered that gender quotas provided the perfect jump start to progress — especially within deeply male-dominated governments. She states that “[gender] quotas provide this kind of exogenous shock. They come from outside any given political system. They come with the approval of the

³⁸Htun, Mala. 2016. *Inclusion without Representation in Latin America : Gender Quotas and Ethnic Reservations* /. Cambridge Studies in Gender and Politics. Cambridge University Press,.P 46

³⁹Htun P 49

international community, the imprimatur of other modern democracies, such as Sweden, France, and (within Latin America) Argentina, and with the expertise of a vast network of advocates and practitioners around the world”⁴⁰. To have gender quotas protected by law, internal or external political pressures - from local coalitions, non-governmental organizations (NGOs), or IOs- is often needed to make these changes. Domestically, some coalitions, “[quotas] were achieved when women from Right, Center, and Left parties united against their shared exclusion from political power. They formed single-issue coalitions to advocate quotas as a mechanism to rupture institutionalized patterns of sex discrimination in political parties”⁴¹. Internationally, global organizations - especially organizations tied to the international women’s movement- often place pressure on states to adopt gender quotas and [fuel] the widespread proliferation of gender quotas”⁴². With this powerful display of national and international unity, coalitions or the efforts of strong women's organizations such as this could provide the right amount of pressure to adopt gender quotas.

Motivation to Adopt Gender Quotas

Why would an EU member state, or any state in the world, feel the need to adopt policies such as gender quotas? From a constructivist perspective, there are two possible answers to this question, peer pressure and status.

Peer Pressure

⁴⁰Baldez, Lisa. 2006. “The Pros and Cons of Gender Quota Laws: What Happens When You Kick Men Out and Let Women In?” *Politics & Gender* 2 (01). P 104

⁴¹Htun P 45

⁴²Hughes, Melanie M., Mona Lena Krook, and Pamela Paxton. 2015. “Transnational Women’s Activism and the Global Diffusion of Gender Quotas.” *International Studies Quarterly* 59 (2): 357–72.

Despite its appearance, peer pressure involves understanding the existence of a strong complex network of power on both a global and domestic level. There are two types of pressures often discussed by constructivist and norm researchers, internal and external pressures. Internal or domestic pressures emerge within a state, be it local or national forces that can influence the behavior or actions of states. These forces can originate from citizens, activists, coalitions, or political parties. External pressures emerge from the international community and can have a great influence over a number of states' behavior and actions. These forces often manifest themselves as IOs, International Non-governmental Organizations (INGOs), or international activist groups⁴³. In regards to the growth of gender quotas, activists (both domestic and international) and IOs have had the most notable success in influencing states to recognize the need to increase women's participation in government and to adopt quotas. Since no state is alike, there is no definitive consensus on which type of peer pressure (domestic or international) has the most influence over states. However, many international institutions (including the EU) encourage efforts to increase the number of women in government and often encourage states to reach a thirty percent minimum of women in "all elected positions"⁴⁴. Additionally, member states, as mentioned in the previous section, exert pressure amongst themselves to conform to the expected behavior set up by the institution, and those who do not comply face backlash from within the institution.

However, some argue that it is a combination of the two that could foster a greater likelihood of the adoption of gender quotas — this could be seen in a tightly controlled multi-level government institution like the EU.

⁴³Hughes, Krook, and Paxton

⁴⁴Hughes, Krook, and Paxton P 358

Status of States

Status is typically defined as “a state’s ranking on attributes, especially material attributes like wealth and military capabilities”⁴⁵. However, status is much more than just the material assets of states. Scholar Marina G. Duque suggests an alternative approach to understanding status and where it comes from. She claims that status cannot be “reduced to status symbols”⁴⁶ and that it is “a fundamental aspect of life in society, which influences interactions among actors and groups”⁴⁷. Duque argues in her work, *Recognizing International Status: A Relational Approach*, that status builds on a state’s self-esteem and that status thus depends on recognition from other states. She also notes that status itself is also self-reinforcing, “the more a state receives recognition, the more others deem it worthy of recognition”⁴⁸. However, to obtain recognition and status material possessions means little. To Duque, the club only recognizes and admits ‘outsiders’ who closely resemble them and who “follow the rules of membership”⁴⁹. Duque demonstrated this effect by putting forward the expansion process of the EU and the Organization for Economic Cooperation and Development (OECD). She indicated that admission into these institutions “depends on criteria such as democracy, human rights, and economic liberalism”⁵⁰. These requirements become barriers to states who do not meet these qualifications and are then seen as outsiders to the group.

But why does status matter to states? When states obtain higher status within the international hierarchy and are finally admitted into the club, they gain special privileges that are

⁴⁵Duque P 577

⁴⁶Duque P 579

⁴⁷Duque P 577

⁴⁸Duque P 581

⁴⁹Duque P 580

⁵⁰Duque P 580

normally, at times, exclusively reserved for states with higher status in the political hierarchy⁵¹. Privileges can be seen as an increase in political capital or being recognized as a legitimate state. For states who cannot obtain a high-status position are faced with what Duque calls “negative privileges”⁵². From the perspective of Duque, the international community does not look upon transgressors kindly. “The international community restricts the sovereignty of states recognized as “outlaw” states” and are often made to be “seen as less than states due to their perceived weakness, backwardness, or decay”⁵³. To avoid being seen as an international pariah and to better their status in the hierarchy (or self-esteem), norm researchers suggest that states will bend to the established rules dictated by the institution they are apart of⁵⁴. Within this context, it stands to reason that this theory could hold true within the EU — especially when the expected behavior for EU member states is to implement solutions to correct the poor gender parity in Europe. We could turn to the EU’s response to Poland’s constitutional tribunal as an example of this theory of admonishing norm transgressors.

In October 2020, the results of Poland’s constitutional tribunal “deemed abortion in case of fetal abnormalities unconstitutional” and received great internal and external backlash for the decision. As an EU member state, Poland is expected by its peers to follow the established norms which strive to protect the rights of women within the EU. It was assessed that the 2020 tribunal by Poland (which “deemed abortion illegal in cases of fetal abnormality”⁵⁵) successfully rejected the EU’s norms and in turn resulted in severe condemnation from several bodies within the European Union, such as the European Parliament and the European Commission. The following

⁵¹Duque P 581

⁵²DuqueP 580

⁵³Duque P 581

⁵⁴Finnemore and Sikkink P 904

⁵⁵Graff, Agnieszka, and Elżbieta Korolczuk. 2022. *Anti-Gender Politics in the Populist Moment*. Abingdon, Oxon , New York, NY: Routledge. P 162

year on the anniversary of the abortion ban in Poland, the European Parliament passed a resolution, 2021/2925(RSP), on the first anniversary of the de facto abortion ban in Poland. The resolution:

“Reiterates its strong condemnation of the illegitimate Constitutional Tribunal’s ruling of 22 October 2020 that imposes a near-total ban on abortion and of this blatant attack on SRHR in Poland; calls on the Polish Government to swiftly and fully guarantee access to and the provision of abortion services, to provide safe, legal, free and high-quality abortion services, and to make them accessible to all women and girls; calls on the Polish authorities to respect, fulfill and promote women’s human rights to life, health and equality, as well as their freedom from discrimination, violence and torture or cruel, inhuman and degrading treatment”⁵⁶.

The EU has taken many initiatives to address some of the issues facing women, such as the pay gap and gender-based violence and has established them as the basic standard of protection for women. Being chastised by its fellow member states framed Poland differently within the EU. By distinguishing Poland as the transgressor, it casts member states within the normative personas of ‘good’ or ‘bad’ states, successfully presenting to the world that Poland is different from them on the grounds that they do not recognize their standard of protection for women. As a result, this distinction has the potential to diminish Poland's political capital⁵⁷, relationships, and esteem within the EU.

⁵⁶“MOTION FOR A RESOLUTION on the First Anniversary of the de Facto Abortion Ban in Poland.” 2021. European Parliament. November 3, 2021. https://www.europarl.europa.eu/doceo/document/B-9-2021-0543_EN.html.

⁵⁷Adler-Nissen, *Opting out of the European Union : Diplomacy, Sovereignty and European Integration*

The Impact of Gender Quotas on the EU

Norms and the diffusion process of norms encounter different experiences within EU member states. The political culture of states will help shape the success of integration, but the impact norms have gone beyond the reshaping of behavior within their borders. Despite still going through the integration process, the same can be said of gender quotas. In their current state, gender quotas have several significant contributions to the standards and behavioral expectations of the EU. Using existing constructivist scholarship, we can identify at least four ways gender quotas could impact the EU. They can alter the integration process, the reinforcement of the treaties, and they can create a sense of modernity and legitimacy for the union.

As previously mentioned, norms within the EU are not just observed by the admitted states but also by applicant states seeking admissions into the union. If gender quotas become a recognized norm, we can speculate that they will have the same impact on applicant states as the other recognized norms. Following the theories of Duque and Thomas, the EU will continue to only recognize and accept states who share specific similarities with them. Applicant states might adapt to the emergence of gender quotas to their advantage and see them as another device to help them resemble or mimic member states to further their application. As a result, we can speculate that this could help further the spread of gender quotas outside the EU and could potentially create more external pressure for member states who have not adopted the quotas yet to reconsider their position.

One of the key tenants of the EU is enforcing equality amongst the sexes. This is displayed in multiple treaties, charters, and resolutions that carry the weight of hard law. The ultimate goal of gender quotas, which is to increase the number of women in political decision-

making positions, is seen as a useful mechanism by the EU to reinforce the laws and treaties that encourage gender equality. The EU has applauded the actions of several member states for their increase “presence of women in EU national parliaments” and frames their actions as progressive and encouraging, while those who fall short in comparison are identified as needing further improvements⁵⁸.

Finally, constructivist, IR, and feminist scholars believe that in addition to being a response to activists or internal powers wanting to diversify legislative bodies, gender quotas are often seen as a sign of a state’s commitment to the values of democracy and modernity. Scholar Ann E. Towns in her past work, *Norms and Social Hierarchies: Understanding International Policy Diffusion “From Below”*, supports the hypothesis that states might use gender quotas as a way to indicate to the global community that they are moving past their traditional modes of society and are being more in tune with modern values and norms. As she notes “[exhibiting] a large share of female legislators is seen as one indication of a state being “advanced” and “modern”, a sign of being a developed democracy with political institutions that are conducive to investments and market-based growth. A state’s placement in the social hierarchy between the “modern” and “traditional” provides the framework and much of the urgency for passing quota legislation”⁵⁹. This theory is found in other research on gender quotas and constructivist norm research. Scholar Sarah Sunn Bush notes that some state leaders “adopt gender quotas as a signal - sincere or insincere - to the international community or to domestic actors of their commitment to liberal democracy. Since quota laws demonstrate, at least on paper, countries’ intentions to include different groups in the political process, they are attractive to regimes that are less than

⁵⁸“Legislative Action Advances Gender Equality in Politics.” 2022. European Institute for Gender Equality. 2022. <https://eige.europa.eu/publications/gender-equality-index-2020-report/legislative-action-advances-gender-equality-politics>.

⁵⁹Towns P 183

full representative in other ways”⁶⁰. As mentioned above, hierarchies and status are incredibly powerful mechanisms of power and control. Given that having a higher status and political clout would provide great political power within the EU, it stands to reason that member states (and perhaps even applicant states) will try to prove their exceptionalism when they can —and adopting gender quotas might be a priceless way to gain a lead amongst the other states.

Why Now?

To date, legal gender quotas “have spread to more than one hundred countries around the world”⁶¹, but what appears to be surprising to some constructivist and norm scholars is their progress of diffusion. Typically, norms diffuse from the top down — the states or actors at the top of the political or global hierarchy adopt norms and the lower-ranked states follow (mimic) their actions and adopt the norm as well⁶². However, according to the research of Towns, “legal quotas instead developed primarily out of Latin America in the 1990s. Where national and transnational women’s advocates had demanded that quotas be used to increase the number of women in politics”⁶³. This unexpected observation begs the question of the EU. Why are EU countries - who are seen as having progressive legal rights for their citizens - only recently adopting legal gender quotas?

Based on past research, there is still much work left to be done in the study of gender quotas in the EU. However, given the progressive policies already established within the foundation of several treaties, resolutions, and charters of the European Union, we can assume that a reason for the delayed introduction of legal gender quotas is due to a possible contentment

⁶⁰Bush P 104

⁶¹Bush P 103

⁶²Town P 181

⁶³Towns P 181

of citizens which as a result did not generate an urgent need to adopt policies such as gender quotas right away (unlike in other countries where individual's freedoms are limited and are consistently infringed upon). As indicated by Htun, women from the span of the political and cultural spectrum were pushed to the point of demanding these types of affirmative action policies to secure a space in government for women. The theory provided by Towns that lower-ranked states use gender quotas as a tool to improve their status could be possible. However, we cannot ignore the vivid contrast of the lives lived by women in developing countries against the experiences of women in the EU. Take for example the Charter of Fundamental Rights of the European Union. "The Charter has the same legal power as an EU Treaty"⁶⁴ and is intended to "promote human rights within the territory of the EU"⁶⁵. A well-known excerpt from the charter's preamble indicates that for the EU, "it is necessary to strengthen the protection of fundamental rights in the light of changes in society, social progress and scientific and technological developments"⁶⁶. The desire to protect the rights of its citizens is found within many treaties and charters of the Union, which is not something many developing countries can say — especially when it comes to the safety and rights of women. From gang wars, unlivable wages, sexism, and the different forms of gender violence, women in countries, such as in the region of Latin America, are not as equally protected by their governments as women in the EU are protected by theirs. We can assume that the urgency felt by activists and politicians in Latin

⁶⁴ Citizensinformation.ie. n.d. "Charter of Fundamental Rights." Citizensinformation.ie. Ireland. Accessed April 15, 2022.
https://www.citizensinformation.ie/en/government_in_ireland/european_government/eu_law/charter_of_fundamental_rights.html.

⁶⁵ Citizensinformation.ie. n.d. "Charter of Fundamental Rights." Citizensinformation.ie. Ireland. Accessed April 15, 2022.
https://www.citizensinformation.ie/en/government_in_ireland/european_government/eu_law/charter_of_fundamental_rights.html.

⁶⁶ Charter of Fundamental Rights of the European Union. 2012. OJ C. Vol. 326.
http://data.europa.eu/eli/treaty/char_2012/oj/eng.

America was not as equally felt by women in the EU to adopt these types of gender policies. Despite not following the normative expectations of norm diffusion, gender quotas have been recognized and approved by many governments, activists, and international institutions as “progress toward gender equality” and a sign of a democratic and “modern statehood”⁶⁷.

Oppositional Resistance

The hopeful idea that women’s rights, issues, and experiences are being brought out of the periphery is exciting. However, we must ground ourselves in the current political reality where those of the opposite persuasion carry significant influence over political culture and actions. Are we simply seeing a mirage of the progress of women? What else can influence the societal and cultural behaviors of the west? Who is the opposition? And what could this mean for gender quotas? The unpredictable reality is that we cannot be entirely sure of the state of women’s power. We are surrounded by news of progress and setbacks. In their book, *Anti-Gender Politics in the Populist Moment*, Agnieszka Graff and Elżbieta Korolczuk express their deep concern for the protection of women’s progress and rights in Poland and Europe.

They observe what most of us have been seeing from around the world. The rise of conservatism and religious fanatics that recoil from the thought of women possessing power — let alone power that they view to be diminishing their own or a threat to their theology. They indicated that “[around] the world, people committed to gender equality, pluralism and democracy have begun to share a sense of danger, perhaps even doom”⁶⁸. But what can be provoking such actions against progressive gender policies? To some conservative groups, the actions being taken by women and members of the LGBTQIA community to obtain legal

⁶⁷ Bush P108

⁶⁸ Graff and Korolczuk P 2

protection of their basic rights is viewed as a threat to their religious values. Graff and Korolczuk's excerpt successfully illustrates a recent example of this notion being practiced in real life:

“As reported by the Catholics for Human Rights advocacy group: The Holy See's coalition building at the UN over the past two decades has revealed that disparate groups such as highly conservative Muslim governments (i.e. Egypt and Saudi Arabia) or religious traditions like Mormonism and Evangelical Christianity are united in a common desire to prevent women from having control over their bodies and their fertility and to prevent gender non-conforming people and LGBT people from achieving protection under the law and freedom from violence and discrimination”⁶⁹

From the perspective of constructivist scholars, the sense of fear or perception of a threat can have great implications on the diffusion of norms that are seen as controversial (such as norms targeted towards women's rights). Scholars Malanie M. Hughes, Mona Lena Krook, and Pamela Paxton, argue that if pushed too hard by both internal and external pressures it can cause governments to have a negative reaction or “recoiling effect”⁷⁰ to the messages being pushed onto them. To understand this effect on gender quotas Hughes, Krook, and Paxton observed that “[case] study research documents numerous cases of resistance to quotas by male party elites, who may see quotas as a challenge to their power and position”.⁷¹ They further analyze that their “resistance may increase when pressure for change comes from multiple sources, heightening perceptions of [a] threat”⁷². They hypothesize that men's fear of gender quotas is in part rooted

⁶⁹Graff and Korolczuk. P 5

⁷⁰Hughes, Krook, and Paxton P 359

⁷¹Hughes, Krook, and Paxton . P 359

⁷²Hughes, Krook, and Paxton P 359

in their fear of losing their own power and a shift occurring in the power hierarchy — which places men at the top and minorities at the very bottom. They present the “concept of intrusiveness theorized by Blalock” who argues that “minorities are viewed as non-threatening and more easily accepted in environments when their numbers are small. As minority numbers increase, however, majority groups perceive a threat to their dominance, triggering a negative response toward minority members”⁷³. The perceived threat by men could explain a possible barrier or rejection to the expansion of gender quotas. But could this be overcome? Despite resistance from different factions of society, can local and external pressures persuade states to adopt gender quotas? Most western states are rooted in their own political spectrums that hold different ideas, experiences, norms, values, and beliefs. It could be possible that the success of quotas could depend on the capabilities of progressive political actors that do not subscribe to the beliefs and fears mentioned above. If they are able to successfully influence the political environment to perceive gender quotas as necessary, they could help foster an environment that makes the integration of gender quotas quick and successful.

Scholars of constructivism and social movements also identify another likely risk to the successful spread of gender quotas. Studies on social movements understand the stress and difficulty associated with coalition building. Activists join with other activist groups to pool their resources and to target their common issue. Yet, conflicting views of leadership, tactics, messages, agendas, and appropriate approaches to the problem could cause stress on cooperation efforts and can lead to conflict or the end of the coalition⁷⁴. Domestic and international women’s groups and coalitions could encounter the same issues and if not handled properly can threaten

⁷³Hughes, Krook, and Paxton P 368

⁷⁴Bobo, Kimberley A. 2010. *Organizing for Social Change : Midwest Academy Manual for Activists*. 4th ed. Santa Ana, CA: Forum Press.

the spread of gender quotas within the national level of states. Scholars have theorized that if strong enough, disagreements between domestic and international women activists can push the domestic actors to reject or resist the efforts made by the international group and could curtail the entire objective of improving the lives of women⁷⁵. One source of the disagreements within women's groups can be due to the fact that women, and the issues they face, are not a monolith. Even when focusing within a particular state, women do not have the same experiences, needs, or problems as one another and women's groups might have different priorities or agendas they want to focus on. The inability to unite under a common issue, agenda, or even portray a sense of unity can "undermine quota adoption"⁷⁶ by weakening the actors most influential in their spread — which could decrease the pressure states feel to adopt gender quotas⁷⁷.

A final possible threat to the success of gender quotas in the EU can be explained by through the study of norm transgressions. We cannot assume that every member state is committed to following the norms of the union. States still care about obtaining and practicing their sovereignty, and despite the consequences, states might feel motivated to purposefully stray away from the established norms to assert their independence or difference within the institution. In his work, *On Transgression*, Miles M. Evers introduces the possibility that states purposefully and "strategically" violate international norms to "either assert their identity as insiders or outsiders in international society" or to challenge the established norms and argues that these actions "stem from a desire for recognition and the strain of international and domestic obligations"⁷⁸. It could stand to reason that EU member states could follow this possible behavior when faced with the expectation to adopt gender quotas. Evers's theory could explain

⁷⁵Hughes, Krook, and Paxton P 368

⁷⁶Hughes, Krook, and Paxton P 368

⁷⁷Hughes, Krook, and Paxton P 368

⁷⁸ Evers, Miles M. 2017. "On Transgression." *International Studies Quarterly* 61 (4): 786–94. P 786

the motivation behind the many instances in which member states refused to conform and opt-out of EU treaties to maintain their sovereignty over specific aspects of their state. Take for example the past rejections by the UK to joining EU treaties such as the Economic and Monetary Union (EMU) and the Area of Freedom, Security, and Justice (AFSJ)⁷⁹. Before the events of Brexit, the United Kingdom's opt-out of multiple core EU treaties was perceived by some member states as a grand violation of the principles of the EU and the UK faced significant backlash from within the EU⁸⁰. Despite losing significant political capital and being perceived as an outsider from its fellow members, their resistance to conform and maintain its sovereignty and identity seemed to have outweighed the repercussions. Existing scholarship portrays gender quotas as an indicator of a state's level of democracy and modernity, which are key tenets of the EU. It seems reasonable to assume that EU member states could publicly reject gender quotas in an attempt to assert their sovereignty or challenge the emerging norm that expects states to diversify their legislative bodies and culture.

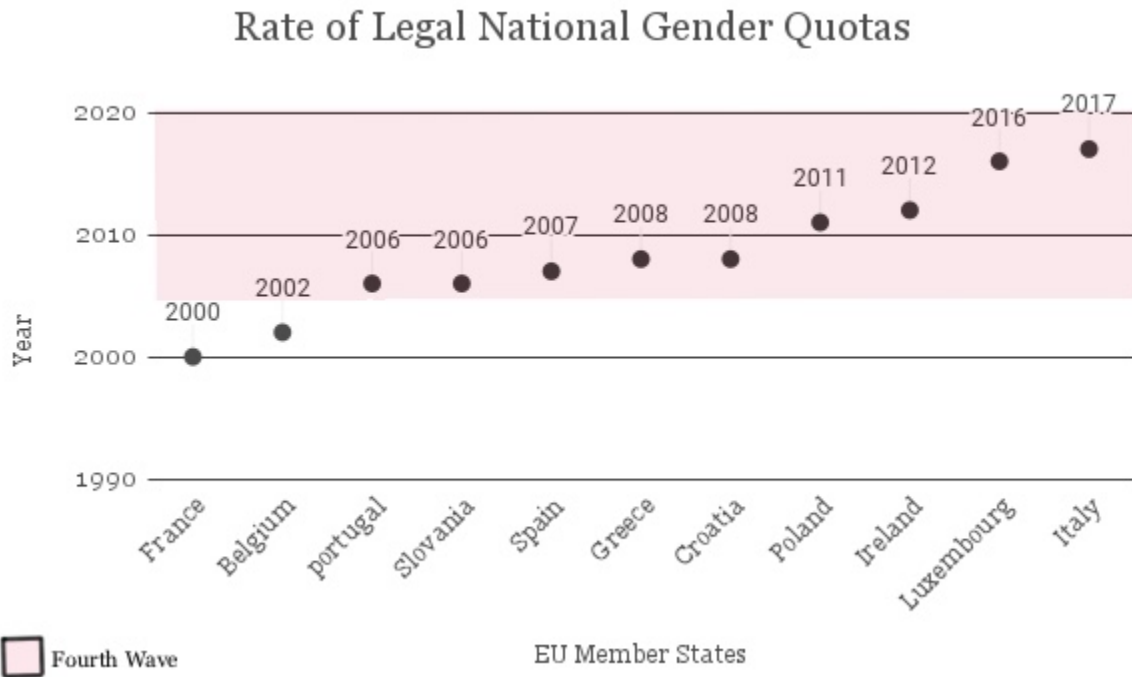
There is much more about the state's political and cultural barriers to quotas that needs to be parceled out and analyzed. Recognizing the complexities in which norms emerge enriches quota scholarship and our understanding of them in several ways. By understanding the complexities, we can gain a better understanding of what contributes to the success or failures of gender quotas and other controversial norms. Additionally, it is crucial that we understand that controversial norms do not grow in a vacuum, nor are they received in the same manner by every state. By observing every support or rejection that these norms encounter we might witness the emergence of new tactics for success or new methods of resistance by state or non-state actors. Lastly, through our observations we might also uncover the possible effects quotas have on a

⁷⁹Adler-Nissen, *Opting out of the European Union : Diplomacy, Sovereignty and European Integration*, P 2

⁸⁰Adler-Nissen, *Opting out of the European Union : Diplomacy, Sovereignty and European Integration*, P 2

state's status in the international hierarchy and if they make any difference to the existing norms within international institutions.

The Growing Acceptance of Gender Quotas in the EU



Data Sourced from “International IDEA Institute for Democracy and Electoral Assistance” Gender Quota Database ⁸¹.

To help conceptualize the shift and timing of the adoption of legal gender quotas within the EU, the chart above illustrates the rate at which member states began adopting legal gender

⁸¹ “Gender Quotas Database | International IDEA.” n.d. International IDEA Institute for Democracy and Electoral Assistance. Accessed April 4, 2022. <https://www.idea.int/data-tools/data/gender-quotas>.

quotas. Using data available from the “International IDEA Institute for Democracy and Electoral Assistance Gender Quota Database”, the chart above is designed to accomplish two goals.

The first goal is to illustrate the growing rate of the adoption of legal gender quotas by EU member states. We can observe that within the twenty-seven EU member states, eleven had passed legislation to adopt a specific type of legal legislative gender quota. We can also observe that starting in the 2000s, France kicked off the trend and others followed suit in less than twenty years. What could this mean within the context of constructivist literature on norms and norm diffusion? First, it is prudent that I address the significance of France’s position within this context. France is considered one of the most influential members of the EU. As one of the founding member states of the EU and one of the first signatories of the first-ever treaty of the European Union — “the European Coal and Steel Community (ECSC) or [the] Treaty of Paris”⁸² — France’s position can be seen as what Finnemore and Sikkink identify as a “norm leader” or “critical state”⁸³, granting it more power and influence over the behavior of other member states. As previously mentioned above, Finnemore and Sikkink also introduce their concept of a “tipping point” (“or threshold of normative change”)⁸⁴ “at which a critical mass of relevant state actors adopt the norm”⁸⁵. As part of their “tentative hypotheses about what constitutes a “critical mass” and when and where to expect norm tipping”⁸⁶, Finnemore and Sikkink hypothesize that “although it is not possible to predict exactly how many states must accept a norm to “tip” the process, because states are not equal when it comes to normative weight, empirical studies suggest that norm tipping rarely occurs before one-third of the total states in the system adopt the

⁸²“The First Treaties | Fact Sheets on the European Union | European Parliament.” n.d. Accessed April 1, 2022. <https://www.europarl.europa.eu/factsheets/en/sheet/1/the-first-treaties>.

⁸³Finnemore and Sikkink P 901

⁸⁴Finnemore and Sikkink P 895

⁸⁵Finnemore and Sikkink P 895

⁸⁶Finnemore and Sikkink P 901

norm”⁸⁷. A cursory inspection of the chart can be depicted to represent the influence of a “critical state”⁸⁸ on other members within the institutions. Additionally, the chart could also be a potential illustration of Finnemore and Sikkink’s tipping point already occurring within the EU. The chart has recorded the surpassing of the “tipping point” of one-third of the twenty-seven EU member states — nine states being the one-third threshold. Finnemore and Sikkink then argue that “[after] the tipping point has been reached . . . More countries begin to adopt new norms more rapidly even without domestic pressure for such change. Empirical studies have suggested that, at this point, international or regional demonstration effect or “contagion” occurs in which international and transnational norm influences become more important than domestic politics for affecting norm change”⁸⁹. Based on the existing research and recorded data, legal gender quotas are surpassing the tipping point within the system of the EU, and it stands to reason that within the context of Finnemore and Sikkink’s theory, the remaining EU member states that have not yet adopted legal gender quotas might possibly soon follow the trend started by the eleven states that had already legally adopted gender quotas.

The second goal of this chart is to place this emergence of legal gender quotas within the current era of the women’s movement in western states. The existence of the new phase of the women’s movement is, at present, controversial. However, for the purposes of this analysis, we will recognize the existence of the fourth wave and provide an estimated year of the start of the fourth wave of the feminist movement — which will be indicated on the chart in pink. The highlighted section in pink is meant to help identify the overlap between the perceived fourth wave of feminism and the actions of states adopting legal gender quotas. It is reasonable to ask

⁸⁷Finnemore and Sikkink P 901

⁸⁸Finnemore and Sikkink P 901

⁸⁹Finnemore and Sikkink P 902

why we should recognize the existence of the fourth wave within the study of gender quotas? In some western countries like the US and several European states, the fourth wave has been a controversial topic for many scholars, politicians, and activists. The reason why the fourth wave finds itself in a controversial situation is in part due to it being incredibly new to the social movement scene. The women's movement is typically seen as consisting of three parts or waves. Best said by scholar Prudence Chamberlain, "[the] wave narrative has created a complex relationship between feminism and time. Feminism is a contradictory politics, in that it is awaiting its own out-datedness; in hoping for a future of gender equality, feminism is simultaneously envisioning a time in which it will no longer be necessary"⁹⁰. What makes the waves even more complicated is that there is no consensus on the time span of each wave. "Due to the complexity of this movement, it is impossible to accurately pinpoint specific dates that start or end each wave. These dates become increasingly more difficult when trying to discuss the third and fourth waves"⁹¹. Activists and historians have dedicated certain periods of time to portray the extent of the first and second waves, but it becomes a greater challenge for the study of contemporary feminism. "The contemporary, it could be claimed, is a term that expresses this problematic of feminist activism; the present is difficult to theorize. In spite of this, focus on the past, with attention to the future, allow for contemporary affective activism to develop"⁹². There have been several attempts to designate a start time for the fourth wave. Some say that it began

⁹⁰ Chamberlain, Prudence. 2016. "Affective Temporality: Towards a Fourth Wave." *Gender & Education* 28 (3): 458–64. P 460

⁹¹"Feminism: The Fourth Wave." n.d. National Women's History Museum. Accessed April 8, 2022. <https://www.womenshistory.org/exhibits/feminism-fourth-wave>.

⁹² Chamberlain P 460

as soon as 2012⁹³, 2017⁹⁴, 2013, and even 2008⁹⁵. However, there is a consensus on the important elements associated with the fourth wave. The emergence of technological advancements (social media)⁹⁶ and the #MeToo campaign. I will be recognizing both of these elements as part of the fourth wave and will be using the year 2006 (the year that Tarana Burke founded MeToo⁹⁷) as my estimated start time for the fourth wave. While I am using the narrative of the waves of feminism and believe that it is helpful to grasp the new debates, dialogues, and forms of activism of specific times, I do not wish to generalize the experience of women, or the type of activism and work being done — especially since we are currently living within a new era of feminism. However, I will note that one of the issues being brought to center stage by the activism of this time is the issue of the inadequate amount of women's representation in governments. Some scholars have identified that a characteristic of the fourth wave, such as “call out culture”⁹⁸, could be a reason for reinvigorated attention to critical issues such as the low representation of women. This illustration alone cannot fully depict the complexities involved in the empirical comparative analysis of gender quotas, but it does help us visually grasp the speed of diffusion amongst member states. Could it simply be a coincidence that the perceived emergence of the fourth wave of feminism is met with a growing number of European States adopting gender quotas? Could this shift in the acceptance of gender quotas be

⁹³“Feminism - The Fourth Wave of Feminism | Britannica.” n.d. Accessed April 8, 2022.

<https://www.britannica.com/topic/feminism/The-fourth-wave-of-feminism>.

⁹⁴ “Feminism: The Fourth Wave.” n.d. National Women’s History Museum. Accessed April 8, 2022.

<https://www.womenshistory.org/exhibits/feminism-fourth-wave>.

⁹⁵Grady, Constance. 2018. “The Waves of Feminism, and Why People Keep Fighting over Them, Explained.” Vox. March 20, 2018. <https://www.vox.com/2018/3/20/16955588/feminism-waves-explained-first-second-third-fourth>.

⁹⁶Chamberlain P 462

⁹⁷ “Get To Know Us | History & Inception.” n.d. Me Too. Movement. Accessed April 8, 2022.

<https://metoomvmt.org/get-to-know-us/history-inception/>.

⁹⁸Munro, Ealasaid. 2013. “Feminism: A Fourth Wave?” *Political Insight* 4 (2): 22–25. P 25

the result of a changing feminist culture? Or are policies like gender quotas triggering a change in feminist culture?

Recently, “Europe has witnessed a number of positive trends with regards to gender equality”⁹⁹. Author Johanna Kantola believes that “[in] terms of recognition and representation, women today are better represented in political-decision processes than before ... and their concerns are also kept on the political agenda by an array of women’s organizations, movements and policy agencies that have gained access to political decision making”¹⁰⁰. We cannot definitively provide the answer to who or what is responsible for this spike in the adoption of quotas. However, these observations are worth noting and could lead us to better understand how social and political cultures have evolved to help foster communities that support the implementation of gender quotas.

Progressing the Scholarship

The existing research provides an account of the value of gender quotas and their impact on different areas within the European Union and within studies of international relations, constructivist, and feminist studies. Yet there is still much work left to be done in the study of norm diffusion and in the study of gender quotas. Future research should continue the study of gender quotas but while also considering the complexities of intersectionality. From a feminist perspective, scholars are well aware that the term woman cannot be reduced or defined by a person’s biological sex alone. By focusing and perpetuating the use of normative concepts it can leave those who are living within the intersection race and gender out of the political and social

⁹⁹ Kantola P 6

¹⁰⁰ Kantola P 6

discourse¹⁰¹. If we continue to build on work that is biased to the privileged majority, we will run the risk of missing out and ignoring the true impact and experiences affirmative action style laws, like gender quotas, have on all persons within a state. Attempting to pressure communities to conform to laws and norms based on outdated definitions and understandings of gender could cause internal and external backlash. With the growing number of states adopting gender quotas, it should allow researchers to open up their field of focus to further examine the international and domestic impacts that the spread of quotas have on states in and outside the EU.

Conclusion

The European Union emerged as a modern political experiment that has grown to be one of the most powerful institutions in the world. They house some of the most progressive laws and norms that aim at protecting the rights of its citizens while promoting norms that strengthen the legitimacy and force of the treaties. As noted above, norms can emerge from any level, state or political actor. Although Gender quotas are not a new concept within the European Union, it is fascinating that in the time of a perceived new wave of feminism we are witnessing a new political phenomenon that is in line with the goals of western feminist activists. Recognizing the existence of widespread gender imbalance is merely the start to closing the gender parity in governments. This cursory observation alone is not sufficient to tell the whole story of gender quotas and why EU member states are behaving the way that they are. Nor is it enough to explain the challenges each country faced to get gender quotas on the books or the effects they have had on the political participation and experiences of women. Yet, drawing from existing

¹⁰¹Crenshaw, Kimberle. 2021. "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics." *Droit et Societe* 108 (January): 465–90.

literature, it seems reasonable to assume that these gender quotas are following the projected path of emerging norms and they are burning with the potential to influence states outside the member states of the EU.

As previously mentioned, applicant states try to display their similarities to the Union to have a favorable evaluation for their membership. Would it not stand to reason that gender quotas could be a potential norm applicant states mimic to appear more like a member state? And following the logic set by Adler-Nissen, would it not be reasonable to assume that stigmatized EU member states might see the adoption of gender quotas as a way to further display their commitment to democracy and the union?

Finally, following the theory established by scholars Finnemore and Sikkink, we can hope that it is only a matter of time until legal gender quotas are adopted by a majority of member states and are institutionalized as a norm within the European Union. Like several other research on contemporary events, the work remains unfinished and waiting to be taken up by the next researcher to fill in the missing gaps in our knowledge. The existing work in IR feminism and constructivism has left the question of the true impact and meaning of gender quotas wide open. As stated by Chamberlain, “the present of feminism is irrevocably tied to the past that constitutes it, the future that sustains it, and this sense of hopefulness for its own demise”¹⁰². The goal of my tentative analysis is to depict the possibility of gender quotas becoming a norm within the European Union. If more member states continue the trend of adopting these legal quotas, we can comfortably hope that these policies will spread and alter the political culture of states for the better.

¹⁰² Chamberlain P 460

Bibliography

- Adler-Nissen, Rebecca. 2014a. *Opting out of the European Union : Diplomacy, Sovereignty and European Integration*. Cambridge University Press,.
- — —. 2014b. “Stigma Management in International Relations: Transgressive Identities, Norms, and Order in International Society.” *International Organization* 68 (1): 143–76.
<https://doi.org/10.1017/S0020818313000337>.
- Baldez, Lisa. 2006. “The Pros and Cons of Gender Quota Laws: What Happens When You Kick Men Out and Let Women In?” *Politics & Gender* 2 (01).
<https://doi.org/10.1017/S1743923X06221019>.
- Barnes, Tiffany D., and Mirya R. Holman. 2020. “Gender Quotas, Women’s Representation, and Legislative Diversity.” *The Journal of Politics* 82 (4): 1271–86.
<https://doi.org/10.1086/708336>.
- Bobo, Kimberley A. 2010. *Organizing for Social Change : Midwest Academy Manual for Activists*. 4th ed. Santa Ana, CA: Forum Press.
- Bush, Sarah Sunn. 2011. “International Politics and the Spread of Quotas for Women in Legislatures.” *International Organization* 65 (1): 103–37.

Chamberlain, Prudence. 2016. "Affective Temporality: Towards a Fourth Wave." *Gender & Education* 28 (3): 458–64. <https://doi.org/10.1080/09540253.2016.1169249>.

Citizensinformation.ie. n.d. "Charter of Fundamental Rights." Citizensinformation.ie. Ireland. Accessed April 15, 2022.
https://www.citizensinformation.ie/en/government_in_ireland/european_government/eu_law/charter_of_fundamental_rights.html.

Crenshaw, Kimberle. 2021. "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics." *Droit et Societe* 108 (January): 465–90.

Duque, Marina G. 2018. "Recognizing International Status: A Relational Approach." *International Studies Quarterly* 62 (3): 577–92. <https://doi.org/10.1093/isq/sqy001>.

Evers, Miles M. 2017. "On Transgression." *International Studies Quarterly* 61 (4): 786–94. <https://doi.org/10.1093/isq/sqx065>.

"Feminism - The Fourth Wave of Feminism | Britannica." n.d. Accessed April 8, 2022. <https://www.britannica.com/topic/feminism/The-fourth-wave-of-feminism>.

"Feminism: The Fourth Wave." n.d. National Women's History Museum. Accessed April 8, 2022. <https://www.womenshistory.org/exhibits/feminism-fourth-wave>.

Finnemore, Martha, and Michael N. Barnett. n.d. “The Politics, Power, and Pathologies of International Organizations.” *The MIT Press* 53 (4): 699–732.

Finnemore, Martha, and Kathryn Sikkink. 1998. “International Norm Dynamics and Political Change.” *International Organization* 52 (4): 887–917.
<https://doi.org/10.1162/002081898550789>.

“Gender Quotas Database | International IDEA.” n.d. International IDEA Institute for Democracy and Electoral Assistance. Accessed April 4, 2022.
<https://www.idea.int/data-tools/data/gender-quotas>.

“Get To Know Us | History & Inception.” n.d. Me Too. Movement. Accessed April 8, 2022.
<https://metoomvmt.org/get-to-know-us/history-inception/>.

Grady, Constance. 2018. “The Waves of Feminism, and Why People Keep Fighting over Them, Explained.” *Vox*. March 20, 2018.
<https://www.vox.com/2018/3/20/16955588/feminism-waves-explained-first-second-third-fourth>.

Graff, Agnieszka, and Elzbieta Korolczuk. 2021. *Anti-Gender Politics in the Populist Moment*. 1st ed. London: Routledge. <https://doi.org/10.4324/9781003133520>.

Htun, Mala. 2016. *Inclusion without Representation in Latin America : Gender Quotas and Ethnic Reservations /*. Cambridge Studies in Gender and Politics. Cambridge University Press,.

Hughes, Melanie M., Mona Lena Krook, and Pamela Paxton. 2015. “Transnational Women’s Activism and the Global Diffusion of Gender Quotas.” *International Studies Quarterly* 59 (2): 357–72. <https://doi.org/10.1111/isqu.12190>.

Kantola, Johanna. 2010. “Introducing Gender and the European Union.” In *Gender and the European Union*, 1–24. New York: Palgrave Macmillan.

“Legislative Action Advances Gender Equality in Politics.” 2022. European Institute for Gender Equality. 2022. <https://eige.europa.eu/publications/gender-equality-index-2020-report/legislative-action-advances-gender-equality-politics>.

Lépinard, Éléonore, and Ruth Rubio-Marín. 2018. “Introduction: Completing the Unfinished Task? Gender Quotas and the Ongoing Struggle for Women’s Empowerment in Europe.” In *Transforming Gender Citizenship The Irresistible Rise of Gender Quotas in Europe*, edited by Éléonore Lépinard and Ruth Rubio-Marín, 1st ed., 1–38. Cambridge University Press. <https://doi.org/10.1017/9781108636797.001>.

Mark P. Jones. 1998. "Gender Quotas, Electoral Laws, and the Election of Women: Lessons from the Argentine Provinces MARK P. JONES." *Comparative Political Studies* 31 (1). <https://doi.org/10.1177/0010414098031001001>.

"MOTION FOR A RESOLUTION on the First Anniversary of the de Facto Abortion Ban in Poland." 2021. European Parliament. November 3, 2021. https://www.europarl.europa.eu/doceo/document/B-9-2021-0543_EN.html.

Munro, Ealasaid. 2013. "Feminism: A Fourth Wave?" *Political Insight* 4 (2): 22–25. <https://doi.org/10.1111/2041-9066.12021>.

"The First Treaties | Fact Sheets on the European Union | European Parliament." n.d. Accessed April 1, 2022. <https://www.europarl.europa.eu/factsheets/en/sheet/1/the-first-treaties>.

Thomas, Daniel C. 2021. *The Limits of Europe: Membership Norms and the Contestation of Regional Integration*. Oxford: Oxford University Press. <https://doi.org/10.1093/oso/9780199206711.001.0001>.

Towns, Ann E. 2012. "Norms and Social Hierarchies: Understanding International Policy Diffusion 'From Below.'" *International Organization* 66 (2): 179–209. <https://doi.org/10.1017/S0020818312000045>.