

POLAND – A SUCCESS STORY?

Political History of Introducing Gender Quota in Post-Communist Poland

Abstract. *Thanks to their own activity and the organised women's movement, women in Poland obtained voting rights quite early, in 1918. However, before the introduction of the quota, women's share on electoral lists never exceeded 23%, even in communist times. During the post-1989 systemic transition the share of women in parliament actually dropped to 10–13%, leading women to repeatedly strive to introduce a quota-based system. Gender-neutral quotas of 35% were introduced as late as 2011 thanks to the enormous mobilisation of women and women's NGOs, particularly the Women's Congress (Kongres Kobiet). Since then we have seen a slow but steady increase in women's share of the lower house (Sejm) to 27%. In the upper house (Senat), elected under a majority system, the share of women is much lower (13%) and has not changed. Discourse regarding the quota system has made women's presence in politics an important political issue. Before the 2015 elections Poland's prime minister was a woman, and the elections led to another woman being appointed to this post. However, the party that won those elections had opposed gender quotas on electoral lists, which may represent a threat to the future of the gender quota system in Poland.*

Keywords: *quota, rights to vote, political representation, women's movement*

Introduction

Gender quotas on electoral lists have recently been debated in many countries (Dahlerup, 2006; Dahlerup and Freidenvall, 2010) due to the evident effectiveness of quotas in ensuring that the opportunities offered to men and women are equal. In some countries that have implemented

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quotas, descriptive representation has increased noticeably (Lovenduski, 2005). In post-communist Europe, the debate on quotas has differed from similar debates in Western Europe. It was initially a part of the broader issue of gender equality and women's rights. The communist regime, with its mandatory women's organizations and its empty rhetoric of equality (in particular in terms of political representation), was still fresh in people's minds. Moreover, the political transformation plunged the country into rapid, massive change. The times were difficult, and the future unpredictable. The emergence of new problems – unemployment, migration, privatization and national debt – provided fertile ground for the rhetoric of 'issues of greater importance' that had to be solved before 'issues of lesser importance', such as gender equality, could be tackled.

Another typical argument was that gender equality was already a fact. Yes, ran the argument, it may have been mandated by the communist authorities rather than achieved organically. Nonetheless, in consequence the problem is now solved! This argument was not entirely unfounded. For example, gender equality was in fact listed in the Polish constitution, the highest law of the land. While the women's movement in Western Europe was still coming short of reaching this goal, the Polish constitution of 1952 contained both a general stipulation on the equality of genders and specific guarantees of equal rights. Its Article 66 read:

1. *Women in the Polish People's Republic have equal rights with men in all spheres of public, political, economic, social and cultural life.*
2. *The equality of rights of women is guaranteed by:*
 - i) *equal rights with men to work and pay according to the principle "equal pay for equal work", the right to rest and leisure, to social insurance, to education, to honours and decorations, to hold public appointments,*
 - ii) *mother-and-child care, protection of expectant mothers, paid holidays during the period before and after confinement, the development of a network of maternity homes, creches and nursery schools, the extension of a network of service establishments and restaurants and canteens.*

The policy drew much criticism, but the symbolic impact of having these proclamations in the constitution was very strong (even if the practical impact was meagre, since there was no legal option of pursuing individual rights by invoking the constitution). Two aspects of this regulation are particularly noteworthy. Firstly, the legal status of men is treated as the standard here, while women's rights are 'equal with men'. Secondly, the wording suggests that the legislator was not unaware of the double burden placed on women and of its role in hindering equality. The guarantees of equality

include infrastructure, e.g. creches and nursery schools or service and catering establishments, designed to take over some of the household chores traditionally performed by women. An equal division of housework between men and women was not anticipated. Instead, the state would shoulder the burden of some of the duties traditionally considered 'women's work'.

Proponents of the view that equality of rights between men and women, and equal political participation, had already been achieved, also liked to point out that women had won suffrage in Poland as early as 1918. For many years, the official discourse presented the voting rights as 'granted' to women when the country regained its independence; the active role that women took in winning these rights was completely neglected. With 'her-story' efforts gaining momentum in recent years, this myth has largely been debunked. The women's movement was the driving force, both then and now, behind the progress of the women's rights agenda. Therefore, before attempting an analysis of present circumstances, it is important to review the movement's earlier achievements. I shall also present attempts at introducing quotas in Poland, ultimately successful in 2011, as well as the related debates and the process of quota implementation. Since the grassroots Women's Congress played a decisive role in the introduction of quotas, I will discuss it separately when describing the situation in Poland.

I was personally involved in the processes outlined below. Apart from engaging in research on women's participation in politics I have also co-authored a number of legislative drafts. In the early 1990s, prof. Eleonora Zielińska and I wrote a draft bill on the equal status of women and men. The draft was not enacted. In 1996, with Bożena Chołuj, I established Poland's first post-graduate Gender Studies Programme. I also initiated an anti-discrimination committee at the University of Warsaw. I am a board member of the Women's Congress and of its Shadow Cabinet. In 2010, on behalf of the Women's Congress citizens' committee, I presented the draft quota bill to the Polish parliament. In 2014–2015 I served as the Government's Plenipotentiary for Equal Treatment for the cabinet headed by Donald Tusk and then for that led by Ewa Kopacz.

Women's suffrage / Inspiration from the past

Women in Poland, just like in many other countries in Europe, began their struggle to gain suffrage in the late 19th century. The struggle intensified when Poland was set to regain its independence after World War I. While the women's equality movement emerged and political parties formed (with women's sections within them), Poland was under partition between three occupying powers: Russia, Prussia and Austria. As a result, Poland had no say in either legislation or the legal status of its citizens, regardless of their

gender. The legislation of the occupying powers prevented women not only from voting but also from belonging to political organizations. Efforts to organize for a purpose so explicitly political as suffrage were therefore fraught with difficulty. Women employed a variety of innovative strategies to overcome this problem. They organized congresses using occasions such as the birthday of the famous woman writer Eliza Orzeszkowa in 1907. The congresses were attended by women from all three partitions, which laid the foundations for collaboration that would continue after the country was reunified (Fuszara, 2008). There was very little support for women and their ideas in the emerging political parties of the time.

The women's movement was the only force pursuing this cause. The congresses developed the wording 'regardless of their gender' (in Polish: *'bez różnicy płci'*) and fought to have it included in the electoral statute when Poland regained its independence. The first draft of the electoral statute granted suffrage to men only. Yet delegations from the women's congresses pressured the relevant decision-makers until the provisions on suffrage were amended to include the wording 'regardless of their gender' first in the 1918 electoral statute, and later in the Polish constitutions of 1921 and 1936 (Fuszara, 2012).

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It is interesting to review the arguments used by the proponents and opponents of women's suffrage at the time. Slightly updated, the same arguments continue to resurface in political debates today. The first argument invokes a certain hierarchy of issues in which women's rights have never ranked highly. Before World War I it was argued in Poland that regaining independence was crucial; the time for women's rights would come later, once 'issues of importance' had been resolved. This notion – that the really important matters must be taken care of first before women's rights could be included in the agenda – has been used in history time and again, in a broad range of political constellations. To counter it, women have argued that the female citizens of Poland want to make an equal contribution to building the new country, and in order to do so they must be equipped with equal rights. Another argument, also used often and in many countries, referred to women's role in the private sphere. Conservatives in particular liked to use it, arguing that women would neglect their duties as wives and mothers if granted suffrage. A modified version of the same argument can be seen in today's political discourse. There is a widespread belief that the obstacle to equality is not discrimination but rather the double burden placed on women, and the role they play in their families. At the time of Poland's struggle for independence, left wing activists feared that women (who were often conservative in their beliefs and maintained ties with the church) would vote for right wing parties, despite the absence of any evidence to support this claim. Finally, many male politicians argued that women were

unprepared for politics and unable to make good use of their rights. The counterargument was that women had in fact made excellent use of the very limited voting rights they had before (substitute voting), and moreover, that they had electoral rights in other countries and were able to put them to good use – so why assume that Polish women would not be able to rise to the occasion? The most interesting and most modern argument was that women's experience and perspective differed from the men's and therefore had to be taken into consideration in political decision-making. This was the context in which motherhood and care-giving were discussed, but also the cruelty of the recent war and the different attitudes of men and women towards armed conflicts (Fuszara, 2008, Fuszara, 2012).

Women's participation in parliament before World War II was minimal, reaching barely 2%. Women MPs at the time were highly educated; with the exception of one female MP representing the worker's party, they were all university graduates, and a majority of them held doctorates. They had differing political backgrounds, but worked together despite their political differences on selected issues such as removing legal inequalities between genders and combating alcoholism.

Women in politics during the communist era / the communist legacy

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After World War II the Senate was abolished in Poland, leaving only the lower parliamentary chamber, the Sejm. Despite the official rhetoric of gender equality, the participation of women in the Sejm was never high (see Table 1), and no quota system was established. The ruling party and its satellites named only as many candidates as there were seats to fill. Thus it was

*Table 1: REPRESENTATION OF WOMEN IN THE SEJM (AFTER WORLD WAR II)/
UNDER COMMUNISM, 1952–8*

Year of Election	Percentage of women among MPs
1952	17
1956	4
1961	13
1965	12
1969	13
1972	16
1976	21
1980	23
1985–1989	20

Source: Central Statistical Office.

the decision of the political parties how many women would sit in the Sejm, and the voters had no say at all.

In this period, female MPs in Poland – in contrast to the period between the wars – were less well educated than their male counterparts, and less likely to hold political party membership. Their background was typically in the more feminized sectors of the economy, which were considered less important (e.g. light industry or education) (Siemieńska, 1990). It would be difficult to give a brief and definitive outline of gender equality (in terms of law) and the overall situation of women at that time. On the one hand, it is evident that many of the regulations were nothing but empty words with no real substance. On the other, laws that were clearly discriminatory, such as the requirement to obtain the husband's consent for a woman to start working outside the home or open a bank account or separate income tables for women and men, were all abolished in Poland immediately after World War II. A few years later access to legal abortion was extended. With very few exceptions, laws were gender neutral. Due to the intense demand for labour, propaganda – for instance in the form of films and women's magazines – heavily pushed the model of the working woman reconciling diverse roles. In particular she could work outside the home, often against stereotypes and the expectations of her husband and male colleagues. Women's accelerated entry onto the labour market and increased economic independence were facts. However, the laws' objective was not really to open the way for men and women to become interchangeable. It was rather to make it possible for women to combine their family obligations with labour market engagement. An interrupted or partial emancipation of women took place in Poland at that time. Women became a part of the public sphere and achieved a status formally equal to that of men, but they enjoyed neither equal opportunities nor equal treatment. Thus both statements – that 'the law is male' and 'the law is sexist' – are applicable to the situation in Poland, because women did not participate in the actual process of norm-making, and the legal regulations failed to reflect their priorities, needs, or interests.

Under the communist regime there was essentially no authentic women's movement. Instead, there was a mass scale organization called the Women's League, but during the period of 'thaw' even its own activists were very critical of it. It was generally considered an extension of the ruling communist party, while its objectives were purely political and had very little to do with women's actual needs. Another women's organization at the time was the Farmers' Wives' Association (*Koła Gospodyń Wiejskich*), founded in the 19th century and functioning mostly in rural areas. In the communist era it was – just like the Women's League – completely subordinate to the state apparatus. Both of these organizations were financed by the state. While their core activity definitely focused on objectives determined by the

communist party, they also engaged in awareness-raising to a limited extent. They also offered certain forms of support, which was particularly valuable in the harsh reality immediately after World War II (Fuszara, 2007).

Several years ago lively debate swept through Poland on the issue of women's participation in the anti-communist opposition and whether their work in the opposition movement was duly acknowledged after the 1989 transformation. While this issue goes far beyond the core subject matter of this paper, it is important to note that even with regard to this era women must actively fight to prevent their input and contributions from being neglected and forgotten.

Women in politics post-1989

In a turn of events that was typical of all post-communist countries, the proportion of women in parliament decreased after the transformation (Fuszara, 2013). This trend had been observable in Poland in earlier periods as well: whenever it appeared that parliament might regain real power, the proportion of women went down. In 1956, during the so-called 'political thaw', the proportion of women fell to 4%. In the late 1970s there was a slow but steady rise, but after the political transformation, when parliament became the actual legislator, its membership took a strong turn towards the prevalence of men (see table 2).

Table 2: REPRESENTATION OF WOMEN IN THE SEJM AND SENAT AFTER 1989

Year of Election	Percentage of women among MPs	Percentage of women among senators
1989	13	6
1991	10	8
1993	13	13
1997	13	12
2001	20	23
2005	20	14
2007	20	8
2011	24	13
2015	27	13

Source: National Electoral Commission.

Whenever the proportion of women rose, it was caused by the introduction of a specific measure signed to promote this effect. This was the case before the 2001 election, when women's organizations (Ośka, Kobiety Też, Przedwyborcza Koalicja Kobiet) had exerted very strong pressure to implement quotas. Another form of pressure was the action "I'm fed up! I support

women in the elections” (“To nam się przyjadło! Popieram wybór kobiet”). In consequence, the two biggest political parties at the time adopted soft quotas and one adopted a voluntary party quota at the level of 30% of candidates on electoral lists. The number of female candidates increased significantly, and so did the proportion of women elected to the Sejm – from 13 to 20%¹.

In 1989, the Senate was re-established in Poland. The proportion of women in the Senate is lower than in the Sejm. The electoral system for the Senate is different and follows the majority approach. In many constituencies, the political parties enter no women at all on their candidate lists. In the last election, this occurred in 57 out of 100 constituencies (Chelstowska, Druciarek, Niżyńska, Skoczylas, 2015). Thus the senators from those constituencies are male, because there were no female contenders. Only in one constituency was the situation reversed, i.e. all candidates were female. Overall in the last election, the proportion of men on the candidate lists was very high, at 86%. In consequence, the prevalence of men among senators persists.

Clearly Poland is yet another example of a country where a proportional electoral system and the introduction of quotas have proved conducive to increasing the proportion of women in the legislature.

First attempts at introducing legislative quotas

After 1989 there were several attempts in Poland to introduce mechanisms that would ensure equal opportunities for men and women in politics and in public authorities. The first, rooted in the early 1990s, was part of a larger project: a bill on the equal status of men and women. The bill, modelled after Scandinavian regulations (in particular on a similar Norwegian law), was designed to contain the entirety of regulations concerning gender-based discrimination, to ban discrimination, to introduce the notion of

¹ “Elections to the Sejm are universal, equal, direct and are conducted by secret ballot. Candidates for Deputies may be nominated by election committees of political parties and by voters. The principle of proportionality requests that lists of candidates are submitted. (...). Voters, being at least 15 in number, may establish an election committee and, then, after having collected at least 1,000 signatures of citizens in support of the setting up of their committee, must notify the National Electoral Commission about this fact. (...) The function of an election committee of a political party is performed by an organ of the party, authorized to represent it.(...) A list of candidates should be submitted, in each constituency, to the constituency electoral commission (...). Electoral commissions conduct the allotment of seats proportionally among the constituency lists, and seats are obtained by candidates in the lists according to the total number of votes cast for them on a given list” (from official information: <http://www.sejm.gov.pl/english/sejm/pos.htm>). There is a 5% threshold for single parties and 8% threshold for coalitions. Before 2002 the method of allocating seats was the Sainte-Lague method, and from 2002 – the d'Hondt method. The Senate is elected using first-past-the-post voting in single-member districts. To be included on a ballot a candidate must be supported by 2000 citizens from their district.

direct and indirect discrimination, and to implement the principle of shifted burden of proof in cases where discrimination is alleged. It sought to implement EU directives, even though Poland was not to become an EU member state for another decade. In terms of political representation, the bill proposed a 40% quota both on electoral lists in general elections and in all bodies whose members are appointed by the public authorities². This provision in particular drew heavy criticism. Importantly, many decision-making bodies at the time included no women at all. The bill proposed a 4-year transition period leading up to the implementation of the 40% requirement for women's participation in decision-making bodies. The bill made it to a Sejm reading on a number of occasions, but was never adopted and thus the quotas it envisioned were never implemented.

Another attempt to introduce gender quotas on electoral lists was made in 2001 by a female MP Olga Krzyżanowska, from Unia Wolności (Freedom Union) during a debate on the electoral statute. The proposal was rejected by parliament.

Eventually, a successful attempt to introduce quotas across the electoral system was made in 2009 on the initiative of the newly founded Women's Congress. Due to the significance of this regulation, and the importance of the women's movement in reaching this milestone, it will be discussed separately further in this paper.

Quotas at the party level

Before the 2001 election, three political parties (Sojusz Lewicy Demokratycznej, Partia Pracy and Unia Wolności) implemented a rule stipulating that the representation of each gender on the candidate list must be at least 30%.

Sojusz Lewicy Demokratycznej (Social-democrats) went the furthest in formalising this rule, because it introduced the following wording into its bylaws (Article 16)

1. *Women and men are equally represented among the candidates to party leadership at every level as well as candidates for delegates. No gender can constitute less than 30% of candidates.*
2. *Section 1 shall apply accordingly to candidates for public offices.*

² The original bill was drafted by Małgorzata Fuszara (the author of this paper) and Eleonora Zielińska, both university professors. It was officially brought forward by the Parliamentary Women's Group. Before its official reading, it was introduced at a series of meetings with political parties and parliamentary caucuses. In 1997 the Sejm voted to have the bill sent to a committee for further development. However, the term came to an end before the committee work was completed. In the subsequent parliamentary terms, the Parliamentary Women's Group continued to bring the bill forward, often with modification regarding the proposed quotas (Fuszara and Zielińska, 1994).

Other political parties chose the soft quota approach. They drafted no formal regulations, but instead adopted resolutions with regard to the gender composition of electoral lists. This approach was employed for example by Platforma Obywatelska (the Civic Platform) before the 2007 election, following a motion by one of its female members, Iwona Śledzińska-Katarasińska. The resolution stipulated that one of the three top positions on each list must be held by a woman. There was no sanction for infringing this rule, but the party leadership was obliged to ensure its enforcement. In practice, in the first election after these solutions were implemented, 34 out of 41 electoral districts observed the rule, and three others included a woman at the 4th position. In yet another four districts, women held positions much lower down the list (in two districts – the 6th, and in another two – the 9th), which illustrates how difficult it is for women to have high positions on candidate lists even when there is a party rule that theoretically guarantees them a good place. Later, there was progressively more and more equality on the Civic Platform's electoral lists. In the 2011 election, women accounted for 43% of candidates overall and held 34% of the top positions on the lists. This led to a record proportion of 35% of women among the successful (i.e. elected) candidates. In the most recent election, in 2015, the expectation was that in each district the top three candidates must include at least one woman and one man, and that among the top five candidates the proportion of genders must be 2:3. This rule was observed in all but three districts. Overall in the Civic Platform women accounted for 43% of candidates, held 32% of top positions, held 41% of positions among the top three candidates and 39% of the so-called winning positions. In consequence, women accounted for 36% of the seats secured by the party.

An internal policy of soft quotas was also adopted by a new political party (founded before the 2015 elections), .Nowoczesna (.Modern). The rule was that every top three positions must include at least one woman. All but four electoral districts observed this rule. The party placed female candidates at the top positions in 41% of districts; women held 36% of positions in the top-three sections of the electoral lists. The proportion of successful women on .Nowoczesna's lists was higher than in any other party, with 43% of this party's MPs now being female (Chelstowska, Druciarek, Niżyńska, Skoczylas, 2015). These female MPs have been very active and have quickly become the public faces of the party.

Arguments in the debate

Before 2009, the bill to introduce quotas into the electoral statute was rejected with hardly any debate. In order to show the arguments that the proponents and opponents of equal opportunities were using, it is necessary to

reach further back to the debates that were being held while the statute on the equal status of men and women was a work in progress. Then, proponents of equalising opportunities for men and women in the public sphere, including in politics, used the following arguments:

1. Inequality exists and requires the introduction of measures that will make it possible to give men and women equal opportunities. Mechanisms used so far (for example constitutional regulations) have proved ineffective since the inequalities persist.
2. Quota systems help accelerate processes that are inevitable (such as the increase in the proportion of women among those in power). The point is not to wait for the slow evolutionary change that will lead women to power, but rather to actively contribute to this process by means of legal regulations.
3. Experience demonstrates that women do very well in the public sphere: in politics, social work and in professional careers.
4. Quota systems compel political parties to seek out women who are active and competent in holding office.
5. Women face extra requirements and additional barriers in their way to the public sphere, in both professional and political life; it is therefore necessary to help them overcome these barriers by means of a quota system.
6. Examples of other countries (in Scandinavia in particular) show that the mechanisms aimed at accelerating women's entry into the public sphere result in the participation of competent, well-prepared women in the exercise of power.

Opponents to the system used the following arguments:

1. Women and men have equal status in Poland; talk of discrimination is an example of demagoguery.
2. Unequal participation in the institutions of power is a consequence of the difference in the roles of women and men: for women, their family status is of primary importance.
3. Unequal participation in the institutions of power is a consequence of women's low level of interest in politics and unwillingness to hold office. If women want these roles, their numbers in politics will increase.
4. The proposed mechanism is artificial; increased women's participation should arise out of changes in mentality and such changes require time.
5. The introduction of a quota system will result in individuals of lesser skills and abilities being placed in positions of power.
6. The introduction of a quota system is offensive to women; each woman will be suspected of having been promoted thanks to her gender and not her talents, skills or merits.

The Women's Congress and the introduction of electoral quotas

The year 2009 marked the 20th anniversary of the first free elections in Poland³. Conferences, seminars and events were organized to celebrate the occasion. Almost universally, these events excluded women, who were only invited to fulfil the role of an audience passively absorbing the male narrative of the opposition movement, of the fight with the system, and of the final victory. Women noticed this exclusion and took offence to the disregard for their role in the opposition's struggles and in the efforts to rebuild the country. The exclusion mobilized not only those women who had previously been active in the women's movement and were already gender sensitive, but also a great number of women from various backgrounds: businesswomen, academics, writers, singers, journalists, politicians, actresses, directors and photographers. They came from big cities and small towns. Some were successful professionals, others primarily provided unpaid labour for their families. The first ideas on how to counteract this exclusion focused on organizing a conference where women could present their thoughts on the two decades of freedom and democracy. These ideas evolved into the Women's Congress, where – just like at the turn of the 19th century – women from across the country could meet to discuss the impact that the transformation had had on them, their expectations, and the objectives of particular importance to them. The funds that were raised for this purpose were sufficient to rent a room that could seat several thousand attendees for the plenary session, as well as smaller rooms for the panel discussions. However, no funding was available to help attendees cover travel and accommodation costs. It was therefore hard to gauge beforehand the

³ The transformation in Poland began in 1980. After mass scale strikes, a mass scale Solidarity movement emerged. At its peak, Solidarity had approx. 10 million members. Its demands addressed issues both economic and political, such as the establishment of independent trade unions, the abolishment of censorship, etc. In August 1980 in Gdańsk, an accord between the government and the committee of the striking workers was signed, promising that these demands would be met. Yet in December 1981, the communist authorities imposed martial law, de-legalized Solidarity, suspended numerous civic rights, and placed the leaders of the trade union movement (including the leader of the strike, Lech Wałęsa) in internment camps. This failed to break the resistance. In 1988, strikes triggered by the economic situations forced the authorities to seek a compromise. The so-called Round Table talks in the spring of 1989 led to the establishment of the office of the president, a senate, free press, and registration of Solidarity, a stronger Constitutional Court, and an Ombudsman. It was also decided that on 4 June 1989, general elections would be held to the new bicameral parliament. The elections to the Senate would be completely free, with the opposition allowed the same options as the ruling party. As for the Sejm, 65% of seats would be filled from lists proposed by the ruling party and 35% would be offered to candidates from the opposition's list (candidates with no communist party membership). The elections on 4 June 1989 demonstrated the overwhelming social support for the opposition. Out of the 100 Senate seats, 99 went to the opposition, which also won all the Sejm seats for which it was allowed to run. The day of the election marked the *de facto* end of the communist rule in Poland.

level of interest in the Congress. Registration took place online only. The Congress had no office and no employees; everyone involved worked on a voluntary basis. All sessions were carefully designed, supervised by recognized scholars (who selected the panellists), and moderated by professional journalists. At the end of each panel discussion a list of proposals was drafted, and these lists were then compiled to create the list of demands of the entire Congress. At the first Congress, only women were allowed to attend. The idea was to create a space where women could discuss their needs and expectations, their priorities and their goals. The organizers of the Congress took great care to ensure the participation of women associated with both left-wing and right-wing politics. For example, all First Ladies (wives of the presidents elected after 1989) were invited to participate in a special discussion panel; not all accepted the invitation. Nonetheless, the first Congress was attended by both Maria Kaczyńska, wife of the right-wing president Lech Kaczyński, and Jolanta Kwaśniewska, wife of Aleksander Kwaśniewski, a president with a left-wing affiliation.

The Congress was also designed to reaffirm the memory of women heroines of the opposition movement. Henryka Krzywonos, the only woman among the signatories of the Gdańsk Accord of 1980, received the award of the 20th anniversary of Poland's freedom. Yet since 1989 the part she had played in those events was minimised and disregarded in the re-telling of the story. The award marked the starting point of her return to politics. Henryka Krzywonos is now an MP, even though she had not even been offered a place on the electoral lists before.

Over 4,000 women attended the first Women's Congress in 2009 in Warsaw. In subsequent years, the Congress drew as many as 10,000 attendees. The demands of the first Congress, gathered from each of the thematic groups, filled over 20 pages. Yet the crucial demand was the implementation of a gender parity requirement on electoral lists. The attendees of the Congress were convinced that women would only have an impact on issues they considered important if they took part in the process of creating the laws that affected everyone, men and women alike.

A special legislative procedure was chosen for introducing the proposed gender parity bill, a procedure more difficult to execute than the typical track by which a group of MPs comes forward with a bill (which is how the attempts to propose the statute on equal status of men and women had been made). This time, the bill was to be proposed by citizens themselves. For this, Polish law requires a minimum of 100,000 signatures to be collected in support of the bill within the relatively short timeframe of 3 months after registration of the committee proposing the bill. It was a challenge, and the results were difficult to predict. This procedure is typically used by political parties and churches, i.e. organizations with strong, well-organized

networks that can be deployed for the collection of signatures. In contrast, the Women's Congress was a new civic initiative that relied on the hard work of volunteers and goodwill of those supporting it: the media, celebrities, owners and managers of shopping malls, theatres, museums, and other institutions where the signatures were collected. In the end, over 150,000 signatures were collected and the bill introducing gender parity on electoral lists was officially proposed to the Sejm. After the first official reading, all parliamentary groups voted for the bill to proceed to committee discussion, and although some pointed out that they were against parity, they chose not to vote to reject the bill precisely because it had entered parliament with the express support of such a large group of citizens.

Work conducted in committees resulted in modification of the bill, with the concept of gender parity (50/50 quotas) replaced with a quota of 35% of persons of each gender on electoral lists (gender-neutral quota). Attempts at including rank-order provisions were unsuccessful. Lists failing to meet the quota requirement would not be registered. Although attempts were made to mitigate this sanction and replace it with a fine (so the registration of a list failing to meet the quota requirement would still be possible), the Congress managed to prevent this amendment. The key argument was that in countries where this solution had been adopted, the strongest and richest parties sometimes preferred to pay the fines and go ahead with electoral lists that fell short of the quota requirements. The bill, in its version that emerged once the committee stage was complete, gained the support of the ruling party, the Civic Platform. When it came to the vote, the Civic Platform imposed a double duty on its MPs: to be present and to vote in its favour. The bill was passed by parliament in 2010 and signed by the president in 2011.

Before the bill was formally brought forward to parliament, representatives of the Women's Congress held meetings with politicians, including leaders of political parties, Speakers of the Sejm and Senate, and heads of parliamentary committees. The bill had secured the support not only of the ruling party, but also of the left-wing party; it was opposed by the party then in opposition and now in power, Prawo i Sprawiedliwość (Law and Justice). The opposition argued that it was impossible to find a sufficient number of women interested in politics. In response, the Women's Congress drew up and publicly presented a long list of women, including women with right-wing political views, who were ready to come forward as electoral candidates. As a result political parties stopped using this argument and, as it turned out, filled their lists with the required numbers of female candidates without any difficulty.

There was a twofold purpose behind the decision to use this specific procedure for bringing forward the bill on gender parity on electoral lists. Firstly, it was of course about propelling the bill into parliament. Secondly, it

was about awareness-raising. In consequence of the decision to choose this procedure, both the Women's Congress and its key proposals were widely discussed and debated. Public opinion polls demonstrated that the bill was winning the support of an increasing number of women and men as the debates continued. The notion of quotas, initially associated with the communist regime and its façade equality, came instead to be associated with women's rights, discrimination, and the need for equal opportunities. This resulted in support for quotas increasing considerably.

The implementation process

The first parliamentary elections held after the implementation of the quota requirement radically changed the proportions of candidates of both genders on electoral lists. All political parties not only met but actually exceeded the quota requirement. There was an immense rise in the chances of women being placed on electoral lists (see table 3).

Table 3: WOMEN ON THE LISTS OF ELECTORAL CANDIDATES IN THE ELECTIONS FOLLOWING THE INTRODUCTION OF QUOTAS, BY POLITICAL PARTY, IN PERCENTAGE

Electoral (political party)	Female candidates in the 2005 election (%)	Female candidates in the 2007 election (%)	Female candidates in the 2011* election (%)	Female candidates in the 2015 election (%)
Platforma Obywatelska (Civic Platform)	21	21	43	43
Prawo i Sprawiedliwość (Law and Justice)	21	19	40	40
Lewica (Democratic Left Alliance)	28	22	44	44
Polskie Stronnictwo Ludowe (Polish People's Party)	20	19	42	42
Ruch Palikota (Palikot's Movement-new political party only in 2011)	-	-	44	-
Nowoczesna (.Modern - new political party, only in 2015)	-	-	-	43
Total % of women on electoral lists	25	23	44	44

Source: Own calculations based on data from National Electoral Commission.

2011 - first year of introduction 35% quota

These numbers reflect a number of facts. Firstly, progress towards equal proportions of men and women on electoral lists never occurs in a manner that opponents of quotas call 'natural'. Between 2005 and 2007, when there were neither quotas nor strong pressure to promote gender equality, the proportion of women candidates actually went down, not up. There is therefore no reason to believe that progress would take place in the absence of specific measures to promote it. Secondly, the numbers illustrate the scale of change after the implementation of quotas. The proportion of female candidates exceeded the required 35%, because the presence of women became an important political issue and the parties were trying to show that they took the expectations of women (i.e. half their electorate) into account. Sadly, the quota system in Poland does not incorporate a rank-order system, and not all political parties actually pursue the goal of having gender-balanced parliamentary representation. Activists in certain parties have become quite skilled at devising the lists to ensure that the actually electable positions on the lists are filled by men. Women are generally placed far down the lists, with the exception of districts where the party is not expected to do well; women from small, less populated districts are placed on the lists and in consequence are unable to draw enough votes to be elected; two female candidates from one small district are placed on the list, forcing them to compete for votes with each other among the same small electorate, which means that there is competition between women but the male candidate is not forced to compete with anyone, etc. Political parties have also engaged in black PR campaigns against women, have eliminated women from their air time, and have excluded them from pre-election rallies and from posters (Fuszara, 2013). As a result, the increase in the proportion of successful female candidates is less significant than that of female candidates overall. It also varies very strongly depending on the real policy of each political party with regard to ensuring equal opportunities for its candidates. This is well illustrated by the proportion of women holding top positions on the lists and the (clearly related) proportion of successful women candidates (see table 4).

The parties that placed women high on their electoral lists generally tended to have many successful women candidates. Those that chose a soft approach, in particular with regard to placing women among the first three and first five candidates, had a significantly better result than the parties that chose not to apply these mechanisms. The Polish example demonstrates that gender quotas on electoral lists provide a significant boost to women's opportunities in politics, but only if rank-order provisions are in place.

Table 4: PROPORTION OF WOMEN HOLDING TOP POSITIONS ON THE ELECTORAL LISTS AND THE PROPORTION OF SUCCESSFUL WOMEN CANDIDATES IN 2011 AND 2015

political party	% of top (1) positions held by women, 2011	% of successful women candidates, 2011	% of top (1) positions held by women, 2015	% of successful women candidates, 2015
Platforma Obywatelska (Civic Platform)	34	35	32	36
Prawo i sprawiedliwość (Law and Justice)	24	17	29	23
Polskie Stronnictwo Ludowe (Polish People's Party)	15	7	15	19
Lewica (Democratic Left Alliance)	15	15	29	-
Ruch Palikota (Palikot's Movement)	10	13	-	-
.Nowoczesna (.Modern)	-	-	41	43
Kukiz 15 (Kukiz 15)	-	-	15	14

Source: Own calculations based on data from National Electoral Commission.

Conclusion

The Polish experience leads to a number of conclusions that appear to be universal. In many countries, similar mechanisms have produced similar results. Evidently, quotas help to achieve the goal of equal opportunities for both genders in politics. Progress in this area is neither automatic nor linear. This is an issue of access to power, which is never won without a struggle. The narrative among opponents to quotas is that it is an artificial measure applied to a situation where progress must be slow and must take place without changing the law. This is a narrative rooted in a falsehood. Electoral statutes, like any other legal regulations, are themselves artificial constructs. They can either take gender equality into account or disregard it, leading to discrimination. Gender quotas, especially gender neutral quotas used as a temporary measure, are not a mechanism of privilege but of preventing discrimination. They are not a panacea; without true willingness on behalf of the political players, the effects of quotas are limited. Yet they ensure more equal opportunities at least when electoral lists are compiled. While many female candidates fail to win seats on their first attempt, the gain in their visibility is undeniable.

Furthermore, the Polish example illustrates the immense role of the women's movement in ensuring gender equality. This movement was operative in attaining universal suffrage in 1918, and was also the driving force behind the introduction of quotas. The Women's Congress, with its successful campaign in favour of quotas, provides a good example of certain important characteristics. First of all, it is a very broad and very inclusive grassroots movement. It brings together women (and men with pro-equality attitudes) from many different backgrounds. It meets the defining criteria of a new social movement (Dahlerup, 1986): its membership is fluid; its leadership is based on leadership qualities rather than formal rules; and it is inclusive in nature. The Programme Council in charge of the national congress has more than 100 members hailing from across the country. While the most publicly visible part of the Congress is the annual two-day gathering in Warsaw, the movement is actually based on a network of members spread all across Poland, where local activists organize local congresses throughout the year. The Women's Congress strives for visibility and innovation. It has a shadow cabinet that speaks publicly on issues of importance to women. The shadow cabinet is headed by Danuta Hübner, an MEP who was the first Polish commissioner at the European Commission. Under the previous government, two persons were pulled from their shadow cabinet positions to their counterparts in the actual government. Lena Kolarska-Bobińska served on the shadow cabinet and was subsequently appointed to serve as Minister of Science and Higher Education. Małgorzata Fuszara, the author of this paper, served as the equality officer on the shadow cabinet and was then appointed as the Government Plenipotentiary for Equal Treatment by Prime Minister Donald Tusk and later his successor, Prime Minister Ewa Kopacz. The Prime Minister, on his own initiative, met with the shadow cabinet every year. Prime Ministers Tusk and Kopacz were hosted by the Women's Congress at its events, as was President Bronisław Komorowski throughout his term. At the Congress events they were usually asked about equality issues. The reactions of the audience – supportive when their views aligned with those gathered at the Congress, but clearly unsupportive when they diverged – made the expectations of women very clear.

While the quotas are a clear and tangible result, a strong women's movement has produced other results too. The Congress has empowered women in a number of ways. The quota discussion became a catalyst for motivating women in general. At the most recent Congress (in 2016), women from different political parties spoke about how their previous, often passive participation in the Congress provided them with a stimulus to enter the public sphere. The impact of the atmosphere at the Congress and its participants' stories were also mentioned by guests from other countries, e.g. MPs from Ukraine. Many women have discovered during the Congresses that their

ideas about gender equality have the support of many other women from all over Poland, and this gave them the courage to take action. This is particularly true with regard to women from smaller towns and rural areas.

A strong women's movement has a general impact on politics. Before the 2015 election, a woman served as the Prime Minister and her cabinet had a record proportion of female members (32%). In the 2015 elections, almost all political parties and electoral committees of significance were headed by women. After the elections, the post of the Prime Minister was again filled by a woman. Clearly, descriptive representation has become a political issue, and the political parties are eager to demonstrate their supportive stance on it.

When answering the question posed in the title, we could say that Poland is an example of partial success. The quotas introduced in electoral lists have helped to get many more women directly involved in politics and elections. However, since the system is not parity-based (50 : 50) and involves no rank order, the increase in the percentage of women successfully elected has been very slow. The process is fastest in parties that apply a rank order in practice, mostly as a voluntary soft law. What drives this progress is a powerful women's movement and strong women's activity, not only in major cities but also in smaller localities.

Nonetheless, progress in this area should never be taken for granted. There has already been a perceptible shift since the political changes triggered by the 2015 elections. Neither the Prime Minister nor the President accepted the invitation to the Women's Congress in 2016. There are plans to modify the electoral statute, which makes the future of gender quotas uncertain. However, the women's movement is hopefully strong enough at this point to retain its impact on Poland's political future.

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