

Is Gender like Ethnicity? The Political Representation of Identity Groups

Mala Htun

Some 50 countries officially allocate access to political power by gender, ethnicity, or both. Yet in the world's electoral democracies, the policies used for women differ systematically from those used for ethnic groups. The former receive candidate quotas in parties; the latter, reserved seats in legislatures. Why? My explanation focuses on the varying ways that gender and ethnic identities intersect with partisan cleavages and on the distinct "work" performed by the different remedies for underrepresentation. Quotas, which make space within existing parties, are appropriate for groups whose boundaries crosscut partisan divisions. Reservations, which create incentives for the formation of group-specific parties and permit them direct representation, suit groups whose boundaries coincide with political cleavages. Since gender is crosscutting while ethnicity tends to be coinciding, women receive candidate quotas while ethnic groups get legislative reservations. Claims for inclusion via quotas pose less of a challenge to liberal institutions than claims to difference through legislative reservations. Case studies of representational politics in France, India, and Peru illustrate the argument.

Political leaders take our money, lead us to war, and write the laws that govern our lives. Must their ranks include men and women, rich and poor, masters and slaves? For most of world history, the answer was no. Men ruled; women worked at home. Female interests were represented by husbands and fathers. The same was true for members of subordinate ethnic groups: conquerors would care for colonial subjects, the rich for the poor, whites for browns, and so on.

As the twentieth century progressed, however, a consensus emerged in international society and within democratic polities that one social segment should not monopolize political power. Special efforts were made to include previously excluded groups—generally defined in terms of gender and ethnicity. Today, some 50 countries officially allocate access to political power along the lines of gender, ethnicity,¹ or both: they have laws on the books reserving a fixed number of electoral candidacies or legislative seats. Narrowing the focus to electoral democracies reveals a fascinating pattern: institutional remedies for the underrepresentation of women and ethnic minorities (or

majorities) assume distinct forms. Women tend to receive candidate quotas in political parties, whereas ethnic groups are granted reserved seats in legislatures.

How does gender differ from ethnicity? Why do democracies apply distinct policies to different previously excluded groups? What does this imply about the normative status of various claims to representation and the appropriate response of liberal states?

This article argues that different remedies for underrepresentation are logically appropriate for different groups. Quotas, which make space within existing parties, suit groups whose boundaries crosscut partisan divisions. Reservations, which create incentives for the formation of group-specific parties and permit them direct legislative representation, suit groups whose boundaries coincide with political cleavages. Whereas gender tends to be crosscutting, ethnicity tends to be coinciding. Women and men belong to all political parties; members of ethnic groups, by contrast, frequently belong to one only. In countries where it is mobilized, ethnicity is a central, if not *the* central principle of political behavior; gender, though occasionally a consideration, almost never defines how individuals vote and what parties they affiliate with.

Of course, actual politics do not always conform to functional requirements. Historical legacies may get in the way of matching group characteristics with suitable policies. Thus countries with traditions of ethnic reservations have given reserved seats to women; one with a gender candidate quota applied similar quotas to ethnic minorities. Yet when it applies the "wrong" remedy, the state neglects the true causes of underrepresentation and fails to grant group members real access to power. As we see in the Indian and Peruvian cases discussed

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below, supposed beneficiaries of these unwelcome remedies may protest them and demand alternative policies.

Though the divergence between the modes of gender and ethnic representation cuts across many countries, it has received no scholarly attention. We know a great deal about women's movements and women in politics, and a growing number of works focus on gender quotas. Hundreds of scholars have studied ethnic identity formation and mobilization; the causes and consequences of conflict; and institutional solutions for divided societies. Few works analyze representational politics *across identities*.² Such a comparison is needed, however, if we are to understand why policy solutions to women's underrepresentation diverge so dramatically from those applied to ethnic groups. Comparing gender and ethnicity also reveals that claims made on these differing bases have different implications for the liberal state.

Group Representation Policies

Table 1 identifies countries with statutory gender quotas or reservations, ethnic quotas or reservations, or both. (For descriptions of these policies, see tables 1a and 1b at the end of this article.)³ As table 1 shows, about 50 countries use such mechanisms, including old and new democracies; rich and poor countries; Catholic, Protestant, Islamic, Confucian, and Hindu societies; federal and unitary systems; and presidential and parliamentary regimes. Dozens of other countries without statutory measures uphold effective political arrangements to guarantee group representation, such as quotas used voluntarily by political parties in over 30 countries; the race-conscious districting practiced in the United States; and the application of lower electoral thresholds for minority political organizations in Denmark, Germany, Poland, and Romania. Notwithstanding the importance of these voluntary arrangements, this paper is concerned exclusively with statutory mechanisms. Reliable cross-national data on party statutes, their interpretation, and their enforcement were not available. This is a fertile area for future research, since additional data have the potential to change the findings reported here.⁴

Policies to guarantee group representation generally assume one of two forms: candidate nomination quotas in political parties or legislative reservations. Quotas require that a minimum number of candidates fielded by political parties for general election have certain demographic characteristics. The Argentine *Ley de Cupos* (or Quota Law of 1991), for example, requires that women comprise a minimum of 30 percent of



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political party lists. Reservations or reserved seats set aside a fixed percentage of legislative seats for members of a certain group. These may be filled through competitive election in specially created districts (Scheduled Castes and Scheduled Tribes in India), through election by voters registered on separate rolls (Maoris in New Zealand), by the group member receiving the most votes in general elections (constitutionally recognized ethnic groups in Mauritius), or through designation by political parties (minorities in Pakistan).

States adopted these policies at different historical moments. In some countries, collective representational rights constitute part of the bargain struck to ensure the viability of democracy in a plural society. In such “consociational” or “consensus” polities, each group is guaranteed a share of power to preclude secession and civil war. Other countries introduced collective rights rather recently in response to the growth of identity-based social movements and their demands for the recognition of cultural diversity. These claims have mobilized concern for the question of whether elites in power resemble, in their personal characteristics and life experiences, the people they represent, thus transforming group representation from a matter of state survival into a question of democratic legitimacy and social justice.

Considerable debate surrounds these policies. Liberal critics argue that granting rights to identity groups treats them as essential givens, failing to acknowledge their dynamism and fluidity, as well as internal injustices suffered by some members. Existing liberal institutions, moreover, can resolve the domination and oppression inflicted on social groups since these wrongs are ultimately suffered by individuals.⁵ Civic republicans claim that group-differentiated rights undermine common citizenship and render suspect a public good toward which society could be oriented,⁶ while libertarians allege that collective rights benefit the already privileged, increase in-group inequality, and aggravate social divisions.⁷ Finally,

Table 1
Statutory group representation policies

For gender	For ethnicity	For both gender and ethnicity
<i>Argentina</i>	Bhutan	<i>Belgium</i>
<i>Armenia</i>	<i>Croatia</i>	Bosnia and Herzegovina
<i>Bangladesh</i>	<i>Cyprus</i>	<i>Colombia</i>
<i>Bolivia</i>	Ethiopia	<i>India</i>
<i>Brazil</i>	<i>Fiji</i>	Jordan
<i>Costa Rica</i>	<i>Kiribati</i>	Pakistan
Djibouti	Lebanon	<i>Peru</i>
<i>Dominican Republic</i>	<i>Mauritius</i>	<i>Serbia and Montenegro</i>
<i>Ecuador</i>	<i>New Zealand</i>	<i>Taiwan</i>
<i>France</i>	<i>Niger</i>	
<i>Greece</i>	<i>Samoa</i>	
<i>Guyana</i>	Singapore	
<i>Macedonia</i>	<i>Slovenia</i>	
<i>Mexico</i>	<i>Switzerland^a</i>	
Morocco	<i>Venezuela</i>	
<i>Namibia</i>		
Nepal		
North Korea		
<i>Panama</i>		
<i>Paraguay</i>		
<i>Peru</i>		
Rwanda		
Sudan		
Tanzania		
Uganda		

NOTE: Electoral democracies are in italics (Freedom House 2003).

^aSwitzerland's practice of distributing cabinet seats by language group is not technically required by law, but is a deeply entrenched custom (Steiner 1990; Steiner 2002).

social scientists have found that policies promoting the descriptive representation of minorities may actually end up harming their substantive representation: for example, the creation of so-called majority-minority districts helps to put more blacks and Latinos in the U.S. House of Representatives, but it may also facilitate the election of legislators elsewhere who are ideologically hostile to their interests.⁸

Defenders of quotas and reservations point out that group rights do not constitute a major departure from existing democratic practices. After all, some form of collective representation is inherent to the political process. As Justice Lewis F. Powell put it in a 1968 voting rights opinion, "The concept of representation necessarily applies to groups; groups of voters elect representatives; individuals do not."⁹ Single-member district systems define such groups by territory; other electoral regimes, such as national-list proportional representation, accommodate non-geographically based constituencies. Liberal polities such as the United States and Canada have traditionally drawn geographical district boundaries around "communities of interest," be they regional, economic, environmental, or historical; by granting an equal number of seats to states regardless of population, the U.S. and Australian Senates offer privileges to residents of smaller, potentially disadvantaged states.¹⁰ The point is that political institutions inevitably make decisions about the types of groups that gain

representation. Quotas and reserved seats differ in degree, but not in kind, from the everyday work states already perform on politically-relevant social identities.

Gender Quotas and Ethnic Reservations in Electoral Democracies

When we consider only electoral democracies, the following pattern emerges: states give candidate quotas in political parties to women and reserved seats in legislatures to members of ethnic groups. As table 2 demonstrates, there are only four exceptions to this rule. The probability that a democracy with group rights for women will have candidate quotas is 0.86; in countries with measures guaranteeing ethnic representation, the probability is 0.94 that these take the form of legislative reservations.

What accounts for this divergence in modalities of gender and ethnic representation? My argu-

ment can be summarized in the following syllogism: (1) candidate quotas are more appropriate for groups that crosscut partisan cleavages, while reservations suit groups that coincide with them; (2) gender identities tend to cut across parties, whereas ethnic identities often overlap with partisan affiliations; (3) consequently, disadvantaged groups that are defined by gender demand, and are granted, candidate quotas; ethnic groups prefer, and receive, legislative reservations.

Quotas for crosscutting groups; reservations for coinciding ones

To understand the different uses of the two types of policies, we must first explore the distinct means they use to improve the representation of identity groups. Quotas intervene in party nomination procedures by requiring that a certain percentage of the candidates fielded by a party be of a certain group. For example, the quota may demand that around one-third of positions on party lists be occupied by women and that they alternate with men in the rank ordering of candidates, as is the case in Argentina, Costa Rica, Belgium, and Guyana.¹¹ A quota policy may therefore provoke some changes in the ways parties go about nominating candidates, formulating lists, and deciding who runs in what district. However, it does not alter the overall structure of incentives governing the political system. Specifically, quotas do not affect issues such as counting rules,

Table 2
Group representation rights in electoral democracies^a

	Candidate quotas in parties	Legislative reservations
<i>Ethnic</i>	Peru	Belgium Colombia Croatia Cyprus Fiji India Kiribati Mauritius New Zealand Niger Samoa Serbia and Montenegro Slovenia Switzerland Taiwan Venezuela
<i>Gender</i>	Argentina Armenia Belgium Bolivia Brazil Costa Rica Dominican Republic Ecuador France Greece (local) Guyana Macedonia Mexico Namibia (local) Panama Paraguay Peru Serbia and Montenegro	Bangladesh India (local) Taiwan

^aAs identified by Freedom House in 2003. The table includes only those countries considered electoral democracies.

trast, guarantee group members a share of power independently, if need be, of existing parties. Their objective is to facilitate autonomy of political communities and electoral success of group-specific parties.

Figure 1 depicts the location of crosscutting and coinciding groups in the party system. We see that members of a crosscutting group belong to all parties, whereas those of a coinciding group tend to belong to a single party, a set of political organizations, or no party. Figure 2 illustrates the “work” done by a well-designed candidate quota. The policy attacks the discrimination suffered by group members in the party but permits them to continue militating in it. Meanwhile, the party gains representation in legislatures through regular electoral procedures. The demographic characteristics of its delegations may change, but the rules of inter-party competition remain the same.

Figure 1 helps us see why a candidate quota would make little sense for a coinciding group. What is gained by making space for group members within all parties when they tend to cluster at one end of the political spectrum? In fact, a candidate

timing, the circumscription of electoral districts, the structure of the ballot, and so on that have been shown to exert the most powerful effects on voter behavior, the party system, and internal party structure.¹²

Reservations take a different approach. They introduce group-specific avenues of representation that circumvent the existing party system and create new electoral incentives. These include the creation of: separate electoral rolls, special electoral districts that limit competition to group members, exceptions to counting rules, and provisions for direct appointment to the legislature.

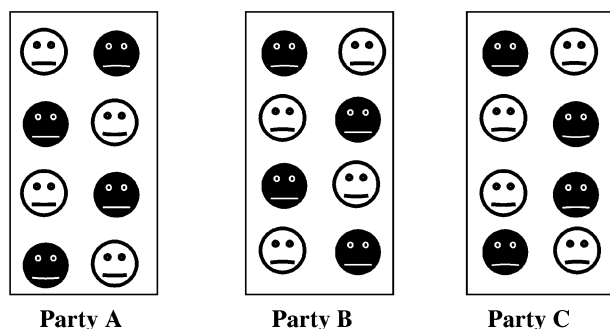
Candidate quotas thus presume a different sort of problem from that addressed by reservations. The goal of quotas is to take a category of people who belong to, but suffer from discrimination in, mainstream parties and propel them to positions wherein they stand a chance of popular election. Quotas therefore provide a means of assimilation and integration into already existing political institutions. Reservations, by con-

trast, undermine a minority group’s political organizations as its partisan opponents snatch up group leaders in order to comply with the quota. Finally, figure 3 clarifies the mechanics of legislative reservations. They permit a group’s party, organizations, or independent representatives to gain power on their own and may furnish additional incentives for formation of minority parties.

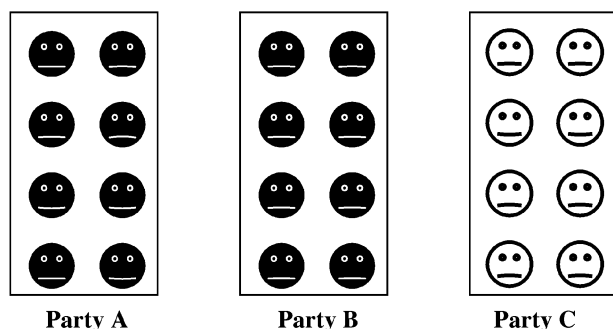
In theory, a proportional representation (PR) electoral system, particularly one with low thresholds, would facilitate the representation of group-specific parties and organizations. PR also avoids a situation in which the state is compelled to assign individuals to specific groups (as required by the maintenance of ethnic voter rolls or the reservation of certain districts for group members), a practice that contradicts the fluidity and contextual nature of many ethnic identities. In addition, PR is flexible, permitting the automatic adjustment of representational relationships to changing demographics and political interests. Divided legislatures and reserved seat ratios, by

Figure 1
Cross-cutting versus coinciding groups

Cross-cutting groups



Coinciding groups



contrast, often contain no provision for periodic updating based on new census data.¹³ Some countries, however, may opt for reserved seats in order to preserve an existing two-party system (unlikely to be maintained under PR), to *over*represent a minority, to offer privileged access to power as compensation for historical disadvantage, or to name a particular group as deserving unique status.¹⁴

Crosscutting gender versus coinciding ethnicity

The next step is to examine variation in the extent to which gender and ethnic identities actually correspond to partisan cleavages. For much of world history, politics has been the exclusive domain of men. Women gained the right to vote and stand for office only in the twentieth century. Since the early days of gender integration in politics, however, political parties have counted on both men and women as supporters. There are few instances of parties defined by gender, and none have consistently won elections. To be sure, different parties send men and women to office to varying degrees: women comprise a larger portion of legislative delegations of the Left than those of the Right. One reason is that the former have been more likely to adopt voluntary candidate quotas than the latter.¹⁵ To reduce the electoral advantage such policies may provide to their opponents, parties of the Right in several countries have responded by introducing, if not always explicit quotas, other forms of affirmative action to improve women's opportuni-

ties.¹⁶ Party positions may differ on women's rights issues such as abortion, but are converging—at least in theory—on the goal of gender parity in representational politics.

What about the gender gap? In advanced democracies, women tend to vote for leftist parties in greater numbers than men. A few decades ago (and in many parts of the developing world today) the opposite transpired: support for the Right was greater among women.¹⁷ Though analyses of these phenomena tend to center on women's views, there is evidence that men are the ones changing: in the United States at least, transposition of the gender gap is due to major shifts in men's partisan preferences.¹⁸ The gap peaked in the U.S. presidential elections of 1996, when 54 percent of women voted for Democrat Bill Clinton, as opposed to 43 percent of men.¹⁹ While significant for party strategy, these percentage point differences are small compared to the overall volume of female and male support for various parties and candidates.

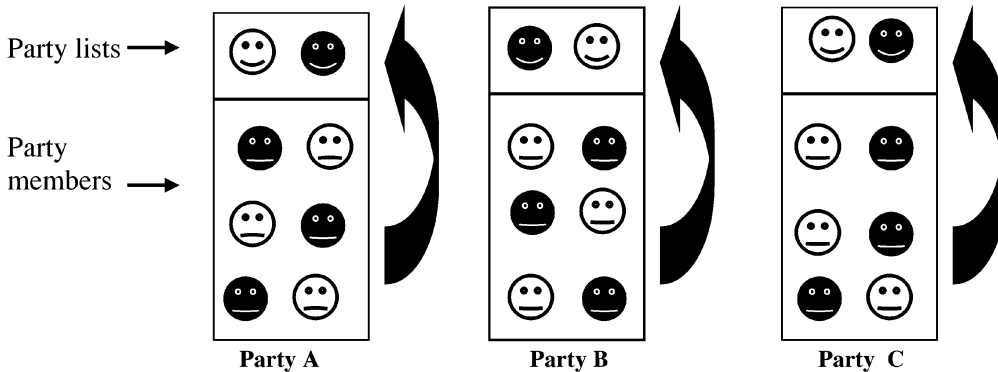
The size of gender differences in party support contrasts vividly with the ethnically inflected political divisions characterizing many plural societies. In patronage democracies such as India, politics is driven by ethnic head counting.²⁰ Linguistic divisions in heterogeneous European countries such as Belgium and Switzerland map onto party—and party system—divisions.²¹ A large number of postcolonial societies in Africa and Asia are dominated by parties whose reliance on the support of exclusive ethnic groups lends a “census-like quality” to elections.²² In these contexts and in the post-communist world, progress toward democratization often exacerbated the ethnic character of politics, sometimes with violent consequences.²³ Nine Israeli parties representing distinct ethnic and religious groups came to occupy nearly half of the Knesset seats in the 1990s.²⁴ African Americans in the United States identify overwhelmingly with the Democratic Party and evidence of the salience of race in predicting voting behavior lies behind U.S. federal courts' validation of districting arrangements designed to permit all citizens to “elect a candidate of their choice.”²⁵ Even Latin America is witnessing the growth of ethnic parties: in the 1990s, those mobilizing indigenous voters successfully contested national elections in Bolivia, Colombia, Ecuador, Guyana, and Venezuela and local contests in Argentina and Nicaragua.²⁶

Ethnic boundaries are not always politically loaded, however, and not everyone has a communal experience of ethnicity. Its coincidence with partisan and ideological cleavages and geographic concentration is the effect of historical construction as well as political manipulation. Ethnic groups in some countries, such as Afro-descendants in Brazil, have features usually associated with gender identity, such as low geographic segregation and little correlation with voting behavior or party affiliation. Consequently, the affirmative action bill under consideration in the Brazilian Congress calls for racial quotas in parties, not for reserved seats in the legislature.²⁷ The stacking of ethnicity on salient social divisions is the product, not the premise, of a political process, an outcome to which the allocation of specific representational rights surely contributes.

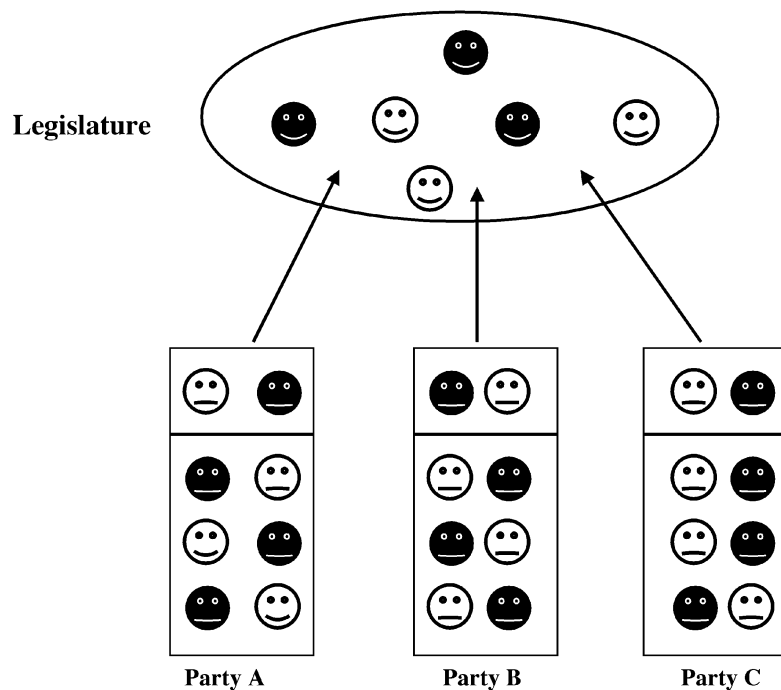
For these reasons, there is an active debate among political scientists about which types of institutions can best mold

Figure 2
What quotas do

Step 1: Parties to lists



Step 2: Parties to legislature



ethnic boundaries correspond to other salient cleavages. Gender identities, however, almost always cut across them.

Women receive quotas; ethnic groups receive reserved seats

Finally, we must establish that gender-based demands center on quotas and that this is related to the fact that women are spread throughout the party system. We also need to show that the preference of ethnic groups for reserved seats flows from their tendency to cluster in a single party or organization.

Let us begin by analyzing candidate quotas. Their diffusion is a relatively recent phenomenon resulting from several trends. The first is the growth of the second-wave feminist movement, which identified male dominance in political life as a problem and questioned the legitimacy of polities that tolerate it. Feminist activism helped forge new international norms of gender equality. Major agreements, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Platform for Action adopted by governments at the 1995 Fourth World Conference on Women in Beijing, endorse affirmative action. International and regional organizations, such as the United Nations, the European Union, the Southern African Development Community, the

Summit of the Americas, and the Association of Southeast Asian Nations, have declared that growth in women's leadership contributes to democratic consolidation and economic and social progress.

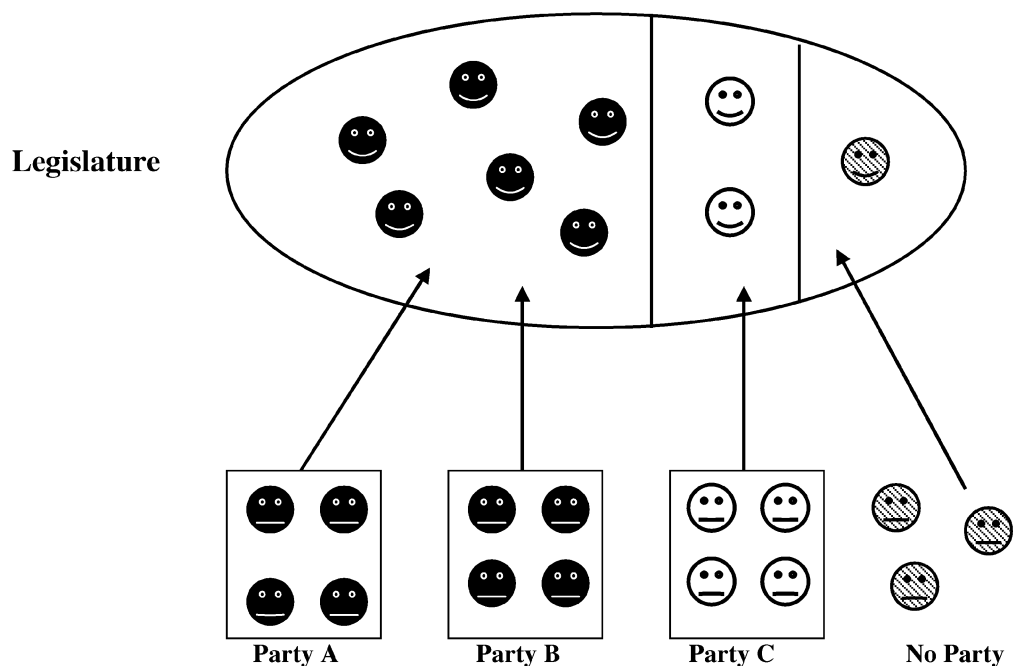
Another factor was the development of normative arguments that identified the gender composition of legislatures as an indicator of justice and the quality of democracy. Quota advocates reconceptualized political equality to include not just the right to vote and stand for office, but to *be present* in office. A homogeneous legislature of men, they argued, violates this fundamental right. Meanwhile, partisans of deliberative democracy stressed the need for representatives to share experiences with their constituents in order to adequately communicate citizen views in open-ended political deliberation.

ethnicity to promote democratic stability. Arend Lijphart has long advocated proportional representation and power sharing, policies that preserve group identity but encourage cooperation among ethnic elites. Donald Horowitz favors electoral rules that encourage politicians to make appeals across ethnic lines. And Kanchan Chandra has found that when state institutions create incentives for politicians to mobilize different dimensions of ethnic identity—by authorizing positive discrimination by caste, granting access to government jobs by language, or recognition of statehood by tribe—ethnic parties will compete to occupy the center, thus averting the centrifugal spiral that undermines democracy.²⁸ Depending on these institutional configurations and other factors, ethnicity is manifest in varied ways in different societies. Often enough,

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Figure 3
What reservations do



Finally, feminists maintained that having more women in power would introduce additional perspectives to decision making and tailor policy outcomes to suit a broader variety of citizen interests. Ann Phillips sums up these various developments as a reorientation of democratic theory and practice from a “politics of ideas” to a “politics of presence.”²⁹

Argentina pioneered a candidate quota law in 1991. Influenced by the success of candidate quotas in the Spanish Socialist Party, Argentine female politicians from different parties united behind the proposal. Though it was initially ridiculed by men, last-minute persuasion by President Carlos Menem and his interior minister helped to overcome this resistance. Subsequently, the policy snowballed across the region. By the end of the decade, ten other Latin American countries had adopted legislative quotas, and an eleventh, Colombia, introduced them for senior executive appointments. Belgium introduced a law in 1994 that states that a maximum of two-thirds of all candidates could be of the same sex; in 1999 France modified its constitution to call for gender parity in political office and enacted legislation requiring parties to field an equal number of men and women candidates. Meanwhile, under the influence of the United Nations, the Organization for Security and Co-operation in Europe (OSCE), and the Stability Pact for South-Central Europe, quota rules were inserted into the electoral laws of most countries of the former Yugoslavia, including Bosnia and Herzegovina, Macedonia, and Serbia, including Kosovo.³⁰

Three aspects of women’s mobilization for gender quotas stand out. First, multipartisan and ideologically diverse coalitions have backed the new policies. Women from the Per-

onist and Radical parties in Argentina; the Party of the Democratic Revolution and National Action Party in Mexico; and the socialists, Rally for the Republic, and the Union for French Democracy in France joined together to defeat the arguments of male colleagues that quotas were undemocratic and unconstitutional. “Although all women may not agree on the substance of specific policy outcomes, they do have a common interest in being present when policy is being made.”³¹ These politicians did not seek to form a separate women’s party. Rather, they united in temporary alliances to maximize their leverage in demanding greater power within their respective parties.

Second, most politicians regard quotas as a temporary measure. As more women gain power, they

will break down the obstacles holding others back. Over time, the quota will become obsolete.

Finally, women’s activism around quotas has been episodic. After the adoption of quota laws, women’s coalitions have disbanded as their members returned to their prior commitments and became reabsorbed into their parties. In some countries— notably Argentina, Costa Rica, Belgium, and Guyana— women’s presence in power increased significantly as a result of the quota. Yet the feminization of legislative delegations has not produced major changes in what parties actually do. Though some women politicians have introduced fresh items to political agendas, their collective presence has thus far failed to produce major shifts in policy and practice.³²

Ethnic demands for reservations have followed a quite different political logic. Rather than improving the legitimacy of already existing democracies, the granting of reserved seats has tended to occur as part of a founding compromise in consociational or consensus polities. In these countries, split legislatures, the allocation of ministerial portfolios by ethnicity, or fixed ratios of parliamentary seats form part of the elite bargains necessary to make democracy possible. Each group has a constitutional share of power, giving it an incentive not to defect from the existing political regime and undermine the survival of the state. As opposed to quotas, which improve the leadership prospects of group members within existing parties, reservations presume the existence of group-specific parties or organizations. Groups demanding reservations do not want to be integrated into mainstream parties. They want access to political power in their own right.

In Belgium, the constitution requires that there be an equal number of French- and Dutch-speaking ministers in the federal government and in the government of the Brussels region, with the parliament divided between these two language communities and their respective party systems. In Switzerland, language group quotas are used not only in the federal council,³³ but in other areas of government (such as the armed forces) and in society as a whole (such as the executive committee of the Swiss soccer association).³⁴ Lebanon is another classic story of how ethnic reservations helped forge the state. The National Pact of 1943 reserved all major offices—the president was to be a Maronite; the prime minister a Sunni; the speaker of the house a Shiite; and so on—and fixed the ethnic composition of the parliament at a 6:5 ratio of Christians to Muslims.³⁵

Elsewhere, the ethnic allocation of political power was codified in peace agreements following civil wars. International mediators, with an eye toward establishing pluralist polities, helped install forms of power sharing in virtually all of the new states formed after the breakup of Yugoslavia. Bosnia and Herzegovina has a three-member presidency comprised of a Bosniak, Serb, and Croat, as well as a bicameral legislative assembly divided between these three communities. In Serbia and Montenegro, the bicameral federal legislature is divided between Serbians and Montenegrans. In Kosovo, seats are reserved in parliament for Serbs, Roma, and other ethnic groups. (In less polarized Croatia and Slovenia, a smaller number of seats are reserved for minorities.)³⁶ Other countries inherited power-sharing from former colonial rulers. In Fiji, the ethnic reservation of parliamentary seats dates from colonial times, when the British authorities sought to separate indigenous Fijians from Indo-Fijians and install themselves as mediators. After the country's independence, the vast majority of parliamentary seats continued to be reserved by ethnicity.³⁷

Some reservations policies reflect attempts to compensate victims of slavery, colonialism, or a caste system for past oppression. India's reservations for Scheduled Castes and Scheduled Tribes are intended to ameliorate the historic discrimination suffered by those at the lowest rungs of the caste system. New Zealand's white rulers made a similar attempt to compensate oppressed minorities: the Maori Representation Act of 1867 installed four representatives in a legislature of over 70 members. The number of seats later increased to seven (representatives are elected by voters who voluntarily register for a separate Maori roll).³⁸

In the late twentieth century, some disadvantaged ethnic groups demanded rights during constitutional reforms. Responding to indigenous mobilization, the Colombian Constitution (1991) created a two-seat senatorial district for Indians and permitted the reservation of up to five seats in the lower house for ethnic groups and other political minorities. Venezuela had a similar experience: the 1999 constitutional reform established three reserved seats for "indigenous communities" in the national assembly and permitted social movement organizations to contest them, thus eliminating the party registration barrier. In both countries, these seats granted

resources and visibility to indigenous parties and movements; as a result, they successfully contested general elections and gained power in local governance.³⁹ With the exception of Peru, democratic states have always conferred ethnic group rights in the form of reservations.

The Argument in Action

France, India, and Peru illustrate the theoretical propositions I have advanced. France and India show us political actors engaged in pragmatic debates, pondering the difference between gender and ethnicity, though to opposite ends. Both honed in on the crosscutting nature of gender. In France, this supported women's claims to representation; in India, it undermined it. Comparing India and Peru emphasizes a different point. Though the countries seem like exceptions to my argument (see their location in table 2), in fact they support it. India initially granted reservations to ethnic minorities, and Peru introduced quotas for women. Both governments later tried to apply the same policy to a different type of group: Indian women got reservations and Peruvian indigenous peoples received quotas. The two policies were subsequently criticized by their alleged beneficiaries. By mismatching groups and remedies, the Indian and Peruvian states not only failed to address the underlying causes of disadvantage, but arguably jeopardized women's and indigenous people's quest for political equality.

Parité in France

In June 2000 the French parliament approved a law requiring that parties field an equal number of male and female candidates in legislative elections. This turn of events is surprising in a country that has prided itself on a republican tradition of an indivisible body politic and has long forbidden official distinctions among citizens in terms of sex, race, ethnicity, and religion. In fact, these nondiscrimination principles were invoked by the Supreme Court in a 1982 decision that struck down a quota law passed by Congress (the law would have banned one sex from occupying more than 75 percent of the places on lists of candidates for municipal elections). The French court claimed that gender preferences contradicted republican principles of equality and unity, which dictate that citizens represent the nation as a whole, not discrete groups or categories.⁴⁰

Advocates of women's representation thus had to make a case that their preferred policies were compatible with republican universalism. This required demonstrating that the existing model was flawed for failing to incorporate sex differences and that gender parity would not legitimize representational rights for other social groups. Gender, they argued, is a unique form of social difference.

Unlike ethnicity, race, and religion, which are socially constructed and changeable categories, sex is universal and permanent:

Women do not constitute a category analogous to minorities, but half of humanity, and their status is immutable. The young grow older, one can change one's religion, people of color can intermix with

others—miscegenation is widespread—, workers may switch professions, and so on. But once one is born a man or woman, one does not change (save in the extremely rare case of transsexuals).⁴¹

Both traditional French “universalism,” which stresses the unity of men and women, and contemporary American “particularism,” which collapses sex into other forms of difference, are therefore misguided. Philosopher Sylvia Agacinski, wife of former Socialist Premier Lionel Jospin, argues that both political traditions have denied the real nature of sex:

The “French” effacement proceeds by engulfing both sexes in an abstract humanism, from which only the singular model of a sexually neutral human being can surface. . . . The “American” effacement proceeds by drowning women in a systematic particularism in which minorities of all sorts (ethnic, religious, cultural, etc.) are grouped together, and both sexes end up being considered pure “constructions.” . . . Today, the new French feminism simultaneously challenges both these types of sexual neutralization in affirming sexual duality as the only *universal difference* within humanity. This is why it was able to conceive of the *parité* ideal in politics.⁴²

The fact of sexual difference divides humanity in two. As a result, a republican polity that claims to include all citizens, but in which only men hold power, unjustly privileges one half over the other. Parity feminists did not want their arguments to be leveled against a legislature of white Catholics, however. Since sex is the only universal category, women are not like any other social group.

With this stance, parity advocates were able to anchor their movement within republican discourse and find allies from the mainstream of French politics. By denying that parity would or should lead to a cascade of demands for other representational rights, they made their case more palatable. What is more, they focused on the narrow objective of getting the parity bill passed, and not broader considerations, such as socioeconomic equality and policy change. By avoiding questions about the substantive representation of women’s interests, French feminists of diverse political and ideological stripes were able to smooth over their differences and unite in a nonpartisan movement. This also helped defray fears that right-wing and conservative women would be attacked or disqualified, and by the mid-1990s, most politicians had jumped on the parity bandwagon. When it came to a vote in the national assembly, the parity proposals—both the constitutional amendment and the implementing legislation—were approved unanimously. Following promulgation of the law, however, the large and diverse movement began to disperse. What had held participants together was support for parity, not a more comprehensive policy agenda or a shared history of activism.⁴³

The parity law worked well in the 2001 municipal elections, since municipal councilors are elected under a semiproportional closed-list system and parties were required to include three women for every three men on the list. In cities of more than 3,500 inhabitants where the parity law was applied, women’s presence on municipal councils rose to 48 percent. Yet at the national level, where deputies are elected by the first-past-the-post system in single-member districts, the results were disappointing. Preferring to suffer financial penalties rather

than comply with the quota, the center Right UMP nominated women to less than 20 percent of the districts where it ran a candidate, and even the Socialist Party nominated women to only 36 percent of districts. Most of these were losing districts and the number of women in the assembly barely increased (from 62 to 71 out of 576, or to 12 percent of the total).⁴⁴

Reservations policy in India

Whereas the French state acknowledged social difference in the law only at the end of the twentieth century, in India such recognition has a long tradition. Legislative reservations for minorities were introduced during British rule. First Muslims (in 1909), then Christians and Sikhs (in 1919) were granted separate electorates; at the same time, nominated seats were granted to “untouchables” or dalits to offset inequities of the caste system. The British had originally proposed that these lower castes vote on separate rolls; a 21-day hunger strike by Mohandas Gandhi, however, led to compromise. The 1932 agreement, known as the Poona Pact, reserved seats for dalit candidates to be elected by everyone. The British also reserved a number for women within these communal seat allocations in provincial and national legislatures. Although favored by British feminist Eleanor Rathbone, such reservations were opposed by the largest national Indian women’s associations as well as the Indian National Congress, which contested the introduction of any distinctions (whether by gender, religion, or caste) among Indians. Both groups viewed British policy as part of a divide-and-rule strategy against the nationalist movement.⁴⁵

The constitution promulgated in 1950 rejected communal quotas as an organizing principle in favor of formal equality and individual rights, with two exceptions. Recognizing that equal treatment would be insufficient to ameliorate historic discrimination suffered by the lowest social groups, the constitution upheld the British legacy of legislative reservations for untouchables (Scheduled Castes) and introduced them for indigenous groups (Scheduled Tribes). Similar consideration, however, was not extended to Muslims or women. Delimitation commissions in each state designated single-member constituencies in which only members of Scheduled Castes and Scheduled Tribes could stand for office, even though the electorate as a whole would vote for them (the number was proportional to their share of the population). The text authorized a range of other policies to advance “backward classes” of citizens, including: reserved posts in government service and university admissions; scholarships, meals, supplies, and special schools; and preference for economic development assistance.⁴⁶

The debate over women’s representation died down for several decades, but it was revived in the 1970s when the government of India formed the Committee on the Status of Women to propose recommendations for improving their rights and opportunities. Its report was to be launched in time for International Women’s Year in 1975. One of the thorniest issues considered by the committee was gender reservations. After weighing arguments for and against, it declined to recommend such policies at the national or state level, though it

recognized women's political underrepresentation as a serious problem.

To justify its position, the committee drew a distinction between women, who are a "category," and minority "communities," including those based on caste and religion. "There can be no rational basis for reservations for women," since "the minority argument cannot be applied to women. Women are not a community, they are a category. Though they have some real problems of their own, they share with men the problems of their groups, locality and community. Women are not concentrated in certain areas [or] confined to particular fields of activity."⁴⁷ "Women's interests as such," the committee wrote, "cannot be isolated from the economic, social, and political interests of groups, strata and classes in the society."⁴⁸

Anticipating arguments made by French feminists in the 1990s, Indian experts stressed the difference between women and ethnic minority communities, but as an argument against women's representation, not in favor of it. The Committee on the Status of Women did, however, borrow the institutional model the state had used for Scheduled Castes and Tribes and endorsed reserved seats for women in local governments. This appears to have been a compromise between those who rejected women's representation altogether and those who wanted to recommend reservations at all levels.⁴⁹ Indeed, many features of the official report are contradictory, seemingly reflecting the amount of dissent over the issue. For example, though it declares that "the minority argument cannot be applied to women," the report also states that "though women do not numerically constitute a minority, they are beginning to acquire features of a minority community" because of continued gender inequalities in class, status, and power.⁵⁰ The local-level recommendations were adopted in 1992 as the 73rd and 74th amendments to the Indian Constitution, reserving for women one-third of the seats at the three tiers of the Panchayati Raj institutions of rural self-governance, as well as in elected urban councils.⁵¹

The debate was revived in 1996 when MP and former Minister for Women Margaret Alva proposed to amend the constitution to extend the women's reservations system to the national and state legislatures. A lottery system would determine the single-member districts in which only women could run, and these would rotate every two elections. The bill would also reserve one-third of the seats allocated to Scheduled Castes and Tribes for women of those communities. Though virtually every political party supported the bill in their 1996 electoral platforms, the parliamentary debates over it were ferocious, with some MPs almost coming to blows and others rushing to the podium to tear up copies of the text.⁵²

One of the main parliamentary concerns was the relationship between women's reservations and rights for members of "other backward classes" (OBCs, a group the 1950 constitution had recognized as entitled to special protections). In a 1990 decision that provoked massive controversy, the government had granted OBCs reservations in its central bureaucracy, but not in national and state legislatures. Entrepreneurial MPs from the Hindu nationalist Bharatiya Janata Party (BJP) demanded that the women's bill include subreservations for

lower castes, a move that allowed them to appear as champions of the OBCs, but which mired the gender proposal in polemics surrounding caste rights. In addition, some legislators called for special provisions in the bill for Muslims. As Laura Dudley Jenkins notes, "by endorsing the bill in party platforms and then failing to pass it out of a sudden concern for backward citizens or Muslims, politicians court the women's vote, the backwards vote, and the Muslim vote and simultaneously protect their own hopes of reelection."⁵³

Popular views of the elitist nature of the women's movement also did not help the cause of the bill. Middle-class women had assumed visible roles in protests against the decision to grant OBCs central government reservations and most feminist organizations had failed to build ties to lower caste groups. During the debate, a prominent OBC politician declared that the reservation bill was for "balkati auraten" or short-haired women, a reference to upper class urban feminists.⁵⁴ The comment tapped an underlying fear that, without subreservations, the women's bill would end up benefiting only high-caste Hindus.

As in France, political actors in India highlighted the cross-cutting nature of gender. Unlike ethnic groups, women transcend geographic, occupational, language, and religious categories. In France, this meant that, in theory, women's representation would not threaten the republican universalist tradition. In India, by contrast, women's crosscutting status made it less likely that they would represent the caste and socioeconomic interests the reservations system was supposed to advance.

Meanwhile, a group of dissidents argued that rather than reserved seats, the bill should introduce a candidate quota within political parties. The Forum for Democratic Reforms argued that the reservations proposal was seriously and inherently flawed. By mechanically providing for the entrance of women into one-third of the seats in the national and state legislatures, the bill failed to address the main problem impeding women's effective participation in politics: gender discrimination in political parties.⁵⁵ These activists viewed as disingenuous those Indian politicians who endorsed the bill while doing nothing for women within their respective parties:

The very same male party leaders who compete with each other in announcing their support of special reservations for women have shown little willingness to include women in party decision making, or even to help create a conducive atmosphere for women's participation in their own organizations. In fact, women's marginalization is even more pronounced in the day-to-day functioning of almost all political parties than in the Lok Sabha. Therefore, it is urgently required that we make special measures to enhance women's political participation in ways that will help them influence decision making at all levels of our society and polity. Our democracy will remain seriously flawed if it fails to yield adequate space to women.⁵⁶

Furthermore, the Forum argued, a system of women's reservations would enable patriarchal leaders to solidify their positions. At the local level, political bosses regularly compel their wives, sisters, and daughters to contest reserved seats. National politicians would duplicate this strategy and the women entering politics would be mere fronts for male power.⁵⁷

Pointing out that those countries with the highest levels of women's representation use candidate quotas, not reserved seats, these critics proposed an alternative bill. It would require that one-third of candidates nominated by political parties for general elections be women, though each party would be free to choose the constituencies where these women would run. Rather than contesting women's seats, female candidates would compete against men and other women in general elections. To ensure their success, parties would need to nurture these candidates. Women might therefore become legitimate leaders and have a greater political base from which to advance women's interests in parliament.⁵⁸ The Indian government has not resolved these issues, so it is not yet clear whether quotas or reservations will emerge as the preferred remedy.

Quotas in Peru

While some Indian authorities have sought to apply to women the same system they had used for Scheduled Castes and Tribes, Peruvian officials have employed a women's policy for indigenous peoples. In 1997 the Congress approved an electoral law requiring that female candidates make up no less than 25 percent of the slots on party lists contesting national legislative elections (the quota was later increased to 30 percent). Several years later, Peruvian leaders introduced the same remedy—party candidate quotas—for indigenous communities of the Amazon region. Though intended as a response to their demands for representation, the policy was criticized by indigenous leaders for undermining their political organizations. Like their ethnic counterparts elsewhere in the world, Peru's Amazonian and highland Indians wanted reserved seats in parliament, not quotas.

In a process of coalition building similar to what occurred in France, Peruvian women politicians—representing both the governing and opposition parties—initially joined forces in the mid-90s to lobby for a quota law. Five congresswomen had attended the 1995 Fourth World Conference on Women, where they debated the policy with delegates from other countries. Upon their return, a special commission on women was installed in parliament and quotas were the first item on its agenda. Although the proposal initially met with overwhelming skepticism from other legislators, it eventually received a boost from an unexpected ally: the President. Alberto Fujimori, the only head of state to have attended the 1995 conference, declared his support for quotas and the majority in Congress immediately fell in line. As in France, the proposal was approved unanimously.⁵⁹ Its effects on women's presence in power, however, were more dramatic: in the first national election held after the quota, the percentage of congressional seats held by women jumped from 11 to 20 percent.

Meanwhile, the 1990s witnessed the growing ethnic politicization of indigenous peoples in various Andean countries, including Peru. Previously, a "peasant" or "poor" consciousness had tended to prevail over an indigenous one, and ethnic prejudice was perceived—and disguised—as class discrimination. The decreasing viability of class affiliations like peasant in the neoliberal era, combined with opportunities offered by

global discourses of multiculturalism, helped spawn mobilization along ethnic lines.⁶⁰ In 1998, organizations from the Amazon and highland regions formed the Permanent Conference of Peruvian Indigenous Peoples, uniting previously disparate organizations to forge a common political platform and lobby congress to recognize Indian rights.⁶¹

After the 2001 election of President Alejandro Toledo, the state became increasingly receptive to indigenous claims. Though he frequently donned a poncho and espoused a populist discourse, former President Fujimori had undermined indigenous land rights, and his efforts to centralize power—he canceled regional elections—reduced Indian opportunities to participate in politics. Toledo pledged to expand the rights of indigenous peoples and created a high-level commission presided over by his wife, Belgian anthropologist Elaine Karp, to represent their interests in the state. Fulfilling a campaign promise, he also reinstated regional elections.⁶²

The law regulating these elections, approved by Congress in early 2002, declared that lists of candidates for regional and local councils comprise no less than 30 percent women and a minimum of 15 percent of representatives of "native communities" or "original peoples" in those regions where they lived. According to the national election tribunal, the indigenous quota would be applied in 11 (of a total of 25) regions.⁶³ The groups targeted by the law include some 350,000 people speaking over 40 languages, mostly residents of the lowland Amazon region.

Peru's ethnic quotas apply only to those Indians considered members of "native communities." What is the origin of this term? In 1969 military ruler General Juan Velasco declared that, "as an act of liberation," the words indigenous and Indian be purged from official discourse and all peoples incorporated into a "modern" class-based society.⁶⁴ A 1974 law then reclassified the entire indigenous population into two groups: "native communities" and "peasant communities." The former benefit from the 2002 quota law, but the latter, who are far more numerous, do not. "Peasant communities," or those indigenous peoples inhabiting the country's highland regions, comprise over 40 percent of Peru's 28 million people.

Although it was designed to help them, several Amazonian Indian organizations criticized the way the 2002 electoral law channeled their representation through existing political parties. These indigenous movements preferred instead to form their own autonomous organizations and political platforms. Emulating the success of similar organizations in Bolivia and Ecuador, where ethnic parties had made major electoral gains in the 1990s, representatives of various Peruvian native communities formed the Indigenous Movement of the Peruvian Amazon (MIAP) and attempted to field candidates for several elections in the late 1990s and early 2000s. The quota posed a threat to this group, however, since its leaders were being recruited by mainstream parties seeking to comply with the law.⁶⁵ One activist complained that, though the intention behind the quota was good, the result was bad, for it would only cause Indians to become more divided.⁶⁶

Indians from both the Amazon and the highlands want the Peruvian state to guarantee their representation through

legislative reservations, not candidate quotas. The program for constitutional reform advanced by indigenous organizations in 2003 calls for the creation of special electoral districts, from which Indians would directly elect 30 percent of seats in the national congress and regional and municipal councils.⁶⁷ The reservation of seats conforms to the notions held by many indigenous organizations that political participation is not just an individual but a collective right.⁶⁸

Reservations are but one element in the broader agenda advanced by indigenous peoples in Peru. Indians want collective property rights, territorial and cultural autonomy, deference to customary law, and bilingual education. These goals contradict the model of the homogeneous, mestizo nation and comprehensive legal order installed in the American republics after their independence from Spain in the early nineteenth century. They challenge the liberal state and its traditions of individual rights, since completing the indigenous agenda would require the state to recognize multiple, collective forms of citizenship as well as tolerate a plurality of legal regimes.⁶⁹

The Peruvian case helps show how legislative reservations advance group rights and reinforce differences in a way that candidate quotas do not. Quotas attack the discrimination suffered by individuals within parties to give them a better chance of getting elected. A regime of reserved seats more directly empowers the whole group. When legislators are chosen from separate electorates and specially created districts, the policy confers on group members the right to be represented not just by one of their kind, but by a candidate of their choice. This mechanism strengthens the links between representatives and their ethnic kin constituents while distancing them from others. Reservations thus bestow a distinctive status on the group as a political community. Quotas, by contrast, collapse the group into the rest of political society.

Authoritarian Exceptions

The stories of France, India, and Peru illuminate another aspect of quotas and reservations. Their purpose is not merely to insert differently configured, colored, or cultured bodies into legislatures. Rather, advocates of these measures aim to pro-

Table 3
Forms of gender representation in democracies and nondemocracies

		Gender quotas in parties	Women's legislative reservations
Electoral Democracy	Yes	Argentina Armenia Belgium Bolivia Brazil Costa Rica Dominican Republic Ecuador France Greece (local) Guyana Indonesia Macedonia Mexico Namibia (local) Panama Paraguay Peru Serbia and Montenegro	Bangladesh India (local) Taiwan
	No	Nepal (national 5%)	Djibouti Jordan Morocco Nepal (local) North Korea Pakistan Rwanda Sudan Tanzania Uganda

mote the substantive representation of the interests of a disadvantaged or excluded group. The agents of such representation should therefore exercise not just symbolic but effective power. Part of the motive for choosing the right remedy is to reinforce connections between leaders and the base that nourishes them politically. Quotas improve the position of women within those parties that get them elected and advance their agendas; reservations strengthen those groups whose very existence is crucial for the promotion of the rights and interests of their members.

Regimes that lack a commitment to substantive representation have little incentive to promote the right remedy. In states with military governments, one-party states, no-party states, and other countries that fail to respect civil liberties, legislative powers are subject to arbitrary dictatorial will. Such polities lack competitive party politics and the links of accountability that they provide. Consequently, representation patterns in authoritarian polities differ from those observed in democracies. Women get reserved seats in legislatures, not candidate quotas (see table 3), as do ethnic groups. Toleration of democratic parties—which the quota remedy presumes—would undermine the survival of these regimes.

We could also speculate that in extremely oppressive societies—which correlate, albeit imperfectly, to those without

democratic governance—gender is not crosscutting enough for candidate quotas. With their roles limited exclusively to biological functions, women have not spread out into the economy, society, and party system in ways characteristic of wealthy democratic states. Their common experiences and interests cause them to resemble a coinciding group more than a cross-cutting category. This suggests there may be an inverse relationship between the collective identity of women and their degree of liberation: the greater the success of the feminist movement in pushing women in to the public sphere, the less they have in common.

In any event, the introduction of women's reservations in some nondemocracies shows that even these states are not immune to arguments connecting regime legitimacy with gender diversity. In Morocco, parties decided to reserve the 30-seat national list for women after a three-year process of mobilization and consultation in which international organizations—particularly the United Nations Development Fund for Women (UNIFEM)—played important roles.⁷⁰ Subsequently, hundreds of delegates attending the Arab Women's Summit in late 2002 approved a declaration calling on Arab states to follow Morocco's lead. In Pakistan, feminist mobilization and international benchmarks helped provoke an expansion of the reservations system inherited from the colonial period. (Unlike in India, where women's seats were abolished after independence, Pakistan upheld reservations of between 5 and 10 percent in national and provincial assemblies in various constitutions adopted into the 1980s.) In 2000 the military government of General Pervez Musharraf expanded the reservations system to 17 percent at the national and provincial levels and one-third at the local level.⁷¹

Granting reserved seats to women allows nondemocracies to respond to popular pressure and conform to international norms without ceding ground to the competitive party politics presumed by candidate quotas. Yet the very nature of such regimes prevents female—and male—legislators from representing citizen interests and wielding effective power.

Conclusion

Advocates and critics of group representation frequently fail to distinguish between types of policies and the groups they apply to. Yet these distinctions are consequential for normative debates about social difference in a liberal polity. Gender- and ethnic-based demands present unique challenges to the liberal tradition. Because they are self-canceling, quotas produce the opposite effect on group difference than the self-reinforcing remedy of reservations.

As a first cut at disaggregating group claims to representation, I suggest that gender quotas be seen as analogous to a class action and ethnic reservations as a group right.⁷² A class action is a legal suit initiated by some plaintiffs on behalf of a larger collective of people in order to vindicate a particular set of rights. The class is constituted by virtue of having suffered a similar wrong. The objective of the suit is to identify this wrong and put the plaintiffs in a position to recover for the individual harms they have suffered. That is, a class action aims at the

erasure of an externally imposed disability. A class action is self-canceling: achievement of the claim extinguishes the legal identity of the class.

The logic of a class action corresponds closely to that of women's mobilization for gender quotas. They unite to contest common experiences of political exclusion and discrimination. The quota remedy aims to transcend these gender-based disabilities, thereby erasing the conditions giving rise to the claim in the first place. Once women enter political office, the reasons motivating the quota movement disappear. The logic of the quota is "to put the group out of business as a group."⁷³

As the French case shows, women from all parties and ideologies united in the struggle for quotas, but reverted to their prior ideological and political commitments once this goal was achieved. This trajectory parallels the cyclical patterns observed in women's movements more generally: they emerge to oppose problems (denial of voting rights, military rule, discriminatory legislation) but dissipate once the situation has been resolved. Women may act like a group in order to get something, but realign themselves as a category once they have it. Being excluded from power makes women conscious of belonging to a group; once they have power, this group identity tends to weaken and dissipate.⁷⁴

Ethnic reservations, by contrast, are a group right. Claimed in order to guarantee the continued existence of the group, they are exercised collectively by group members. Such rights are self-reinforcing rather than self-canceling. Organizations of Chinese in Mauritius, Croats in Bosnia, and Italian-speakers in Switzerland will not dissipate once representational rights have been granted. On the contrary, since legislative reservations create incentives for the development of group-specific organizations, their boundaries will be strengthened.

Self-canceling claims for political inclusion have the reverse effect of self-reinforcing group rights. Women seeking quotas aim to have their different position absorbed by universalistic institutions. Ethnic minorities demanding reservations want their particularism recognized and legitimized. These are opposite trajectories: women suffer from too much difference; ethnic groups, from too little. Claims for inclusion pose less of a challenge to contemporary liberal institutions than claims to difference.⁷⁵

The distinction between a class action and a group right is an analytical one I inferred from this study of representation policies in contemporary democracies. It does not describe all claims made on behalf of gender and ethnic identities. In fact, gender claims may on occasion be self-reinforcing: some women's movements aim at separatism; others argue that their essential differences from men require dissimilar treatment over the long term. And ethnic claims may sometimes be self-canceling: part of the rationale behind reservations in India is to help break down caste distinctions; likewise, affirmative action in the United States and Brazil seeks to make race less determining for political opportunities, occupational status, and social experience.

Nevertheless, selecting one remedy for underrepresentation over others will generally shape the future trajectory of a social

group. A candidate quota promotes the integration of group members into existing political parties. Beneficiaries of the quota may later act to advance group interests, but they will do so—save at episodic moments—as individuals, not as a group. A legislative reservation produces the opposite effect: it strengthens ties among group members by connecting them through channels of representation distinct from those used for everyone else. Though more conducive to continued collective action,

reservations have the potential to magnify intergroup differences and impede development of the overlapping affiliations that underlie a successful democracy. The choice between softening or hardening difference inevitably arises in the quest for political justice. Policymakers designing institutions and the scholars advising them should take notice lest they unwittingly trade a legislature of white men for a fragmented, even polarized political society.

Table 1a
Gender quotas and reservations

Country	Policy
National and local levels	
Argentina	30% of candidates
Armenia	5% of party lists for PR elections
Bangladesh	45 of 345 seats reserved for women in unicameral parliament; some seats reserved at local level
Belgium	33% of candidates
Bolivia	30% of candidates for Chamber; 25% for Senate; 30% for local councils
Bosnia and Herzegovina	33% of candidates
Brazil	30% of candidates
Colombia	33% of executive appointments
Costa Rica	40% of candidates
Djibouti	7 of 65 parliamentary seats reserved
Dominican Republic	33% of candidates
Ecuador	35% of candidates
France	50% of candidates
Guyana	33% of candidates
Jordan	6 of 110 seats reserved in House of Representatives
Kosovo	33% of candidates
Macedonia	30% of candidates
Mexico	30% of candidates
Morocco	30 of 325 parliamentary seats reserved
Nepal	5% of candidates for lower house; 3 of 60 seats reserved in upper house; 20% of local seats reserved
North Korea	20% of 687 parliamentary seats reserved
Pakistan	17% of seats reserved in national assembly (60 of 342) and Senate (17 of 100); 33% at local level
Panama	30% of candidates
Paraguay	20% of candidates
Peru	30% of candidates
Philippines	2 of 5 PR list seats reserved of a total of 220 in parliament; 1 seat reserved on each local and provincial council ^a
Rwanda	24 of 80 seats reserved in Chamber of Deputies
Serbia and Montenegro	30% of national and local candidates in Serbia
Sudan	35 of 360 national assembly seats reserved
Taiwan	Approximately 10% of seats reserved in Legislative Yuan; 25% at local level
Tanzania	48 of 295 (16%) of parliamentary seats reserved; 25% of local councils
Uganda	56 of 214 parliamentary seats reserved; 33% of local councils
Local level only	
Greece	33% of candidates
India	33% of seats reserved
Namibia	33% of candidates

^aPhilippines is excluded from tables 1, 2, and 3 because of small number of reserved seats.

Sources: International IDEA 2003; Htun and Jones 2002; Electionworld 2003; Republic of Rwanda 2003; BBC News 2004.

Table 1b
Ethnic reservations

Country	Policy
Belgium	Half of cabinet ministries reserved for French speakers and half for Dutch speakers; parliament divides into French and Dutch cultural councils when dealing with regional and cultural issues.
Bhutan	10 of 150 seats reserved for representatives of Buddhist groups
Bosnia and Herzegovina	3 member presidency (Bosniak, Croat, Serb); in 42-member National House of Representatives, 28 seats are allocated to the Federation of Bosnia and Herzegovina and 14 seats to the Republika Srpska; the 15-member House of Peoples consists of 5 Bosniaks, 5 Croats, and 5 Serbs
Colombia	5 of 166 seats reserved for Afro-Colombians, indigenous peoples, and other political minorities in Chamber; 2 of 102 seats reserved for indigenous peoples in Senate
Croatia	5 of 153 seats in unicameral assembly reserved for ethnic minorities
Cyprus	24 seats reserved for Turks (unfilled) and 1 seat each for Maronite, Roman-Catholic and Goumenian minorities of 80 in national assembly
Ethiopia	22 of 117 upper house seats (Council of the Federation) reserved for representatives of minority nationalities
Fiji	23 and 19 of 71 seats reserved for Fijians and Indo-Fijians, respectively
India	79 seats reserved for Scheduled Castes and 41 for Scheduled Tribes of 543 in the Lok Sabha (lower house of parliament); Prime Minister has the right to appoint up to 2 Anglo-Indians to the same chamber
Jordan	12 of 110 seats for Christians and Chechens/Circassians
Kiribati	1 of 39 seats for Banabans
Kosovo	20 of 120 seats reserved for minority communities
Lebanon	Of 128 national assembly seats: Maronites (34), Sunnis (27), Shiites (27), Greek Orthodox (14), Greek Catholics (8), Druzes (8), Armenian Orthodox (5), Alaouites (2), Armenian Catholics (1), Protestants (1), Christian Minorities (1)
Mauritius	8 of 70 seats are filled by the "best losers" representing the four constitutionally-recognized ethnic communities (Hindus, Muslims, Chinese, and Franco-Mauritian/Creole Christians)
New Zealand	7 of 120 seats reserved for Maoris in unicameral parliament
Niger	8 of 83 seats reserved for national minorities in unicameral parliament
Pakistan	10 of 342 lower house seats reserved for minorities
Peru	15% of candidates in 11 (of 25) regions must be members of "native communities"
Samoa	2 of 49 seats in unicameral assembly (Fono) reserved for part- or non-Samoans
Serbia and Montenegro	91 seats reserved for Serbs and 35 for Montenegrins of 126 in unicameral assembly; 4 reserved seats for Albanians in Montenegro elections
Singapore	Parties and alliances contesting the 14 multimember Group Representation Constituencies must include an ethnic minority candidate on the ticket; the policy guarantees that 9 seats will be occupied by Malays and 5 by Indians or other minorities of a total of 93 in parliament
Slovenia	2 seats of 90 in unicameral assembly reserved for Hungarians and Italians
Switzerland	4 seats for German speakers, 2 for French speakers, and one for Italian-speakers in 7-member Federal Cabinet
Taiwan	8 seats reserved for overseas Chinese and 8 for aboriginal groups in 225-seat Legislative Yuan
Venezuela	3 of 165 seats in unicameral national assembly reserved for indigenous peoples

Sources: Reynolds n.d.; Inter-Parliamentary Union 2003; CIA 2003; Electionworld 2003; Carr 2003; Republic of Singapore 2003.

Notes

- 1 Ethnicity is used here as an all-encompassing term referring to social groups differentiated by kinship, tribe, skin color, religion, caste, language, race and other markers of communal identity. This broad definition of ethnicity, though somewhat at odds with the popular use of the term, is becoming more common in social science as scholars seek explanations for the causes—and consequences—of political phenomena motivated by ethnic identities. See Chandra 2004; Varshney 2001; Horowitz 1985.
- 2 An exception is Anne Phillips's *The Politics of Presence*, which at several points compares the pursuit of gender parity and ethnic minority representation. See Phillips 1995.
- 3 Most of the data come from IDEA 2003; Reynolds n.d.; Parline 2003; Electionworld 2003. I attempted to confirm each case in the country-specific scholarly literature and in government websites, and made adjustments accordingly. Some of these sources are mentioned in footnotes.
- 4 The availability of more data on formal and informal practices within parties could reveal more widespread use of ethnic candidate quotas. Parties in India, for instance, regularly apply ethnic quotas for leadership posts. See

- Chandra 2004. For more information about gender quotas in parties, see IDEA 2003.
- 5 Kukathas 1992; Okin 1999; Trebble 2002; Miller 2002.
- 6 Elshtain 1995.
- 7 Sowell 1990.
- 8 Cameron, Epstein, and O'Halloran 1996. For a critique and response, see Lublin 1999 and Epstein and O'Halloran 1999.
- 9 Quoted in Phillips 1995, 92.
- 10 Kymlicka 1995, 134–38.
- 11 Jones, forthcoming.
- 12 The literature on how electoral rules affect the party system and political behavior begins with Duverger's law and is vast. See, for example, Cox 1997; Carey and Shugart 1992; Lijphart 1990; Shugart 1995; Jones 1995; Ames 1995.
- 13 PR thus permits "self-determination" rather than the "predetermination" of ethnic groups. See Lijphart 1985. Lani Guinier also endorses PR to allow for the representation of "voluntary interest constituencies," ethnic and otherwise. See Guinier 1994.
- 14 Lijphart 1985.
- 15 Reynolds 1999; Caul 2001.
- 16 Baldez 2004; Matland and Studlar 1996.
- 17 Inglehart and Norris 2003.
- 18 Kaufmann and Petrocik 1999.
- 19 Center for American Women and Politics 1997.
- 20 Chandra 2004.
- 21 Deschouwer 2002; Heisler 1990; Steiner 2002.
- 22 Horowitz 1985, 332.
- 23 Snyder 2000.
- 24 Yishai 2001.
- 25 Dawson 1994; Grofman, Handley, and Niemi 1992.
- 26 Van Cott, n.d.
- 27 Telles 1999; Htun 2004; Samuels, n.d.
- 28 Lijphart 1977; Horowitz 1985, 1991; Chandra n.d..
- 29 Young 1990; Mansbridge 1999; Williams 1998; Phillips 1995.
- 30 Htun and Jones 2002; Nordlund 2003; Carton 1999; Corrin 2002; Stability Pact 2002; Dahlerup 2002.
- 31 Friedman 2000, 291.
- 32 Rodríguez 2003; Jenson and Valiente 2003; Htun and Jones 2002.
- 33 The council is generally comprised of four German-speakers, two French-speakers, and one Italian-speaker.
- 34 Deschouwer 2002; Heisler 1990; Steiner 1990; Steiner 2002.
- 35 Horowitz 1985; Lijphart 1986.
- 36 Birch 2002; Birch et al 2002; Darmanovic 2003; UNHCR and OSCE 2002; Embassy of Croatia, n.d.; Constitution of the Republic of Slovenia, n.d.
- 37 Reilly 2001.
- 38 Galanter 1984; Walker 1992.
- 39 Van Cott 2003; Efrén Agudelo 2002.
- 40 Bird 2001; Sineau 2003.
- 41 Mossuz-Lavau 1998, 83.
- 42 Agacinski 2003, 18.
- 43 Giraud and Jenson 2001; Bird 2002; Jenson and Valiente 2003; Mazur 2001.
- 44 Bird 2002.
- 45 Galanter 1984; Jenkins 1999; Pedersen, forthcoming.
- 46 Galanter 1984; Wilkinson 2000.
- 47 Government of India 1974, 304.
- 48 Ibid.
- 49 The annex to the official report contains three notes of dissent written by four committee members. Two of the notes oppose reservations altogether; the other, signed by two members and running eleven paragraphs, supports reservations at the national and state levels. See Government of India 1974.
- 50 Ibid., 301.
- 51 The seats may be allocated by rotation to different constituencies; one-third of council chairmanships must also be reserved for women. For analysis of the local reservations see Tekchandani, Jyoti, and Sharma 1997; Lakshmi, Jyoti, and Sharma 2000.
- 52 Keating 2002; Jenkins 1999.
- 53 Jenkins 2003, 169. See also: Nath 1996.
- 54 Jenkins 2003, 170.
- 55 This is the case not just in India but more generally. Data from the United States show that when they run, women have as good a chance as men to get elected. Their low numbers in power owe to the unwillingness of parties to nominate women as candidates, not discrimination in the electorate. See Darcy, Welch, and Clark 1994.
- 56 Forum for Democratic Reforms 2000.
- 57 Kishwar 1999, 126–27.
- 58 Forum for Democratic Reforms 2000.
- 59 Promujer 1998.
- 60 Yashar, forthcoming; Jung, n.d.
- 61 Van Cott, n.d.
- 62 Ibid.
- 63 Jurado Nacional de Elecciones 2002a; Jurado Nacional de Elecciones 2002b.
- 64 Chase Smith 1982.
- 65 Van Cott, n.d.; Rice, forthcoming.
- 66 Wrays Perez of the Inter-Ethnic Development Association of the Peruvian Forest (AIDSESEP); interviewed by Donna Lee Van Cott, July 11, 2002.
- 67 Comisión Organizadora de la Consulta Indígena sobre la Reforma Constitucional 2003.
- 68 As mentioned earlier, Colombia and Venezuela had granted them legislative reservations in the early 1990s.
- 69 Stavenhagen 2002; Van Cott 2003; Yashar 1999.
- 70 Rachida 2002.
- 71 Pakistan also reserves 7 percent of seats for technocrats. Various national plans for women had endorsed a 30 percent reservations scheme, as did representatives of eleven political parties. See Reyes 2002; Weiss and Bari 2002.
- 72 I am grateful to John Comaroff for helping me with this formulation.

- 73 Fraser argues that this logic characterizes redistributive remedies for class-based social injustice. See Fraser 1997, 18.
- 74 According to David Miller, a category consists of all those persons fitting a proper description, while a group is “a set of people who by virtue of their shared characteristics think of themselves as forming a group.” See David Miller 2002, 178.
- 75 Brian Barry, for example, argues that classical liberalism is perfectly compatible with special treatment for members of disadvantaged groups as long as the objective of such treatment is to make the need for it “disappear as rapidly as possible.” He contrasts such remedies with the permanent group rights favored by those he deems multiculturalists: “if the group [no longer needed] special rights, that would not be regarded as a cause for celebration, because it would be taken to suggest that the support for the group’s culture had been insufficient to prevent its members from assimilating to that of some larger or more powerful group.” See Barry 2002, 13.

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