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The Quota Policy in Portugal: The Role of Political Parties and State Feminism *

The so-called Parity Act was an important milestone in the promotion of gender equality in Portugal, due, amongst other things, to its impact upon an electoral system that the inertia of the party political system had been unable to change. Analyses of the appearance of quota policies in Portugal have not generally considered the role played by the main official body for equality, the Commission for Citizenship and Gender Equality, and its networks. However, as Mona Lena Krook has pointed out, efforts to increase the number of women in political office have rarely occurred without the mobilization of women. This paper adopts the state feminism approach to explore the Commission's decisive role in presenting feminist claims before the state (a role that has been systematically ignored), focusing on the way this body as well as the women's associations related to it have contributed to promote women's participation in politics in Portugal.

Keywords: Parity Act; gender quota policy; Commission for Citizenship and Gender Equality; equal rights; women and politics; Portugal.

Introduction

In Portugal, the question of women's participation in politics achieved a significant breakthrough in 2006 with the passing of the so-called Parity Act (Organic Law no. 3, 21 August), which established a minimum representation of 33% of each sex in the electoral lists for the national Parliament, the European Parliament and local government. Besides representing a landmark in the promotion of gender equality, this law is also relevant for promoting change in an electoral system that has remained largely unaltered due to the inertia of established interests.

In addition to discussing the significance of the Parity Act, this article seeks to understand the complexity of its production, since analyses generally focus on the outcome and present it as the direct result of the action of the Socialist Party. The concept of public policies on which my analysis is based goes well beyond their common definition, as formulated, for instance, by Mény and Thoenig: "the acts and non acts of public authorities regarding a relevant issue in a certain field" (*apud* Dormagen & Mouchard, 2007: 230). Based on a cross-pollination approach (Clemens, 2005; Walker, 2005) that links the study of social movements and neo-institutional theories – the paradigm of the political process (McAdam, McCarthy & Zald, 1996; Snow, 2004; Tarrow, 1998) – I follow the assumption that equality policies are not merely unilateral products, but rather the result of a complex, dynamic relationship of

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strategic and institutional factors and of a combination of multidimensional actors. Also in line with new definitions of public policies, which recognise the role of several actors and their networks (Peters & Pierre, 2006), I consider the Parity Act as a deferred product of old demands, although resulting directly from proposals by the Socialist Party led by José Socrates. This approach seeks to understand processes and how they evolve from a chain of actions, although it evades the limitations of sequential analyses (Cobb e Elder, 1972; Jones, 1970). According to Sarmento (2001), the new approaches to the analysis of policies explore and interpret also the various concepts, meanings and interpretative frameworks involved in political debates and outcomes (cf. Lombardo *et al.*, 2009).

Thus, my aim is to analyse the 2006 Parity Act as the culmination of over 30 years of demands by the representatives of Portuguese women in the official body for equality, the Commission for Citizenship and Gender Equality, and in women's and feminist movements, particularly in women's departments of left wing parties. Adopting a state feminist approach (McBride e Mazur, 1995; 2005), I explore the Commission's decisive role in presenting feminist claims before the state. Given that its role has been systematically ignored, I intend to stress and explain its participation in the discussion of the parity agenda in Portugal, in connection with the action of the political parties and women's movements, which has been given more attention (Baum & Espírito-Santo, 2010; Freire & Baum, 2001; Jiménez, 2002; Tavares, 2008).

The current Commission for Citizenship and Gender Equality (hereafter Commission) was established in 2000 (Decree-Law 164, of 3 May), succeeding the previous Commission for Equality and Women's Rights (CIDM, created in 1991) and the Commission on the Status of Women (CCF, created in 1977). Despite the name changes and reforms, it has been the longest lived official body for equality in Portugal, and several women's networks and "cooperative constellations" (Holli, 2008)¹ have been established under its wing to campaign for the creation and implementation of equality policies.²

¹ A concept introduced by Anne Marie Holli to define "any kind of actual co-operation initiated or accomplished by one or several groups of women in a policy process to further their aims or achieve goals perceived as important to them" (169). It is "an umbrella term" that includes the concept of feminist triangles.

² Since its beginnings in the 1970s, the Commission has had an advisory body, the Advisory Council, consisting of two sections – the Interministerial Section and the NGO Section. This board has been an important site of political institutionalization and articulation for the fragile women's movements and women's departments of political parties, which have little or no power within party structures.

The state feminist approach studies the role played by official bodies in interconnection with women's movements in representing women's interests, in both descriptive and substantive terms, by promoting certain political agendas and demands (McBride & Mazur, 2010: 11). In order to understand the effectiveness of this interconnection, we need to take into account several variables that include not only the features of the official bodies, the prevailing strategies of the movements and their united support of a certain agenda, but also, and more importantly, the characteristics of the socio-political environment, particularly the structures of political opportunities, such as openness and the existence of consultative practices, the shifts in government and the attitudes of the major political parties, among others. Using Kitschelt's typology (1986), in the course of more than 30 years of democracy, the Portuguese socio-political system has provided input structures that are relatively closed to gender equality issues and weak output structures (Monteiro, 2011). It has also been diagnosed as a highly centralised and institutionalist democratic system, dominated by parties that are also highly centralised, consisting of educated urban elites with very weak social roots. The parties are more mobilized by cooperation to ensure the conditions for "governability" than in a pluralistic politics, open to new projects and social actors (Aguiar, 1987; Ferreira, 2011; Freire and Baum, 2001; Jalali, 2007). It is thus a dualistic and elitist society, with a weak and incipient civil society, and still marked by enduring institutional legacies from the period prior to the democratic revolution of 1974 (Aguiar, 1987; Santos, 1984).

The analysis presented here is the result of a broader research study on state feminism in Portugal,³ based on a qualitative case study of the Commission and its networks. The empirical work was undertaken between 2008 and 2009, and involved 53 semi-structured interviews with present and former officials, presidents and directors of the Commission, government officials connected to it, leaders of women's associations and gender experts, as well as analysis of archive material (minutes and various documents), legislation, reports, publications and press articles.

³ This study, conducted in the context of the PhD program in Sociology of the State, Law and Administration, at the School of Economics and the Center for Social Studies at the University of Coimbra, was funded by the Portuguese Foundation for Science and Technology, and led to a dissertation entitled "State Feminism in Portugal: Mechanisms, Strategies, Policies and Metamorphoses" (2011) and to the publication of *A emergência do feminismo de estado em Portugal* [The Emergence of State Feminism in Portugal] (CIG, 2010).

This article begins by discussing the Parity Act and its significance within the Portuguese context, as well as some of its main limitations and challenges. Then, it reconstructs the trajectory of this political agenda, focussing on its main protagonists and their motives. The analysis foregrounds the Commission's involvement in this cause, taking into account the socio-political context and its political opportunity structures. The participation of the Commission and its networks in the parity agenda will be classified according to a typology that includes four categories: insider, marginal, formative and absent (Monteiro, 2011).

The Parity Act: Content and Significance

Unlike the very slight difference in electoral participation, the difference in terms of participation in political decision-making is perhaps the most obvious illustration of the enduring inequality between women and men in Portugal. The electoral participation of Portuguese women increased between the 1980s and 2002, and today there are no significant differences between the percentages of men and women who exercise their right to vote (Baum & Espírito-Santo, 2004). However, according to data from 2010, Portugal is ranked 19th in the world in terms of women in ministerial positions, and 31st in terms of women represented in the national parliament. There has never been a woman president, and only one was appointed prime minister (for 6 months only, between July 1979 and January 1980). The level of female representation in government between 1991 and 2009 only reached a peak (20%) in 2002. There were 23 women in parliament in 1979 (8.3%) and 64 in 2009 (27.8%); in local government, women represented only 7.5% of the mayors in 2009, mostly in municipalities ruled by the Socialist Party (PS); and in the European parliament, also in 2009, 36% of the Portuguese representatives were women (SIIC, 2010).

Before the passing of the Parity Act, the Social Democratic Party (PSD) and the Democratic and Social Centre (CDS) were the political parties that had the lowest percentage of women representatives in parliament (8.3%), in striking contrast to the Left Bloc (BE), with 50%, the Socialist Party (PS), with 28.9%, and the Communist Party (PCP), with 21.4%. In spite of the Act, in the 2009-11 legislature none of the parties reached the quota of 33%, except the BE (which, however, reduced it to 43.8%), although there was a greater balance among the parties. In the 2011 legislative elections, the overall rate of women elected dropped to 26.5%, with the left-wing coalition CDU (Democratic Unity Coalition) presenting the lowest proportion of women (18%) and BE the highest, with 50%; the percentage for the

CDS was 20.8%, the PSD 28.7%, and the PS 24.3%. The drop in the number of women elected by the PS is rather disappointing, given this party's historical role in promoting the Parity Act. These results are a good illustration of the hostility of the longest-lived parties in the Portuguese political system to women's representation, and point to the weaknesses of the law.

As in other countries, the debate on and the promotion of women's political representation has taken place mainly on the left of the political spectrum.⁴ According to Martins and Teixeira (2005), until 2005 the PCP and the PS were the parties that had invested the most in the feminization of their ranks, and the BE (created in 1999) was the most progressive on this issue. Overall, the representation of women is still far below parity, which is explained by the selection and recruitment strategies of the political parties (Martins & Teixeira, 2005). This also explains why the slight increase in the number of women in electoral lists has not been translated into an actual increase in elected female representatives, since they are usually placed by the "party selectorate" in positions that have little or no chance of winning seats in parliament, meaning that the nominations are more symbolic or instrumental than effective. Between 1991 and 2002 the percentage of women in electable positions was 15% and in non-electable positions 22.4% (Martins & Teixeira, 2005: 259). According to Martins and Teixeira, the problem of women's participation in political life, particularly in the political parties, is on the demand side, and "the organizational culture prevalent in the parties is a major factor affecting the process of equalization of opportunities for access to power and decision-making" (*idem*: 77).

Changing the situation of women's exclusion, which is a direct consequence of the intra-party recruitment processes, has depended on the will and action of the parties, since it is up to them to change the recruitment criteria and propose legislation that regulates party practices. Mona Lena Krook mentions that "the adoption and implementation of quotas sheds light on the recruitment practices of political elites, indicating that political actors and dynamics, not vague forces of development, are the central factor in the production or reduction of inequalities in representation" (2009: 5). In Portugal, however, since the post-revolutionary period (1974), the electoral system has not been the object of amendments or reviews due in large part to a certain inertia of the main parties and established interests

⁴ An exception is the Communist Party, which has maintained a persistent opposition to the adoption of quotas.

(Jalali, 2007). The electoral system that emerged after the revolution, even before the 1976 Constitution, is a system of proportional representation⁵ that uses the D'Hondt method for allocating seats, involving 22 electoral districts. It therefore preceded the institutional configuration of the democratic system (Jalali, 2007), and its main goal was to preserve a then fragile democracy and political stability. It did so by avoiding single party majorities and the possibility of small parties from the radical left coming to power (as feared at the time by the ruling parties in the political centre). For this reason, Sá argues that this electoral system “is based on the interests of the more powerful parties” (*apud* Jalali, 2007: 274), and its maintenance is essential to their own survival.

The so-called Parity Law establishes that “the lists for the National Parliament, the European Parliament and local government have to ensure a minimum representation of 33% of each sex.” It also establishes the so-called zipper system, which means that the parties cannot place more than two candidates of the same sex in the lists consecutively (the dominant view was that at least 1 candidate in 3 had to be a woman).

In 2009 the Socialist Party was awarded the Gender Equality Prize by the Council of Europe for proposing this bill. The PS was, in fact, the first party to hold debates and launch parliamentary initiatives on this issue (in 1981, 1998, 2000 and 2006), and had established an internal quota of 25% in 1999 (created in 1988 but only implemented in 1999), after proposals to extend the quota system to the entire political spectrum had failed.

Thus, according to Krook's typology (2009), Portugal has two kinds of quota policies: the system of “party quotas,” voluntarily implemented by the PS in 1999 and the most common system in the world; and the system of “legislative quotas” imposed on all parties by the Parity Law, which is the most recent type of policy worldwide, appearing first in the 1990s. The extent and impact of the latter is much greater, involving reforms in electoral and constitutional laws, a certain degree of consensus among different parties, changes in the legal language, and sanctions for non-compliance. The greatest impact occurs in electoral systems that use proportional representation with closed lists and high district magnitudes (Krook, 2009: 8-12), as is the case of Portugal (Jalali, 2007). The policy of legislative quotas is also facilitated in cases where the constitutional law in force recognises the possibility of positive action policies (as was the case in Portugal after the 1976 Constitutional Review),

⁵ A necessary condition for an effective quota system.

without which opponents can claim unconstitutionality (Valiente, 2005). As is the trend with this type of quota policy, Portuguese law adopted a neutral language and does not explicitly refer to women, but rather to “33.3% minimum representation of each sex in the lists,” although it goes beyond the vague statement of “facilitating access” to stipulate how candidates should be placed on the lists.

Thus, Portuguese legislation in this area followed the international trend towards a strategy of legislative quotas (Krook, 2009; Squires, 2007), which had been recommended by the Beijing Platform for Action, and implemented by several states in the 1990s. The Beijing Platform advised member states to take steps to “ensure women’s equal access and full participation in power structures” and “to increase women’s capacity to participate in decision-making and leadership” (Krook, 2009: 3). One sign of this shift to a strategy of quotas as a post-Beijing trend – termed a worldwide “quota fever” by some authors (Squires, 2007: 10) – is the fact that, in the 1990s alone, quota systems were adopted by more than 50 countries (Krook 2009: 4). However, the UN was not alone in calling for the adoption of positive action policies; in fact, in the same decade, organisations such as the Socialist International, the Council of Europe, the European Union, and the African Union, among others, recommended at least 30% representation for women in all political bodies (Krook, 2009: 10). The fact that quota systems emerged in many countries during the same period reveals the importance of international influence in the internal adoption of quota policies. Although they may have been nuanced by the action of domestic “entrepreneurs” or “change agents” (Börzel & Risse, 2003), they are a “global phenomenon” (Krook, 2009: 26).

The aspect that has generated the most criticism with regard to the adoption of this policy model in Portugal concerns the concept of parity that underlies it, which is considered limited by most of the individuals I interviewed because it is restricted to a “quota of 33%,” and the law is “more a quota law than a parity law,” as one interviewee put it. This dissonance, which has remained in law, was discussed in the 1997-98 debate in connection with the bill presented by the PS,⁶ as the following protest by the Commission and 40 of the NGOs represented in its Advisory Council illustrates:

For more than twenty years of joint activity, the NGOs promoting Women's Rights represented on the Advisory Council of the Commission for Equality and the Rights of Women have

⁶ The bill proposed a quota of 33%, but an interim target of 25% in the first election after the law came into force.

continuously worked with a view to increasing women's political participation. However, they have met with a discourse of political intentions which, despite being almost always in favour of this objective, has never been translated into significant changes in the status quo. Thus, the legislative initiative of the Government introduces a qualitative change in the political treatment of this matter that we welcome [...].

Reaffirming its unanimous agreement with the concept of parity as defined by the Council of Europe, the NGOs for the Defence of Women's Rights *consider that the bill serves this concept only partially*. In fact it is essentially a palliative measure for the under-representation of women, as if political power [...] was divided between its guilty conscience as a privileged actor in the system, on one hand, and the dominant prejudices, on the other. [...]

On this matter, the NGOs for the Defence of Women's Rights express their *great perplexity* [...] and draw attention to the fact that *using an established term such as "Parity Democracy" and giving it a wrong meaning does not help the general debate in society concerning the improvement of democracy*. (DAR 41S, 4.3.1999; emphasis added)

In these words we find not only complaints and protests concerning a "wrong" and "limited" concept of parity, but also proof of the alliance and cohesion of the Commission and the women's movements represented on its Advisory Council in the promotion of this agenda.

As the press reported in 2009 (a year in which three elections took place – legislative, municipal and European – therefore providing an "acid test" for the Act), it was particularly difficult to comply with the Parity Act in local elections, where all the parties violated it to some degree, subjecting themselves to the penalties prescribed by the law (newspaper *Público*, 12.09.2009). Although the features of party campaigns changed that year, the fact is the law was not enough to make significant changes in the composition of the major branches of power (SIIC, 2010). Some of the assessments of the impact of the law highlight its limitations and the way it was conveniently used as an instrument by parties. Indeed, on the one hand, the fact that most women were placed third in the lists meant that they were running for lesser positions and had fewer chances of being elected; on the other hand, the fact that the law is silent on the possibility of female candidates renouncing their mandate after being elected and being replaced by men opens the door to questionable behaviours. Still, as Maria Helena Santos points out (2010), there was a generalized optimism about the effects of the Parity Act, and the rate achieved in 2009 (27.8%) was viewed as evidence of its impact.

The Commission's Formative Role in the Promotion of Parity

In analysing the emergence of quota policies in Portugal, the role of the Commission and its networks has by and large been ignored. Michael Baum and Ana Espírito-Santo (2010), for

example, explore the action of four main types of actors – civil society (the mass media and opinion makers), state actors (political parties⁷ and the President), international and transnational actors (transnational parties and European and international organisations), and the political context (public opinion and the electoral system). One of their conclusions is that, in the 2006 debate, the media was far more favourable to the subject, which was strategically presented as “parity” and not “quotas.” They also highlight the fact that public opinion was generally more favourable to the introduction of quotas in 2006. They consider that the role of NGOs was not crucial to the debate, presenting the Socialist Party and its elites as a decisive factor. Therefore, they do not explore the role of the activists in the Commission or those connected to it in the development of this political agenda before the 2006 Act, including the women’s lobby for the internal quota system within the PS.

As Mona Lena Krook argues (2009: 21), efforts to increase the number of women in political positions rarely occur without the mobilisation of women. She acknowledges that women’s proposals are often only considered when a well placed male leader embraces a cause and promotes it within the party, but reminds us that it is vital that women exert pressure (inside or outside the party or the state) to ensure that steps will be duly be taken. For this reason, she also claims that the role of women’s movements and equality bodies in this kind of agenda is much more complex than in other matters, and the outcome of their action is sometimes delayed – on the one hand, they are upstaged by the party and its male leaders, who present the ideas and proposals, and on the other hand, it is only when those leaders reach positions of power that the previous work translates into political results. This is exactly what happened in Portugal, where the Commission and its networks have systematically been forgotten in the achievements associated with this agenda. They have had what I call a *formative* role, and their work has been persistent since the 1980s but its impact has by and large remained unacknowledged (Monteiro, 2011).

The parity agenda received special media coverage only after the 1998 debate, and this was reflected in the small increase in the rate of feminization of parliamentary representation of all parties (Jiménez, 2002, 2009; Martins & Teixeira, 2005). However, the fact remains that the demand for women’s participation in decision-making structures began

⁷ The inclusion of political parties in the category of state actors is debatable, and does not follow Krook’s proposal, which places them in the category of civil society actors (Krook, 2009: 29). It should be noted that Krook includes official equality bodies in the category of state actors to be studied in “quota campaigns.”

long before this. There were significant initiatives in the 1980s and even before that, due in particular to the action of women linked to the Commission, the NGOs and political parties represented on its Advisory Council. For example, in 1988 the Commission launched a debate on positive action policies, assuming a decisive role in the internal promotion of this kind of equality policy, which was being pursued in other countries. In the same year, it proposed to include positive actions in the constitutional review, although without success.

The amount of work done cannot thus be ignored, even if those women and institutions did not participate directly in all the debates and in producing legislation (with the exception of the 1997-98 debate), but the effects of their work have been slow to surface. The struggle for gender parity in political participation was conducted by women who moved between the Commission, the NGOs and especially the Socialist Party (women of “multiple belongings,”⁸ as I call them), as the interviews make clear:

It [the parity agenda in the Commission] was quite consensual, because it was something discussed in work groups since 91/92. We had been working on it since the 1980s, and therefore, when the first bill was presented in Parliament, we had already put in some years of work in that area; all those things had been done, seminars, local government meetings, parity parliament [...]

[...] The hearings in parliament, what we said in the hearings, the work that was done, the work that women did in political parties. (Interview with former representative of women's associations and member of a women's department of a political party; April 2008)

One of the reasons that explains the invisibility of the contribution of state feminism to the parity agenda is the fact most of the important proposals were generally presented by male leaders within the parties, as mentioned before, therefore hiding the influence of women and their networks, which for the most part have little public visibility.

I believe that another factor has also contributed to the invisibility of female influence in this matter: the weak power of women's departments in political parties in Portugal. A comparison with Spain may be relevant in this regard. In the Spanish PSOE, femocrats from the *Instituto de la Mujer* held powerful positions within the party, and their voices were heard and acknowledged, leading analysts to speak of a strong “party feminism” (Arnedo, 2009; Threlfall, 2009; Valiente, 2005). By contrast, in the Portuguese PS no president of its

⁸ Several women linked to the Commission provide examples of what I call “multiple belongings,” as they were simultaneously Commission officials, members of women's associations, and members of women's departments in political parties represented on the Commission's Advisory Council. One of the most prominent cases was Alzira Lemos, the women's representative of the Socialist Party in the Advisory Council, an official of the Commission for a time, and the founder and director of a women's association related to issues of parity (Intervenção Feminina).

women's department has ever held any major political office, and even the chairs of the parliamentary committees for equality were not very powerful figures within the party (Teresa Ambrósio, Julieta Sampaio, Rosário Carneiro). Unlike the Spanish PSOE, the PS women's department was never very strong, and was actually maintained because of a requirement of the Socialist International, as some of my interviewees told me. Although in both countries there were strong links between femocrats and women within the party, in Portugal these alliances were forged among "the excluded," whereas in Spain powerful women like Carlota Bustelo created strong alliances and channels of influence within the PSOE. In Portugal, PS women appear to have had a decisive space for militancy in the Commission, the Advisory Council and the NGOs created around it, as is the case with Maria Alzira Lemos and Ana Coucello. This supports the argument about the weakness of women's departments within parties, and shows that it is not the fact of belonging to one that gives women greater political power within Portuguese parties (Jiménez, 2009), although this is cited as an advantage in other countries (Lovenduski, 1993).

Having explained the reasons for women's invisibility, or low visibility, I will now demonstrate how the Commission had a fundamental *formative* role in the advancement of gender parity. In fact, from early on, through conferences, debates, publications and other activities, it sought to re-signify, reinterpret and change the values and practices of society and the state. The agenda of "parity democracy" was identified in the interviews as the most consensual agenda within the Commission and the NGO Section of its Advisory Council, and the one most systematically pursued by the Commission. Although this didn't produce immediate political results, it contributed greatly to the adoption of the legislation that we now have and to a greater social awareness of the need for intervention in this area. The Commission, with its women's cooperative constellations, particularly those linked to the political parties, was the epicentre of the demands for parity democracy in Portugal.

When I speak of the Commission's *formative* action, I am referring to those causes for which it fought most persistently by educating and raising the awareness of society and political actors, through language and reinterpretation conveyed essentially by means of conferences, debates and publications, whose political impact is deferred in time (Monteiro, 2011). This kind of work falls under the category of what Beckwith (2007: 327) calls discursive politics, based on "a reiteration of women's political standing and an effort to shift the universe of political discourse."

What did this formative action consist of? My analysis revealed two types of strategies used by the Commission to promote the equal participation of women and men in politics: one involved the production and dissemination of information on the subject; the other was based on networking and the development of cooperative constellations, and its epicentre was the NGO Section of the Advisory Council.

The number of publications of the Commission on the subject of gender equality in political participation was significant, amounting to about 15 titles. The seminars and meetings, attended by representatives of parties, were also important forums for presenting issues concerning parity democracy and positive action policies, and for transposing international laws and recommendations into national legislation. Thus, through these initiatives, the women of the Commission assumed the role of “norm entrepreneurs” (Börzel & Risse, 2003). As early as 1987-88, for instance, the Commission proposed, unsuccessfully, to include recognition of positive action in the constitutional review, something that would only happen in 1997.⁹ It should be emphasised that several women from the Commission and from some NGOs represented on the Advisory Council had a constant presence in transnational feminist networks (the Council of Europe¹⁰ and the European Women’s Lobby, for example), and this helped their work at the national level.

The strategy of networking and creating cooperative constellations was also used to promote gender parity. Work on this topic began in the 1980s, at first within the Commission and its Advisory Council, and then it became a widely shared agenda and a priority. This might be explained by the fact that a significant number of representatives from women’s departments of political parties sat on the Advisory Council,¹¹ and this was the main platform for mobilizing Portuguese women’s associations (Tavares, 2008). In fact, four NGOs specifically dedicated to parity emerged from the Council in the 1980s and 1990s: *Intervenção Feminina* (Women’s Intervention), *Associação Convergência* (Convergence Association), *Aliança para a Democracia Paritária* (Alliance for Parity Democracy)¹² and *Rede de Mulheres Autarcas Portuguesas – REMA* (Network of Portuguese Women in Local

⁹ In the constitutional review of 1997, specifically in the discussion of Art. 109 (positive action), the experts of the Commission were invited to a hearing with MPs, as were also representatives of the Portuguese Association of Women Jurists and the Association of Socialist Women.

¹⁰ Regina Tavares da Silva (a Commission official), for example, was chair of the Council of Europe’s Working Group on Parity Democracy (1991-93).

¹¹ Excluded from participation after the restructuring of the Council in 2007.

¹² Created by Commission officials and PS representatives.

Government). In 1993, the NGO Section of the Advisory Council created the Working Group for Parity Democracy, which became one of the most dynamic in the history of the Commission. Its early initiatives were debates with representatives from the parties and their women's departments.

These networks called for reforms from parties and governments, and in 1997 demanded that they comply with the newly revised Constitution with regard to positive action, since this provided a political opportunities structure that the Commission wanted to take advantage of.¹³ Although unsatisfactory, the Commission had for the first time a response from the state to its agenda of women's participation in political life, in the form of a bill presented by the party in power, the PS, and it was heard in the 1997-98 discussions in Parliament. However, according to McBride and Mazur's typology (2005), the state's response falls into the category of *co-optation*,¹⁴ since, on the one hand, the bill did not meet the desired "parity threshold" of 40% (Council of Europe) and, on the other hand, it was rejected in Parliament.

Although women's networks with links to the parties and Parliament constituted important channels of influence for the Commission, this was not sufficient to ensure earlier success for several reasons: Parliament and the parties are relatively closed political opportunity structures for Portuguese state feminists, and the issue of political parity itself is an area with a closed input structure, since the parties play a central role in its discussion and definition (Lovenduski, 2005). Thus, the Parliamentary Committees on gender equality issues as well as the development of networks with links to political parties are the means used by official equality bodies to establish points of access to those arenas. This was the case with the introduction of positive action policies in 1997-98, for example, when the Parliamentary Commission on Parity, Equal Opportunities and the Family held hearings on this issue. However, in face of the results, it can be concluded that, despite their importance, these informal alliances are "alliances of the excluded," as I have called them, given the

¹³ The Commission had been trying to include positive action in the constitution since the late 1980s, as mentioned above. It made another attempt in 1995, and this time the arguments used were based on international developments and norms, in particular the Beijing World Conference Platform for Action (1995), the Athens Declaration (approved by Parliament in 1993), the Charter of Rome (1996), the 4th Community Action Programme on Equal Opportunities for Women and Men (1996-2000) and the Treaty of Amsterdam (1997), which extended the commitments of states to combat discrimination.

¹⁴ When there is descriptive but not substantive representation in the policy-making process, i.e., when the representatives of women participate in the process, but the result does not include or follow their proposals (McBride & Mazur, 2005: 15).

fragility and marginal nature of these “velvet triangles” (Woodward, 2003) vis-à-vis the strong “iron” triangles represented by the parties.

In addition to creating networks, the Commission also invested intensely in processes of socialisation/education for “parity democracy” involving both political party elites and society at large, although the state responded first with *co-optation* (1997 to 1998), and then with *pre-emption* (2006), which happens, according to McBride and Mazur, “when the state gives policy satisfaction, but does not allow women, as individuals, groups or constituencies into the process” (2005: 15).

Rejected until 2006, the policy of positive action or quotas, as we’ve seen, was introduced into the dominant interpretative frames with difficulty. Portuguese society and the political system did not support this policy given its controversial nature. Some sectors of the Left considered it to be a liberal policy, since it does not eliminate class inequalities (as the PCP argued), whilst meritocratic arguments prevailed on the right.

Final remarks

The parity agenda led the representatives of Portuguese women to confront a system and actors that were in general not very open or favourable to their demands. The political parties stand out in this respect, since the demands were addressed to them, given their central position in the discussion of the policy area concerned.

In my study of state feminism in Portugal (Monteiro, 2011), I concluded, in fact, that in terms of political opportunity structures, the parties and Parliament are very closed spaces to the intervention of state feminist actors. This is because they are dominated by male elites, decision-making is centralised and the women’s departments of political parties have little power. I’ve also concluded that, in general, the Portuguese state is a centralist, elitist and legalist state (Aguar, 1987; Cardoso, 2000; Ferreira, 2011; Santos, 1993), which has given the Commission and women’s issues essentially a marginal status, and therefore the few advances achieved in terms of equality policies were fundamentally due to the informal strategies of the experts of the Commission and its networks. They were the ones that assumed the role of translators of international norms for the resisting or sceptical political players at home.

In the absence of strong internal voices and external pressure, and given the weakness of the women’s movements and the indifference to gender inequality that characterises

Portuguese society in general (Ferreira, 2011), the parties have not felt any pressure to legislate and act with urgency and assertiveness on equality issues. Indeed, in contrast to the situation in Spain, in Portugal gender equality is not perceived by the parties as a vote-winning asset, as Jiménez has noted (2002, 2009).

The parity agenda, and particularly the quota system, challenges the dominant *status quo*, inevitably gendering the debate surrounding it, which is why it was so controversial and received so much media attention in a society that is largely oblivious to gender inequality. It calls for male power to be shared in parties and politics, gives visibility to the specific situation of women in society and calls into question meritocratic arguments.

These aspects explain why it took over 30 years to achieve the first satisfactory political outcome. But why did this happen in 2006? The shift in political alignments towards a majority Socialist government (the 17th Constitutional Government, appointed in 2005) provided a positive structure of political opportunities, confirming the generally held view that swings to the left are more favourable to feminist claims (Lovenduski, 2007; McBride & Mazur, 1995; Sawer, 2007; Valiente, 2007). Some studies have sought explanations for the Socialist Party's decision, suggesting reasons such as its ideological evolution, transnational emulation, electoral rivalry with the new left party, the Left Bloc (BE), and the party's leadership (Baum & Espírito-Santo, 2010). The interviews I conducted point to another factor: imitation of the PSOE example and Zapatero, which appear to have been models for the then Prime Minister and PS leader José Socrates in these matters. In addition, the first absolute majority obtained by the Socialist Party in 2005 (the first in the history of the PS) was clearly a facilitating factor.

This protracted outcome also confirms Krook's argument that the role of state feminism in this kind of agenda is more complex than in other matters, has a deferred impact, and is invisible. This is due to the strong role assumed by parties and their male leaders in the presentation of proposals, and also to the fact that previous work only translates into results when political allies reach positions of power. Unlike what some studies focused on the Parity Act seem to suggest, in Portugal women's mobilization for political representation in connection with international developments preceded and was rather more systematic than the action of the parties. Similarly to other studies that have stressed the importance of women and their demands in the production of parity legislation (Lovenduski, 1993; Jiménez, 2002), my aim here was to give visibility to the action of the Commission and its women's

networks in lobbying for positive action measures, in raising the awareness of political and social agents, and in translating international recommendations (Börzel & Risse, 2003). The Commission's *formative* action was decisive in the education and socialisation of political agents and society in general. The participation of Commission officials and NGO and party representatives in transnational advocacy networks, such as the Council of Europe, UNESCO, the European Commission, the Beijing World Conference and the European Women's Lobby, among others, was crucial for their advocacy work at home.

The Commission assumed a strong formative role in the issue of parity, working intensely and systematically for its advancement, and the women's movements shared this agenda and worked jointly for it within the NGO Section of the Advisory Council of the Commission as well as within the parties. The main channel or structure for mobilization was thus institutional (the Advisory Board), and the connection to the parties was often informal.

Despite these success-facilitating factors (the intense action of the official body for equality and the cohesion of the women's movements), from the 1980s onwards what was crucial for triggering significant legislative outcomes was the attitude and will of the ruling political party, rather than the attitudes and the cooperation between the Commission and the women's movements. Confirming the theses of state feminism, rather than the characteristics of the official equality bodies and women's movements, it seems that in Portugal also the structural and conjunctural features of the political-institutional system provide the main explanation for equality policy outcomes. These findings indicate the limited effectiveness of state feminism in achieving significant political results in Portugal, despite its long and intense history.

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