

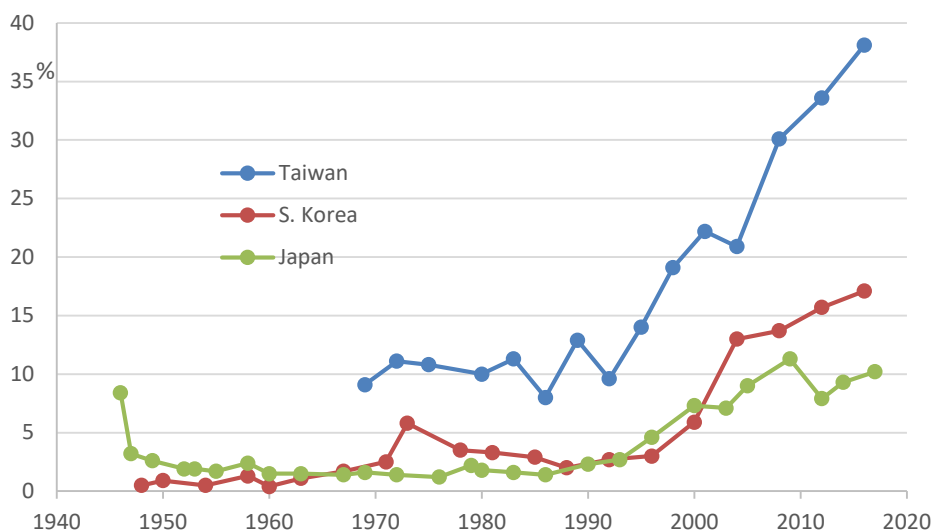
Gender Quotas in Taiwan¹

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Thank you for the introduction. It is really a great pleasure to be here and really an honor to share the Taiwanese experience with you. Many people do not understand or know very little about Taiwan, mainly because we have been isolated from the international community for a long time. That said, significant efforts have been made in Taiwan in the past two to three decades of democratization. We have been trying to connect what is going on in Taiwan with what is happening in the rest of the world. Today's topic of gender quotas is one such example. As shown in Figure 1, there are key differences in women's political representation in post-war Japan, South Korea and Taiwan.

Not only has Taiwan had a consistently higher percentage of female parliamentarians, but moreover, in recent years, the gap has become even more significant. Korea has increased quite a bit in recent years, whereas Japan has remained constantly below the 10% mark. You might want to know why Taiwan has so many women in politics.

Figure 1. Female MPs in Taiwan, South Korea and Japan (%)



Source: Author

¹ This is based on the presentation “Why Does Taiwan Have the Second Most Number of Women Elected in Asia? :Reserved Seats and Candidate Quota” at the symposium held on July 30th in Tokyo.

Actually, the percentage of women in parliament in Taiwan has been quite high by Asian standards, and notably within the East Asian context.

The most recent parliamentary election in this past January 2016 yielded 38.1 percent of women, an increase of 4.5 percent since 2012. This is encouraging. The most recent local elections were held in November 2014 and as shown in Table 1. The highest level of women's representation is in the six major cities of Taiwan. Out of the 375 council members in the six major cities, the average percent of elected women council members reached 35.47%. The numbers in the right-most column are the highest outliers, and the top performer was the southern city of Tainan, which boasts fully 40% elected women.

For counties and smaller cities, there are a total of 500 councilors. The average percentage of elected women is 27.26% and the top performer also reached close to 40%. Finally, the township councils are for the smallest, most local level of elected representatives. Nationwide there are more than 2,000 council members and the average percent of elected women is 22%; the top performer reached 35 to 36%.

Table 1. Female Representatives in Taiwan

		Percentage of Women legislators(%)	The highest
Parliament (2012)		33.6%	33.6%
Local Councils (2014)	Six Big Cities	35.47%	40.35%
	Counties/Cities	27.26%	39.47%
	townships	22.48%	35.56%
	villages/lis	13.95%	22.86%

Source: Author

The last figure presented here are not for councils, but rather for the heads of villages or lis (村, 里), the most basic unit of government in Taiwan. There are 13% women heads of villages (村長, 里長) in the rural and urban areas. If you compare that with the number of women heads of villages in Japan or South Korea, Taiwan is clearly the high performer. Not only the percent of women parliamentarians is higher in Taiwan, but Taiwanese women are also better represented in local politics than our neighbors, Japan and South Korea.

If we want to know why Taiwan has so many women in politics, some people might argue that rapid post-war economic development has contributed to Taiwanese women being highly educated and thus very qualified. That is true, but I think that is the same for Japanese and Korean women, because women's high educational attainment has been a common phenomenon in East Asia. Korea and Japan both have highly educated and capable women too, and thus some people might think that Taiwan has a more gender-equal culture, and that there is more openness to gender equality. Well, if you look at social customs, Taiwan still has a long way to go. If you ask any person in Taiwan about the prevailing social norm for family property inheritance, then you would see that parents still tend to leave more property to their sons than to their daughters. Or sometimes they leave all the property to their sons, not to their daughters. Even though the law changed many years ago, and Taiwanese civil law basically states that daughters and sons have the same and equal inheritance rights, nonetheless, the prevailing social practice is that parents do not honor their equal rights.

How do parents violate the law? It's very simple. The Taiwanese practice is to fill out a form whereby you abandon your rights to property inheritance. Many daughters are asked to fill out this form upon a request from either their parents or their male siblings, the older and younger brothers who are designated by their parents to inherit the family property. A lot of the women feel obligated to comply with this demand from their parents or male siblings. They fill out the form and willingly give up the rights to inherit a portion of the family property. I believe a lot of them may not in fact be that willing, but the

social pressures can be very strong. If we look at Taiwanese familial culture, then we see that Taiwan is not more gender equal.

In fact, the reason for the higher percentage of women in politics is quite simple from a research perspective. It has a lot to do with the institutional design of the electoral system that I wish to share with you, and specifically, it is about the role of gender quotas. This institutional design actually allows more Taiwanese women to be in politics. The adoption of gender quotas in many countries has contributed to a global trend. Some people have already noticed this fact, and within academic circles of scholars researching gender issues or gender equality, many have noticed the development of this global trend over the past 20 years, since the 1990s. Currently more than 100 countries in the world today have adopted some kind of gender quota. We can see how common it is in the world today, and many countries have similar designs.

Usually when we talk about gender quotas, we talk about two things. One is the regulation type. It is the constitution or the electoral law that regulates the use of quotas to guarantee seats or candidate selection opportunities for women? Or do political parties voluntarily adopt gender quotas without this being required by the law? The interesting phenomenon is that if we look at countries that are generally regarded as more women-friendly, more supportive of gender equality, for example the Nordic Scandinavian countries, they do not have laws that regulate gender quotas. Rather, their gender quotas emerged out of political competition, and from internal party rules. Progressive political parties adopted internal rules to increase women candidates and this practice become a core political issue and a facet of intra-party political competition.

Specifically, the usual trend was that progressive or leftist parties adopted a party quota first. Then conservative or right wing parties felt pressure to match that level of quota for their own internal rules. Progressive parties elevated the percent of the quota and this was then matched by conservative parties. This back and forth dynamic led to the current situation in Nordic countries, for example like Sweden, where the intra-party competition has led to all political

parties now presenting their list of candidates according to the famous Zebra system, whereby men's and women's names appear on party lists in alternation.

For newly democratized, third wave democracies such as Latin America, the gender quota trend started in the 1990s. Many countries put the regulations into formal laws that required all political parties to follow the gender quota rules. This could be in the election law or the political party law, or any kind of law that regulates political parties or political competitions and elections. Many Latin American countries chose to place the quota requirement in these specific laws. Whether a party was progressive or conservative, whether they agreed or not, all parties had to follow the law. Very few countries, and Taiwan is one of them, put the gender quotas in the constitution.

In addition to the type of regulation, there are also types of quotas. The first is candidate selection, and it is directly related to the electoral system. For example, in many European countries, especially Western European countries, the electoral system is proportional representation. In other words, voters do not vote for individuals, they vote for a list of the candidates nominated by the political parties. Many Western European and Northern European countries, their quota is for candidate selection, like how many women they put on the list of their nominations.

And the second quota type is called a reserved seat; these are the seats for elected people. For example within a council, if there are 100 seats of the council then you reserve a certain quota for women, such as 5%, 10%, 20%. If you are supposed to elect 100 political representatives, then you say we have 10% reserved seats for women, which basically ensures that 10 seats must be occupied by women, have to be held by women.

The third type is called a gender-neutral quota. Gender-neutral quotas are not specific to one gender; they are neutral. In other words, it can benefit men or women, depending on who is the under-represented gender. So for example, if

we have a council of 100 people and a gender-neutral quota of 30% for each sex, at least 30% of the seats must be for men and 30% of the seats must be for women. The remaining 40% is left unregulated. Gender-neutral quotas are not of benefit to women only, but rather they aim to ensure the representation of men and women. The purpose of a gender-neutral quota is not merely to protect women's rights, but rather to create gender balance in decision-making institutions.

Taiwan currently has all three types of quotas. We have a constitutional guarantee, a legal requirement, and the two largest parties voluntarily apply a gender quota to their internal party candidate selection rules. We also have all types of quotas. We have voluntary candidate quotas implemented by the two largest parties, we have reserved seats guaranteed in the constitution, and gender-neutral quotas that are widely applied to government commissions and government committees. How did this happen?

The story of gender quotas in Taiwan has two parts. First, the legacy of the Republic of China stems from its historical ties to China and the constitution of 1946. In that constitution, it stipulated that for all elections, there should be seats reserved for women. It did not specify how many seats, however. When the Republic of China government came to Taiwan in 1949 and started to rule Taiwan, the Constitution was mostly suspended because it put Taiwan under authoritarian rule. However, the practice of reserved seats (婦女保障名額) for women was maintained in the elections.

The second part of the story stems from more recent history and reflects the international trend in quota adoption that emerged in the 1990s. First it began with changes to the internal rules adopted in 1996 by the more progressive party in opposition, the Democratic Progressive Party. Further, the government increased the level of reserved seats for women in local elections in the 1998 Local Government Act. After losing the election, the Nationalist Party decided to adopt a gender quotas. Sometimes losing an election can be good for a party's renewal and internal reform. After they lost the Presidential election in 2000,

they also adopted internal rules to reserve seats for women in their party's internal decision-making structures.

Finally, the constitutional reform was enacted in 2005. When the Republic of China government first came to Taiwan, they passed a series of laws regulating different levels of elections. In those days, reserved seats were set at between 5% to 10% for different levels of elections. Under authoritarian rule, we had local elections and partial national elections. Although Taiwan was under authoritarian rule between the 1950s and the late 1980s, Taiwan still held elections. In hindsight, those elections were quite important because it made people familiar with the function and process of electoral competition. Under authoritarianism, even though the local elections were unfair, and although only a portion of the seats were elected in national elections, in all cases, there were nonetheless reserved seat for women set between 5% to 10%.

The democratization of Taiwan began in 1987 and the first important democratic elections took place in 1992. For both national and local elections, all elections since 1992 have ensured democratic competition. Through the democratization debates, the first step undertaken in the 1990s by the Democratic Progressive Party was to adopt gender-neutral quotas. Why? By the early 1990s, the old reserved seats requirement had effectively become a ceiling. In other words, the level of the quota was set too low (5%-10% seats) and rather than serve as a "floor," or a minimum number, it ended up becoming a ceiling; major political parties were very reluctant to nominate more women than the minimum quota required.

For example, if you only reserved five seats out of 100 for women, then the political party would nominate five women to capture those reserved seats. For a while there were brief debates in the early to mid-1990s among feminist activists and feminist organizations as to whether or not to get rid of the reserved seats; they were not exactly helping women participate in politics and had in fact become a hindrance. There was also a stigma that came with being elected through the reserved seats. People would say, "Well you use reserved

seats so you allow less capable women to replace more capable men. That's not good for politics."

Table 2. Reserved Seats and Gender Quotas in Taiwan

Year	Law and Regulation			Quota Type			Quota Requirement	Quota Level
	C	L	P	CS	RS	GQ		
1946	○				○		There should be reserved seats for all levels of elections.	5% to 10% in parliament and various local councils
1996			○	○		○	DPP: In each district, for every four nominations, each sex should have at least one.	15% to 25% in candidate selection
1998		○			○		Local Government Act: In each district, for every four elected seats, one should be held by a woman.	15% to 25% of seats in applied districts in local councils (SNTV)
2000			○	○	○		KMT: Women should be no less than 25% of the party list in parliamentary elections.	At least 25% for the party list (obsolete after 2005)
2005	○			○	○		For each party, women should occupy no less than 50% of the seats won through the part list in parliamentary elections.	15% of the total seats in parliament (Parallel)

C: Constitution; L: Law; P: Voluntary Party Adoption

CS: Candidate Selections; RS: Reserved Seats; GQ: Gender-Neutral Quotas

Source: Compiled by Author from the 1946 and 2005 Republic of China Constitution, the Local Government Act, and the Nomination Rules of the Nationalist Party and Democratic Progressive Party

The turning point in these debates actually came from a very important talk given by a renowned American feminist activist, Jo Freeman. She visited Taiwan in 1995 and gave a lecture on her experience as an activist in the American feminist movement. During the question and answer session, some people in the audience informed her about the debates among Taiwan's feminist activists about the reserved seats for women. Jo Freeman shared an important observation from her experience and from the research on women and politics. She argued that there needed to be a critical mass of women within an organization to change the direction or the culture of the organization and to make it less patriarchal. She said the threshold was likely 20, 25% or even more.

Among the audience at that time was the Director of the Women's Development Department of the Democratic Progressive Party. She picked up this agenda for change as she herself had come from the feminist movement. She worked closely with women's organizations to push for internal reform of the Democratic Progressive Party. Eventually in 1996, the Democratic Progressive Party adopted a gender-neutral quota for candidate selection. At that time Taiwan's electoral system was similar to Japan's electoral system. Academically we called it a single non-transferable-vote, multi-member district system. That mainly means within a district you have many people running for many seats. Whoever gets the highest number of votes is elected. How many people will be elected from one district depends on the magnitude (often related to the size and population) of the district. At that time Taiwan's electoral system was like a large district with many people running for many seats.

In each district, major political parties will nominate more than one person, because they want to win as many seats as possible. The DPP's first reform was for candidate selection and the internal rules were changed to state, "In each district, for every four nominations, each sex must have one nomination" In Chinese we call it the "one-fourth gender quota". In 1998, the DPP applied this quota to the representatives of the party within the party's assembly. In other words, there must be one man and one woman for every four of the party

representative positions. Interestingly, 2002 saw the first male beneficiary of the gender-neutral quota. In one of the districts for county council elections, the DPP had nominated three women. As a result, the fourth nomination had to be given to a man; the impact of the gender-neutral quota was immediate. Soon thereafter, the KMT government adopted a quota in 1998 and during this time, there was much discussion of the enactment of a new Local Government Act. Women's organizations mobilized around these parliamentary discussions on the local government reform and they met with the female Minister of the Interior. Working in concert with women's organizations, the Minister agreed to raise the quota for reserved seats in local elections to 25%. I had the opportunity to interview her when we sat on the Board of a Foundation together. I asked why she agreed with the recommendation of women's organizations. In a very natural way, she answered, "Well that's the trend, isn't it?" This was a pretty good and simple answer.

In short, the reform to the Local Government Act was adopted without opposition from any of the political parties. It states that in each district, for every four elected seats, one should be held by a woman. We call them "one-fourth reserve seats" because it's about the seats reserved for women in each district. After the KMT government's efforts, the KMT party adopted a similar party quota after it lost the presidential election in 2000; to show further progress, they also elected their first ever female Vice Chairperson. They applied the reserve seats for women throughout the party's decision making structures and the wording states that 'Women should have no less than one-fourth of the seats in the central standing committee.' The central standing committee is the KMT's decision making body. The one fourth gender quotas had become a standard practice in Taiwan by that time.

A final date of importance is the constitutional reform of the electoral system in 2005, which came into effect in 2008. Changing from SNTV to a mixed system similar to that used in Japan, large districts with many seats were converted into single member districts and a party list system. The main difference between Taiwan and Japan is in the party list. Japan uses regional party lists,

whereas for Taiwan, there is only one party list; the whole nation is the district used to elect the proportional representation seats from party lists.

Local elections still use the old system so Taiwan currently has two different electoral systems. A major implication of the 2005 constitutional reform was a reduction in parliamentary seats from 225 to 113. Half of the seats were eliminated, which is significant. The popular view was that politicians were simply fighting all the time, and did not “deserve to have the salary paid by people.” Reducing the seats in half became a very popular agenda, to the point that large parties were unable to say they opposed this idea.

Specifically, under the new system, we have 73 single member districts, 34 seats in party list, and six reserved seats for aboriginal populations. While more than 90% of Taiwanese can trace their ancestors back to China, we also have aboriginal peoples comprising 3-4% of the population. For the women’s reserved seats, out of the 34 party list seats, 50% of the seats are reserved for women. So the quota level actually is not very high because 50% out of 30% is only 15%. The seat distribution between the district and the party list is also uneven, similar to Japan. However, the immediate impact of the quota is clear. From 2004, before the reform, to 2008 when the quota was applied, there was a big jump from 21% to 30% women. In the 2016 elections, as mentioned above, the number to 38.1%.

In Taiwan, for many years gender quotas have been widely applied to enhance women’s political participation. Since 2004 all government committees and commissions at the national level apply a gender quota in accordance with a resolution made by the Cabinet-level Gender Commission. Since 2004, all government committees and commissions follow a one-third gender quotas, which is even higher than the quota for elections. The resolution states, “Each sex has no less than one-third of the seats of the committees or commissions.” The one-third gender quota has been widely applied, so much that the Sunflower Movement even adopted the practice on its own accord. During the 2014 Sunflower Movement protest, college students and citizens occupied

Parliament for three weeks in protest of the service trade pact with China. During the three weeks, this civil society-led decision-making body also adopted a one-third gender quota.

The current agenda for Taiwanese women's organizations and the feminist movement is to push for a gender quota for corporate boards as well. In addition to politics, economic decision making spaces are also at issue. Emerging from Europe, this trend started in Norway in the mid-2000s with laws requiring publicly listed companies to respect a gender quota for their boards of directors. In 2012, Taiwan passed changes to the Gender Equality Policy Framework, and stipulated that public enterprises and public endowments funded with more than 50% public funds or state shares must comply with the one-third gender quota for their boards. That is the current reform. I am very familiar with this legislation as I helped draft that section of the policy framework. The Taiwanese government often invite scholars to help draft a policy framework, which is then presented to civil society organizations and different government agencies. This was the latest reform on the KMT government's agenda.

From my own research on Taiwan, I have shown that increased reserved seats actually enhances political competition. If we look at the numbers and empirical results of the local elections, we see that the more reserved seats available, the fewer women get elected through reserved seats. Reserved seats are less and less required to ensure women's election. With the one-fourth reserved seat rule, more women ran for election, and as more women competed, the competition became stronger because these women were actually very competitive. As the high-ranking winners of their districts, they did not need to rely on the reserved seat to get elected. Furthermore, my research has shown that even those who did get elected through the reserved seats had better or equal qualifications to the men they beat (replaced) in the election. To assess their qualifications, I compared their educational credentials, political experience, experience of social participation and the finding was that most of the women have equal or better qualifications than the men.

If we evaluate the acceptance of quotas, we know that gender-neutral quota meet with less resistance than reserved seats that benefit only women. When we talk to politicians and then when we lobby for gender quotas, and if we only talked about women's reserved seats, they had doubts. They were skeptical and would ask if Taiwanese women "need that kind of protection?" When we present the idea of a gender-neutral quota, especially to male politicians, we can say, "This is not just for women, this is for men too. You can get benefit from that too." They tended to be less resistant and it became convincing as a strategy for fair competition.

Secondly, for political families that have very strong roots in local politics in Taiwan, when the father retired from politics, he would ask his sons to run for office. Since the number of reserved seats was increased, our preliminary observations is that these local political families now allow their daughters to take over the political resources of the family, instead of their sons. This is particularly true if their daughters are highly educated and are interested in politics. This really changes the profile of local politics.

A final evolution has been seen in the political culture. This is very important because earlier research from the 1990s emphasized the role of gender and political culture. At that time the percentage of women in the Taiwanese parliament was less than 20%. The research showed male politicians tended to have backroom dealings in places like saunas, salons, and in commercial sex establishments. When female representatives went into the meeting chambers, they came to realize that their male colleagues had probably drunk together the previous night and had already discussed things. If there are substantial numbers of women in politics, the men cannot circumvent the official discussions with this kind of informal backroom deal-making. Even if they discuss at the sauna, they still have to come back to the meeting rooms and conference tables to talk about these matters in official venues. This has the political culture, particularly in recent years when more and more Taiwanese women hold important political positions. For example, if the party whip is a

woman, then you have to come back to the floor or to the conference room to negotiate with her, rather than in some salon while you are served by a beautiful female waitress.

To conclude, I wish to show these two pictures of the 2015 presidential candidates from Taiwan's two largest parties. The left hand side is Ms. Tsai, Chairperson of the Democratic Progressive Party, and the President-elect. As you can see from the cover of TIME Magazine, many people expected her to win. On the right hand side is the presidential candidate for the Guomindang (KMT), the nationalist party. Ms. Hung Hsiu-chu was the deputy speaker of the house of Taiwan's parliament prior to the 2016 elections and she was also the Vice Chairperson of the KMT. These two women are in positions of power. For Hung Hsiu-chu of the right hand side to represent the KMT, a lot of people think it's an accident, but it is important to observe that a woman in Taiwan can advance this high by accident. In terms of national politics, it is not an accident that these two women could be running for President. Taiwanese voters are very familiar with female candidates running for election from the local to the national level. If this becomes familiar and natural to have female faces at all levels of political competition, it will not be a surprise when they run for the highest office. I will stop here and I look forward to your questions and to discussing with you.

Profile: Chang-Ling Huang

Chang-Ling Huang is a professor in the Department of Political Science at the National Taiwan University. Her research interests are quota politics and state feminism. She studied gender quotas in politics and corporations and has used empirical data from Taiwan to show most of the quota women in politics have equal or better qualifications than the men they replaced. Huang is a joint fellow of the Radcliffe Institute and Yenching Institute at Harvard University (2018-2019). Besides research and teaching, she has committed herself to Taiwan's feminist movement and movement for transitional justice. She served as a board member and president of the Awakening Foundation, the earliest established feminist organization in post-war Taiwan, and of the Taiwan Association for Truth and Reconciliation. Her publication appears in English as well as Chinese journals including chapters on women's political representation for *ROUTLEDGE HANDBOOK OF DEMOCRATIZATION IN EAST ASIA* (Routledge, 2017) and *THE PALGRAVE GLOBAL HANDBOOK OF WOMEN'S POLITICAL RIGHTS* (Palgrave Macmillan, 2019).