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# **Justifying Parity in France after the Passage of the so-called Parity Laws and the Electoral Application of them: The ‘Ideological Tinkering’ of Political Party Officials (UMP and PS) and Women’s NGOs**

Réjane Sénac-Slawinski

## **Introduction<sup>1</sup>**

By passing a series of laws known as ‘the so-called parity laws’ in 1999, 2000 and 2007,<sup>2</sup> France became a model for equal political power-sharing between men and women. This is decidedly paradoxical given that the results of the 1997 legislative elections — that is, before the laws were passed — ranked France 42nd worldwide for proportion of women in the lower or single house (10.9% women MPs), whereas the 2007 legislative elections put France in 58th place with 18.5% women MPs. This means that while the parity laws have allowed for some improvement in the proportion of women in parliament, the

advance was not as marked as in countries throughout the world whose strategy has consisted of imposing quotas either by law or on the initiative of political parties themselves (Sénac-Slawinski, 2004, 2008).

How are we to understand this discrepancy between the parity principle and what happens when it is translated into law and applied in elections in France? In *Parité! Sexual equality and the crisis of French universalism*, Joan Wallach Scott (2005) explains that the 1999 constitutional revision and the law of 2000 ‘resembled the kind of anti-discrimination measures that the founders of the *parité* movement had hoped to improve on’; the movement aimed ‘to rid political representation of the symbols of sexual difference and so to fully include women in the figure of the universal’ (2005, 147). While passage of the so-called parity law of 6 June 2000, may have suggested that the question had been resolved, ‘it remains problematic given the limitations of the law and resistance in the political field (the law applies only to proportional list elections, and the increase in number of women in local government is slight; meanwhile the number of women in the two houses remains low, a situation due first and foremost to the low number of women candidates presented by the major parties)’ (Leroux and Sourd, 2005, 76).

To shed some light on the strategies used to legitimate the constitutional revision of 1999 and the law of 6 June 2000, Laure Bereni and Eléonore Lépinard (2004) have analyzed the types of rhetoric used by pro- and anti-paritarists before the laws were passed. I pursue their thinking here, analyzing not justification of the genesis of the laws, but rather the issues involved for political and NGO actors in appropriating the law, in connection with its use in elections. To avoid any simplistic opposition between the transpartisan alliance formed around getting the parity laws passed and the return of standard political dividing lines after passage and early implementation of the laws, it is important to point out the contextual and strategic dimension of the alliance between women politicians on the right and left, an alliance incarnated by the 1996 publication of the ‘Manifeste pour la Parité.’ Analysis of parliamentary debates<sup>3</sup> and party documents,<sup>4</sup> as well as interviews of political party officials conducted in 1996, 1999, 2001 and 2002–2003 by the Observatoire de la Parité entre les Femmes et les Hommes, an organization within the Prime Minister’s office (Halimi and Bachelot, 1999; Gillot 2001; Génisson, 2003; Zimmermann, 2003), shows that before the laws were passed there was a clear ideological cleavage between France’s leftist parties, including the Parti Socialiste (PS), who were directly active in the parity movement, and France’s rightist parties, including the Rassemblement pour la République (RPR, which in 2002 became the UMP: Union pour un Mouvement Populaire), who had reservations about whether or not the laws were consistent with France’s republican spirit.

Is it accurate to say, then, that on the eve of the 2007 legislative elections a transpartisan consensus existed around the so-called parity laws? And if so what was the nature of that consensus? France's two major political parties, the UMP and the PS, do agree that it was necessary to resort to binding legislation to resolve the problem of low proportions of women elected officials, but how have these two parties resolved the dialectic between the principle of competition inherent in electoral contests and the new candidate parity requirement?

In answering this question, I will be concerned not with quantitatively assessing the effects of implementation of the law, a question amply treated in institutional and academic studies (Fassin and Guiounet, 2002; Mossuz-Lavau, 2002, 2007; Sineau, 2004a; Ministère de la Parité et de l'Égalité Professionnelle, 2005; *Pouvoirs locaux*, 2005, 10–28; *Territoires*, 2006; Conseil Economique et Social, 2007<sup>5</sup>), but rather with how actors directly involved in the implementation process justify the laws. My hypothesis is that while the French parity movement involved strategic attenuation of the the right-left split (Jenson and Valiente, 2003; Scott, 2005), the system for justifying or legitimating parity (Bereni and Revillard, 2007), whether developed beforehand (Mossuz-Lavau, 1998; Bereni and Lépinard, 2004) or afterward, is split when it comes to 'ideological tinkering' (*bricolages idéologiques*) (Bourricaud, 1980; Lévi-Strauss, 1990, 30–49), and the substance of that tinkering confirms the relevance of examining links between the political/party order, the social order, and the sexual or gender order (Sénac-Slawinski, 2007a, b).

To test this hypothesis I conducted a wide-ranging qualitative survey, the aim of which was to critically compare discourses to practices, and norms to rules, 5 years after the parity laws were first applied in the March 2001 municipal elections. I sought to analyze the argumentation systems used by male and female UMP and PS politicians in charge of implementing the parity principle, and by women representatives of feminist and/or women's NGOs, as this set of associations played a central role in the transpartisan genesis of the parity laws. Between October 2005 and May 2006, I interviewed 83 persons: 23 NGO representatives, 33 UMP officials and 27 PS officials at local and national levels. For both political parties there was a special focus on one urban *département* party section, Paris, and one rural one, the Hautes-Pyrénées. The political officials interviewed were chosen on the basis of their responsibilities and roles in implementing the so-called parity laws. I interviewed national and local election officials, *département* section officials, the various officials in charge of new party members, social issues and women's rights, to learn how they judge and analyze the effects that implementing the parity laws has had on doing politics (choosing candidates and leaders, training, etc.). The 33 UMP officials interviewed — 13 men and 20 women — included Bernard Accoyer, president of the UMP group in the Assemblée

Nationale and later president of that assembly; Roselyne Bachelot, UMP assistant secretary-general and later minister of health, youth, sports and community life; Jeanette Bougrab, national secretary for new members; Christine Boutin, elections commissioner and later minister of housing and urban affairs; Marie-Hélène Desesgaulx, national secretary in charge of elections; Valérie Pécresse, UMP spokeswoman and later minister of higher education and research; Bérengère Poletti, special appointee in charge of women's affairs; Marie-Jo Zimmermann, chief reporter of the Observatoire de la Parité; and Fabien de Saint-Nicolas, president of the party's youth organization 'Jeunes Populaires.' Among the 27 Socialist officials — 14 men and 13 women — were Kader Arif, national secretary for *département* sections; Malek Boutih, national secretary for social issues; Laurent Fabius, the party's former second-in-command and former prime minister; Elisabeth Guigou, party project commissioner and minister of justice at the time the law was passed; Marylise Lebranchu, president of the Maison des Elus and former minister; Laurence Rossignol, national secretary for women's rights; and Razzie Hamadi, president of the party's youth movement 'Mouvement de la Jeunesse Socialiste.' The 23 NGO officials were all women; the associations they represented included Action Catholique Générale Féminine (ACGF), L'Assemblée des Femmes; Conseil National des Femmes Françaises; Coordination Française pour le Lobby Européen des Femmes; Demain la Parité; Femmes Avenir; Femmes, Débat et Société; Mix-cité; Ni Putes Ni Soumises; Parité 50/50; Ruptures; and L'Union Féminine Civique et Sociale.

The interviews were conducted in 2005 and 2006, the period leading up to the 2007 legislative and presidential elections. They brought to light three sources of division: position with regard to a supposed social demand for parity in France, debate around using quotas, and reservations about how the parity principle had been translated into law. This thematic structuration allows for discerning two distinct ideological frames of reference (Faure *et al.*, 1995) corresponding to two different conceptions of the republican spirit, particularly as it pertains to the relationship between the principle of civic equality and the reality of inequalities.

I first examine whether party and NGO representatives justify the so-called parity laws as being a French translation of European Union (EU) equality norms (Börzel and Risse, 2003). I then analyze the fact that 5 years after passage of the law, party and NGO officials have appropriated it by means of 'ideological tinkering' that reflects partisan cleavages. The point is to examine the particular French public policy known as the parity laws, and how that policy has been legitimated *after* early implementation, by considering the cognitive dimension of the discourses of national actors involved in implementing those laws (Ladrech, 1994).

## **Women Active in the Parity Movement Refer to a European-Level Movement to Institute Parity, Whereas French Political Party Officials Cite the Efficiency of the French Parity Laws**

To promote equal or balanced male and female participation in political decision-making, many countries throughout the world — in Europe and Asia, South America and Africa — have established quotas, either by law or on the initiative of political parties themselves, to be realized either in terms of number of candidates or number of elected officials (Sénac-Slawinski, 2004, 2008). Within the EU, the parity strategy raises the question of interactions between European and international moves to institute parity and domestic national contexts (Bereni, 2004; Sineau, 2004b; Lépinard, 2007).

As early as November 1989, a seminar on ‘parity democracy’ was organized at Strasbourg under the aegis of the Council of Europe. On this occasion, equal representation of both sexes in decision-making spheres was posited as a condition of pluralist democracy. In 1992, the European Commission pursued this development, creating the expert network Women and Decision-making. Meanwhile, the Action Programme on Equal Opportunities for Women and Men, established by the European Council of Ministers in 1990, played an important role in popularizing the idea of parity democracy. One of its effects was to start mobilizing French political, intellectual and NGO actors. Parity has been a public issue in France since 1992.

To make the connection between the move for parity at the EU level and how it was ‘translated’ into the French parity laws, I use the typology on Europeanization developed by Börzel (2002) and Cowles *et al.* (2001). I consider not the first phase of Europeanization, called ‘the European process’ (Bereni, 2004), but rather the phase described as one of adaptive pressure, which involves identifying points that may block the Europeanization process. ‘In Risse’s initial model, those points are grouped together under the heading “national prisms” (NP), and they include both institutional components and actors and/or cultural factors likely to determine how European norms and policy are received’ (Saurugger and Surel, 2006, 189).

In the 83 interviews I conducted, the only persons to mention EU influence on French so-called gender policies (Caporaso and Jupille, 2001) — that is, on French public policy to promote sexual equality, particularly the so-called parity laws — were women who had been involved in France’s parity movement. They are all positioned at points of intersection between European or international networks and French ones, either at the NGO, political party, institutional, or university level. Roselyne Bachelot, Monique Dental, Françoise Gaspard, Monique Halpern and Yvette Roudy all testified to the gradual emergence of the EU parity principle in the French context.

Following Radaelli's typology (2003), these five women politicians and NGO representatives were active in institutional and cognitive transfer in the field of gender policy by way of three Europeanization processes: construction, diffusion and institutionalization. In their activity of 'translating' the norm and the European legal framework of 'parity democracy' into the French national context, they illustrate these three figures of Europeanization. The process chosen by French political party officials to justify the laws is different from the one used by women active in the parity movement. French political party officials do not cite the legitimating role of the EU project, but refer instead to the effectiveness of the French laws. This is particularly true of UMP officials, who state that they overcame their ideological reservations and rallied for pragmatic purposes to the idea that the legislative tool had to be used to attain balanced representation of the sexes in political life.

### **How the normative framework of 'parity democracy' emerged on the French political, NGO and media scenes: cognitive and institutional transfers**

In *Transforming Europe*, Lisa Conant (2001) uses a case study to show that the reason EU parity norms could be applied early and broadly in Great Britain is that the country had a series of administrative organizations and agencies capable of seizing the opportunity offered by the EU decision and using it to promote reforms in national law. France, with its 1999 constitutional reform and the laws of 2000, together known as 'the so-called parity laws,' is different from the British model because while parity is considered a good practice securely rooted in the specificity of national political history, it also illustrates the strength of resistance on the part of political entrepreneurs (Murray, 2004; Sineau, 2004a). I call into question this hypothesis of French specificity by analyzing the positions of UMP and PS party officials and feminist and/or women's NGOs from the standpoint of the emergence of a normative framework for 'parity democracy' on the French political, association and media scenes.

It should be recalled that the demand for parity appeared on French activist scenes — political parties and NGOs — as early as the 1970s. That demand acquired legitimacy in the late 1980s under the combined influence of international conferences and national models such as the German Green Party's official commitment to equal male–female representation, announced in 1986. French women 'paritarists,' active themselves on the international and EU scenes, became spokeswomen for the normative and legal European framework of 'parity democracy.'

Monique Dental, the founding president of 'Collectif Féministe Ruptures', explained in our interview that the parity principle naturally acquired legitimacy in movements that combined a leftist alternative perspective with

an ecologist and feminist one. For this fundamental actor in the emergence of the parity demand in the French context, the EU gender politics framework was what enabled that demand to move beyond the militant activist sphere and become visible and justifiable. She created the '*Arc-en-Ciel*' (Rainbow) movement, one of the first to speak out in favor of political parity. In 1987, in a text entitled *Ruptures, Cahiers du Collectif de Pratiques et de Réflexions Féministes*, this movement published the following declaration: 'Feminists posit the necessity of conceiving a mode of collective functioning based on parity between men and women in organizational structures.' Femmes pour la Parité, the first network devoted to achieving parity, was created in early 1993 by this feminist collective, soon after the first summit of the European Community Commission, 'Women in Power,' held in Athens in November 1992. Femmes pour la Parité drafted the 'Manifeste des 577 pour une démocratie paritaire,' published in *Le Monde* on 19 November 1993. Signed by a large number of intellectuals (288 men and 289 women), the text called for an organic law stipulating that 'elected assemblies at local and national levels are to be composed of as many women as men.'

Françoise Gaspard, France's current representative to the UN's CEDAW convention (Committee on the Elimination of Discrimination Against Women), recalls the role of intermediary she played between the EU level and the national prism at the academic, association and political levels (Bataille and Gaspard, 1999). The idea of parity was 'launched' in 1992 with a book she co-authored with Claude Servan-Schreiber and Anne Le Gall: *Au pouvoir citoyennes: liberté, égalité, parité* (a play on the words from the Marseillaise 'Aux armes citoyens!' and the celebrated national motto 'Liberté, Égalité, Fraternité'). The book called for inscribing parity into law: 'Elected assemblies at the territorial as well as national levels should be composed of as many women as men.' Françoise Gaspard was active in the Athens 'Women in Power' summit. Attended by women ministers and women former ministers, this summit culminated in the adoption of a charter proclaiming parity a democratic objective. On 3 November 1992, the summit 'closed with the adoption of a declaration that included the following statements: "Women represent more than half of the population. Equality requires parity in the representation and administration of nations." NGOs disseminated the text of the "Athens declaration" throughout the EU countries, particularly in France (Hubert, 1998)' (Gaspard, 2003, 1).

Yvette Roudy, minister for women's rights from 1981 to 1986 and MEP from 1979 to 1981, clearly states that she had to act at a number of different levels: associations, political legislative and executive institutions, EU and national institutions. As she sees it, the NGO networks created in the 1990s and the series of 'media coups' were needed to counterbalance the French political parties' marked lack of commitment to the parity movement. She

founded and presided over the EU Parliament's committee on women's rights and gender equality. She is also founding president of L'Assemblée des Femmes, an NGO created in 1992 to write parity into the French constitution and French institutions as a political, social and economic issue. L'Assemblée des Femmes clearly aimed to use its NGO status to push the parity issue beyond the party sphere and political cleavages. Yvette Roudy affirms that the importance of such associations is proportional to the weakness of democracy within the political parties. On her initiative, a 'Manifeste pour la Parité' was published in the weekly magazine *L'Express* on 6 June 1996. The text was signed by 10 women former ministers on the left and right, including Michèle Barzach (minister of health and the family in the 1986–1988 Chirac government), Edith Cresson (PS MP who in 1991 became France's first woman prime minister), Catherine Lalumière (secretary-general of the Council of Europe in 1989) and Simone Weil (minister of health and the family). Generally speaking, it served to make national-level women politicians' commitment to parity fully visible.

Roselyne Bachelot, MEP and UMP assistant secretary-general at the time of our interview in 2006, served as the first chief reporter for the Observatoire de la Parité in 1995. Bachelot interprets political party resistance as a mirror of resistances still operative in French society. She justifies resorting to legislative means in the name of law's mission to render justice. She defended the law inside her party and against her party's government: 'Is it law that determines mores and lifestyles? To quote the parish priest Lacordaire, "When the strong oppress the weak, law is what protects liberty, and liberty itself becomes a source of oppression."' She is conscious of the fact that 'conceptually and intellectually, parity upsets our collective unconscious, particularly our adherence to republican universalism. We rubbed a lot of people the wrong way.' This last remark is particularly significant given that she herself went against the ideological stance of her political camp. Like Christiane Papon, president of the Gaullist women's movement Femmes Avenir for 13 years (1975–1988) and honorary president of that association at the time of our interview,<sup>6</sup> who related to me how Jacques Chirac gradually came around to the idea that the only way to attain the goal of parity was through legislation, Roselyne Bachelot expressed her immense satisfaction at having participated in the struggle against the 'phenomenon of blindness' consisting in male politicians — including her father — not seeing the women around them as full-fledged politicians. She acknowledges with regret that the fact that her party rallied to the so-called parity laws, which it understands as temporary 'catch-up' measures, has not changed the social and political order, still founded on sexual difference and a gender hierarchy. As she sees it, discrimination endures because it has not been decoded.

We see that the normative framework of ‘parity democracy’ emerged on the French NGO and media scenes by way of cognitive and institutional transfers in a French context marked by political party resistance to the parity demand. For rightist political parties, as we shall see further on, that resistance is explicit and grounded in ideology, whereas for leftist parties it is implicit; on the left, blockage is linked first and foremost to the issue of attaining and remaining in power.

To conclude this section, it is interesting to note that in 2006, that is, 10 years after the ‘Manifeste pour la Parité,’ Monique Halpern, president of the French committee of the European women’s lobby (CLEF), acknowledged that parity was no longer the committee’s first priority, despite the fact that it is composed of associations that incarnate the transnational and EU dimension of the parity demand. For her this means that paradoxically, parity is no longer a French priority — it is no longer at the top of either the national or EU political agenda.

### **Beyond the transpartisan aspect of the French parity movement, the political cleavage persists around ‘concept-method’ of parity (Fraisie, 2001, 311–324)<sup>7</sup>**

In early 1994, following the 1993 scission of the Femmes pour la Parité network, Françoise Gaspard, Claude Servan-Schreiber and Colette Kreder began developing a new network, Demain la Parité (Parity tomorrow), purporting to be a place for exchange among all NGOs in favor of parity, a network that would transcend the right-left split. Demain la Parité brought together associations as diverse as ACGF, Association des Femmes Diplômées des Universités (AFDU), Coordination Française pour le Lobby Européen (CLEF), Elles Aussi, and L’Union Féminine Civique et Sociale (UFCS). The fact that the oldest French feminist women’s association, the Conseil National des Femmes Françaises (CNFF), founded in 1901, joined this network demonstrated the parity movement’s ability to reactivate the French feminist association tradition. Demain la Parité had a total of two million members. On 9 January 1996, it organized a conference at UNESCO entitled ‘Women in Decision-making.’ One particularity of the French parity movement, then, is that it worked to attenuate the right-left cleavage as early as 1992 (Gaspard *et al.*, 1992; Scott, 2005). The movement’s transpartisan dimension is due in part to the fact that the demand is for *political* equality; this point has been separated out from party differences on the issue of access to *social* equality for women. In this it contrasts with other parity movements — particularly Spain’s (Jenson and Valiente, 2003) — confined to the left side of the political spectrum, because the demand for parity is defined as a means of attaining social gender equality rather than as a priority in itself.

However, it is essential to note that the transpartisan dimension of the French association movement for parity does not work against but is actually linked to the persistence of political cleavages around the parity demand. The party and NGO leaders I questioned explain the French specificity of the strategic alliance among diverse NGOs as due to French political party resistance, resistance that continued to be expressed by rightist parties during the debate on and around the parity laws. To test this hypothesis, I supplemented the material collected in the qualitative survey with other sources, such as hearings of the Observatoire de la Parité and parliament session minutes.

On the basis of numerous hearings of association leaders and party officials, the 1996 report of the Commission pour la Parité entre les Hommes et les Femmes dans la Vie Politique, coordinated by Gisèle Halimi, noted a contrast between the unified position of the women's NGO movement and the divergent views expressed by the political parties. The aim of the NGOs was equality in politics; for them, the only fair proposition was parity. Party leaders, meanwhile, though unanimous in deploring the underrepresentation of women in French political life, differed on what the solution should be, and acknowledge that they did not apply parity in composing their decision-making bodies. Only four of the 48 members of the RPR's Bureau Politique were women, and on 9 November 1996, the party's national council 'rejected the proposal to use legislative means to institute a quota for women, preferring "internal [party] arrangements" and urging [the party] to enlist women as *suppléantes*<sup>8</sup> in legislative elections, where priority is given to incumbents' (Halimi and Bachelot, 1999, 25). The PS, on the other hand — women at the time accounted for nearly 30% of its Secrétariat National and Bureau National — presented the following results for a poll of its members: '75.98% of party activists approve putting the principle of male–female parity into the statutes; 11.59% are opposed; and 13.43% abstain. The Conseil National thus unanimously (minus two) adopted the principle as a goal and fixed a minimum percentage for the 1998 legislative elections, to be reached by having the *département* sections themselves reserve certain electoral districts for women. For regional elections "the aim is to move toward 50%"' (Halimi and Bachelot, 1999, 25).

The report submitted by the Observatoire de la Parité to the Prime Minister in September 1999 once again testified to diverging RPR and PS positions on parity, though there was transpartisan consensus in favor of party candidacy quotas. Marie-Jo Zimmermann, then chief Observatoire reporter and RPR speaker at the joint congress of France's legislative houses held in Versailles in June 1999 in connection with the constitutional reform, stated: 'Awareness was belated at the RPR, but I think it became real as early as the [1998] regional elections, when 30% of electable candidates were women. The [1999] European

Union election lists headed by Nicolas Sarkozy showed that it was easy to set up lists that alternate a man, a woman, a man, a woman — because there was a real political will to allow women to accede to European Parliament mandates’ (Gillot, 2001, 93).

The moves by women activists representing a varied constellation of NGOs to make parity a reality were thus echoed by the support for quotas across the political party board. Party candidacy quotas gradually became not just a political issue but also an instrument in the hands of the politicians. However, party divergences persisted on the notion of parity itself. The PS — speaking in this report through Yvette Roudy — recalled that it had ‘demonstrated it was not opposed to introducing quotas into law (the PS had in fact proposed this in 1982)’ (Gillot, 2001, 92): ‘Following the Government project to modify the Constitution so that France would have binding laws with which to attain the goal of parity, we made the following proposition: we should plan to achieve parity among elected officials immediately. A list will have to obey this principle if it is to be accepted’ (Gillot, 2001, 91). RPR spokesperson Marie-Jo Zimmermann, on the other hand, said she did not like the term ‘parity’: ‘I find it degrading for a woman, unless she is in fact very fine. I prefer the term “equal access,” and giving women the conditions that will allow them that access. Moreover, I am not really in favor of quotas, because they would relaunch the debate around “Why not quotas for blacks or North Africans,” and I think we have to be very cautious on this point. A process is now under way, and I am confident that the women in place will allow that process to continue’ (Gillot, 2001, 96).

Analytic accounts of the parliamentary debates likewise illustrate the issues involved in rightist MP resistance against making parity a legal obligation. Some expressed their concern about a reform they considered too abrupt given the gradual evolution of mentalities. They also pointed out that the reform could produce disorder if it called into question the ‘complementarity of men and women.’<sup>9</sup>

After the parity laws were passed, the position of the parties on the right evolved: they rallied to the beneficial effects of the law. When Serge Pelletier, then RPR secretary-general, was questioned by the Observatoire de la Parité in late 2001, he stated that ‘Michèle Alliot-Marie [RPR president at the time of that hearing] is not in favor of instating a legal obligation, which she considers insulting to women. Indeed, as she sees it, the drawback of the parity law is that it associates women candidates with a numerical requirement rather than with their abilities. For me, implementation of the law has shown that fortunately this risk has not developed. The women candidates were recognized for their abilities and their commitments’ (Génisson, 2003, 159). In 2003, then UMP president Alain Juppé began his hearing before the Observatoire de la Parité by pointing out that ‘the first lesson offered by our assessment of the

consequences of implementation of the parity laws is positive: this law has been useful in starting a movement that is advancing in the right direction' (Zimmermann, 2003, 45).

### **The Process of Justifying 'Parity' After the Law was Passed: 'Ideological Tinkering' Around the Strategic Reference to a Coherent Party Line**

The present analysis, situated at the intersection of gender studies and the study of political parties, explores an as-yet relatively undeveloped field.<sup>10</sup> Paradoxically, there is little French analysis of the gender dimension of party activism in terms of political actor norms (Paoletti, 2005) — in contrast to the situation in English-language research. According to Alan Ware (1996), who compared different national systems for selecting candidates and leaders, what characterizes France is that the parties are free to choose their candidates; they are not restricted by any legal measures — in contrast to the situation in Germany and the United States, for example. Alan Ware explained the low percentage of women candidates and women elected officials in French legislative elections by the fact that women are at a disadvantage because party selection is based on a form of careerism: local recognition precedes national recognition. This logic is expressed particularly clearly in the fact that French officials can simultaneously hold both local and national offices. Rainbow Murray (2004, 347–362) supports the hypothesis that French political parties are autonomous by showing that adoption of the so-called parity laws did not call into question or change the criteria for choosing candidates for legislative elections. The answers that François Hollande, head of the PS, gave to the Observatoire de la Parité in 2003 corroborate this hypothesis. He affirmed that despite the positive effects of the parity laws, 'men are still the ones doing the talking in political decision-making spheres. The forms and rites of politics and the way of doing politics are still essentially founded on the criteria of authority, charisma and legitimacy' (Zimmermann, 2003, 86). It is in this perspective that parity's vocation for changing politics and democracy is conceived: parity is supposed to 'break with the vertical, descending concept of power' and is ideally to be applied not only to political representation but to all areas of social democracy (Contribution thématique au Congrès PS de Dijon, 2003).

Above and beyond the immobilism of political game rules overall, my survey brought to light the way in which parity was introduced into *party* game rules. To formalize the survey results, I sought to develop a typology in terms of two types of 'ideological tinkering' used in response to the legally binding parity constraint. The UMP shows loyalty to Nicolas Sarkozy's vision of equitable liberalism, a vision that includes the use of positive discrimination measures

(Conseil d'analyse de la société, 2005), whereas in the PS we find loyalty to a republican understanding that conceives differences *within* equality and denounces the ideal of equal opportunity as a myth.

### **A typology of French political actors' reception and appropriation of parity**

The qualifiers used to define parity by the men and women actors I interviewed alternated between virtues and vices, strong points and limitations. Beyond these divergences, however, a consensus emerged, a general recognition that legislation on parity was necessary — though the point is recognized as a legitimate subject for intellectual debate, particularly in connection with defining republican universalism. It is interesting to note that views of these laws are structured by the party dimension. UMP and rightist or apolitical women's and/or feminist associations recognize the parity laws as a necessary 'catching-up' measure, but one that should be 'biodegradable,' whereas PS officials and leftist associations see the laws as a 'cultural revolution' that is also a source of political credibility. However, the dissonances between loyalty to the party line and what certain party officials actually said show that the ideological tinkering I have chosen to present in the form of two ideal-typical models is in fact questioned within each party and represents a source of tension.

On the one hand — and above and beyond a few dissonant chords such as those sounded by Isabelle Debré, senator from the Hauts-de-Seine, and Christine Boutin<sup>11</sup> — the discourse of the majority of UMP officials and representatives of rightist or apolitical women's and/or feminist associations was characterized by an ideological recoding of parity, a reappropriation of it, or 'conversion' to it. These respondents acknowledged both their initial opposition to or reluctance to accept the parity laws as they were coming into being, and the fact that they later rallied to the legislation, which they had come to perceive as 'a necessary evil.' After denouncing the laws as contrary to the republican spirit, they now considered them consistent with liberal ideology (Jobert, 1994) and they justified their use by thinking of them as temporary corrective measures serving the cause of equal opportunity. Following this recoding, parity was defined by the thirty UMP officials I interviewed as one of the earliest applications of what constituted an ideological marker of then UMP president Nicolas Sarkozy, namely, the promotion of universalism in diversity through positive discrimination 'à la française' (Koubi and Gugliemi, 2000; Tsujimura and Lochak, 2006) or the 'republican quota,' to quote Jérôme Chartier, MP for the Val d'Oise and currently UMP national secretary for party training and leadership activities. In sum, the parity principle is defined as a translation of the equity principle into a positive discrimination measure.

In the 2005 report of the Conseil d'Analyse de la Société, a department that has been part of the President's Office since July 2004, Nicolas Sarkozy cited the need to overcome French 'prudishness about positive discrimination' (Conseil d'analyse de la société, 2005, 291): 'I use the term "positive discrimination" — while being well aware of its limitations and the misunderstandings it may cause — [because] if I just speak of "republican voluntarism" the debate won't get off the ground.' (290–291). He does not deny that 'at the level of principles, there is something ... worrying, even humiliating about quotas. This said, quotas also have their legitimacy for unblocking a situation — and if there's a time limit on them.' He therefore sees the debate 'for or against quotas' as reductive: 'I don't reject quotas categorically if there's a time limit on them. And as I see it, this also goes for parity. Without parity, it would have taken us 40 years to free up the situation. With a quota — and 50% is a quota — we can hope to free up the situation more quickly. I only regret that we didn't put a time limit on it, that the quota wasn't established for a certain amount of time only' (295). Moreover, concluding the 7 March 2006, UMP convention entitled 'Femmes, libres et égales,' Nicolas Sarkozy declared: 'Women are subjected to discrimination, but they also start off with handicaps, namely in terms of educational degrees and training.' On women's place in politics, Sarkozy noted: 'The law on parity can hardly remove all these obstacles. But it has removed the obstacle of discrimination' (Discours de Nicolas Sarkozy, 2006).

On the other side, Socialist officials and leftist NGO representatives also understand the parity principle as the advent of a new republican principle. However, in contrast to UMP officials and heads of rightist or apolitical women's and/or feminist associations, they point to their own ongoing support for parity, from its genesis to its translation in legal and election terms. To paraphrase Jean-Pierre Chevènement, Socialist Minister of the Interior in 2000, parity is a 'cultural revolution' whose purpose is to move beyond the hypocrisy of the egalitarian republican myth by making equal sharing of political power a condition for living together as equal and different. During the first reading of the so-called parity bill in the Senate on 29 February 2000, Chevènement explained that 'without going back over the details of these measures, I would first stress that it is urgent to strengthen and even to refound our democracy... In seeking to attain equal access to elected offices and functions<sup>12</sup> for men and women, this government is certainly not calling republican principles into question — it is deepening those principles. The government has chosen parity — that is, equality. And parity is exactly the opposite of quotas!'<sup>13</sup> Chevènement was speaking at precisely the time that rightist parties, as Roselyne Bachelot explained, were coming to support the parity laws in the name of using quotas as a tool for reaching or moving closer to equity. The understanding of parity I found among Socialist party and leftist NGO

officials thus illustrates one characteristic of the Mouvement Paritaire according to Joan Scott: 'Only a law that implemented a new principle of equality could begin the process of structural and ideological change required for the reconceptualization of women as individuals' (2005, 74). Françoise Laurant, president of the Mouvement Français pour le Planning Familial (MFPF), confirms this hypothesis, specifying that parity was 'a political duty that imposed itself on them [leftist leaders] because it answered the hopes of the society, particularly young people.' Josy Poeyto, PS national official for women's rights, confirmed this position, speaking of 'worldwide support [for parity]' and 'the rise of women in politics throughout the world. It was also a case of citizens attaining awareness ahead of politicians.'<sup>14</sup>

Signatories to the *Contribution* to the November 2000 'Dialoguer, Diagnostiquer, Décider ensemble' conference in Grenoble recall that the parity principle was first advocated by the women's movement before being formulated as legislation on the initiative of a Socialist government. They warn that the Socialists must not 'belie their efforts by timid, fearful or restricted implementation of the law, at the risk of tarnishing credibility [of the PS].' 'As one element of the democratization of politics, parity is the central component of the new social contract the Socialists are proposing to the French. The parity spirit is an innovative expression of the republican spirit in the etymological sense of the Republic as the thing that belongs to all. This spirit is founded on the right of every individual, regardless of personal characteristics, to have access, at equal value, to an equal place in society.' In April 2008, the PS presented its *Projet de déclaration de principe*, drafted by the Commission de Renovation du Parti. The declaration is defined as a Socialist Party 'identification card.' Article 14 states: 'The Socialist Party is feminist and acts in favor of the emancipation of women. It works for equality between men and women and the mixing of the sexes in society.' It is interesting to note that while the PS claims to be feminist, there is no reference in this article to the parity demand in the sense of *equal* power-sharing.

### **Women's political legitimacy: conditional equality**

Above and beyond diverging ideological approaches, there is one view that all the political parties have in common: the parity principle is in competition with, and possibly runs contradictory to, the struggle to accede to power (Troupel, 2002). Beyond the truism of the struggle for power, respondents from different political parties and traditions have different ways of defining the gender aspect of the activist screen.

Furthermore, how gender affects what is involved in committing to and working for a political party is defined differently in the PS and the UMP. According to Marie-Pierre Badré, president of Parité 50/50, a group of

associations on the political right, leftist women do not feel as guilty as rightist women about being professionally engaged in political activities because leftist women are practicing the historic battle for autonomy within the 'ham and salad culture.' That expression incarnates that fact that when leftist women go to a political meeting they just leave 'everything needed for dinner in the fridge.' Similarly, Roselyne Bachelot regrets that what she calls the 'Barzach syndrome' puts women on the right 'at the mercy' of their protectors. For her, 'women who are hesitant about jumping into the fray run the risk of having a very short career' because 'when you no longer please, you pay a lot for favors.' The world of politics, particularly the political party world, is 'a distorting mirror that reflects an image of the society back to itself. Women's self-censorship in politics refers back to the norms that girls internalize when they think they can't have certain careers or choose certain directions' — a sort of 'Stockholm syndrome' observable in many women, who 'reassure men with guarantees and apologize for taking power.'<sup>15</sup>

In this connection, Ségolène Royal's 2007 presidential candidacy was obviously a precedent, and it raises the issue of the perception of gender as a political resource to be used in party undertakings. Ségolène Royal's candidacy may be considered a phenomenon since it brought to light for the first time in France the gender taboo associated with the position of supreme democratic power: President of the Republic. The Socialist candidate, the first woman in a position to become the father of the nation, continually subverted routine practice of the political game rules, particularly party rules, without ever giving up their necessary unction. Royal had to deal with strong resistance in her own political party due in large part to the fact that she practiced that subversion in the name of female otherness, an otherness overtly proclaimed and symbolically invested throughout the campaign. Citing the example of Margaret Thatcher, 'who didn't change a thing in power relations,' Roselyne Bachelot declared that she would rather see 250 women in the French parliament than a woman president of the Republic. But UMP, PS and women's and/or feminist association officials all presented Ségolène Royal's candidacy as the symbol of a change in power relations and therefore the sign that 'the Stockholm syndrome' had been 'overcome.'

The Ségolène Royal phenomenon thus illustrates the fact that despite the parity laws, the political norms operative in France are in fact characterized by *conditional* equality when it comes to women's legitimacy in politics. Implementation of the laws has shown that the presence of women in politics is accepted on condition that gender complementarity is put forward in election campaigns as the source of women's legitimacy. One discursive construction, then, conceived as a response to the proportion crisis and reappropriated by certain women politicians, emphasizes 'the positive differences that characterize them [women]: they are said to be "less ambitious, more disinterested, more

altruistic, more concrete” than men. These features correspond to those used in opinion polls at the time [during the 2001 municipal election campaigns] for the description of the ideal mayor: a mayor should possess the qualities of “availability” and “proximity” (Fleury-Vilatte and Walter, 2005, 12). Citing the first corpus of studies on parity implementation, Sandrine Lévêque claims that parity has had the paradoxical effect of ‘reinforcing gender stereotypes’ (2005, 502).<sup>16</sup>

By founding the legitimacy of power-sharing between the sexes on the ‘value-added’ that women politicians bring to public action, parity has in fact reinforced asymmetry between the sexes in politics (Achin *et al.*, 2007). This was confirmed by a UMP national secretary in my survey, who stated that being female was an advantage as long as it did not constitute a critical threat. He is delighted to say that elected women officials have brought a plus: ‘a different vision of politics,’ ‘more active, more concerned with details and the concrete’; ‘they didn’t bring anything regressive.’ As he sees it, women should change the mode of intellectual functioning by introducing greater pragmatism and attention to the concrete, while accepting the rules of the political game — particularly the pace. ‘Saying “I can’t see you because I have to pick my child up from school” is regressive. It’s the same as if you said, “I can’t because I’m playing tennis.”’ And he defined the situation of women candidates as follows: ‘It’s like when you join a club: you accept the rules of the game.’

Party appropriation of parity raises the question of the political dimension in the sense of power relations and the gendered public/private split. The philosopher Geneviève Fraisse sheds light on this point in stating that parity ‘is more of a word than a concept: it is a tool for manufacturing equality. Once we think of it as an instrument, it becomes easy to understand that it is aimed . at any situation of political power inside or outside politics’ (Fraisse, 2001, 319).

## **Conclusion**

From the late 1980s to today, there has been much debate on what strategies should be used to combat the underrepresentation of women in politics. These debates raise questions about interactions between EU recommendations and national contexts in connection with the gender dimension. As a response to international and EU hopes and expectations, the so-called parity laws in effect in France since the year 2000 are both an application of fundamental democratic principles and what may be called an ambivalent institutional tool characterizing the French context. Paradoxically, whereas these laws are generally thought of as exemplary when it comes to power-sharing between the genders, they have not positioned France any better than 18th of all EU

countries for proportion of women MPs (national level). This is can be explained by the fact that the so-called parity laws are binding only for list elections; for legislative elections they are only strongly encouraged.

My study of the discourses on parity used by party and NGO officials reveals that there is little awareness of the role played by the EU in gender politics; there is instead a feeling that France is exceptional. The rhetorical strategy is to integrate the legal constraint of parity as the expression of an ideological syncretism. Most of the actors I interviewed proudly declared that the parity law is an expression of French exemplarity. The women directly involved in the parity movement are the only ones who presented this gender policy as a process designed in response to a EU initiative. They point out that the history of the expression 'parity democracy' shows the obvious link between the globalization of gender politics and local — that is, national — retranscription.

More than 6 years after the June 1999 constitutional revision, the appropriation of the so-called parity laws by France's political parties may be described as 'ideological tinkering' in the sense that these laws were not conceptualized specifically but rather made consistent with party lines, meaning that 'the possible combinations are limited by the fact that they are borrowed from language where they already have a meaning, and this restricts maneuvering room' (Lévi-Strauss, 1990, 33). National rhetoric is preponderant in the ideological tinkering, and little account is given to the European heritage.

This study of the processes by which parity has been justified after it was approved and implemented points to the tendency in France to nationalize the issues involved in this 'concept-method.' While the wish is to break definitively with the 'myth of the French exception' (Bereni and Lépinard, 2004), a myth briefly reactivated during the recent presidential campaign, the new interest in gender within French political science that has been fueled by the 'parity' research object should find its full place in transversal thinking on the concept of parity democracy. This thinking, as pursued in the framework of vast comparative projects,<sup>17</sup> should show how the conceptual dimension of the parity principle fits with concrete application of various types of quotas (Mateo Diaz, 2005).

In departing from the principle of equal rights to promote equal opportunity, the so-called parity laws resonate with the international debate on using positive discrimination measures while reappropriating the French political heritage of 'republican universalism.' It is in this perspective that the 'ideological tinkering' analyzed here illustrates how normative frames understood until now to be irreconcilable can in fact cohabit. In the understanding of Gwénaële Calvès, the parity laws can be 'established as a model of a catch-up policy for two unequal groups: men and women in politics. This is not an

entirely irrelevant way of presenting the issue, but it obliterates the fundamental originality of a policy in which the criterion for evaluating the constitutionality of positive discrimination measures becomes a matter involving the doctrine of *national sovereignty*' (Calvès, 2004, 84).

## Notes

- 1 My thanks to the CEVIPOF — Center for Political Research at Sciences Po, where I did my post-doctoral studies, and to my CNRS research center, the Centre Maurice Halbwachs (CNRS — Ecole des Hautes Etudes en Sciences Sociales — Ecole Normale Supérieure), for its support, particularly in funding the translation. Thanks also to Janine Mossuz-Lavau, Pierre Muller, Florence Haegel, Serge Paugam, Maxime Forest, Rainbow Murray and Chantal Maille for their precious help and encouragement.
- 2 Cf. the texts of the so-called parity laws: constitutional law no. 99-569 of 8 July 1999, on equality between men and women, including a presentation of what motivated the law; law no. 2000-493 of 6 June 2000, stating that equal access for women and men to elected offices and functions (*Journal Officiel*, 7 June 2000) is to be promoted; organic law no. 2000-612 of July 4, 2000, stating that equal access for women and men to provincial assemblies and the Congress of New Caledonia, the assembly of French Polynesia, and the territorial assembly of the Wallis and Fortuna islands is to be promoted (*Journal Officiel*, 5 July 2000); and law no. 2007-128 of 31 January 2007 (*Journal Officiel*, 1 February 2007), stating that equal access for women and men to elected offices and functions is to be promoted.
- 3 Cf. the 2nd and 3rd public parliament discussion sessions for 15 December 1998, the 2nd and 3rd sessions for 25 January 2000, and the 2nd session for 30 March 2000; also the Senate debates of 29 February, 25 April, and 20 June 2000 (Assemblée Nationale).
- 4 For the PS see in particular the *Contribution au Congrès PS de Grenoble* of November 2000 (conference entitled 'Dialoguer, Diagnostiquer, Décider Ensemble'), the *Contribution thématique au Congrès de Dijon* of October 2003 (conference entitled 'Pour un nouveau féminisme') and the party's proposed 'Déclaration de principes' of April 2008. For the UMP, see the document Direction des études de l'UMP pour la Convention du 7 mars 2006.
- 5 See also the six reports of the Observatoire de la Parité dating from 2001, especially Zimmermann 2005, and the 2008 press kit (Observatoire de la parité, 2008).
- 6 The Centre Féminin d'Etudes et d'Information (CFEI) was founded on 5 November 1965, on the initiative of General de Gaulle. According to the statement in the *Journal Officiel* of 15 November 1965, its purpose was to 'promote the civic and social education of women.' The association began with 70 members, most of whom were former women Resistance fighters. In 1967, a newspaper entitled *Femmes Avenir* was created. In 1974, during the presidency of Florence d'Harcourt, the association took the name CFEI-Femmes Avenir and opened sections in several *départements* (see Papon, 2004, 59–62).
- 7 In using this expression, Geneviève Fraisse reverses Kant's notion of the relation between true theory and false practice. As she sees it, parity is true in practice though false in theory.
- 8 (In the French political system, every candidate for parliament runs with a substitute (*suppléant*) who will be available to take a successful candidate's place as MP if he or she is appointed to the executive or dies.)
- 9 See statements in the Senate by Daniel Hoeffel and Anne Heinis, *Compte Rendu Analytique Officiel* no. 59, Tuesday, 29 February 2000, 26–27 and 34–36.
- 10 In contrast, analysis of the impact that feminization of the body of elected officials has had on the legislative agenda — alongside the problematic issue of quotas — is a major focus of

- gender-in-politics studies, particularly in English-speaking and Northern European countries. These studies often take their cue from legislative studies, which have become a genuine subdiscipline of political science. Legislative studies produced the theory of ‘critical mass,’ developed on the basis of the Scandinavian example in the late 1980s (Dahlerup, 1988), a theory touched up recently on the basis of comparative study results (Lovenduski and Norris, 1993, 2001; Thomas, 1994; Bratton, 2005; Childs and Krook, 2006; Dahlerup, 2006). In France, the first legislative studies conference, held in September 2007, demonstrated how fragmented the field is, while analysis of the *substantive* dimension of political representation remains marginal because it is spontaneously associated with an essentialist viewpoint. For a more recent overview of international-level gender studies of political representation, see Galligan (2007).
- 11 Christine Boutin, a member of the UMP candidate selection commission at the time, was one of the few persons to denounce the parity legislation as a ‘gadget measure’ (the others were Dominique Lidar, in charge of the UMP Haute-Pyrénées section (*département* 65), and Michel Azot, UMP *département* 65 official in charge of training). Boutin considers the legislation demagogic and counter-productive: ‘Besides the fact that it’s an offense against dignity, it has served no purpose. That doesn’t surprise me — first, because I don’t believe in spontaneous generation, second, because women have not decided yet. That’s a reality that some would like to erase. You can’t ask a woman — a manual worker, a manager or even a business owner — to get up on a platform overnight.’ She sees the law not as helping to accelerate an increase in women’s presence in politics but as counterproductive stigmatization that puts France in a situation of failure.
  - 12 (In the French political system, all elected officials have a *mandat électoral* (elected office) but only those in positions of executive power have a *fonction elective*).
  - 13 Jean-Pierre Chevènement, speech to the Senate, *Compte Rendu Analytique Officiel* no. 59, Tuesday, 29 February 2000, 4.
  - 14 Politicians’ resistance is clearly illustrated by the remarks of the Socialist MP for the Hautes-Pyrénées, Pierre Forgues, who sees parity as ‘an instance of intellectual violence’ that precludes any critical view of women in politics. He asserts: ‘Politics is not a matter of ethnicity, skin color or sex. Politics is first of all a commitment to serve an ideology, and others. I don’t want to choose an elected official because they’re white or a woman but because they advocate ideas that go beyond the person.’ Josette Durrieu, senator and elections secretary for the PS Haute-Pyrénées *département* section, also expressed reservations about the value of a law that does not take into account the fact that being a political actor is the fruit of a struggle and not the product of a quota rule.
  - 15 The expression ‘Stockholm syndrome’ alludes to the fact that in integrating dominant political norms — the implication being that those norms are gendered and in this case, male — women symbolically identify with their executioner. Michèle Barzach’s experience illustrates this relation of domination between male politicians and women, who only exist politically on condition that men sponsor, support or, at very least, tolerate them.
  - 16 On the impact of gender stereotypes on electoral choice, see Heldlund *et al.*, (1979, 513–524), and Fridkin-Kahn (1996).
  - 17 On this point, see the studies published in the framework of the Research Network on Gender and the State, begun in 1995 and supervised by Amy Mazur, and the MAGEEQ project, and co-funded by the European Commission from 2003–2007, two research networks that study ‘state feminism’ and public policy instruments related to the issue of equality.

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