

"Your Tax Dollars Buy Sex Discrimination!": The Fight for Equal Gender Representation in

France and the United States

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Studying Political Representation
Symposium on Hanna Pitkin's *The Concept of Representation*
Shattering the Glass Ceiling of Political Inequality

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Abbreviations

CACSW	Citizen's Advisory Council on the Status of Women
DNC	Democratic National Committee
EEOC	Equal Employment Opportunity Commission
LWV	League of Women's Voters
MDF	Feminine Democratic Movement (<i>Mouvement démocratique féminin</i>)
NOW	National Organization of Women
OFCC	Office of Federal Contract Compliance
PCSW	Presidents Commission on the Status of Women

Introduction

During the bitter 2007 French presidential election campaign, Socialist candidate Ségolène Royal battled conservative Nicolas Sarkozy for the most powerful and coveted position in the French political system. Beginning as a representative deputy in the French National Assembly in 1988, Royal previously served as president of the region Poitou-Cherantes, and occupied ministerial positions under several governments between 1992 and 2002. Royal's presence on the 2007 ballot constituted the first nomination of a female presidential candidate by a major political party in France.

Though her experience in the French political system qualified Royal for the presidential race, critics reacted to her presence by condemning her as both overbearing and inadequate. The French branch of the *Huffington Post*, in particular, ran a video of Royal speaking to the vice-president of Poitou-Cherantes with the headline "Ségolène Royal—too authoritative?"¹ Another popular French publication released an article comparing Royal to a "mouse in the middle of a herd of elephants" and titled her the "dame with two faces."² Criticisms surrounding Royal's gender revealed an underlying apprehensiveness towards women in power in France. Although Royal succeeded to the point of campaigning for the highest level of office, the French public's palpable reluctance to accept a female president manifested itself in her defeat to Nicolas Sarkozy in the 2007 presidential elections.

In the same year across the Atlantic, Senator Hillary Rodham Clinton entered the race for the United States presidency. She was elected senator of New York first in 2000, and again in 2006. Though Clinton maintained a successful career as a lawyer prior to her years in the White

¹ Le Huffington Post: Le Post Archives, "Ségolène Royal trop autoritaire?" Last modified May 20, 2008. http://archives-lepost.huffingtonpost.fr/video/2008/05/20/1195626_segolene-royal-trop-autoritaire.html

² Aymeric Mantoux, and Benoist Simmat. Le Revue Parlementaire, "Ségolène Royal, la dame aux deux visages." www.larevueparlementaire.fr/pages/RP891/RP891-lecture.html

House, she entered the national political scene as the First Lady of President William Clinton in 1992. Despite Clinton's considerable exposure to national politics, her 2008 presidential campaign withstood a barrage of opposition comparable to the French backlash against Ségolène Royal, much of which unapologetically assessed her competence in gendered terms.

Critics most notably reduced her presence in the national arena to her marriage to former President Clinton, stating that the "only reason she's a U.S. Senator, the reason she's a candidate for the presidency, and the reason she may be a frontrunner is her husband messed around"—referring to President Clinton's notorious sex scandal in 1997.³ Facebook users likewise created a group entitled "Stop Running for President and Make Me a Sandwich!" during the 2008 election campaign. Although receiving personal and professional criticism is nearly a requisite for entering public office, the American and French public's reaction to and portrayal of Hillary Clinton and Ségolène Royal revealed transnational perceptions and insecurities about females occupying high political positions in the early twenty-first century.

Clinton and Royal's candidacies stood out so distinctly because of the disproportionate political representation of men and women in the United States and France. Neither women had very many female political predecessors. Geraldine Ferraro was the first female to appear on a major party ticket as the vice-presidential nominee for the Democratic party in 1984; likewise, Elizabeth Dole became the first woman to be seriously considered for a major party presidential nomination in 2000.⁴ Before Ségolène Royal's campaign, Édith Cresson's brief term as prime minister from 1991 to 1992 represented the highest political position held by a female in French

³ Diana Carlin, and Kelly Winfrey, "Have You Come a Long Way, Baby? Hillary Clinton, Sarah Palin, and Sexism in 2008 Campaign Coverage," *Communication Studies*, 60, no. 4 (2009): 326-43.

⁴ Carlin and Winfrey, "Have You Come a Long Way, Baby? Hillary Clinton, Sarah Palin, and Sexism in 2008 Campaign Coverage," 329.

history. Yet the singularity of these successful female politicians simultaneously distinguished them as anomalies in a male-dominated political arena.

Gender disparity in political officeholding in the United States and France can be attributed to several historical factors—most notably, the late emergence of female suffrage. In the United States, women comprise 51 percent of the population, yet constitute a mere 17 percent of U.S. senators, 12 percent of state governors, and 8 percent of mayors in the top 100 largest cities in the U.S.⁵ Conventional theories surrounding the lack of females in office contend that females have only had several generations to organize themselves and generate interest in politics—a concept that ignores the centuries of political activism by females prior to receiving the right to vote.⁶ The long and bitter campaign for suffrage grew from the abolitionist rhetoric of the mid-nineteenth century, kindled the development of several women's rights organizations and culminated in the nineteenth amendment in 1920.

The composition of the French political body reflects similar imbalances. Despite a sharp increase in enthusiastic young women participating in public office in 1944-1946, women occupied only 1.6 percent of national deputies and 1.8 percent of senators in 1967. Since then, percentages of female deputies and senators have increased to 18.5 percent and 21.9 percent in 2007.⁷ Serious discussion of instituting female suffrage in France occurred only after suffragist groups put significant pressure on policy-makers in the years following World War II. French politicians played “political ping-pong” on the subject of women's enfranchisement; granting women the right to vote was not a “constitutional preoccupation” while France's provisional

⁵ Jennifer Lawless, and Richard Fox, “Men Rule: The Continued Underrepresentation of Women in U.S. Politics,” *Women & Politics: School of Public Affairs* (2012): 1-27.

⁶ Dorothy McBride Stetson, *Women's Rights in the USA: Policy Debates and Gender Roles* (New York: Routledge, 1997), 61.

⁷ Observatoire de la parité, “Données statistiques: Elections législatives 2007, les petits pas de la parité.” <http://www.observatoire-parite.gouv.fr>

government recovered from the Nazi occupation.⁸ After international pressure from major Western nations who had amended their constitutions to include female suffrage years earlier, the French Council of Algiers finally permitted women to vote in 1944.

Feminists and female political activists in France were keenly aware of this electoral disparity and its resistance to change. They found the lack of women in politics to be evidence of an oppressive political system that heavily favored the presence of men over women. The movement for equal political representation in France—defined as the movement for *parité*—sought to directly remedy gender imbalances through legal reform. “Paritarists,” as they called themselves, lobbied the national government to draft legislation throughout the 1990s. During the initial mobilization of the parity movement, French feminists and scholars made a marked decision to work against the American affirmative action model—one that promoted equal access rather than legislated numerical inclusion.

“Parity” can be defined several ways. The term “parity” generally refers to equality as demonstrated in practice, especially in terms of status or pay. In relation to the movement for equal gender representation in France, *parité* emerged when Françoise Gaspard, Claude Servan-Schreiber and Anne Le Gall specified the need for a national movement for equal numerical representation in *Au Pouvoir Citoyennes! Liberté, Égalité, Parité*, published in 1992. The authors defined parity as “perfect equality between men and women in decision-making bodies, especially in elected positions.”⁹ “Parity” was publicized as a constitutional right; equal representation in government symbolized the epitome of full citizenship and thus could not be denied to women.

⁸ Edith Fauré, “Parity Versus History,” in *Women, Feminism, and Femininity in the 21st century: American and French Perspectives* ed. Béatrice Mousli. (New York: Palgrave Macmillan, 2009), 122.

⁹ Frances Gaspard, “De la parité: Genèse d'un concept, naissance d'un mouvement,” *Nouvelle Questions Féministes* 14, no. 4 (1994), 32.

By the time this publication reached bookshelves in the 1990s, French feminists had already made numerous legal attempts to enforce greater numerical inclusion in politics. In 1982, for example, Gisèle Halimi proposed a constitutional amendment that would require at least 25 percent of public office positions in France to be occupied by women. In the same year, the French Constitutional Council, an executive assembly that determines the constitutionality of legal reforms, struck down Halimi's proposed amendment as a breach of the "universal citizen" clause of Article Three of the French constitution. French politicians originally designed this clause to erase the barriers that divided the French aristocracy and middle classes before the French people overthrew the monarchy during the 1789 Revolution. On this basis, the "universal" French national could not be divided based on religion or class, but it could clearly classify by gender; every male possessed equal opportunity to participate in public affairs, but women remained entrenched in the private sphere. By the 1980s, however, the Council decided that the universalist clause could *not* divide on a gender basis as it had centuries earlier, effectively rendering Halimi's 25 percent quota unconstitutional.

In order to work around the notion of the universal citizen, French parity activists in the 1990s argued that equal representation—a 50:50 ratio of female to male candidates on party platforms—did not obstruct universality, but rather gave a realistic representation of the population. In this sense, French "paritarists" needed to argue essentialist theories to receive recognition, a concept that American feminists staunchly disavowed. Essentialist ideologies assert that sexual differences can be attributed to biological traits that define how we behave as individuals. Using this idea as a strategy to combat the Constitutional Council's ruling in 1982, paritarists reasoned that women's perspectives were inherently different from men and deserved representation in the political sphere.

Feminists in the United States, however, largely discounted essentialist theories as being contrary to the quest for equality in the 1970s. The emerging political philosophy of American feminists by the end of the twentieth century revolved around the notion of gender and sexual identities as being socially constructed entities. Although biological distinctions between genders clearly exist (genitalia and secondary-sex characteristics), a large faction of American feminists asserted that what we perceive to be gender differences are actually socially constructed concepts.

The utilization of essentialist rhetoric by the French paritarists, then, provoked critical responses from American feminists and female activists. They argued that the discussion of inherent sexual differences provided justification for measures that promote inequality, such as keeping women out of the political sphere. The French paritarists concluded just the opposite: the nation's political context and constitutional framework required women to reinforce this rationale to argue that men *need* women to balance out the workplace and political arena.

This is precisely the paradox that American historian Joan Wallach Scott points to in *Only Paradoxes to Offer: French Feminists and the Rights of Man*. Feminists seek to deny gender differences as irrelevant qualifications for citizenship, yet simultaneously assert sexual difference to enter into the political sphere. The need to both "accept and refuse sexual difference in politics" forms the basis of Scott's assessment of French feminist history.¹⁰ The evolution of French feminism became a notable background on which the United States could draw upon and learn from.

Ten years later, in 2005, Scott released *Parité: Equality and the Crisis of French Universalism* to update her analysis in the aftermath of the parity movement. Scott insisted that

¹⁰ Joan Wallach Scott, *Only Paradoxes to Offer: French Feminists and the Rights of Man*, (Boston: Harvard University Press, 1996).

the arguments espoused in the parity movement were novel to feminist discourse. Paritarists held that sex *was* abstract and therefore irrelevant in politics. The parity movement did not aim to promote the special interests of women, but rather sought inclusion within the universalist framework. Thus the paradox was unavoidable. Scott accepts this inconsistency in principle as uniquely French and justifiable for the prospect of heightened participation in practice.

After a decade of campaigning for equal gender representation in French politics, the French National Assembly amended Article Three—which provides that French citizens cannot be divided on any basis—to include that the “law favors women’s and men’s equal access to elected office” in 1999.¹¹ A year later, the National Assembly and the Senate adopted Law No. 2000-493 to Favor Women’s and Men’s Equal Access to Elected Office. Both the amendment and the parity law constituted the first federal enforcement of equal gender representation across the globe. Joan Scott’s *Parité* ultimately demonstrates how the concept of universality excluded women from politics by highlighting the paradox of inclusion faced by paritarists as they pushed for equal gender representation. After the adoption of the 2000 law, *Parité* came to represent the myriad literature from American legal, political, and feminist scholars who analyzed French parity as a novel concept—one American feminists never enforced on a national scale.

Women activists in the United States employed various alternative strategies to increase involvement in the public sphere. Instead of lobbying the government for strict parity legislation, American activists began by pursuing equity through economic participation. Drawing on the rhetoric of civil rights legislation, feminist organizations—the National Organization of Women (NOW), in particular—pressured the government to enforce affirmative action policies in the

¹¹ Jocelyn Praud and Sandra Dauphin, *Parity Democracy: Women’s Political Representation in Fifth Republic France*, (Toronto: UBC Press, 2010), 2.

1970s. Equal access to employment would level gender imbalances in the workplace and empower women to pursue more prestigious occupations and, eventually, public office.

A very small minority of American women, however, pushed for parity legislation in the early 1920s. Just after gaining the vote via the nineteenth amendment, the League of Women Voters (LWV) led a small campaign for 50:50 legislation, demanding equal representation of men and women in party organizations.¹² State chapters of the League proposed that “both a man and a woman be elected from each precinct,” which would constitute the “county committee.” 50:50 representation would then be carried out through “district and state committees of each political party.”¹³ These campaigns received little attention and never reached the national stage; state legislatures filled with male politicians disregarded the proposition entirely. What little discussion of equal representation existed in the 1920s was filtered out and replaced by the idea of gender quotas, just as in France. Electoral quotas require a percentage (usually under fifty percent) of seats to be filled by women, as opposed to a parity democracy, which is composed equally of men and women.

Official gender quotas first appeared in 1920 when the United States when the Democratic party required that the Democratic National Committee (DNC) be comprised of one man and one woman from each state. They eventually modified their party constitution in 1968 to demand that state parties appoint female delegates for the National Convention in proportion to their percentage of the state population.¹⁴ They pushed even further to mandate 50 percent of state delegates in the DNC be composed of women in 1980, and have enforced this requirement

¹² McBride Stetson, *Women's Rights in the USA*, 61.

¹³ Barbara E. Zimmerman, “A History of the League of Women Voters of Indianapolis,” (PhD Diss., Butler University, 1970), 17.

¹⁴ Mona Lena Krook, Joni Lovenduski and Judith Squires, “Western Europe, North America, Australia and New Zealand: Gender Quotas in the Context of Citizenship Models,” in *Women, Quotas, and Politics* ed. by Drude Dahlerup, (New York: Routledge, 2006), 214.

ever since.¹⁵ Republican parties used less direct approaches to promote equal gender representation for their delegates, with the exception of a few state central committees requiring 50:50 representation.¹⁶ However, gender imbalances in public office did not necessarily reflect inaction by women activists. Both the Democratic and Republican parties made efforts to increase female political participation as delegates and committee leaders, subsuming female activism through increased representation in political parties.

During the 1960s, American feminists advocated for national action against inequality, but in associative, educative, and “commission” form. Scholars have recognized that the associative action of commissions was of uncertain power: it could focus and initiate governmental power, or deflect and diffuse it. The President’s Commission on the Status of Women (PCSW), created under the Kennedy administration, was the first women’s commission established in the United States. In *Women’s Rights in the U.S.A.*, Dorothy Stetson asserts that the creation of this commission was the “catalyst for the development of the contemporary feminist movement.” The PCSW’s first report “recommended the establishment of a permanent body in the Department of Labor: the Citizens’ Advisory Council on the Status of Women (CACSW),” which resulted in a government-wide push for equal employment opportunity policies. The creation of CACSWs in every state sparked the discussion of women’s issues on the national stage. Additionally, the meeting of the state CACSWs in 1966 initiated the foundation of the National Organization of Women (NOW), which subsequently established chapters in every state and became the nation’s largest and most prominent feminist organization in the latter half of the twentieth century.¹⁷

¹⁵ McBride Stetson, *Women’s Rights in the USA*, 75.

¹⁶ Mona Lena Krook et. al, “Western Europe, North America, Australia, and New Zealand,” 215.

¹⁷ The establishment of the PCSW, the emergence of statewide CACSWs and the foundation of the National Organization of Women are explained in detail in Dorothy McBride Stetson’s *Women’s Rights in the USA*, page 81.

The discussion of equal employment opportunity policies and their enforcement, out of which the CACSWs were formed, moved American political parties away from gender quotas as a strategy to increase female participation, and towards a primary focus on economic participation. Feminists argued that women should earn their positions on merit; accepting quotas merely reinforced the idea that women were unequal and needed the assistance of male politicians. Even when political parties and committees applied quotas to their charters, women soon became disillusioned by men choosing females who displayed the most willingness to cooperate with their male-dominated routines.¹⁸ This aim moved women to end participatory quotas in party constitutions between 1970 and 1990.

In an attempt to fulfill a campaign promise to improve upon the Eisenhower administration's weak civil rights record, President Kennedy issued Executive Order 10925, which revised the federal contract program to take "affirmative action to ensure" that employers increase the presence of previously-excluded workers. Recognizing the opposition of southern Democrats in Congress to civil rights legislation, Kennedy shied away from drafting a concrete act on nondiscrimination in organized labor, and instead crafted a contract compliance program that pressured businessmen to increase the numbers of minority workers.¹⁹ Employers also opposed, resenting public oversight of what they regarded as personal prerogative in hiring. At the same time, Kennedy's order required and measured *results*, in practice, rather than simply professed "equal opportunity." The policy's transformation from one that required nondiscrimination to one that actually demanded the presence of minorities made Executive 10925 appealing to feminist organizations; in it they found a promising goal of ending sexual discrimination in the work place.

¹⁸ Mona Lena Krook et. al, "Western Europe, North America, Australia, and New Zealand," 216.

¹⁹ Herman Belz details Kennedy's decision to issue Executive Order 10925 in "From Equal Opportunity to Affirmative Action" in *Equality Transformed*, (New Brunswick: Transaction Publishers, 1991), 18.

Additionally, the affirmative action clause of Executive Order 10925 influenced the Civil Rights Act of 1964 passed by the subsequent administration of President Lyndon Johnson. Political debate over Kennedy's affirmative action plan manifested itself in Title VII of the new Civil Rights Act, which recast equality in the politically less contentious non-discrimination form, thus avoiding the affirmative demonstration of equality-in-practice that opponents had stigmatized as unfair preferential treatment.²⁰ Instead, Title VII provided that employers who intentionally discriminated against individuals of a racial group or ethnicity would receive judicial punishment. Employers could not segregate or classify their employees in a way that would "deprive any individual of equal opportunities or otherwise adversely affect his status as an employee because of his race or other prohibited characteristics."²¹ Though the Civil Rights Act of 1964 seemed promising for the civil rights movement, Title VII was rarely enforced and required additional legislation to prompt results.

Both Executive Order 10925 and Title VII of the Civil Rights Act included nondiscrimination statutes in terms of race and sex. The enforcement of equal access for women, however, proved to be inadequate during the 1970s. Just as women built upon abolitionist and universal male suffragist rhetoric to demand the vote in the early 1920s, feminists in the 1970s coat-tailed on the gains of the civil rights movement for minorities. This both enabled activists to claim equal rewards and channeled women's quest for equality. Because of the inefficiency of the CACSW and the Equal Employment Opportunity Commission (EEOC), which was created to implement affirmative action policies, NOW formed a civil rights organization specifically for women. In order to demand the abolishment of sex discrimination in the workplace—and

²⁰ Belz, *Equality Transformed*, 25.

²¹ Ibid, 25.

subsequently in electoral politics—they needed to work within the civil rights policy framework itself.

The history of the equal employment opportunity and affirmative action policies that emerged from the civil rights movement channeled the American feminist movement towards the pursuit of gender, racial, and economic equality, taking a distinct move away from the discussion of political representation. The existence of such legislation enabled and attracted feminists to utilize equal employment opportunity as a powerful tool, thereby de-prioritizing, and eventually disabling, efforts to gain numerical equality in politics. In other words, pursuing and gaining equal employment made it difficult to address equal gender representation in policies later on. When American feminists watched the parity movement across the Atlantic, many of them viewed French priorities and strategies through a lens that magnified economic inequality—and therefore, in the affirmative action regime, inequalities of race and gender—rather than through one sharing French views of the primacy of political equality. While France introduced equal representation in politics as solely a gendered issue, the complicated history of inequality in the United States both pulled and enabled American feminists to seek equality in a way that de-prioritized political office holding, embraced, then later eschewed affirmative action emphases on results, and tied into the liberal individualistic legal discourse of individual rights, as it philosophically opposed essentialism.

Policy Models in the United States and France

Scholars have recognized the distinctions between the political systems, social spheres, electoral structures and activists' strategic choices in France and the United States that resulted in drastically different outcomes by the early 2000s. The constitutional amendment of 1999 and the

parity law of 2000 were the crowning achievements of French feminists in the 1990s. Though the United States never officially adopted federal legislation, they made several gains through the establishment of women's commissions, the appointment of female cabinet members under presidential administrations, and relentless public campaigning for fuller equality. Amy Mazur, an American political scientist and feminist scholar, was among the first to tie the distinctive strategies of the two nations' equality activists to their political effects. Contrasting the political representation policies in North America, Norway, France and Italy, she criticized French legislators for underutilizing the expertise of feminist organizations in the years before the passage of the parity law.

Mazur created a model to demonstrate how equal employment and political representation policies overlap. Using the above examples as nations who have adopted equal opportunity policies, she identifies three types of political representation policy: symbolic, positive action, and positive discrimination. Symbolic policies exist merely as representations of policy—they state “general principles of women's and men's equality without providing specific target numbers for women or the means to actively pursue sex balance in top positions.” Positive action policies essentially recruit women to the decision-making process through “public-information campaigns” and commissions and reports. Finally, positive discrimination policies “officially state the specific balance” between sexes in decision-making positions, whether it be a 50:50 ratio or through explicit gender quotas.²²

Mazur's analysis in *Theorizing Feminist Policy* places France in the positive discrimination model. Although France's parity legislation remains problematic, it specifies precise percentages that men and women must occupy in decision-making positions. Given that

²² Amy Mazur's political representation model addressed in this section can be found in her chapter on “Political Representation Policy” in *Theorizing Feminist Policy*, (New York: Oxford University Press, 2002), 63-80.

the United States did not have a formal and singular movement for parity, we can deduce that American women came into power through Mazur's positive action model. In other words, despite the lack of official legislation, there was still a concerted effort to bring women into decision-making roles via commissions and women's caucuses in the United States. France's legislation and the United States' efforts to promote female candidates share a history of male figureheads espousing anti-sexist policies for the purpose of gaining the women's vote. Though France's positive discrimination model appears to be more proactive in bringing women into the national sphere, Mazur argues that American feminists have proven more effective, making the complex history of the two places' policy development critical to understanding what has resulted.

The United States: Struggles for Affirmative Action in the 1970s

Though women and minorities received protection under Title VII of the Civil Rights Act of 1964, equal opportunity commissions held little power to enforce the law. In his State of the Union address in 1972, President Nixon defended fair hiring policies, stating that each citizen must receive "an equal chance at the starting line and an equal opportunity to go as far and high as his talents and energies will take him."²³ Despite Nixon's somewhat revealing omission of "her" in his public defense of affirmative action, his statement reflects the extent to which the discussion of fair hiring standards pervaded the national political sphere by the 1970s. Nixon essentially appeared in favor of policies that assisted minorities to garner their political support.

Comparable to much of the prominent civil rights legislation passed in the twentieth century, affirmative action policies proved to be fruitless without effective means of

²³ Belz, *Equality Transformed*, 94.

implementation. With the legislation in place to demand equality in the economic sphere, women activists lobbied for a federal committee that could enforce equal opportunity. President Lyndon Johnson's establishment of the Office of Federal Compliance (OFCC) in 1965 initially appeared to answer these demands. Acting outside of a "legal-judicial basis," however, meant the office could only "demand" that federal contractors adopt affirmative action in contract with the U.S. government.²⁴ In other words, the OFCC held little power to enforce affirmative action policies because it did not affect the force of law. The Equal Employment Opportunity Commission (EEOC), created under Title VII of the Civil Rights Act of 1964, was likewise bereft of legal power. Additionally, both the OFCC and EEOC channeled what potency they did have towards nondiscrimination towards racial minorities, avoiding sex discrimination as a crucial issue.

The newly created National Organization of Women took it upon themselves to challenge the officers of the OFCC and EEOC for their inadequacy in this field. Ignoring sex discrimination in the workplace seriously debilitated women's progress in the economic sphere. Feminists thus prioritized equality in the workplace as the chief concern of the 1970s—without the foundation of equal economic opportunity, women could not proceed successfully in the political sphere. NOW's activism symbolizes the priorities of the American feminist movement during the 1970s. Arguing against sexism in the workplace and the non-enforcement of affirmative action policies, NOW feminists first took up arms against ineffectual administrative committees.

At a meeting of the Interstate Association of Commissions on the Status of Women in 1971, NOW officers spelled out the existing mandates against sexual discrimination that were not being enforced. Among the top two were Title VII of the Civil Rights Act of 1964 and

²⁴ Ibid, 89.

Executive Order 11246—which President Lyndon Johnson issued to prohibit discrimination on the basis of race, color, religion, sex, or national origin by federal contractors. Though these policies contained specific instructions prohibiting sexual discrimination in the workplace, NOW feminists argued that the OFCC and other implementation commissions viewed discrimination on the basis of sex as secondary to racial discrimination.²⁵ In other words, the OFCC enforced fair hiring standards for African Americans far more frequently than they did for women.

In the official memos from the same conference in 1971, NOW leaders expressed their concerns that the “failure to include enforcement policies and procedures for eradicating sex discrimination along with those designed to apply to racial, religious, and ethnic minorities” was evidence of “foot-dragging” and the “half-hearted effort” of these agencies to protect the rights of women.²⁶ They reference specifically the U.S. Civil Rights Commission’s power to “investigate discrimination only on the basis of race, religion, color and national origin,” but not sex. NOW leaders noticed a serious lack of “strong affirmative action progress for hiring and promoting women” in the government itself, and consequently requested that the House Government Operations Committee hold hearings to “evaluate” federal enforcement against sex discrimination in both its “internal and public programs.”²⁷ As NOW powerfully asserted, the relative inaction in practice showed that executive orders, federal policies and implementation committees sought to end sex discrimination in name only.

²⁵ National Organization for Women Records, 1959-2002; “Proposed Resolution for Consideration by the Conference of the Interstate Association of Commissions on the Status of Women, 1971. MC 496, folder 34.11. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

²⁶ National Organization for Women Records, 1959-2002; “Proposed Resolution for Consideration by the Conference of the Interstate Association of Commissions on the Status of Women, 1971. MC 496, folder 34.11. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

²⁷ National Organization for Women Records, 1959-2002; “Proposed Resolution for Consideration by the Conference of the Interstate Association of Commissions on the Status of Women, 1971. MC 496, folder 34.11. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

Similar to how the French expanded the definition of the “universal” citizen to include gender, American feminists in the early 1970s realized the benefit in redefining the term “minority” to include females. Though affirmative action policies made only relatively small gains for minorities (not including females) before the 1970s, they decided to piggyback on their successes to argue against sex-based discrimination. For example, in *Griggs v. Duke Power Co.*, the Supreme Court banned job requirements that were unrelated to the particular “task to be performed” and which disproportionately excluded blacks from participation.²⁸ This prevented employers from forcing potential employees to meet irrelevant job requirements. While the Griggs case involved African American male employees, American feminists used the same rhetoric to argue against unrelated job requirements for women.

In 1971, President Nixon revised Order No. 4, which provided a comprehensive system of goals, timetables and underutilization research for remedying the imbalances in the workplace to emphasize women in affirmative action plans. The order required contractors to “make an analysis of their personnel to determine the representation of women and minorities by various job categories and levels of pay” and then develop a reasonable plan to resolve the disparities between employees.²⁹ Though this appeared to be a victory for female employees, it was not actively enforced, at least initially. NOW feminists utilized Order No. 4 as both a symbol of their demands and a powerful tool through which they could mobilize research and advocacy to force equal employment action. They began by sending out vehement letters to federal agencies with explicit instructions on how to implement affirmative action policies in favor of women. Gene

²⁸ National Organization for Women Records, 1959-2002; “A Decade of New Opportunity: Affirmative Action in the 1970s” Herbert Hammerman Potomac Institute, 1985. MC 496, folder 89.5. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

²⁹ National Organization for Women Records, 1959-2002; “A Decade of New Opportunity: Affirmative Action in the 1970s” Herbert Hammerman Potomac Institute, 1985. MC 496, folder 89.5. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

Boyer, one of NOW's prominent founders, organized a group called Womanpower Consultants to assess the "requirements and recommendations" for affirmative action policies for women. In October of 1971, Womanpower Consultants issued a pamphlet to several federal agencies delineating the requirements laid out by Order No. 4, including checking the availability of unemployed women in the surrounding area and the anticipated "expansion, contraction and turnover of the contractor's [current] work force."³⁰ They also recommended that federal agencies employ "full-time" feminist leaders to help track the progress of these affirmative action policies within each company. This particular facet of NOW's action plan exemplified Amy Mazur's argument in *Theorizing Feminist Policy* that effective political representation and equal employment policies consulted with feminist and minority organizations. NOW argued that those whom the policies would directly affect should be involved in their formation, and used this assertion to force entry and equality-favoring reanalysis through Order No. 4.

Affirmative action as a whole received immense resistance from Nixon's appointed federal agencies and employers who felt that it imposed on their prerogatives, and devised the argument that it constituted a form of reverse discrimination. The small initial successes in ensuring equal employment for African Americans led opponents to cast the measurement of equal hiring as objectionable. "Quotas" received even more backlash. Many employers felt that requiring a percentage of their positions to be filled by minorities or women would somehow take away the opportunity of an able-bodied and qualified white man. In other words, critics claimed that affirmative action policies designed to counteract discrimination actually discriminated in the opposite direction—against white men. This argument, however, ignored that "reverse discrimination" could be easily remedied for white men, whereas women and

³⁰ National Organization for Women Records, 1959-2002; "Affirmative Action Programs for Women: Requirements and recommendations, Womanpower Consultants, Papers of Gene Boyer, dates. MC 496, folder 33.31. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

minorities suffered from historical inequality that continued to thwart their opportunities.

Bowing to critics' cries of reverse discrimination, administrators of policies like Order No. 4 displayed vague and ambiguous language, such as taking every "good faith effort" to implement goals and timetables. Legislators made sure to point out that each policy was *not* a "quota" that tampered with "qualification and other mitigating factors."³¹ Present in these policies was a deep-seated fear that delegating work to women and minorities would dull the institutionalized power of white men. This rhetoric was not lost on the organizers of NOW and other feminist groups, who continued to battle with federal agencies for the right to equal employment.

NOW officers worked tirelessly to force federal agencies to take them seriously. Though several agencies issued statements implying they would organize committees to create goals and timetables, these panels rarely met and never consulted human resources and feminist representatives.³² In response, NOW issued a statement demanding nothing less than full compliance with Order No. 4; because they share a "common cause" with racial and ethnic minorities, everyone should receive the benefits of these policies.³³ Likewise, they attacked the EEOC and the OFCC for the failure to enforce "their own existing mandates" in the area of sex discrimination.³⁴ Again following Amy Mazur's equal employment policy model, the National Organization of Women transformed a political situation intended to be symbolic and forced administrators to deploy the policies for change.

³¹ National Organization for Women Records, 1959-2002; "A Decade of New Opportunity: Affirmative Action in the 1970s Herbert Hammerman Potomac Institute, 1985. MC 496, folder 89.5. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

³² National Organization for Women Records, 1959-2002; "National Organization of Women Newsletter: Background on Federal Action Toward Equal Employment Opportunity for Women." MC496, folder 34.11. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

³³ National Organization for Women. Records, 1959-2002; "National Organization of Women Newsletter: Background on Federal Action Toward Equal Employment Opportunity for Women, January 1971" (page 8), MC496, folder 34.11. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

³⁴ National Organization for Women. Records, 1959-2002; "National Organization of Women Newsletter: NOW Blasts Federal Enforcement Agencies on Job Reports for Women, November 1970," MC496, folder 34.11. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

In April of 1971, Aileen Hernandez, the President of NOW, sent a particularly hostile letter to the director of the OFCC, John Wilks. Responding to Wilks's request to involve Hernandez in a consultative committee for the OFCC, Hernandez accused the director of choosing a committee of "unreconstructed 'sexists,'" and for asking her to participate as a token feminist that would essentially be voiceless.³⁵ She stated that she was "appalled" that the OFCC "view[ed] the matter of enforcing the prohibitions against sex discrimination as an optional duty—not subject to the same set of guidelines as the prohibitions against racial, religious, or ethnic discrimination."³⁶ As the African-American president of the National Organization of Women, Hernandez found the lack of diverse (by gender and race) members in Wilks's proposed committee to be disgraceful. If the OFCC legitimately wanted to discuss how to successfully implement their own policies, creating a task force of all-white men and a small portion of selected feminists only reinforced their disinterest toward ending sex discrimination. Hernandez was particularly skeptical of the OFCC given the thousand charges of sex-discrimination filed by NOW in the previous year—all of which were ignored by the commission.³⁷ If they would not improve their own hiring practices, NOW refused to participate in their committees or argue in their favor under any circumstances.

In addition to the composition of the commission, the structure of the OFCC made implementing any type of equalizing policy extremely difficult. Each executive department of the commission included its own OFCC agency responsible for overseeing the compliance of

³⁵ National Organization for Women. Records, 1959-2002; "Letter from Aileen Hernandez to John Wilks, April 21, 1971." MC496, folder 34.11. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

³⁶ National Organization for Women. Records, 1959-2002; "Letter from Aileen Hernandez to John Wilks, April 21, 1971." MC496, folder 34.11. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

³⁷ National Organization for Women. Records, 1959-2002; "Letter from Aileen Hernandez to John Wilks, April 21, 1971." MC496, folder 34.11. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

that particular branch of contractors.³⁸ To ensure inter-departmental consistency, the OFCC would have needed agencies to cooperate with a uniform system of contract compliance. The lack of such a system made it difficult for women to rely on the commission to address their complaints. Even the useful aspects of the OFCC—the right to a court procedure, the burden of proof on the employer, and their acceptance of complaints that possessed minimal evidence—fell victim to the commission's ineffective organization. As a result, NOW, and more importantly, the wider body of American female employees, could not rely on the OFCC to represent them or respect their complaints.

Aileen Hernandez had previously worked for the Equal Employment Opportunity Commission (EEOC) but resigned due to its inability to adequately address sex discrimination. Her contempt—and more importantly, her political critique—of the organization manifested itself in a series of letters to the 1971 director of the EEOC. In one letter in particular, Hernandez noted the apathy of Mr. Joseph Fagan, who treated the entire matter of sex discrimination as a joke. This followed a pattern of EEOC and OFCC directors showing little regard for the issue of gender equality in the workplace. One of the stipulations of Title VII included placing job advertisements in non-sex-segregated columns. This clause received exceptionally low rates of compliance—a charge that Aileen Hernandez found despicable. At a meeting of the Wisconsin Chamber of Commerce, Joseph Fagan had apparently laughed about the sex-segregated newspaper columns and never fully addressed the need for employers to respect the guidelines.

³⁸ National Organization for Women. Records, 1959-2002. "Feminism vs. the Feds, Ann Scott, Woman's Place in the Work Force, Issues in Industrial Society, vol 2 issue 1, 1971." MC496, folder 34.11. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

Even further, Hernandez attacked the EEOC for having a remarkably small amount of women in the higher grade levels of the commission or in supervisory positions.³⁹

The EEOC and the OFCC provide perfect examples of Mazur's symbolic policy model—both commissions were created to end discrimination in name only. Given the amount of evidence illustrating the ineffectiveness of both commissions, we can infer that the 1960s and 1970s yielded relatively few results for women in terms of equal employment. The work of the National Organization of Women, however, put considerable pressure on federal agencies to consider sexual discrimination as worthy of redress. Despite the lack of widespread success, American feminists still publicized the importance of women's participation in the economic sphere. Though affirmative action policies did help women enter the workforce to some degree, they ultimately resulted in many politicians reverting to more conservative methods of law-making. Many yearned for an earlier time when minorities and women demanded and expected less from legislators. As a result, most affirmative action policies met their end by the time President Reagan entered office in 1981. Additionally, given the long battle for affirmative action in the workplace alone, policies for equal political representation seemed far-fetched and impossible.

France: Struggles for Parity in the 1990s

To fulfill a campaign promise to women voters, President Jacques Chirac established the Observatory for Parity between Men and Women in France (*Observatoire de la Parité entre les hommes et les femmes*) in 1995. The Observatory was designed to monitor and research the progress of women in politics. Acting outside of a legal-judicial basis, however, the Observatory

³⁹ National Organization for Women. Records, 1959-2002; "Letter from Aileen Hernandez to William Brown, January 1, 1971." MC496, folder 34.11. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

could only provide reports on the status of parity for political leaders, rather than enforce solutions. Many scholars analyzing the campaign for parity argue that advocacy from both right and left political parties—exemplified by the creation of the Observatory—indicated little more than symbolic support for the movement. In other words, because advocates of gender-based issues constituted a portion of the public, political candidates publicly supported the parity movement to gain voter approval. The Observatory was established without the consultation of feminist agencies or parity proponents who launched the campaign in the early 1990s. As a result, the agency possessed limited resources, held little authority and essentially acted as a study group.⁴⁰

Prime Minister Alain Juppé indicated that the committee's purpose was to examine the causes and to seek resolutions for the under-representation of females in public office. When he participated in the parity debates of 1997, however, Juppé spoke to a "half-empty assembly," arguing that the problem of unequal representation would be solved in time."⁴¹ Though Chirac and Juppé's administration publicly advocated political inclusion of females through the creation of the Observatory for Parity, the absence of an effective chain of command in addition to limited resources indicated apathetic support of the cause. Like Nixon in his state of the union address, Juppé and Chirac chose to merely profess support in order to adhere to public demands for equality.

Yet arriving at the President's decision to create the Observatory of Parity required years of lobbying by feminists and activists for equality. The democratizing ideology that underpinned French feminism was in flux during the late twentieth century, rendering activism critical during

⁴⁰ Mazur, *Theorizing Feminist Policy*, 73.

⁴¹ Ibid, 73.

this period. Laure Bereni, a French feminist scholar for the French National Center for Scientific Research, argued that the decline of leftist ideologies during the 1970s and the eventual collapse of communist regimes in the 1980s-1990s revitalized republican universalism in France.⁴²

Bereni defines republican universalism as a “set of principles rooted in the formative experiences of the French revolution, specifically in the 1789 ‘Declaration of the Rights of Man and Citizen’”—a famous document in which the French people demanded the right to be free and emphasized the power of the law to protect the nation’s people. To combat centuries of oppression under the monarchy, immense poverty and social discord, French citizens declared their natural right to be recognized by the state as universal and deserving of human rights. All men were held to share a universal equivalence of status and rank and social distinctions could be made only if it advanced the general welfare of the populace. Bereni situates republican universalism as a “recurrent discursive obstacle to women’s demands for inclusion,” adding further that “republic universalism presents itself as a set of immutable norms, informing legitimate political discourses and practices,” especially since the establishment of the Fourth and Fifth Republics in France.⁴³

The newfound universalist ideology of the 1790s left a profound imprint on the French population and served as a founding principle of every republic since established in France. Yet the Third and Fourth Republics witnessed drastic revolutions of their own sort, beginning with Napoleon Bonaparte’s expansion of the French Empire under a neo-monarchy in the early 1800s and lasting until the inauguration of Charles de Gaulle after the Nazis left France in 1944. The Fourth Republic founded under de Gaulle brought a wave of social egalitarianism, stemming perhaps from the desire to discredit the politics that had brought war, defeat, and occupation.

⁴² Laure Bereni, “French Feminists Renegotiate Republican Universalism: The Gender Parity Campaign,” *French Politics 5* (Palgrave Macmillan, 2007), 199.

⁴³ Bereni, “French Feminists Renegotiate Republican Universalism: The Gender Parity Campaign,” 192.

During this period, immigrants from neighboring countries found refuge in France and women began to participate more directly in politics. The discussion of women's and immigrant rights formed a critique of universalism, especially as it was used to sustain exclusions. Various factions of the public began to argue that ethnicity, race, religion and sex constituted valid forms of recognition under the government. Universalism, on the other hand, restricted citizens from being acknowledged as anything other than a French national. Bereni notes, "as Amy Mazur puts it, the universalist doctrine in place since the French Revolution proved to be 'gender-biased' as much as gender-blind."⁴⁴

The political climate following the post-war flood of immigration out of Algeria and the bicentennial of the French Revolution in 1989 put conflicting forces of multiculturalism and universalism in motion. While the public celebrated the anniversary of the Revolution in 1989, concentrated national pride ushered in the reemergence of an exclusionary universalist discourse into the political sphere. The growing presence of Algerian immigrants and citizens from other French imperial provinces simultaneously prompted many French citizens to react negatively to those they decried as foreigners and catalyzed a nationalist movement in France. As a result, the extreme right, running an anti-immigration platform, witnessed a dramatic increase in popularity during the 1970s.⁴⁵

The reemergence of these republican universalist ideals, championed across partisan lines between 1970 and 1990, publicly challenged the progress made by women's and ethnic rights groups. Republican universalists protested the idea of quotas and community representation; giving preference to an identified community was actually contrary to "universal" equality under this ideology. For many French feminists, the revitalization of this rhetoric further

⁴⁴ Ibid, 192.

⁴⁵ Gill Allwood, and Walia Khursheed, *Gender and Policy in France: French Politics, Society and Culture Series*, (London: Palgrave Macmillan, 2009), 153.

emboldened their desire to participate in politics to support women's rights on the national level. Yet the postwar baby boom in France "constantly emphasized the women's role as homemaker," suppressing the progress of women's associations and political representation issues.⁴⁶

Though this perspective triumphed during the 1970s, political equality feminists worked to take back the conversation throughout the 1980s and 90s. In the beginning of 1980, the group formerly known as *Psychanalyse et Politique* reestablished themselves as the Women's Liberation Movement (MLF). The MLF championed women's right to autonomy from their husbands, abortion, contraception, and ultimately, equal political representation. Despite political divisions and ideological conflicts within the MLF, they united to rally around Socialist party candidate François Mitterrand in the 1981 presidential elections. Because Mitterrand lost both the 1965 and 1974 presidential elections, he began appealing to women voters by the 1980s.⁴⁷ The MLF responded positively to his progressive claims about equality and women's rights and ultimately helped Mitterrand defeat incumbent President Giscard d'Estaing in 1981. In response to their demands, he became the first president to publicly support increased gender representation in politics.

Outside pressures from European women's coalitions also contributed to the formation of the concept of parity during this period. Monique Dental, a French socialist and feminist active during the 1980s, credited the German Green Party with making French feminists aware of parity. An environmentalist and activist party, Die Grünen introduced the idea of *la parole alternée* to allow men and women to take turns speaking at party meetings. In an interview with historians Jocelyne Praud and Sandra Dauphine, Dental recounted that Die Grünen influenced her to introduce parity to the *Arc-en-Ciel* movement, a political group that promoted

⁴⁶ Praud et. al, *Parity Democracy*, 16.

⁴⁷ Praud et. al, *Parity Democracy*, 20, 53.

participatory and representative democracy in France. *Arc-en-Ciel* subsequently decided to operate along parity lines at its first general assembly; Dental recalls that the movement was “so intent on fundamentally changing politics that it was open to trying all kinds of arrangements.”⁴⁸ Additionally, the French Green Party began “inscribing the principle of parity in its new party statutes” in 1989, illustrating the influence of the German Green Party on groups within France. The German Green Party functioned as an example for feminists looking to launch a new kind of political system in France—one that adequately represented women. Instituting parity was not just an abstract objective, but one that could be feasibly obtained through legislation.

To formally set this new political system in motion, fourteen European women politicians met in Athens for the first European summit on “Women in Power” in 1992. On November 3, the delegates published the “Declaration of Athens,” charging all European states to actively pursue equal representation in public office. Noting that most European countries had not seen improvements in women’s participation in politics, the delegates “lamented the absence of political strategies to translate the principles of democracy into reality.”⁴⁹ The Declaration of Athens was the first meeting of international feminists to promote equal representation among European countries. Edith Cresson, the only female to ever occupy the French prime minister position, represented France at the summit. Following the release of the Declaration, French feminists began pushing parity to the national level.

A year later, on November 10, 1993, the daily newspaper *Le Monde* published “Manifeste des 577 pour une démocratie paritaire” signed by 288 men and 299 women in support of a parity democracy. The Manifesto was authored by the Women’s Parity Network

⁴⁸ Praud et. al, *Parity Democracy: Women’s Political Representation in Fifth Republic France*. UBC Press, 2010. (22, 56)

⁴⁹ A translated version of the “Declaration of Athens” can be found in Jocelyn Praud and Sandra Dauphin’s *Parity Democracy* (Toronto: UBC Press, 2010), 113.

(Réseau Femmes de la parité), who chose the number 577 to represent the number of deputies in the National Assembly.⁵⁰ This was the first public manifesto in France to publicize the concept of parity—especially with such a significant backing of politicians. The Manifesto called for specific national legislation, asking for an “organic bill” that declared “local and national elected assemblies should be composed of the same number of men and women.” By “turning a blind eye to the perennial exclusion of women from democratic representation,” the Manifesto stated, the “French republic, which considers itself to be democratic, has placed itself in second to last place among European countries in terms of women’s parliamentary representation.”⁵¹

Both the German Green Party and the Declaration of Athens persuaded the French that parity was of utmost importance and could be feasibly obtained. After decades of failed attempts to institute quotas, the 1990s brought concrete discussions of parity laws that could legislate equal gender representation into the French judicial system. Though the concept of parity permeated various French agencies, like *Arc-en-Ciel* and the Green Party, the Manifesto initiated the public debate on parity in local and national elections.

By 1995, the issue of parity reached the national stage. Proponents of parity, from the MLF to the Feminine Civil and Social Union (*Union féminine civique et sociale*), lobbied the government to legislate parity, using their status as a voting bloc to pressure political leaders. When Jacques Chirac issued Decree No. 95-1114 to create the Observatory of Parity between Men and Women in 1995, it confirmed that parity had finally permeated the top levels of government. Chirac, a member of the center-right party Rally for the Republic (RPR), issued the Decree shortly after becoming president in the summer of 1995. Because women’s issues became central to the presidential elections—for example, the MLF’s endorsement of Mitterrand

⁵⁰ Laure Bereni, “French Feminists Renegotiate Republican Universalism: The Gender Parity Campaign.” *French Politics* 5 (Palgrave Macmillan, 2007), 196.

⁵¹ “Manifeste des 577 pour une démocratie paritaire,” *Le Monde*, November 10, 1993.

in 1981—Chirac attempted to project a “more modern image” in his campaign. He promised to establish an Observatory to survey women’s roles in both state and society, and to “disseminate information, enlighten decision makers, and make recommendations for reform.”⁵² A few months after his election, Chirac and the prime minister, Alain Juppé, issued the Decree to create the agency.

The Observatory of Parity (*Observatoire de la parité entre les femmes et les hommes*) held high aspirations. In Chirac’s Decree, he laid out the foundations of the Observatory, stating its mission to “collect data, commission, and produce analyses” on the national and international status of women, and placing Alain Juppé as the chair of the agency. Chirac likewise placed a prominent right-wing female politician Roselyne Bachelot-Narquin as the general reporter and Gisele Halimi, the former National Assembly deputy who advocated for a quota amendment in 1982, as political commission’s reporter.⁵³ The Observatory seemed promising with its distinguished officials and comprehensive mission statement.

In an interview with Roselyne Bachelot-Narquin in 2001, she claimed that a “great deal of energy was put into preparing reforms,” and stated that they “settled the question concerning the necessity of a constitutional reform.” In their report to Alain Juppé, Halimi and Bachelot-Narquin stated that parity could not be achieved in public office without amending the constitution.⁵⁴ Though the two reporters came from opposing political parties, they united to help move parity forward.

When Alain Juppé entered the parity debates of 1997, he pledged that his government would immediately begin drafting an amendment to address parity in the National Assembly and

⁵² Praud et. al, *Parity Democracy*, 24.

⁵³ A translated version of Decree No. 95-1114 to Create an Observatory Between Men and Women can be found in Jocelyn Praud and Sandra Dauphin’s *Parity Democracy*, (Toronto: UBC Press, 2010), 119.

⁵⁴ Praud et. al, *Parity Democracy*, 22, 56.

Senate. Yet he added that the “problem would be resolved once women had been through the initial period of political apprenticeship.” In other words, Juppé felt that the underrepresentation of women was not a structural problem, but rather the result of a lack of experience in politics. Feminists observers felt Juppé’s comments demonstrated the “symbolic nature” of both the Observatory and of the Chirac’s administration’s support of parity in general. Though Halimi and Bacherot-Narquin worked tirelessly to create a report for Juppé to consider creating policies to cement parity, the prime minister publicly flouted women’s progress. After all, “women had only obtained the vote in 1945.” Additionally, with Juppé as the chair of the subcommittee, they lacked a clear chain of command, possessed limited resources, and “essentially [acted as] as a study group.” Even though Chirac and Juppé championed parity during the 1995 elections, the Observatory of Parity’s ability to effectively take action was damaged by the structure, lack of funding, and the prime minister’s apathetic support.⁵⁵

Even the name “observatory” implied that the committee could only monitor the political environment, rather than actively implement policy. Similar to NOW’s fight for the enforcement of anti-sexist policies under the OFCC, however, parity activists continued to draft a bill that would amend the constitution. When socialist leader Lionel Jospin defeated Alain Juppé in the 1997 legislative elections, he immediately proposed a draft amendment to Parliament. Though he did not explicitly mention parity in his draft, he suggested that the third article of the constitution be amended to include a clause on women’s equality.⁵⁶ The third article, which states that “no section of the people nor any individual may arrogate to itself, or to himself, the exercise thereof,” fully embodied the universalist ideology of the early French republicans.⁵⁷ Jospin’s

⁵⁵ This paragraph draws on Amy Mazur’s “Political Representation Policy” in *Theorizing Feminist Policy*, (Oxford University Press, 2002. (73).

⁵⁶ Ibid, 73.

⁵⁷ L’assemblée nationale, “Constitution of October 4, 1958,” <http://www.assemblee-nationale.fr/english/8ab.asp>

draft proposed that article 3 be amended to include “that the law favor women’s and men’s equal access to elected office.” The socialist party previously attempted to fill thirty percent of its candidacies for the 1997 legislative elections.⁵⁸ This amendment, however, moved beyond quotas to permanently alter the constitution.

Femmes et Hommes Pour la Parité lobbied the National Assembly and Senate to support the new bill and proposed further to replace “favor” to include a more “constraining verb.”⁵⁹ Many feminists saw the term “favor” as a way to loosely add parity to the constitution, leaving room for interpretation away from the enforceable standard. Despite these objections, however, the National Assembly and Senate passed Jospin’s bill on July 8, 1999. The Constitutional Law No. 99-569 stated that “the law favors women’s and men’s equal access to elected access” would be added to article three, and an additional line would be added to article 4: “they contribute to the implementation of the principle stated in the last line of article 3 under conditions determined by the law.”⁶⁰ President Jacques Chirac and Prime Minister Lionel Jospin both signed the law.

Several parity activists interviewed in Jocelyn Praud and Sandra Dauphin’s book, *Parity Democracy: Women’s Political Representation in Fifth Republic France*, lamented the passage of the constitutional law in 1999. Each a prominent female politician in her own right, they worried initially that passing a law so quickly would result in watered-down and weak policy. In Halimi’s interview, she labeled the amendment “inadequate” because the word “parity” was purposely left out of the Constitution. She argued that “parity” held “symbolic significance” and

⁵⁸ Praud et. al, *Parity Democracy*, 24.

⁵⁹ Praud et. al, *Parity Democracy*, 24.

⁶⁰ A translated version of Constitutional Law No. 99-569 on Equality between Women and Men, 8 July, 1999 can be found in Jocelyn Praud and Sandra Dauphin’s *Parity Democracy*, (Toronto: UBC Press, 2010), 131.

“emphasize[d] a new philosophy of citizenship.”⁶¹ Instead, the law favored equal access, a vague phrase that loosely advocated for an increase in equal representation.

Sylvie Ulrich, a member of the Union féminine civique et sociale and an active local politician since the 1970s, felt the reform to be extremely disappointing; with “no obligation, the law does not *guarantee* equal access.” Though Ulrich was “rather satisfied with the amendment to Article 4 of the Constitution” for its ability to impose impositions on those who do not follow the law, she felt that the law “overall remain[ed] unsatisfactory.”⁶² Finally, Rosleyn Bacherot-Narquin admitted that the National Assembly and Senate adopted the measure too quickly; paritarists wanted the language of the law to be more “specific,” an accomplishment that would come with time. Bacherot-Narquin also stated that paritarists “perceived the constitutional reform as being quite removed from what they had wanted in the first place.”⁶³

In other words, parity activists felt the hurried passage of the parity laws reflected compromised policy rather than an earnest desire to change the political system. After only a decade of activism, the amendment revealed the earnest political determination to promote women’s access to politics. At the same time, it seemed the National Assembly and Senate’s eagerness to pass an amendment triumphed over feminist agencies’ concerns with the new law. President Chirac showed particular resistance to the inclusion of “parity” in the constitution. Yvette Roudy explained that “institutionalists who [thought] of themselves as the guardians of French tradition and refused to recognize any new phrase” drafted the bill. In their eyes, “parity” or “sexism” [did] not exist.⁶⁴ Once again, the republican values of early France reemerged to handicap the progress of the women’s movement.

⁶¹ Praud et. al, “Women’s New Cause: Gisèle Halimi,” 51.

⁶² Praud et. al, “Equality in the Political Sphere: Sylvie Ulrich,” 65.

⁶³ Praud et. al, “A Voluntarist Measure to Achieve Equality: Roselyn Bacherot-Narquin,” 79.

⁶⁴ Praud et. al, “An Extraordinary Measure to Overcome Men’s Extraordinary Resistance: Yvette Roudy,” 85.

After the amendment passed in 1999, the Chirac administration introduced Law No. 2000-493 to Favor Women's and Men's Equal Access to Elected Office on June 6, 2000. This time, the policy laid out a specific formula for instituting parity in politics. For example, municipal and regional elections would need to provide an equal number of candidates from each sex. The same would apply for European elections, with an additional clause that stated that each list must alternate male and female candidates. Law No. 2000-493 also stipulated that the government must draft a report every two years on the "feminization of cantonal, senatorial and municipal elections, the decision-making bodies of inter-town structures, and local executives."⁶⁵ Financial penalties would be applied if political parties refused to comply with these stipulations.

For this reason, Yvette Roudy, the founder of the Feminine Democratic Movement (MDF), believed the policy only partially applied parity, representing a compromise between paritarists and their opponents. Because the law only pertained to municipal towns of 3,500 inhabitants or more, many political parties preferred to accept the penalties rather than hand over the primary constituencies to women. Likewise, the alternation of female and male candidates only applied to lists of six candidates; this made it impossible to enforce this stipulation in towns with a higher number of candidacies. In 2001, Roudy felt the "law [would] not change anything in the legislative elections."⁶⁶ Feminist theorist and philosopher Geneviève Fraisse likewise gathered that the law would have little power in legislative elections, which operate on a majoritarian electoral system. Every time she comes back to Paris, Fraisse stated, she is astonished by how masculine the National Assembly is.⁶⁷

⁶⁵ A translated version of Law No. 2000-493 to Favor Women's and Men's Equal Access to Elected Office, June 6, 2000 can be found in Jocelyn Praud and Sandra Dauphin's *Parity Democracy*, (Toronto: UBC Press, 2010), 135.

⁶⁶ Praud et. al, "An Extraordinary Measure to Overcome Men's Extraordinary Resistance: Yvette Roudy," 86.

⁶⁷ Praud et. al, "A Tool for Equality: Geneviève Fraisse," 97.

The legacy of the 1789 Revolution and the reemergence of universalist discourse in the 1970s helped launch the parity movement among French feminists. In the end, the decades of activism leading up to the creation of both the Observatory of Parity and the Parity Laws of 1999 and 2000 set the stage for both enthusiasm and disappointment. Women's groups and prominent female politicians, like Gisèle Halimi, Roselyn Bacherot-Narquin, Sylvie Ulrich, and Yvette Roudy, successfully lobbied the national government to recognize parity formally. Despite the passage of concrete laws, however, many feminists felt the parity policies were inadequate and unsatisfactory. Overcoming the obstacles of universalism could certainly be considered a success, but the weak language of the amendment and the ineffective enforcement policies under the 2000 law revealed the national government's underlying resistance to parity. Because Chirac and Juppé created the Observatory of Parity without consulting feminist intellectuals, the committee represented the interests of equal representation only figuratively. Like the American OFCC, the Observatory professed the notable aspiration to end inequality but provided few resources to accomplish the task. Alain Juppé's public patronization of female politicians in his 1997 speech proved that many politicians in the federal government supported parity only symbolically. In other words, if the chair of the Observatory believed females incapable of serving office without a period of apprenticeship—i.e. under male politicians' tutelage—then the whole agency appeared futile. Jocelyn Praud and Sandra Dauphine's interviews with parity activists in 2001-2002 give us a perspective on the perceived efficacy of these laws shortly following their passage.

Symbolic Policies and Transatlantic Perspectives

Both the Observatory for Parity and the OFCC were created under administrations who espoused equal rights in response to political pressure from activist organizations. During the 1970s in the United States, the political climate revolved around the institution of civil rights legislation. As a result, NOW and other feminist agencies pressured the government to recognize sexual discrimination in addition to racial inequality. In France, the prevalence of universalist discourse forced feminists to rally political parties to acknowledge and represent women. In both the United States and France, then, politicians wishing to project a contemporary image supported parity to gain the women's vote.

For feminists in both nations, the cause for equal representation transcended partisan politics. Michèle Alliot-Marie, France's first female minister of defense in 2002, recalled that the "republican principle of equal opportunity—of equality for all in political representation—goes far beyond the traditional left-right cleavage." She added that, "in response to public opinion," the support of parity became ubiquitous and "to the point of being in fashion." François Mitterrand's election in 1982, due in large part to the MLF's support of his pro-women's rights platform, set the stage for the political competition for women's votes. Yvette Roudy agreed, adding that "De Gaulle, Mitterrand, and Jospin all understood that they could not remain unresponsive to the demands of certain social movements." Jacques Chirac, Alain Juppé and Lionel Jospin's endorsement of parity likewise demonstrated this idea. Though Chirac's administration forcefully discouraged immigration, championed nationalist ideologies, and banned Islamic women from wearing headscarves in public, they endorsed equal gender representation policies. Objecting to the integration of religion and politics is a concept avidly defended by both the Left and the Right in France. In other words, as opposed to the headscarf

case (“affaire du foulard”)—which banned Islamic women from wearing headscarves in public—supporting parity did not require politicians to touch on racial or religious issues.

Male politicians could authorize policies with vague language and still maintain the same positions of power—as evidenced by the 1999 constitutional amendment. Roudy claimed that “the presence of parity increased because there was a man in a position of power who could make it happen.”⁶⁸ Political pressure from parity activists simply propelled the issue forward. The OFCC, designed to enforce the affirmative action clause of Kennedy’s executive order, possessed few resources and initially disregarded sex discrimination as a legitimate issue. The National Organization of Women’s battle with the officers of the OFCC and EEOC demonstrated that equality was not universally supported by the federal government. Yet French parity laws and the OFCC focused merely on “access” rather than “results,” which simultaneously appeased equality activists and allowed politicians to maintain the existing structures of power.⁶⁹ Despite the cultural and political differences between the United States and France, feminists in both nations experienced similar structural obstacles with symbolic agencies and policies. As a result, their perspectives on each other’s successes and failures provide us with a transatlantic understanding of parity and equal opportunity. By the 1990s, a global discussion of equal gender representation had likewise emerged, prompting the United Nations to host a conference on women’s issues in 1995. Though France was the only Western nation to legislate parity into its constitution, international dialogue at the UN Conference revealed that the concept of parity was being considered internationally.

French criticisms of the United States typically revolve around the American concept of multiculturalism. Labeled American “communitarianism,” (*communautarisme*) in the 1980s, the

⁶⁸ Praud et. al, “An Extraordinary Measure to Overcome Men’s Extraordinary Resistance: Yvette Roudy,” 86.

⁶⁹ Amy Mazur, “Feminist Perspectives on Parité in the United States: The Good, the Bad, the Ugly” *Women, Feminism, and Femininity in the 21st Century*. (New York: Palgrave Macmillan, 2009), 155-176.

French considered the United States to be a nation governed by identity politics. The reemergence of the republican model in France redefined the “French exception” in opposition to the American model; both the Left and Right have professed adamant anti-American principles dating back to the eighteenth century. Multiculturalism becomes the enemy of the state where the “American construct” of gender does not “translate” well, therefore justifying the “refusal, repression, and denial” of gender identities.⁷⁰ Historian Judith Ezekiel argues that the combination of anti-Americanism and anti-feminism, dubbed “*anti-Amer-feminisme*,” serves as a “powerful repellent to scare French women away from the dangers of ‘American-style’ feminism.”⁷¹ In an article published by *Le Monde* in 1999, Sylviane Agacinski, wife of former prime minister Lionel Jospin, asserted that the American “erasure of the sexes” comes as a result of “submerging women in a wholesale particularism in which one finds minorities of all sorts.”⁷² Agacinski nurtures this argument further in *Parity of the Sexes* (2001), insisting that the American “radical feminism” that denounces French universalism leads women into the trap of “separatism”—an ideology with its own set of dilemmas. In her eyes, separatist doctrines “exalt difference to the point of dreaming of a separation of the sexes” entirely.⁷³

Perhaps in an attempt to exercise control over the ideological strategies of political representation, French paritarists repeatedly denied that parity was a new form of ‘quota’ or ‘affirmative action.’ In response to anti-parity advocates’ criticism that parity could be analogized to American communitarianism, paritarists avowed their demand was a “deepening of” rather than a “derogation” from the French universalist structure. Because women had

⁷⁰ Eric Fassin, “The Purloined Gender: American Feminism in a French mirror.” *French Historical Studies* 22, no. 1 (Duke University Press, 1999), 113-138.

⁷¹ This paragraph draws on Judith Ezekiel’s “*Le Women’s Lib: Made in France*,” in which she discusses the prevalent French concept of Anti-Americanism and anti-feminism. Ezekiel’s article can be found in the *European Journal of Women’s Studies* 9, no. 3 (2002), 345-361.

⁷² Sylviane Agacinski, “Contre l’effacement des sexes,” *Le Monde*. February 6, 1999.

⁷³ Sylviane Agacinski, *Parity of the Sexes*, (New York: Columbia University Press, 2001), 77.

“always constituted at least ‘half of humanity,’ they could not be “equated with disadvantaged minorities” like those targeted by affirmative action programs. In other words, gender is recognized as a given—all of humanity falls under two categories, male and female. Where Americans differ, however, is the anthropological argument that the sexual binary is permanent and universal itself. Gisèle Halimi wrote that “women have no community ties..they are not a race, not a class, not an ethnic group, not a category”; “before being of a class, a race, a corporation, etc., a human being is first of all male or female.” As a result, gender divisions became the only visible categorization of the French populace. Thus the parity movement, in essence, consciously operated against the American model.⁷⁴

When asked her opinion on “bringing American communitarianism to France,” Halimi blithely stated that “no community can use parity as an argument to get preferential treatment. No community can boast such a unique characteristic: a world with an equal proportion of men and women.”⁷⁵ While NOW lobbied the national government to recognize gender as a minority identity, the French viewed sex as a universal category, one that transcends identity politics. By the time Gaspard published *Au Pouvoir Citoyennes!* in 1992, formally placing the movement for political representation under the term “parity,” the United States had already witnessed the decline of affirmative action policies. Even further, American feminists never reached a consensus on equal representation, possibly as a result of the arduous struggle for equal employment opportunity and the failed Equal Rights Amendment. The French, with its eye on the United States, processed these failures and attributed them to multiculturalism. Few French paritarists strayed from this ideology, holding the French parity movement as a model of success despite its flaws and limitations.

⁷⁴ This paragraph draws on Laure Bereni’s “French Feminists Renegotiate Republican Universalism: The Gender Parity Campaign.” *French Politics* 5 (Palgrave Macmillan, 2007), 199-200.

⁷⁵ Praud et. al, “Women’s New Cause: Gisèle Halimi,” 51.

One paritarist, however, suggests that affirmative action might have been a better route for France to take. In an interview with Praud and Dauphin in 2001, Christine Delphy, a French sociologist who completed her scholarship in the United States, posited that the French conception of parity, as defined by François Gaspard, simply “fuse[d] the composition of the population and political representation.”⁷⁶ The parity laws did not redress the underlying structural issues that precipitate inequality, but rather reflected the numerical composition of men and women in the population. Instead of equal access, Delphy argued, paritarists focused on proportionality and consequently defied the rules of political representation. In other words, proportionality implies that women themselves are represented as a group; political representation, however, governs on the notion that specific communities cannot be *represented* as groups. While paritarists have “strongly denied that representatives would solely represent women’s interests,” their argument “endorse[d] this idea.” Though Delphy supported the ultimate goal of “increasing the number of women in positions of power,” she thought equal access could be achieved alternatively through affirmative action measures. The goal of affirmative action, she stated, is to have a “greater chance of being selected,” “to arrive at the same result as if everyone had the same opportunities from the start,” not to “mirror the numerical composition of men and women in the population.”⁷⁷

Although Delphy’s theory applies directly to affirmative action in terms of political representation, American women employed these strategies towards the issue of equal employment. Much of the international feminist community watched the parity movement in France with optimism, hoping that the French might blaze the trail for equal representation everywhere. When the French advocated for equal representation of “women” only—an all-

⁷⁶ Praud et. al, “Affirmative Action Rather than Parity: Christine Delphy,” 51.

⁷⁷ Ibid, 51.

encompassing category—Americans argued that *true* proportionality “recognizes the cross-cutting intersections” of race, gender, and class.⁷⁸ For this reason, many American feminists remained cynical towards the movement—a perspective which might very well have stemmed from the failure of affirmative action principles domestically.

While France was the only Western country to ratify its constitution and adopt a specific parity law by the 1990s, discussion of equal political representation extended far beyond the French context. A series of global conferences during this period indicated an increase in attention to gender balance in decision making. Likewise, the 1990s saw a proliferation of interest in women’s issues, the empowerment of women’s voices, and a move towards implementing political representation policies. In the United States in particular, a highly politicized scandal involving the Supreme Court and the Equal Employment Opportunity Commission launched a new decade in which women demanded their voices be heard by the highest offices of the federal government.

The Hill-Thomas affair, as it has since been dubbed, captured global attention. In 1991, Anita Hill, an attorney for the U.S. Department of Education and an employee of the Equal Employment Opportunity Commission in 1983, accused Supreme-Court nominee Clarence Thomas of sexual harassing her when they worked together at the EEOC. Thomas, the first conservative African-American man to be nominated to the Supreme Court, avidly denied the claims, insisting that the affair was a “high-tech lynching for uppity blacks.” In October, 1999, the scandal exploded in a live broadcast of the Senate Hearing that decided Thomas’s place on the Court. Hill, who accused him of sexual harassment during interviews with the FBI, faced 14 male senators to specify Thomas’s “graphic discussions of pornography,” “vulgar advances,”

⁷⁸ Anne Phillips, “Representation and Inclusion.” *Politics & Gender* 8, no 4. (New York: Cambridge University Press, 2012.), 516.

and graphic descriptions of his own “sexual prowess.” The result: the Senate voted 52 to 48 in favor of Thomas’s confirmation as the new Supreme Court Justice to replace Thurgood Marshall. The “narrowest confirmation vote in a century,” the Senate Hearing revealed that women’s voices were making an impact on national political history. Even further, the Hill-Thomas affair prompted a “record number of women” to run for public office the next year; four women were elected to the Senate, and nineteen elected to the House. Former Senator Arlen Specter recalled the global attention paid to the affair, with people all the way to Timbuktu blaming the Senate for “what [they] did to Anita Hill.” Hill herself noted that countless women have approached her to explain how her 1991 testimony allowed them to “find their own voice.”⁷⁹

Anita Hill’s accusation of sexual harassment prompted the United States to reexamine the role of women in politics. By the mid 1990s, the United States participated in several international conferences on the status of women, most notably the United Nations Fourth World Conference on Women. In Beijing in September 1995, the UN Conference indicated the rising global awareness of the positions of women in society. The Conference’s “Platform for Action” stated that “equality between women and men is a matter of human rights and a condition for social justice, and is also a necessary and fundamental prerequisite for equality, development and peace.”⁸⁰ The United Nations Conference revealed the broader context of parity being discussed internationally; this was a far cry from the lonely voices of the National Organization of Women and other feminist agencies who advocated for women’s rights in the 1970s. More national governments made “formal commitments to gender balance in decision making.”⁸¹

⁷⁹ Information on the Hill-Thomas affair’s impact on the empowerment of women drawn from Joel Siegel’s “Clarence Thomas-Anita Hill Supreme Court Confirmation Hearing ‘Empowered Women’ and Panel Member Arlen Specter Still Amazed by Reactions.” *ABC World News with Diane Sawyer*. 24 Oct. 2011

⁸⁰ The United Nation’s Fourth World Conference on Women: Beijing, September 1995. *UN Women*.

⁸¹ McBride Stetson, *Women’s Rights in the USA*, 61-96.

Jo Freeman, an American attorney and political scientist at the University of Berkeley, recalled being “hastily cobbled together” with delegates from 189 countries in a “small town that was renamed for the occasion” just before the main events in Beijing. Though the participants engaged in an “acrimonious conflict over words,” the 130 page “Declaration and Platform for Action” focused on female empowerment; most relevant to our conversation was the inclusion of “a commitment to equal rights, equal responsibilities, and equal opportunities, and to the equal participation of women and men in all national, regional and international bodies and policy-making processes” under the five principles of the conference’s mission statement.⁸² Freeman noted in her recollection of the event that women’s issues had “swept the globe” in the years between the First World Conference on Women in Mexico City in 1975 and the Beijing Conference in 1995.⁸³ Though women “began talking about the need for more women in politics in the 1985 Nairobi conference”, “they were exchanging organizing strategies” by 1995. Several workshops held at the conference showed a “great interest in the role of reserved seats for women”—much like the failed French quota system. Freeman indicated that “many countries require[d] that from ten to thirty percent of a party’s slots, or legislative slots, go to women.”⁸⁴ India, like France, even instituted a constitutional amendment in 1993 that required one-third of local council seats to be saved for women.

According to Sylvie Ulrich, French delegates had the most to gain from their participation in the Fourth World Conference on Women. The statistics that came out preceding the conference placed France “near the bottom of the European league” in terms of political representation. Ulrich claimed that this “prompted French women into action”; “in a sense, we

⁸² The United Nation’s Fourth World Conference on Women: Beijing, September 1995. *UN Women*.

⁸³ Jo Freeman’s reflections on the Beijing conference can be found in her memoirs on her personal website, “Beijing ’95: Fourth World Conference on Women,” *JoFreeman.com*. 2012.

⁸⁴ Jo Freeman, “The Real Story of Beijing,” *Off Our Backs* 26, no. 3. (1996), 22-27.

had much further to go than any other [European] country.” Once again comparing their status to their American counterparts, Ulrich insisted that “American women, in particular, were less supportive of parity because they were opposed to using legal constraints to increase the number of women in politics.” Many nations at the Fourth World Conference on Women tried to “reduce everything down to the idea of equality” but European women “demanded parity”—a “concrete equality that is consistent with equal rights.”⁸⁵ Monique Dental similarly accredited the Conference with cementing the idea of parity as an international concept. Though France was the first of the Western nations to legislate parity, the Beijing Conference made it evident that the concept of parity-equality expanded its sphere of influence by 1995.⁸⁶ Different cultural adaptations of parity across the globe yielded various approaches—some instituted quotas, others established women’s commissions to lobby for equality in the political sphere. The fight for economic equality in the United States influenced American strategies for increasing the number of women in politics.

Prevailing Notions of Intersectionality in the United States

While the French demanded legislation and instituted a federal amendment in the 1990s, Americans never cemented a concrete, national campaign for equal political representation. The concept of identity politics and American multiculturalism — which the French so adamantly condemned — remains the precise reason for the lack of similar legislation in the United States. Americans initially pursued equality in the economic sphere, focusing less on political representation and more on equal access to employment. In the process of combatting sex discrimination in the workplace through affirmative action policies, American feminists and

⁸⁵ Praud et. al, “Equality in the Political Sphere: Sylvie Ulrich,” 64.

⁸⁶ Praud et. al, “Equality in Difference: Monique Dental,” 59.

scholar-advocates theorized that discrimination was not solely a “woman’s” issue. The National Organization of Women’s fight with the OFCC and EEOC demonstrated that gender equality coincided with broader notions of racial and class-based equity in the United States. Given the nation’s complex history with slavery, and the consequent struggle for civil rights that persists even today, American culture had always been, and continues to be, a blend of diverse cultures. Despite the racial undertones of the Algerian immigration crisis, the French have thus far ignored issues of race, class, and even sexual orientation when it comes to the national campaign for equal political representation. The lack of parity legislation in the United States does not reflect inaction by women activists, but rather reveals the American emphasis on economic equality across gender, race, and class lines.

In a statement on behalf of the National Organization of Women in 1970, Mary Jean Collins, Action Vice President and a National Board Member of NOW, asserted that those

“who speak of the great flexibility of the free enterprise system fail to understand that, seen from the perspective of us who are excluded, the system is rigid, inflexible and if not bent on excluding us, than indifferent to whether or not we are ever included. The experience of Black people in the civil rights movement has shown that it takes extreme pressure upon government to produce even a plan for changes to bring Black people into participation in the economic mainstream.”⁸⁷

In order to place the United States within the historical context of the international movement for parity, we cannot ignore the unique circumstances of the civil rights movement. Collins develops the women’s cause as a branch of the quest for racial equality—one with noble and equitable goals. The federal government’s resistance to this cause, as evidenced by the OFCC’s lackadaisical effort to protect both women and racial minorities, forced those seeking equality to resort to radical measures. With white male politicians almost always in the position to broker

⁸⁷ National Organization for Women. Records, 1959-2002. “Statement by Mary Jean Collins on Behalf of the National Organization of Women,” MC496, folder 34.41. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

power, women allied with their African-American counterparts to pressure the government into recognizing their authority. In the same statement, Collins foreshadows an emergence of a new, powerful minority class—

“What you face in the immediate future is the possibility of women becoming the next major group of people in America in addition to the Blacks and the young to become extremely frustrated, angry, and alienated from this so-called free society that should be land of opportunity for all.”

Here, gender became inculcated with race, even threatening the rise of an activist youth. Because of this very struggle—the trifold quest for equal rights—Americans could never have taken the same path as French feminists.

The universalist ideology that prevailed among the white upper-classes of the French public in the latter half of the twentieth century prevented various identities from being recognized by the nation’s political sphere. As evidenced by the “affair du foulard,” the French still avidly defend the notion of *laïcité*, or the strict separation between church and state—which has its repercussions in terms of racial and religious inequality. The “headscarf affair” revealed the palpable reluctance of French natives to incorporate various identities into the public sphere. Women wearing headscarves in public constituted a declaration of religious difference; most often Algerian immigrants, the French resistance to Islamic ideological symbols thus became inundated with race and class. In a country where the “Republican universal ideal of the abstract citizen conflicts with notions of difference,” the “integration of postwar immigrants from North Africa and the Middle East.. cast a spotlight on the limits of tolerance in the [French] society.”⁸⁸ Given the prevalence of racial issues in France, the political movement for parity lacked the representation of diverse groups and appeared particularly mono-racial to American feminists.

⁸⁸ Allwood, et al., *Gender and Policy in France: French Politics, Society and Culture Series*, 153.

In “Feminist Perspectives on Parité in the United States: The Good, the Bad, the Ugly,” Amy Mazur writes extensively on the various American perspectives that emerged following the climax of the parity movement in 2000. Of the diverse perspectives included, Mazur first echoes Joan Scott by discussing American criticisms of French essentialism. Because much of American culture emphasizes multiculturalism—an American “melting pot” of culture, religion and language”—French universalism seemed especially exclusive. Instead of working to disable exclusionary universalist discourse, French paritarists utilized the ideology in their favor. American feminists, drawing on their own experiences, criticized parity activists for not doing more.⁸⁹

“*Le Manifeste des Dix pour le Parité*,” (The Manifesto of the Ten for Parity) published in *L'Express* on June 6, 1996, points to the pervasiveness of white female opinion in the parity movement. Signed by ten prominent female politicians, the document implores the French government for doing little to include women in the political sphere. The ten authors demand that it is time to end “stereotypes and blockages,” to “feminize the Republic,” “[to see through] the eyes of women, their experience, their culture [that is] starved when drafting legislation.” Yet Americans believed women did not share just *one* lens, or share *one* cultural perspective. The ten women who authored and signed the Manifesto were each white, middle to upper-class women. While their quest for parity was noble, many American feminists felt the paritarists fell short of a comprehensive and inclusive movement for equality.

After African-American feminist scholar Kimberlé Crenshaw published *Mapping the Margins: Intersectionality, Identity Politics and Violence Against Women of Color* in 1991, American cultural feminists began to focus on intersectionality theory as the dominant ideology surrounding the hierarchical structures of sexism in the United States. Feminists who argue this

⁸⁹ Mazur, “Feminist Perspectives on Parité in the United States: The Good, the Bad, the Ugly,” 155-176.

theory assert that sexism does not only involve gender, but is rather intersectional with race and class. In other words, the second wave of feminism in the United States focused predominantly on the issues of white, middle-class women, ignoring how women of different races and socioeconomic statuses might be affected by sexism differently. Though American women dealt with racial issues when modifying the Civil Rights Act of 1964 and expanding affirmative action policies, these policies only hypothetically helped women who could afford to attend universities and reach higher employment opportunities. Crenshaw's publication prompted many American feminists to shift their attention to identifying race and class as factors implicit in the struggle for gender equality. In other words, while NOW and other feminist agencies understood their position in relation to the civil rights movement, Crenshaw's theory focused on the different experiences of women of color and of various socioeconomic statuses. In her biting letters to the director of the OFCC, Aileen Hernandez echoed this theory when she advocated for the inclusion of women of all races, classes, and sexualities in the enforcement of affirmative action.

This is precisely "the ugly" that Amy Mazur discusses in *Feminist Perspectives on Parité in the United States*. Though parity proponents succeeded in passing the *parité* law, American cultural feminists felt that French paritarists "missed a golden opportunity to bring issues of race and ethnicity into public discussions of women's political representation both in the run-up to the *parité* reforms and in the formulation of the new policies."⁹⁰ Without mentioning the multiplicity of identities within the female gender—and how they are impacted by the hierarchical political sphere differently—women cannot be united under one single goal. Crenshaw's theory signified a renewed direction in equality activism in the United States after the 1970s. Mazur draws on this new American perspective to critique the French approach to parity, showing clearly where American and French ideologies diverged in the latter half of the twentieth century. Drawing on

⁹⁰ Mazur, "Feminist Perspectives on Parité in the United States: The Good, the Bad, the Ugly," 155-176.

intersectional ideology and their experiences with affirmative action, American feminists tried a new strategy in the early 1990s.

Perhaps in response to decades of combatting the government's disdain for women's issues, paying tax dollars to support agencies that blatantly neglected equal employment for women, the various global conferences held in preparation for the UN Fourth World Conference on Women in the 1990s, or maybe even the Senate's repudiation of Anita Hill in 1991, the National Organization of Women began to draft the foundations of a new political party of their own. Entitled the "21st Century Party," prominent NOW members Anne Scott and Aileen Hernandez led a number of enthusiastic political women into a radical re-envisioning of the American political party. In the preamble of the "Equality Party's" founding platform in 1992, drafters began by stating that the "vast diversity [of this nation] is not reflected in its public institutions of power. Most particularly women, and people of racial diversity have been locked out of its decision-making." They proceed by arguing that, "left with little or no choice, our nation's people have become increasingly disenchanted and alienated from the public process"—as Mary Jean Collins had predicted in 1970. The dominant parties failed to meet the demands of the 20th century and thus cannot proceed to command the nation's structures of power.⁹¹

The 21st Century Party can be understood as the symbol of the American feminist movement as it pertains to our conversation. Among the first principles mentioned in its founding platform, the party mandated "gender equity"—a minimum of 52 percent of the party's candidates and officers—to be filled by women. Along with the right to "freedom from sex discrimination, racial and ethnic discrimination and discrimination on the basis of sexual orientation," party drafters stated the "right of all to participate in and have representation in our

⁹¹ National Organization for Women. Records, 1959-2002; "Draft of the Founding Platform of the 21st Century Party: the Nation's Equality Party," MC496, folder 103.7. Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, Mass.

government.” It seemed the 21st Century “Equality” party was created in response to a long history of discrimination on all accounts. Once again allying themselves with other minority groups, women demanded equal representation for all. In stark opposition to the French model, American women attempted to include more than just women in their movement for equality. While the 21st Century Party never gained momentum and ultimately dissolved years later, their platform indicated the evolution of the National Organization of Women. Instead of legislating equal gender representation, American feminists attempted to encompass aspects of economic, racial and gender equality in their vision of an “equal” political party—one that represented the perspectives of all people.

Why Parity?

Despite receiving suffrage in the early twentieth century, historical exclusion from public office has prevented women from gaining full citizenship as it is possessed by male citizens. The approach of the centennial of female suffrage in both France and the United States presents an opportune moment to historically evaluate women’s progress in this area, and consider that progress in relation to the strategies advocates have used to address the political disparity. Several women suffragists argued that male dominance of politics and the public sphere “led women to internalize a belief in their own inferiority to men and to underestimate their capacities,” as evidenced by low percentages of females running for office before the turning of the twenty-first century. In other words, exclusion from positions of power made both women and men “susceptible to a belief in women’s inferiority in governing.”⁹² To remedy this, feminist scholars reasoned that descriptive representation—women’s direct representation through office-

⁹² Amy Alexander, “Change in the Belief in Women’s Ability to Govern.” *Politics & Gender* 8, no. 4 (New York: Cambridge University Press, 2012), 439.

holding—would reverse this “internalization of women’s authority” and challenge the idea that women’s absence in politics correlated with their inadequacy.

The study of political representation allows us to understand how democratic processes represent the diverse needs of the public. In a symposium on the work of Hanna Pitkin’s *The Concept of Representation*, released in 1967, several current political representation scholars discuss the relevancy of the topic in 2012. Pitkin’s original analysis examined the relationship between different forms of representation (i.e. symbolic, descriptive and substantive) and those they represent. Given the rise in the discussion of political representation that began in the early 1990s and exponentially increased after the UN Fourth World Conference on Women, scholars analyze whether Pitkin’s analysis still remains the “center of theorizing about the critical processes of democracy in terms of the represented, the representative, and democratic performance more broadly speaking.”⁹³

At the heart of Pitkin’s work lies the notion that substantive representation far outweighs descriptive representation in terms of including and responding to constituencies’ needs and opinions. The difference between the two lies in the elected official’s advocacy on behalf of certain groups. While descriptive representation refers to how closely the composition of the elected body parallels the composition of the constituency, substantive representation applies to how well elected officials represent the needs of a community. In short, substantive representatives “act in the interest of the represented, in a manner responsive to them.”⁹⁴

The feminist movement for descriptive representation, as exemplified by the French parity movement, diverges from Pitkin’s analysis by condemning underrepresentation as unacceptable

⁹³ Karen Celis and Amy Mazur, “Introduction: Hanna Pitkin’s ‘Concept of Representation’ Revisited.” *Politics & Gender* 8, no. 4. (New York: Cambridge University Press, 2012), 510.

⁹⁴ Karen Celis, “A New Agenda for Democratic Representation?” *Politics & Gender* 8, no. 4. (New York: Cambridge University Press, 2012), 519.

under any circumstances.⁹⁵ Instituting quotas or a required fifty percent minimum for women increases proportionality, giving women more say in legislating policy. Parity's scholars advocates argue that there is a "positive, reciprocal relationship between change in women's parliamentary presence and change in women's beliefs in [their] ability to govern."⁹⁶ As more women occupy public office, they conclude, more women will be empowered and enthusiastic to participate in the public sphere. When Roselyne Bachelot-Narquin was first elected to the assembly of a small town in central France, only two other women sat beside her in a department of forty-one members. She recognized then that "certain mechanisms excluded women from politics: the peculiar functioning of the political sphere, men's arrogance, and their pathological relationship to power." After Gisèle Halimi introduced the concept of parity to her in 1988, Bachelot-Narquin realized that equal political representation was the "concrete solution" she was looking for.⁹⁷ By the turn of the twenty-first century, political parity had become the new feminist demand.

Yet Pitkin argues that "focusing on the composition of the legislature, or [looking] to descriptive "mirror" representation as the guarantor of better democracy" does not automatically result in political equality. In other words, having as many women as there are men in the elected body will not necessarily advance minority or women's issues anymore than would happen otherwise. Instead, we should focus on the ability of the candidate to merge both the interests of the public with his or her own creative values and opinions. They should not simply be "messengers" that "mirror our own views." More recent work on political representation, however, focuses heavily on how to remedy the specific exclusion of women from public office. The more central question has been "whether more proportionate representation along axes such

⁹⁵ Celis and Mazur, "Introduction: Hanna Pitkin's 'Concept of Representation' Revisited," 510.

⁹⁶ Alexander, "Change in the Belief in Women's Ability to Govern," 442.

⁹⁷ Praud et. al, "A Voluntarist Measure to Achieve Equality: Roselyn Bacherot-Narquin," 77.

as gender or race means better (substantive) representation of women's interests" and "minority concerns."⁹⁸

Both Pitkin and the current scholars who draw heavily upon and criticize her theories outline the basis for the study of political representation movements within France and the United States. While France legislated a constitutional amendment in 1999 and a definitive policy in 2000, parity focused specifically on the representation of women as a single, homogenous entity. Because women constitute fifty percent of the population, the elected body should reflect similar numbers. The 2000 law to Favor Men and Women's Equal Access to elected offices thus embodies descriptive representation, intending to directly mirror the composition of the population. As evidenced by Jocelyn Praud and Sandra Dauphin's interviews with parity advocates and critics in *Parity Democracy*, both the constitutional amendment and the parity law provoked enthusiasm and criticism among political representation activists in France. Though the Chirac administration pushed the legislation through the National Assembly and Senate, the resulting amendment utilized weak and indeterminate language. Many paritarists felt this symbolized the administration's half-hearted interest in legitimately implementing parity.

Since the parity law's inception in 2000, the Observatory of Parity Between Men and Women in France has published numerous statistics tracking the progress of women in public office. Whether or not the interviewees were correct in blaming legal language as the fatal flaw of the parity laws, the statistics show ambiguous success rates across public office positions. In a study of women's numerical gains after the parity reforms, statistics show increases in several municipal positions in the decade following the 2000 parity law. The percentage of municipal

⁹⁸This paragraph draws on Anne Phillips's "Representation and Inclusion." *Politics & Gender* 8, no. 4. (New York: Cambridge University Press, 2012), 514.

councillors in towns of fewer than 3,500 residents rose twelve percent between 1995 and 2008. Likewise, the number of municipal councillors in towns with more than 3,500 residents showed a dramatic increase—from 25.7 percent to 48.5 percent in thirteen years. In this sense, it can be noted that women councillors reached parity in these regions. The same can be said of regional councillors between 1998 and 2008, who rose from 27.5 percent to 48 percent by 2008. Despite large gains in these spaces, however, the parity laws did little to affect regional president positions, as well the number women in ministerial and senatorial positions. Between 1998 and 2010, the number of regional female presidents dropped from 11.5 percent to 7.7 percent by 2010. Female deputies rose from 10.9 percent to 18.5 percent by 2007, while female senators rose from 5.9 percent to 21.9 percent by 2008. Though the senate witnessed a large increase in female senators, the percentages remain relatively low in terms of exact parity.⁹⁹

With the exception of the decline in women regional presidents, the parity laws appear to have boosted the presence of women in several political spaces. Further research on the effect of the increased presence of women on the attention given to women's issues at both the municipal and senatorial levels might yield additional data on the effectiveness of the 2000 law. In response to the widespread fear that French "quota women" would produce inferior politicians, Rainbow Murray, a gender studies scholar at the University of London, conducted a study on the performance of female politicians elected in the first two legislative elections after the passage of the parity law. Murray questioned the prevailing notion that women elected via a quota were chosen based on their sex, "rather than their suitability for the job." Her findings reflect "no noticeable difference between men and women in terms of volume or type of parliamentary

⁹⁹ Statistics drawn from Jocelyn Praud and Sandra Dauphin's adaptation of information from Observatoire de la parité, "Les modes de scrutin, \"% de Femmes au Parlement européen\" and \"Proportions de femmes élues conseillères régionales en 1998, 2004, et 2010 par région,\" Observatoire de la parité, <http://www.observatoire-parite.gouv.fr>.

activity” once they were elected. In other words, “they may still be numerically unequal — but they are certainly not second-class.”¹⁰⁰

Despite the lack of specific legislation, the United States yields similar percentages of women holding public office. In 2012, women held 17 percent of seats in the Senate and 16.8 percent in the House of Representatives. The Center for American Women and Politics (CAWP) remarked in 2010 that the overall number of women in politics declined for the first time in thirty years, placing the U.S. 79th in terms of global women’s political representation.¹⁰¹ While 2009 saw the passage of the Lily Ledbetter Fair Pay Act, which ensures equal wages for women, little has been done to enforce equal political representation. Even with greater equality in education, with more women practicing law and medicine, very few women are running for office. If the United States refuses to legislate parity in the same manner as the French, what can be done to improve percentages in public office?

Perhaps a bipartisanship in favor of substantive representation. Karen Celis, a research professor at Vrije Universiteit Brussel in Belgium claims that the “absence of diversity of claims is most probably a sign of the representative system’s lacking or slacking efforts to engage with society, of its low mobilizing powers, and thus of incomplete substantive representation.” Representatives should “bridge ideological and partisan differences and join forces to translate these particular issues into decisions and policies.”¹⁰² Additionally, to enhance the quality of a descriptive representation, the United States might consider a proportionality that recognizes

¹⁰⁰This paragraph draws on the information found in Rainbow Murray’s “Second Among Unequals? A Study of Whether France’s ‘Quota Women’ are Up to the Job.” *Politics & Gender*. Volume 6, number 1. March 2010. Cambridge University Press. (93-118).

¹⁰¹ Maya C. Pope, “The Leadership Gap: Organizations Fight to Bring Women into Political Office.” *Women in the World Foundation*. November 5, 2012.

¹⁰² Celis, “A New Agenda for Democratic Representation?” 528.

more than just one “social axis,” such as gender, race, and class, and instead focuses on the “cross-cutting intersections of the full range.”¹⁰³

As American feminists watched French paritarists legislate the Parity law in 2000, their main criticism rested on the apparent inattention of the French to diversity among women. American feminists, on the other hand, were keenly attuned to women’s diversity. Given the battle for affirmative action and equal employment in the United States, American feminists had worked within civil rights legislation to argue against gender prejudice in addition to racial discrimination. NOW’s fight with the OFCC and EEOC demonstrated the extensive efforts of feminists to fight feminism within federal agencies designed to prohibit racism. Yet even in the United States, since the development of intersectional theories in the 1990s, the struggle for affirmative action has been criticized for aiding only white, middle-class women who could access universities and prestigious employment in the first place.

The generation of electoral equality struggle through both parity and intersectional gender policy efforts has led to scholarly analysis of institutional strategies as a new step in winning women’s full political equality. Michael Minta, a professor of Political Science at the University of Missouri-Columbia, analyzes the role of caucuses in brokering change in Washington. In his analysis of Pitkin’s *Concept of Representation*, Minta notes that minority legislators commonly “overcome their token status in Congress” by organizing into Congressional caucuses. To help “fulfill their commitment to advance minority interests,” caucuses often become “cohesive voting blocs” where minorities can “use their power on congressional committees to advance the liberal policy agendas of minorities in Congress.” Even though women do not always vote as cohesively as minority groups on issues, there is “clear evidence that women have organized

¹⁰³ Phillips, “Representation and Inclusion,” 516.

within Congress to advocate for the interests of all women.”¹⁰⁴ Though a higher percentage of women and minorities in office would ultimately create a more diverse and comprehensive representation of the public, organization into caucuses can impact the weight of corresponding issues in Congress.

Through parity legislation in France and intersectionality-attuned advocacy politics in the United States, feminists have pushed the two countries into a growing international trend towards female participation in public office. Across the globe, parliaments have increased the number of seats occupied by women. The historical contexts behind the movements for political representation in France and the United States differ both culturally and politically. Yet it is important to consider their relation to one another to analyze cross cultural adaptations of similar concepts. Traditional differences between the French and the United States—especially in regards to universalism and multiculturalism—noticeably affected the outcome of both movements. At the same time, both nations have arrived at similar results in terms of percentages. Hillary Clinton and Segolène Royal both battled top conservative opponents for the presidency in 2007, proving that, despite numerical inequality, women have reached the highest ranks of political office-holding. While feminists in the United States and France criticized cultural differences, the primary goal was the same: to shatter the glass ceiling of political representation.

¹⁰⁴ Drawn from Michael Minta’s “Gender, Race, Ethnicity, and Political Representation in the United States.” *Politics & Gender* 8, no. 4. (New York: Cambridge University Press, 2012), 543.

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