



TEN YEARS' EXPERIENCE OF GENDER QUOTA SYSTEM IN KOREAN POLITICS

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I. Preview

The Constitution of the Republic of Korea prescribes that all citizens over twenty years old have the right to vote and citizens over twenty-five years old are eligible to run for elections. However, women's representation has been extremely low in both the National Assembly and local councils. Under the past dictatorial governments, most of citizens' movements were for realization of democracy, and gender issues were easily ignored. It is since 1990s that people began to concentrate on women's participation in politics in Korea. Gender quota system was first introduced in 1995, and later in 2000, it was settled down in the Political Parties Act. Although it is judged that the

number of female representatives in the National Assembly has been successfully increased, female members of the National Assembly only occupy 10 per cent of the total numbers of the National Assembly members, despite the relatively strong quota system favorable to women. Also, there is also opposition insisting that we do not need to have gender quota system because women's status in Korea is high enough to 'fairly' compete with men. This article evaluates the extent of women's participation in politics over the past ten years, examines impacts of gender quotas in Korean electoral system, and suggests remained questions to improve female representation.

II. Brief of Korean Electoral System

1. General Election

The National Assembly has 299 members elected for a four-year term, 245 in single-seat

constituencies and 54 members by proportional representation. Proportional representation seats are divided proportionately among the political parties based upon their votes obtained in the districts, on the condition that they have obtained

at least 3% of the total valid votes cast or secured five district constituency seats or more. Vacancies of district constituency seats arising between general elections are filled through by-elections, on the condition that there remains at least one year in the term of the Assembly member to be replaced. Vacancies of proportional representation seats are filled by the “next-in-line” candidates of the political party concerned.

2. Local Council Elections

The local autonomy in Korea has re-started with local council elections in 1991,¹ and elections for heads of local governments in June 1995. These two types of local elections have been held together since 1995.

Local councils also have members elected for a four-year term, and they are divided in single-seat constituencies and proportional representation. The proportional representation ratio is 10% in local councils, and the method to elect proportional representation member is the same as the general election.

III. Legislation of Gender Quota System

Although the Constitution of Korea Article 11 rules that all citizens are equal before the law, and may be no discrimination on the basis of gender, it is the Fourth World Conference on Women (1995) that invited discussion on the gender quotas. The conference made us realize that increase of female political representation is important, and spread the notion that gender quota is the fastest track to achieve the goal to all over the world.²

In fact, there were not many of arguments about the pros and cons about the gender quotas because people shared consensus that women’s participation in politics was extremely low comparing to other parts, which resulted in low indexes related to women’s status(Kim and Oh, 2010:142-143). To imposition of gender quota rules, *Sae Jungchi Kukminheiu* (National Congress for New Politics) and *Hannara-dang* (Grand National Party) consented, and *Jayu Minju Yeonhap* (United Liberal Democrats) opposed at first but changed the party’s stance later at that time. While objections to the gender

quota in politics were not that menacing, gender equality employment initiative encountered strong resistance. In addition, the Constitutional Court’s decision on whether the practice of giving veterans extra points of 3 or 5% in each subject test of civil service examinations (hereinafter ‘veterans’ extra points system’) is constitutionally based was caught up in huge controversy (Kim and Oh, 2010:174). The Constitutional Court decided that the veterans’ extra points system was unconstitutional and mentioned the meaning of affirmative action as below:

“In order to negate this reality and realize the constitutional ideals of equality and welfare, a comprehensive legal system is established in the area of women and the handicapped. The Framework Act on Women’s Development... emphasizes expansion of women’s social participation and specially institute discrimination bans and affirmative actions for women in public offices and employment.”³

In 1995, the ‘Framework Act on women’s development’ first introduced ‘temporary preference measure’ and the ‘Political Parties Act’ first ruled 30% quota for women candidates in the proportional representation of general election in 2000. This 30% quota was not very effective because it was not compulsory and there was no measure to change political parties’ passiveness in nominating women candidates. As the result, the ratio of female numbers in proportional representation could not reach 30% in the general election of 2000.⁴ Despite the problems, the first introduction of the gender quota in politics was valuable in itself.⁵

In 2002, there was an amendment to the Political Parties Act. Under the amendment, women must account for over 50% of proportional representation candidates for municipal/provincial councils with female-male alternative order on the nominee list. Political parties are also required to make efforts to ensure that women make up at least 30% of nominated candidates for local constituencies in general and local level elections. Under the 2002 amendment to the Act on Elections for Public Offices and Prevention of Electoral Malpractices, registration of a candidate list that does not fulfill the women candidate nomination ratio and related regulation is not accepted in regional council elections. And the State shall

offer additional subsidies to the parties which nominated more than 30% female candidates for supporting these measures (Article 17-2, Act on Political Fund).⁶

In 2005, the gender quota rules in the Political Parties Act were removed and provided by ‘Election Act for Public Offices’ which the title was changed and revised from the Act on Elections for Public Offices and Prevention of Electoral Malpractices.

Under the March 2010 amendment to the Election Act for Public Offices, compulsory quota for women candidates in local councils’ constituencies was first introduced that political parties are required to nominate more than one woman candidates per one general constituency.⁷

Besides, even though it is not directly related to quota for women, the Political Fund Act assigns that political parties have the duty of promotion for women politicians, and rules that 10% of State benefits for political parties shall be used for the development of female politics (Article 28).

In summary, the gender quota system in Korean politics is institutionalized by law rather than political parties’ voluntary participation. It is because voluntary quota for women by political parties is less feasible, and it is difficult to expect that the gender quota system would success.

IV. Achievement of the Gender Quota System

The Gender quota system contributed to increase the ratio of women in both the National Assembly and local councils.

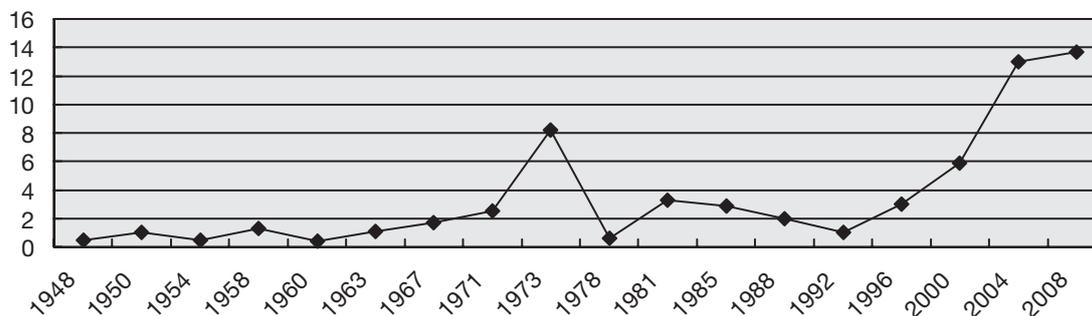
In the National Assembly, it raised from 5.9% in 2000 to 13% in 2004. The impacts of quotas are most significant when combining with proportional representation system. The 50% quota in proportional representation was

effective showing the result that 29 of 39 female winners in proportional representation. At the same time, it was proven that 30% arbitrary quota in constituencies and additional fund for nominating female candidates did not have much effect, as shown in the result of the election in 2000 right after introduction of voluntary 30% quota in proportional representation. Also, there is

no promotion without reinforcement of quota for women before the general election in 2008, we can

not find a meaningful increase any more.

Table 1. Women Winners' Ratio in General Elections (%)



Though women ratio in the National Assembly is still around 10%, female members are now familiar to people, and they have more chances to prove their own political leadership. In addition, male-dominated culture in politics is gradually ameliorated and stereotypes to female politicians were changed.

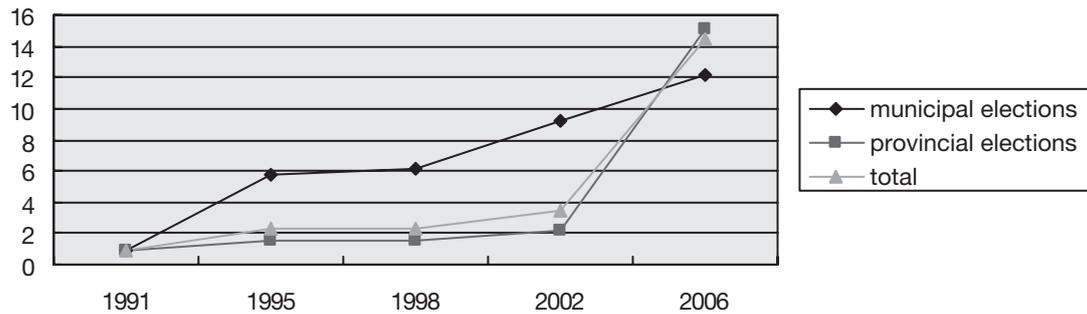
Women's increase in politics does mean not only numerical increase, but also more interests in gender issues. Comparing to the 16th (2000-2004) with the 17th (2004-2008), there were enactment and amendment of 45 bills on gender issues, adoption of 2 resolutions in the 16th (Gender Equality Committee, 2004: 9-12). On the other hand, 104 bills on gender issues, 2 resolutions, 1 agreement, and 1 proposition in the 17th (Gender Equality and Family Committee, 2008: 921).

The similar analysis is possible in local elections. Gender quota was first implemented in 2002, which was 50% compulsory quota for women with male-female alternative order on the nominee list in proportional representation of municipal level elections. However, it was not effective because the proportional representation in municipal region is only 11% (73/682), and this ratio was already maintained before the implementation of the gender quotas. Contrary to municipal level elections, women's ratio was only 2.2% in provincial level elections without gender

quotas. At that time, it was impossible to rule gender quotas because political parties were not related to provincial level elections.

It is the local elections in 2006 that showed the effect of the gender quota. The Public Official Election Act was amended before the local elections in 2006, the amendment introduced nomination by political parties and quota for women with male-female alternative order in provincial level elections. Women members in provincial councils increased from 2.2% in 2002 to 15.1% in 2006. Also in municipal councils, it is from 9.2% to 12.1%. However, focusing on local constituencies, it showed a bit more increase such from 2.3% in 2002 to 4.9% in 2006 in municipal councils and from 2.2% to 4.4% in provincial councils.

Table 2. Women Winners' Ratio in Local Elections (%)



It is consequently proven that the increase of women ratio is contributed to 50% gender quota with alternative order. And it also presented that the effect was limited in proportional representation. To promote more women's nomination, the Political Fund Act provides the

additional fund to the parties that nominated more women candidates, but it was not so much effective. It is partly because there is a tendency that major parties that can fundraise easier nominated less women candidates (Kim and Oh, 2010: 150).

V. Further Questions

Despite the increase of female members, there are still problems to solve. First, women's participation in Korean politics still remains low. Because it is strongly dependent on compulsory gender quota system, reinforcement of quota may be the fastest way that more women can go to the National Assembly and local councils. In order to expand the gender quota in constituency representation, there are two options. One is the introduction of compulsory quota, the other one is the expansion of current voluntary quota by political parties. On the condition that institutionalization of the gender quota without intensive discussion, impellent adoption of compulsory quota will confront stronger opposition than so far. To make political parties nominate women candidates spontaneously, the agreement within parties⁸ and voters' understanding will be important.⁹

Second, quantitative improvement under the current quotas can not assure the realization gender equality. Fortunately, as female members in the National Assembly were interested in

gender issues, they contributed to enactment and amendment of bills related to gender issues. One of the good examples is the abolition of the family-headship system in Korean civil law. Even though the issue was raised as a presidential election pledge in 2002, it was finally abolished in 2005 by the increase of female members in the National Assembly in 2004. However, there are no means to raise more qualified women politicians as 'women's representation'. It is necessary to monitor the process of nomination by political parties and women politicians' activities in the National Assembly and local councils. Moreover, female students who want to be politicians need to be trained in gender policies and leadership.

VI. Conclusion

It has been ten years since the gender quota system was first introduced in Korea. Women's participation in Korean politics is strongly dependent on the compulsory gender quota rules. Surely, it has been very useful measure quantitatively as well as qualitatively in Korea so far. However, we need to develop a strategy for making more women participate in politics without quota, attract voters' interests for gender equality, and respond to the argument, 'reverse discrimination'.

Gender quota system means not only a measure for women's more participation but also realization of gender politics. It is an effective institutional strategy to promote substantial gender equality for women less represented in politics in spite of the equality before law. Benefits of quota for women are not merely the increase of female members, but empowering them to secure their veritable citizenship (YOON, 2006: 11). And quota is not only for gender equality, but for minority's opportunities and participations to realize social integration.

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Notes

- 1 The Local Autonomy Act was enacted in 1949, and had hold local elections until 1960, but later in 1962, local councils were dissolved by military coup in 1962, and the local autonomy has not implemented for more than 30 years in Korea.
- 2 There were only 10 countries which have gender quotas until 1980, 12 countries were added in 1980s. More than 50 countries adopted quotas in 1990s, and did more than 40 countries so in 2000s. Now there are more than 100 countries which have quota systems, and more than 75 countries started quota systems after the World Conference on Women 1995 (Krook, 2009:4).
- 3 Constitutional Court, 11-2 KCCR 770, 98Hum-Ma363, December 23, 1999.
- 4 For the general election in 2000, *Hannara-dang* (Grand National Party) nominated 11 female candidates (24.4%), *Jayu Minju Yeonhap*(United Liberal Democrats) did 19.3%. Only *Minju-dang* (Democratic Party) nominated 32.6% female candidates of proportional representation. Moreover, some parties assigned less available number to female candidates, and eventually the female number of proportional representation in 2000 was 23.9% (Cho and Kim, 2010: 131).
- 5 The process to rule 30% quota did not get off a smooth start. The original bill '30% quota for women candidates on proportional representation in every election', which was a presidential election pledge, was omitted right before submitting it to a plenary session. And, the whole female members (11) with their supporting colleagues proposed an amendment on Feb 8th, 2000. And the amendment was passed at the very next day (Cho and Kim, 2010: 131).
- 6 This article was enforced from 2003, and parties could not benefit from it in the regional council election in 2002.
- 7 The compulsory quota in local constituencies met with opposition from many members of the National Assembly, and there is also opinion that it violates the rule against

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- excessive restriction under Constitution. The agreement by Special Committee for Political Reform was rejected by Legislative and Judiciary Committee and returned. The first draft was amended by Special Committee for Political Reform and the amendment with proviso was barely passed (Cho and Kim, 2010: 132).
- 8 Chun analyzed that spontaneous quota system was effective in Germany because of understanding on democracy that substantial equality can be realized by female representation and expectation that female representation will ameliorate the quality of politics. On the basis of these grounds, movement for gender equality brought male members' agreement within parties (Chun, 2004).
 - 9 According to Marland and Studar, if political parties implement quota for women, the first reason is that political parties think carrying quota can appeal to voters who think gender equality is important in the society (Marland and Studar, 1996).
 - 10 The system is basically based on the principle of fatherhood succession and fixedness of the family name. And feminist activists have raised the issue of the abolition since 1960, right after enactment of Korean civil law.

