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# Gender, Quota Laws, and the Struggles of Women's Social Movements in Latin America

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Gender, Quota Laws, and the Struggles of Women's Social Movements in Latin America

by

Merav Frazier

A thesis submitted in partial fulfillment  
of the requirements for the degree of  
Master of Arts  
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### **Dedication**

This thesis is dedicated to my cousin Adi Shiran (1984 – 2002) in memory of her passion for life, to my family who always pushed me to the edge without ever pushing me off, and to my husband Derek for all his love and support throughout the process of writing this.

## **Acknowledgments**

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## Table of Contents

List of Tables	iii
Abstract	iv
Introduction	1
Chapter 1: The Development of Feminism and Gender Analysis	7
Feminism and Feminist Theory	7
Liberal Feminism	9
Radical Feminism	10
Socialist Feminism	11
“Waves” of Feminism	11
The First Wave	12
The Second Wave	12
The Third Wave	14
Gender Analysis	14
Feminism in Latin America	16
Conclusion	19
Chapter 2: Women’s Social Movements in Latin America	20
The Development of the Feminist/Women’s Movements: Socialism, Revolutions and the Breakdown of Authoritarian Regimes.	22
Coalitions	29
Legal Reform	32
Combating Domestic Violence	33
Sexual and Reproductive Rights	35
Indigenous Women’s Rights	37
Domestic Servants	40
Conclusion	43
Chapter 3: Quota Laws	45
Quota Laws Defined	47
Successful vs. Unsuccessful Quota Laws	50
Electoral Systems: Majoritarian vs. Proportional Representation	52
Majoritarian Electoral Systems	53
Proportional Representation Electoral Systems	54
Placement Mandates	57
District Magnitude	58
Party Compliance	59
Support for and Criticisms of Quota Laws	60

Conclusion	62
Chapter 4: Case Studies of Quota Laws in Latin America	64
Argentina	66
Feminism and Women’s Movements	67
Government, Politics, and Implementation of Quota Laws	69
Results of Quota Law	70
Brazil	73
Feminism and Women’s Movements	74
Government, Politics, and Implementation of Quota Laws	77
Results of Quota Laws	80
Other Examples from Latin America	83
Ecuador	83
Paraguay	85
Conclusion	87
Conclusion	90
Bibliography	95

## **List of Tables**

Table 1.1	Trends in Women's Political Participation in Latin America (By Percentage)	44
Table 1.2	Women's Political Participation in Latin America (Before and After Quotas)	49
Table 1.3	Applications of Quota Laws in Latin America	50
Table 1.4	Proportion of Seats Held by Women in Argentina's Chamber of Deputies; Period 1983-2007	69
Table 1.5	Proportion of Seats Held by Women in Brazil's Chamber of Deputies; Period 1990, 1997-2007	81
Table 1.6	Proportion of Seats Held by Women in Ecuador's National Parliament; Period 1990, 1997-2007	84
Table 1.7	Proportion of Seats Held by Women in Paraguay's Chamber of Deputies; Period 1990, 1997-2007	87

# Gender, Quota Laws, and the Struggles of Women's Social Movements in Latin America

Merav Frazier

## ABSTRACT

Assuming gender neutrality in comparative analysis, i.e. not including either explicit or implicit references to a particular gender or sex, runs the risk of camouflaging the unequal distribution of political power, economic influence, and political access for men and women. Unfortunately, in assuming such neutrality, one is blinded to the inherent flaws of political systems, the inequalities they create, and their lack of consideration of gender and women's rights. To counteract this inequality between the sexes, women's social movements are fighting to create gender awareness and establish formal policies that place them at the same level as their male counterparts, and feminist ideals are slowly becoming more prominent. As in other regions, in Latin America, quota laws have been established as affirmative action-type mechanisms that are meant to create a balance in view of the inequalities women face in ascending to political office. My study focuses on whether or not quota laws have increased women's presence in Latin American political legislatures and if they have met the intended objectives by the women's social movements that advocated for them. My results indicate that quota laws have not worked in every Latin American country to dramatically increase women's presence in politics. The literature also suggests that quota laws have not entirely been able to produce the desired outcomes as proposed by women's social movements in the region. I also address the question of what has made quota laws successful in some



countries, yet not in others. My research indicates that the effectiveness of quota laws depends on how they are drafted and implemented, that is if institutions have effectively been altered and if the government is taking specific measures to ensure that the law is being enforced. Since women have not been able to rely on the good faith of the political parties to determine their entry to positions of public authority, traditional procedures for candidate selection have been in need of alteration. I conclude that if quota laws are not customized to a country's electoral system and applied meticulously by political parties, they will hardly produce any results for women.

## **Introduction**

In most societies there is a tremendous difference between the roles of women and men. Gender analysis highlights these different roles and learned behavior of men and women based on gender attributes. It focuses on understanding and documenting the variations in gender roles, activities, needs, and opportunities in a given context. However, differences between the genders are often ignored in political, social, and economic research; women's roles are not considered and men are set to be the main aspect of theories. Gender analysis thus takes into account women's roles in production, reproduction, political participation, and other activities. While traditional theories generate a domination of men over women through their lack of gender sensitivity, "Feminism allows for a look at gender relations as an aspect of a power relationship, and it challenges traditional ways of studying the political by focusing on patriarchy and the domination of women by men." (Chilcote 1981, 162) Feminism shifts the study of International Relations away from a singular focus on inter-state relations toward a comprehensive analysis of transnational actors and structures and their transformations in global politics.

Feminist perspectives reveal that, in many instances, the sites of global power and transformation are not just the domain of political and economic elites; such sites also exist in the invisible, underappreciated nooks and crannies of societies. Many feminist authors have noted that, with regards to the international human rights movement and other advances towards gender equality, the concept of gender was approached with more

of a negative connotation as opposed to focusing on the positive rights. There was a mainstream spotlight on the discrimination against women without questioning women's marginalization within society. "Women's movements have emphasized the need to radicalize and popularize rights demands, while they have stressed the indivisibility of rights and the need for political guarantees to protect and advance those rights." (Craske and Molyneux 2002, 25)

In Latin America, this gender difference is especially prevalent, and the women's movements in the region have taken a prominent role in reshaping the way gender is looked at and considered when it comes to inner-state and international relations. Latin American women's movements have directed their concentration to securing enhancements in women's legal and political status through an incorporation of force from below and working in a joint venture with the state. However, as the case studies will illustrate, though these struggles for rights have a potential for achieving greater gender equality, the efforts of the women's movements exemplify the imperative restrictions and difficulties of rights-based work. (ibid, 3)

Over the past 15 years, as a means of addressing gender inequalities in specific areas, such as political representation and participation in political parties, several countries have passed laws which regulate a fixed percentage of legislative seats to women. These laws are a product of the women's movement's demands for the national and international level of government to take action in increasing women's presence in political legislatures. More than 40 countries have reformed their constitutions or passed new electoral laws requiring that women comprise certain percentages of aspirants, candidates, or legislative seats, while in many other countries, political parties have

adopted quotas on their own. These laws have been passed in twelve Latin American countries, including: Argentina, Bolivia, Brazil, Colombia, Costa Rica, the Dominican Republic, Ecuador, Mexico, Panama, Paraguay, Peru and Venezuela. This phenomenon raises both normative and empirical questions, ranging from whether gender quotas are appropriate to why countries adopt them and how effective they have been.

Advocates of the quota laws make three claims: normative, consequentialist, and symbolic. The normative claim suggests that quotas are the most efficient means of attaining fairness and equality with regards to the presence of women in decision-making processes that affect society at large. The consequentialist claim is that by instating quota laws, more women will be in power, thus there will be new items on the political agenda that will better accommodate the concerns of women. The third claim proposes that quotas inform the public about gender equality and exhibit society's obligation to a democracy based on inclusiveness. (Htun and Jones in Craske and Molyneux 2002, 35-36) While the data does show that women have made progress in increasing their political participation due to the quota laws, the literature also indicates that many of the formidable barriers to women playing a more prominent role in public decision making and administration still exist, thus negating the consequentialist claim. In addition, the political system's enforcements of these laws cannot change social practice, at least not quickly. As Habermas (1998) has argued, "the de facto validity of legal norms is determined by the degree to which such norms are acted on or implanted, and thus by the extent to which one can actually expect the addressees to accept them." Meaning, law derives its validity from the consent of the governed. While, quota laws may inform the public about gender equality, as the symbolic claim suggests, the acceptance of this

information and the willingness to embrace it, may not come so easily due to the political culture of the society.

Through a review of the current literature on quota laws, arguments that both support and refute the successfulness of the laws on creating gender equality in Latin America, I will measure their overall level of successfulness in achieving the intended goals of women's social movements in the region. My two main arguments are: (1) under certain conditions (closed party list in a PR electoral system, placement mandates, moderate to large sized district magnitude, good faith party compliance, penalties associated with any failure to comply with the law), quota laws are an efficient means of increasing female presence within legislative bodies, and (2) although they may achieve a level or equality within a legislative body, which at times has produced advancements in gender equality for women, quota laws do not necessarily increase public policies that focus on women's issues or the feminist agenda. My arguments are a reflection of ideas suggested by several authors, particularly: Mala Htun, Mark P. Jones, Pippa Norris, and Lynn Stephen.<sup>1</sup> I focus my analysis on Latin America because the countries in this region present excellent cases to observe my assumptions and to test the theories of my predecessors, as they all have established different types of quota laws, in different forms of electoral systems, in a similar time frame. This allows for a comparison of how a quota

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<sup>1</sup> Mala Htun and Mark P. Jones argue that there are "three elements that are crucial to the success of the quota: the utilization or a placement mandate in a closed-list system, a moderate to high average district magnitude, and party compliance." (Htun and Jones in Craske and Molyneux 2002, 40)

Pippa Norris agrees with Htun and Jones in her argument that "variation in the effectiveness of the quotas can be explained by whether the PR list is open or closed (with the latter most effective), the existence of placement mandates (requiring parties to rank women candidates in high positions on closed party list), district magnitude (the higher the number of candidates in a district, the more likely quotas are to work), and good faith party compliance." (Norris 2004, 197)

Htun also suggest that the mere presence of women in positions of power will not automatically generate policy outcomes sympathetic to women's interests. (Htun 2001, 8-9)

Stephen suggests that it should not be assumed that just because they are women, and have a common experience of segregation from political structures of power, that they all share the same interests. (Stephen 1997, 283)

law may be successful when applied to certain institutional designs, and unsuccessful when applied to others.

I begin my analysis with depicting the evolution of feminism. Chapter 1 reviews the basic tenets of the various forms of feminism and how it has developed throughout three “waves”. I also discuss the importance of gender analysis and illustrate how Latin America has some unique views of feminism and gender roles. In Chapter 2 I discuss women’s social movements in Latin America. I begin by conveying how these movements began during the time when most countries were transitioning towards democracy and played a significant part in the breakdown of authoritarian governments. I argue that the collapse of authoritarian rule allowed for the expansion of new ideas, which created an opening for women’s movements to achieve their agendas, and that revolutions also played an important role in their development. I also give various examples as to how women’s movements have organized to achieve their intentions, and depict an obstacle that still divides them. Chapter 3 discusses an important result of women’s organizing: the adoption of quota laws. In this chapter I define quota laws, provide examples from the literature of both support for and criticisms of quota laws, and depict what makes them successful in some instances and unsuccessful in others. Chapter 4 provides an analysis of Argentina and Brazil, along with other examples from Latin American countries that have quota laws. Argentina and Brazil provide for extremely useful comparative cases, because they had completely opposite results when first implementing a quota law due to their contrasting forms of electoral systems and methods of application. My analysis illustrates the direct effect of the quota laws on increasing women’s political presence in the legislatures and raising awareness of

women's gender issues. I also indicate the gaps in the research and show how the regional variation of the ways in which quota laws were implemented and their results invalidate my initial hypothesis. My concluding chapter reviews the overall effects of quota laws and their implications for women's movements and the feminist agenda, and offers some tentative explanations for why certain institutional designs within the analyzed electoral systems do not generate the anticipated effects.

Despite the fact that my initial explanations could not account for all of the observed outcomes, this thesis nevertheless presents some important findings about the relationship between quota laws and the achievement of gender equity in Latin American politics: (1) quota laws, are an efficient means of attaining fairness and equality with regards to the presence of women in decision-making processes, but are limited in their successfulness of increasing the representation of women's interests; (2) quota laws, while increasing women's presence in politics, do not always lead to an increase in women's voice regarding gender in politics; (3) government institutions need to be altered to meet the objectives of women's social movements; and (4) although quota laws have not fully been successful in escalating women's presence in legislatures in all of the Latin American countries that have ratified them, their enactment is of remarkable symbolic significance.

## **Chapter 1: The Development of Feminism and Gender Analysis**

The concept of feminism and feminist notions on gender equality, politics, democracy, and the rights of women, are not new to this century. This chapter illustrates the development of feminism throughout three major historical waves and depicts how the spread of the ideology has led to feminist movements, and gender-based theories. I begin by providing an overview of feminism and feminist theory, which defines the ideology, how it has branched out into a number of different theories, and illustrates its usefulness. I then describe the three major waves in which the theory spread and depict how feminists have used the concept of gender to express their suppression by society. By providing this information, I create a base of comparison to illustrate the uniqueness of Latin American feminism and conclude that women's social movements in the region are the essential aspect that keep the ideas of feminism thriving.

### **Feminism and Feminist Theory**

Feminism is defined by the cultural, social, and political movements it encompasses, as well as its theories and moral philosophies concerning gender discrimination and equal rights for women. "Historical, political, cultural, and economic systems of inequality have combined to produce positions in the relations of power that can be characterized by exploitation, pain, suffering, struggle, and marginality. These abstract positions are, of course, inhabited by real people – in the instances studied here, by women." (Stephen 1997, 6) As a result of the combination of unequal social, political, and economic structures, the study of gender is crucial to comparative political analysis.



Feminism developed to depict the disparities experienced by women, and feminist scholars were the first to express a necessity for the analysis of gender. Feminists dispute traditional IR thinking; they claim that it categorizes men and women, adheres to the notion of women's correspondence to a domestic life, and ultimately uses concepts such as "the state" to disguise a masculine identity. (Connell 1990, 509)

Feminist theory aims to understand gender inequality and focuses on gender politics, power relations, and sexuality. Much of the theory focuses on the promotion of women's rights and interests, and provides a critique of social and political relations. The ideology of feminism and feminist gender theory developed alongside liberalism, and the liberal emphasis on individual sovereignty and equal rights continues to inspire many women towards a feminist viewpoint. However, the contemporary liberal tradition is frequently presented as inimical to the language and concepts of gender, which feminism is notorious for. (Phillips 1991, 21) The word "feminism" has remained a controversy from the time it was first conceived. In the early 1970s, the English-language definition of feminism, found in most American dictionaries, was as follows: "...a theory and/or movement concerned with advancing the position of women through such means as achievement of political, legal or economic rights equal to those granted men." (Offen 1992, 70) What's important to note here is the end of 'advancement' and giving women rights equal to that of men. Since the mid-1970s, the historians of women in the U.S. have articulated a comparable revisionist analysis for the history for American feminism. The Europeans had a similar, yet slightly different approach to defining feminism.

*Europeans focus as much or more on elaborations of womanliness; they celebrated sexual difference within a framework of male/female complimentary; and, instead of seeking unqualified admission to male-dominated society, they [European feminists] mounted a wide-ranging critique of the society and its institutions. (Offen 1992, 70)*

Feminist notions are rooted in the concept of 'female consciousness', which was introduced by a historian Temma Kaplan and is sometimes referred to as the consciousness of the 'rights of gender'. The recognition that women can stand outside the control of male domination, not only provides an account of women developing feminist consciousness, but also provides an account of men developing feminist consciousness. (Colker 1990, 1155) Feminism seeks a rebalancing between women and men of social, economic, and political power within a given society. Feminist claims are done on behalf of both sexes in the name of their common humanity, but with respect for their differences. (Offen 1992, 82)

In the 1970's, women started developing a feminist theory to help explain their oppression. By the 1980's, however, feminists started disagreeing on particular issues linked to feminism, thus causing feminism to branch out into many theories that focused on different feminist issues. Today, there are as many definitions of feminism as there are feminists. Each definition of feminism depends on a number of factors including ones own beliefs, history and culture.

### ***Liberal Feminism***

Liberal feminism is an individualistic form of feminism that was most popular in the 1950's and 1960's when many civil rights movements were taking place. The main view of liberal feminists is that all people are created equal by God and deserve equal rights. These types of feminists believe that oppression exists because of the way in

which men and women are socialized, which supports patriarchy and keeps men in power positions. Liberal feminists believe that women have the same mental capacity as their male counterparts and should be given the same opportunities in political, economic and social spheres. Unlike the radical feminists, who believe that society must be changed at its core in order to dissolve patriarchy, not just through acts of legislation, liberal feminists create and support acts of legislation that remove the barriers for women. These acts of legislation demand equal opportunities and rights for women, including equal access to jobs and equal pay. Other important issues to liberal feminists include reproductive and abortion rights, sexual harassment, voting, education, affordable childcare, affordable health care, and bringing to light the frequency of sexual and domestic violence against women. Liberal feminists are responsible for many important acts of legislation that have greatly increased the status of women, including reforms in welfare, education and health.

### ***Radical Feminism***

Radical feminism promotes the basis for many of the ideas of feminism. It sees the capitalist sexist hierarchy as the defining feature of women's oppression. Radical feminists believe that the domination of women is the oldest and worst kind of oppression in the world, and that women can free themselves only when they have done away with what they consider an inherently oppressive and dominating system. Most radical feminists believe that the total uprooting and reconstruction of society is necessary in order to achieve their goals of freeing both men and women from the rigid gender roles that society has imposed upon them. They believe that we live in a sex-gender system

that has created oppression and their mission is to overthrow this system by any possible means.

### ***Socialist Feminism***

Socialist Feminism links women's oppression to the class structure. Much like the views of radical feminists, socialist feminists believe that although women are divided by class, race, ethnicity and religion, they all experience the same oppression simply for being a woman. Social feminists believe that sexism exists because a women's work is less valued since it does not produce exchangeable goods; this gives men power and control over women. Socialist feminists like to challenge the ideologies of capitalism and patriarchy. They believe that the way to end this oppression is to put an end to class and gender by allowing women to work side by side men in the political sphere. In contrast to ideals of liberal feminism, which tend to focus on the individual woman, the socialist feminist theory focuses on the broader context of social relations in the community and includes aspects of race, ethnicity and other differences.

### **“Waves” of Feminism**

The ideology of feminism has spread worldwide in three notable “waves”. The first wave of feminism was in the nineteenth and early twentieth centuries, the second was in the 1960s and 1970s and the third extends from the 1990s to the present. However, this does not imply that feminist activities and movements did not occur prior to the first wave. In Europe, women began to express a collective voice much earlier than the three

waves suggest. For example, the French Revolution<sup>2</sup> was a juncture during which women began to demand the recognition of their political rights, as their peers had been doing.

### ***The First Wave***

First-wave feminism refers to the first concerted movement working for the reform of women's social and legal inequalities during the nineteenth century and early twentieth century in the United Kingdom and the United States. The term "first-wave" was coined retroactively in the 1970s, but this wave is usually seen as having begun with the Seneca Falls Convention of 1848<sup>3</sup>. The key concerns of this movement were education, employment, the marriage laws, and voting rights. Their major achievements included the opening of higher education for women, reform of the girls' secondary-school system, the widening of access to the professions (especially in the medical field), married women's property rights (recognized in the Married Women's Property Act of 1870), and some improvement in divorced and separated women's child custody rights. In the United States first-wave feminism is considered to have ended with the passage of the Nineteenth Amendment to the United States Constitution (1919), granting women the right to vote.

### ***The Second Wave***

Second-wave feminism developed from the economic and social changes of the post-World War II years, which have effected deepening contradictions in the capitalist economy, in the status of women, and in the family system. (National Conference of the

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<sup>2</sup> The French Revolution (1789–1799) was a period of political and social cataclysm in the political history of France and Europe as a whole. During this time, the French government went through a fundamental change to forms based on Enlightenment principles of nationalism, citizenship, and incontrovertible rights.

<sup>3</sup> The Seneca Falls convention was the beginning of the seventy-two-year battle to obtain the vote for women which ended only in 1920 with the ratification of the Nineteenth Amendment: "The rights of citizens of the United States shall not be denied or abridged by the United States or by any state on account of sex." (Barth 2002)

Democratic Socialist Party, 1992) The feminists of this period saw that cultural and political inequalities were linked and encouraged women to understand aspects of their personal lives as deeply politicized and reflective of a sexist structure of power. Feminism thus progressed rapidly as a major critical ideology, and its stages have historically been dependent on and in tension with male-centered political and intellectual discourse. The feminists of the second-wave were primarily concerned with gaining full social and economic equality, having already gained almost full legal equality in many western nations. During the second-wave of feminism, the United States was the first country in which the radicalization of women appeared as a mass phenomenon. One of the main fields of interest to these women was in gaining the right to contraception and birth control, which were almost universally restricted until the 1960s.

In 1964, the phrase "Women's Liberation" was first used in the United States. By 1968, the term *Women's Liberation Front* started to refer to the whole women's movement. The women's liberation movement began among students and professional women. The demands it raised, combined with the growing contradictions within the capitalist system, began to mobilize and affect the awareness, expectations, and actions of significant sections of the working class, male and female. (ibid) One of the most vocal critics of the women's liberation movement has been Bell Hooks, an African-American author, feminist, and social activist, who argues that the movement's glossing over of race and class was part of its failure to address "the issues that divided women". Her writing has focused on the interconnectivity of race, class, and gender and their ability to produce and enable systems of repression and domination. She has also conveyed the lack of

minority influence in the women's movement. This discrepancy, along with others, led to the third wave of feminism, which challenged many of the second-wave theories.

### ***The Third Wave***

Third-wave feminism began in the early 1990s as a response to perceived failures and backlashes of the second wave. The feminists of the third-wave sought to challenge the second wave's theoretical over-emphases on the experiences of upper middle-class white women and to negotiate prominent space within feminist thought for consideration of race-related subjectivities. Third-wave feminism also consists of debates between different feminists, such as Carol Gilligan, who believe that there are important differences between the sexes (which may or may not be inherent, but which cannot be ignored), and those who believe that there are no essential differences between the sexes (social roles are due to conditioning). (Gilligan 1982) A post-structuralist<sup>4</sup> interpretation of gender and sexuality is central to much of the third wave's ideology.

### **Gender Analysis**

During the second wave, in the late 1960s and 1970s, the general usage of the term gender began to increasingly appear in the professional literature of the social sciences. The term served a useful purpose in distinguishing those aspects of life that were more easily attributed, or understood to be, of social rather than biological origin. (Diamond 2000, 46) Since the mid -1980s, feminist researchers across the various disciplines have been shifting their focus from sex to gender. (Mazur 2002, 9) Feminist theories on the differentiation between sex and gender respond to the theoretical

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<sup>4</sup> Post-structuralists contend that the notion of "self" as a singular and coherent entity is a fictional construct. They believe that an individual is comprised of conflicting apprehensions and knowledge about notions such as gender, class, profession, etc.

emptiness that determined the behaviorist approach. (Nelson 1992, 491) Non-feminists tend to ignore, the notion that feminists tend to insist on, which is that gender is not only about women, but also about men and masculinity, and gender susceptible accounts are not only about "adding women" to otherwise unchanged research questions. Through culturally specific socialization, people learn how to be masculine and feminine and how to assume the identities of men and women. It is gender that allows us to illustrate these differences in identity, since they revolve around the roles we play and not our biological make-up.

Feminists argue that the analytic category of gender systematically shapes our conceptual frameworks. The taking of gender critically makes a problem out of the implicit masculinism of foundational categories and questions. "Taking gender seriously might alter the study and practice of world politics." (Peterson 1996, 870-873) Peterson notes that women and their bodies often become the "battleground" for male competition over honor, reproduction property, economic decision making, nationalist claims, and state power. (ibid, 876)

In her book, *Gender and International Relations*, Jill Steans refers to gender as "...not to what men and women are biologically, but to the ideological and material relations which exist between them." The terms 'masculine' and 'feminine' are gender terms that do not describe natural characteristics. (Steans 1998, 10) Other definitions of gender are fairly similar, and most incorporate a distinction made between sex and gender. Gender is a feature of religious and ideological, political, statistic, and nationalist discourses. It is always and notably an aspect of domestic and international conflict and it is not reducible to some other form of tyranny. Gender is not just about women; "it is



about masculinity and femininity as power relations in the most political and pervasive sense-about the gendering of identities, practices, institutions, and theoretical frameworks and the intersection of these with other hierarchal relations..." (Peterson 1996, 877)

Gender-based analysis is often seen as being unnecessarily divisive. However, the importance of gender as a crucial parameter in social and economic analysis is complementary to the variables of class, ownership, occupations, incomes, and family status. (Sen 1990, 123) Whereas sex only focuses on the biological difference of the individual, gender allows for the broader concepts to be conceived, such as that person's femininity or masculinity, and how those aspects are illustrated and affect society. "The oppression of women is not determined by their biology, as many contend. Sexual difference is a biological reality but oppression and discrimination have not always been attached to such a difference." (National Conference of the Democratic Socialist Party, 1992) Women have been treated unequally because of the social roles that have been assigned to them by society because of their gender. Throughout history, the feminist movement and women's social movements have focused on the inequalities experienced by women due to these specific roles that society has allocated to them.

### **Feminism in Latin America**

In Western Europe, state feminism grew largely out of mobilization by women's movements, but in Latin America, state feminism emerged from a combination of activism by women's movements, international organizations, and state actors. (Franceschet and Krook 2006) Contemporary feminisms (radical, socialist, and liberal) in Latin America were born during the 1960s and 70s, as intrinsically oppositional movements to military regimes and nominal democracies alike that crushed progressive

movements of all sorts and unleashed the repressive apparatus of the state upon civil society. From the beginning, feminists in the countries that were ruled by military regimes exposed the patriarchal foundations of state subjugation, militarism, and institutionalized brutality, a position that was progressively adopted more generally by Latin American feminists. (Sternbach, Navarro-Aranguren, Chuchryk, and Alvarez 1992, 397) Thus, these feminists were instrumental in shaping a Latin American feminist praxis distinct from that of feminist movements elsewhere.

Feminism in Latin America is well rooted in Latin American culture, which was in many ways unfavorable to gender equality, and can be quite distinct from North American or European feminism. The ideas of gender difference were strongly rooted in the region's major religion, Catholicism, which gave figurative characterizations to maternalist structures of femininity and underpinned the notion of separate spheres for men and women. Reformers took advantage of the Catholic Church's immense influence on social thought and used it to frequently invoke ideas of maternalism in order to support liberal feminist demands for education and equal rights.<sup>5</sup> (Freedman 2002, 67) The inclusion of the role as spouse or *compañera* and mother is unique to the Latin American feminist definition of the female role. (Vanden and Prevost 2006, 121) In following the example of the Mothers of the Plaza de Mayo of Argentina, most activists framed their interests as mothers of families and not as individuals. "In a general sense, the kinds of social intervention characteristic of early twentieth-century feminism both valorized the civilizing role of motherhood and demanded respect and protection for mothers and families." (Dore and Molyneux eds. 2000, 221)

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<sup>5</sup> Similar to radical feminism, "maternalism called attention to personal life, including moral issues such as drinking and prostitution...it rested upon essentialist notions of a common womanhood that ignored class differences and presumed female moral superiority." (Freedman 2002, 68)

A strong emphasis on motherhood and family seemed to invent a new kind of feminism that was distinctive to Latin America. It was this desire to protect their children, and their grandchildren, that propelled many Latin American mothers into politics. (Freedman 2002, 330) From this desire, new feminist concepts were introduced, such as maternal feminism which resonates with the relationship between motherhood and political organization in social movements, and popular feminism, which emerged from social movements and concentrates on gender and class rather than motherhood. (Craske 1999, 165) Also, in many cases, women's organizations in the region avoided the term "feminist", which they associated with hostility to men and to the family. (Jaquette and Wolchik 1998, 13) Other Latin American feminist attitudes, on issues such as abortion, can also be different from feminists in the United States. Unlike feminists in other countries, feminisms in Latin America are generally less oriented to liberation of the individual than to liberation of the society from imperialism and underdevelopment. However, as elsewhere, Latin American feminisms have been challenged to tackle classes and raced definitions of women's realities and to integrate instead the reality of intersecting oppressions. (Code 2003, 289)

The practice of feminism in Latin American is historically connected to grassroots organizing and service provision in poorer neighborhoods. Legal assistance and support to victims of torture and other abused women were just some of the outreach activities performed by women in these grassroots organizations. (Code 2003, 290) Through the organization of socialist, anarchist, and liberal feminist unions in a diverse range of Latin American countries, both middle- and working-class women demanded changes consonant with their absorption into education and employment. They used ideas of

domestic and maternal virtues as a foundation for activism and to generate ties of female solidarity. (Dore and Molyneux eds. 2000, 44-45) These Latin American women's movements were the exemplary expression of feminist consciousness in the region, and they transformed traditionally private spaces into profoundly public domains. (Code 2003, 290)

## **Conclusion**

The collaboration of women in plight of advancing their rights may not have been termed "Feminism" until the 20<sup>th</sup> century, but the movement's origin can be traced as early as the French Revolution. Currently, the third wave of feminism continues the struggle endured by its ancestors to advance the notions of gender inequality. This chapter has provided background information on the development of feminism in order to better depict origins of women's social movements, many of which were inspired by feminist notions. "Feminism as well as dominant cultural ideologies about women's proper place in the home and family influenced the public discourses and individual interpretations of goals, strategies and the results of these movements." (Stephen 1997, 3)

The next chapter will illustrate how these movements were formed, and argue that, with the world turning toward democracy, women have found a hole in the transition process in which they can pursue their specific agendas. In Latin America, the transition to democracy has allowed women's movements in many countries to establish new cultural, social, and political norms regarding their rights.

## **Chapter 2: Women's Social Movements in Latin America**

There are many prominent women in Latin American history, including (but not limited to): Sor Juana Inés de la Cruz, whose writings convey the struggle of the individual woman during the late 1600s; Lucila de María del Perpetuo Socorro Godoy Alcayaga, also known as Gabriela Mistral, a Chilean poet, educator, diplomat and feminist who was the first Latin American to win the Nobel Prize in Literature, in 1945, Magdalena Carmen Frida Kahlo y Calderón, also known simply as Frida Kahlo, an influential Mexican painter in the early-mid 1900s; and María Eva Duarte de Perón, often referred to simply as Eva Peron or Evita, was the second wife of President Juan Domingo Perón (1895–1974) and served as the First Lady of Argentina from 1946 until her death in 1952. These women paved the way for feminist ideas to be brought forth and be solidified into cultural norms. The transition to democracy created a spark which helped to ignite the ideas that these women had originally projected and created an opportunity for women to mobilize along gender lines and advance their specific agendas in several Latin American countries. As argued by Douglas Chalmers, Scott Martin, and Kerianne Piester (1996, 565), transitions in Latin America opened up new possibilities for representation of popular sectors. “Women’s movements, understood as female collective action in pursuit of social and political goals, are, like other social movements, essentially modern phenomena.” (Molyneux 2001, 3) In the 1970s and 1980s, politicized women’s groups emerged in the framework of new state formation and economic transformations, played a prominent role in the struggles against authoritarian rule, and raised hopes that

the return of democracy would generate greater opportunities for women in the region. (Kline and Wiarda 2000, 51) It has commonly been recognized that in many instances women's movements played a significant part in the initial breakdown of authoritarian rule. (Waylen 2000, 770) "Within the cases of transition in Latin America, scholars generally concur that the suppression of conventional forms of political activity under military rule provided a space for nontraditional actors and nontraditional participation to emerge." (Baldez 2003, 258)

This chapter depicts how the women's movements in Latin America assisted in the transition to democracy by taking advantage of the reformation process during the second and third wave of feminism, when most countries in Latin America had fallen under the cloak of crippling external debt calamities, by working to promote the concept of gender, and by spreading awareness of women's rights. I argue that women's movements played a significant role in the breakdown of authoritarian governments, that the collapse of authoritarian rule allowed for the expansion of new ideas, thus ultimately creating an opening for women's movements to achieve their agendas. It was during this time that the changes in Latin America favored a possible convergence of contemporary Marxist and feminist theory and practice. "Key issues pointing toward a convergence of thinking include a reevaluation and redefinition of democracy, the concept of 'a plurality of social subjects' or potential revolutionary actors, the importance of autonomy for popular movements in relation to political parties and the state, and a new understanding of the importance of daily life in the struggle for socialism." (Chinchilla 1991, Abstract)

## **The Development of the Feminist/Women's Movements: Socialism, Revolutions and the Breakdown of Authoritarian Regimes.**

Second-wave Latin American feminism is often attributed to the United Nations Conference on Women held in Mexico City in 1975. This conference served as an important catalyst for the discussions about women's situation in many Latin American countries. However, as Chinchilla notes, connecting second-wave feminism in Latin America to the conference alone, underestimates feminist activities prior to the conference, in countries such as Mexico, Brazil, and Argentina. (ibid, 294) These feminist activities led to women's movements that aided in the bringing down of authoritarian rule. Between the 1960s and the 1990s, the rise of the feminist movement brought new ideas about women's roles, while changes in social practices and the consolidation of democratic politics put pressures on old laws. (Htun 2003, 1) The struggle of women became not only a struggle to address their reproductive work and gender/class relations, but also a struggle to overcome their lack of power, primarily through the transformation and politicization of identity. (Escobar and Alvarez 1992, 147) In Latin America, a majority of the women's movements solidified in the 1980s (with the exception of the Cuban women's movement, which occurred primarily in the early to mid 1900s). In some countries such as Brazil, Chile, Argentina, Venezuela, and Mexico, the wave of feminism began as a primarily middle-class and intellectual movement and later spread to the lower-class and indigenous regions. In Peru, feminism had its beginnings almost simultaneously in the middle class and in the rise of social movements (in which most of the participants were women). (Stephen 1997, 12)

Many social groups in Latin America began to place a high priority on the quest for political democracy. Alvarez and Escobar note that social movements must be seen as essential forces in democratization of authoritarian social relations. “The feminist movement, for instance, has garnered sufficient political clout and increased its social reach in some countries, so much so that trade unions, political parties, and policymakers have incorporated (however begrudgingly) some of its political banners.” (Alvarez and Escobar 1992, 326) The feminist movement has also created awareness of forms of sexist discrimination present in the methods of leftist militancy and other types of oppression beyond the purely economic. (ibid, 187) Many see social movements as the cure for contemporary political ills in that they create new values and new forms of social interaction. For this reason, women’s social movements in Latin America can be seen as major contributors to the “cure” for the “disease” that was authoritarian rule, in that they fulfilled expectations for social change and brought new ideas into perspective. (Jaquette 1994, 233) One of their major contributions to the transition from authoritarian rule was their spread socialist values<sup>6</sup>, which offered a substitute to both liberalism and capitalism, one that would simultaneously secure the goals of national development and social justice. (Dore and Molyneux 2000, 59) Women’s movements are often connected with socialist notions. “In general, socialism has been more ‘feminist’ than either Roman Catholicism or liberalism, and the majority of Latin American feminist have been associated with left-wing parties inspired by socialist principles.” (Htun 2003, 43)

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<sup>6</sup> “Socialism professed the full equalities of men and women, and in identifying the family as a major site of inequality, it proposed to remove the basis of traditional gender order by giving women new rights and the means to achieve economic autonomy through employment.” (Dore and Molyneux 2000, 59)



While some authors, such as Burbach and Nunez (1988), do not recognize any particular contribution that women's organizing of feminism can make toward the class struggle and the building of socialism, Latin American Marxist-feminists do, however, explicitly discuss these contributions and interconnections in their writings and documents. For example, activists in mixed groups such as shantytown and trade union organizations in Chile twist the traditional argument that feminism is divisive and argue instead that men and women will remain divided unless they engage in a common political project that acknowledges women's subordination and directly confronts machismo. Thus, they illustrate how a feminist perspective can make the class struggle "more efficient". (Alvarez and Escobar 1992, 45) Many of these class struggles created a path for revolutionary struggles in several Latin American countries, which in turn led to the establishment of more women's organizations and movements.

During the twentieth century, women worked alongside men in revolutionary struggles. Women revolutionaries believe that a socialist revolution is a precondition for the development of the women's movement while at the same time admitting that women do not have equality within the movement. (Code 2003, 289) In countries such as Nicaragua, Cuba, El Salvador, and elsewhere, the emergence of parties on the revolutionary left included the formation of mass organizations for women that were initially created to develop a social base of support. (ibid, 57) In his books *Democracy in America* and *The Old Regime and French Revolution*, Alexis de Tocqueville was the first to theorize about the implications of changes for collective action. He illustrated how differences in patterns of state building produced differences in the opportunity structures of social movements. (Tarrow 1998, 55) Latin America serves as a principal example of

how the revolutionary transition towards democracy created the opportunity structures that women's movements needed in order to advance their agendas.

In Nicaragua, for example, feminist ideology during the Sandinista Revolution was largely responsible for improvements in the quality of life for women. Women organized to assist with the revolutionary process during the 1979-1990 Sandinista rule through an organization known as AMNLAE (Asociación de Mujeres Nicaraguenses Luisa Amanda Espinosa). AMNLAE was initially established in 1977 under the name Asociación de Mujeres ante la Problemática Nacional (AMPRONAC) and was part of the Sandinista (FSLN) network which was set on bringing down the Anastasio Somoza García regime in 1979. Shortly after the fall of Somoza, AMPRONAC change its name to AMNLAE, after Luisa Amanda Espinoza, the first women to die in the war against Somoza, but remained closely connected to the FSLN as their slogan suggests: "No revolution without women's emancipation: no emancipation without revolution." AMNLAE continued the struggle for women's equality and played a significant role in mobilizing women across Nicaragua on issues of women's involvement in war, abortion, rape, domestic violence, sex education, and workplace equality.

The Cuban Revolution occurred before feminism's second wave, and unlike the Nicaragua Revolution, its leadership never candidly embraced feminist ideas; it never generated the kind of loyal feminist opposition that, in Nicaragua's more pluralized political context, was able to achieve a feminist input into state policies and law. (Dore and Molyneux 2000, 60) However, the Cuban revolution was quite similar to that of Nicaragua in that, as in Nicaragua, the values that informed the revolution were highly egalitarian, a point that would favor the development of autonomous feminism. "When

one looks at the periods after the revolutionaries came to power, the similarities are striking, especially with regard to the popular organizations that were entrusted with organizing women.” (Kampwirth 2004, 193) Founded on August 23, 1960 in Cuba, the women’s organization known as the The Federation of Cuban Women (Federacion de Mujeres Cubanas, FMC) is a mass group that carries out policies and programs aimed at achieving the full recognition of equality and emancipation of Cuban women in all areas and levels of society. The FMC is composed of organizations that had been accounting for women before its creation, which decided to unite into a single federation, including: the Women's Revolutionary Unity (UFR), which brought together a large number of rural women, the Agrarian Column, the Female Revolutionary Brigades, the group Women Humanists, and the Brotherhood of Mothers, among other groups. The FMC acknowledged women’s efforts on behalf of household reproduction and the burden of a women’s daily life associated with a shortage economy that had largely fallen on them during the revolutionary period, and noted that this burden had disqualified women from taking a fuller role in political life. Thus, while Cuban socialism promoted equality in the law, achieved greater incorporation of women in the public sphere, and ensured the reproductive rights of women, unlike in Nicaragua, it did less to resolve the persistent gender inequalities in social life. (Dore and Molyneux 2000, 60)

El Salvador’s women’s movements also sprung from revolutionary organizations, but unlike the national women’s organizations in Cuba and Nicaragua which remained linked to revolutionary parties that came to head governments, some declared their autonomy from their founding parties either before or shortly after they entered into the formal political process. Another example of women’s organization during a

revolutionary period is the revolutionary movement called the Zapatistas in Mexico. They brought women into their demands, discussions, and leadership by establishing a “Revolutionary Law of Women.”(ibid, 13-14)

While the revolutions in Latin America have illustrated indication of social change, which created an opening for women’s social movements to spread their agendas, the most concrete evidence of the wave of Latin American feminism is illustrated by the establishment of a series of regional Latin American and Caribbean Feminist Encuentros in the beginning of 1981. The Encuentros were biannual, region-wide feminist meetings, which offered women a vehicle for coming together and becoming politicized, and for developing strategies, to fight against prevailing sexism, racism, economic disparity, neo/colonialism, and political repression. These meetings began with only two hundred participants in Bogota, Colombia in 1981, and grew to over twenty-five hundred women in San Bernardo, Argentina in 1990. Some of their themes included: the influence of race and class on women’s lives, and ways for the participants to bring women’s various concerns to national institutions such as labor unions and political parties. (Freedman 2002, 111) “While the encuentros by no means represent all of the work being done in the name of feminism in Latin America, they became increasingly diverse with time and raised some of the major issues being debated in many countries.” (Dore and Molyneux 2000, 15)

Latin American nations have traditionally held a political and economic Third World standing, leading women to share a widespread bequest of repression. The growth of the second-wave Latin American feminist movement put gender equality and reproductive rights on the policy agenda in many Latin American countries. (Htun 2003,

5) The movement has proposed that while economic reliance, poverty, and colonial associations with western nations are key to understanding the conditions in which Latin American women live, patriarchal ideologies--such as traditional norms and values about women's social status and economic role, little access to formal political structures and educational resources, unequal division of labor and the exploitative nature of women's work, and the historical heritage of machismo characterize women's lives.

The Latin American women's movement argued the notion of "equality of results", which states that real equal opportunity does not exist just because formal barriers are removed, and that direct discrimination, along with complex pattern of hidden barriers, prevent women from getting their share of political influence. (Dahlerup 2002, 3) The strategic gender interests of the Latin American feminist movements have allowed women to advance into the public aspect of life and to achieve access to arenas formerly dominated by men. The access to the traditionally "male" sphere of public power has given feminist movements the ability to challenge oppressive gender hierarchies and to carve out a new place for women in society and in public office. It is generally recognized that the new social movements of Latin America represent an innovative form of politics which has recast political agendas and action. (Radcliffe and Westwood 1993 [eds.], 16)

Though they were overshadowed by the remnants of authoritarian regimes and difficult economic trends, women's social movements in Latin America, along with gender-aware research, contributed to the development of an independent civil society and helped to advance the spread of democratic and humanitarian ideals. (Craske and Molyneux 2002, 4) As Molyneux (2000:64-5) notes:

*The collapse of military rule in the 1980s and the return of civilian governments to power were accompanied by a deepening of the restructuring process, but in the context of a greater commitment to social justice and “good governance”... Partly under the influence of the international women’s movement, partly due to the greater self-confidence and organizational strength of national women’s movements, and partly in an effort to present a modern face to the world, newly elected democratic governments recognized women as a constituency that required representation in the state. (Chant and Craske 2003, 2)*

The following sections illustrate the ways in which women organized to achieve their agendas in the various Latin American countries. Though their struggles for rights have a potential for achieving greater gender equality, the following exemplify the conflicts (both internal and external to the movement) that have created restrictions and difficulties to rights-based work. The last section specifically, illustrates how the issue of domestic servitude creates a divide among women, thus posing as a major issue to women’s movements whose goal is to unite women on an equal platform in order to demand equality to men.

### **Coalitions**

A common strategy across Latin America, given particular national and international opportunities, is the use of national-level coalitions for the advancement of women’s rights. “Coalitions have provided the means for effective mediation among women to articulate a set of gender-specific demands at the national level, particularly when women face a history of political exclusion.” (Friedman in Craske and Molyneux 2002, 59) During the democratization process in countries such as Chile, El Salvador, Brazil and Venezuela, women established various coalitions to assert a wide range of demands.

For example, in Chile, the National Coalition of Women for Democracy (Concertación Nacional de Mujeres por la Democracia:CNMD) was established in 1989

as an autonomous women's coalition in support of the centre-left Coalition of Parties for Democracy (Concertacion de Partidos por la Democracia) and to raise gender-specific issues during the transition to democracy. (ibid, 57-58) As a result of its formation, the winner of the 1989 elections, Patricio Aylwin, made women a key constituency to which he addressed his presidential appeal. (Brand 1998, 20) The CNMD had a clear influence on government policy in that most of its proposed gender-specific policies were implemented by the democratic government between 1990 and 1994. However, while these coalitions provided a way for the concerns of women to be voiced, and like in the Chilean case, important changes regarding gender equality to be established, they often encountered several internal and external issues that have yet to be resolved through coalition-based activism.

In El Salvador, women formed the Mujeres '94' Coalition with the purpose using the 1994 elections to raise gender consciousness in the new democracy. Although the coalitions efforts resulted in an improved record of registered female voters, as a whole, turnout was disappointing. Brazil is another country in which a coalition's efforts were not entirely successful; yet in Brazil's case, the problems were internal. The Union of Brazilian Women for Beijing '95 (Articulacao de Mulheres Brasileiras) was formed in preparation for the 1995 Fourth World Conference on Women in Beijing. The coalition sought to capitalize on the international attention to gender inequality by raising awareness at the national level. However, the organization was criticized for its centralization and seeming elitism in that it did not attempt to engage women at the local level around their particular issues. (Friedman in Craske and Molyneux 2002, 58)

The first Venezuelan organization to bring together feminist and nonfeminist women's groups on an ongoing basis was the CONG. The CONG was a nonpartisan, civil society-based women's rights association that had the goal of "bringing together women's organizations to exchange information and work on common projects without interference in the specific workings of any member group." (ibid, 62) In collaboration with the Oficina Nacional de la Mujer/National Women's Office (OMN), the CONG fought to reform discriminatory aspects of the Labour Law in Venezuela.

Labour laws affected women because they worked extensively and hard in mills and factories, in the home, and as domestic servants. (Smith 2004, 247) The movement to change the Labour Law established the potential of women's coalition-building for attaining their rights. (Friedman in Craske and Molyneux 2002, 74) The new Labour Law encompassed many of the original proposals generated by the ONM and the CONG; discrimination on the foundation of sex in employment advertising and work conditions was prohibited, and neither spouse could now request the other to give up their job on the basis of family needs. (ibid, 73) The ability of women to achieve these changes was due to the organization of their coalition. By organizing "loose-knit" coalitions around an explicit issue, rather than highly organized groups that mostly likely have been ruined by diversity, women were able to work together regardless of their differences. (ibid, 74) Differences in the group did produce some discrepancy however.

Though most changes to the Labour Law were agreed upon, one point of incongruity stood out: that of which classes of women would have full rights. (ibid, 67) Despite the success women achieved through coalition building, like in the case of Brazil, the coalition was not completely representative of women from all classes. "It did not extend



equal rights to those women who worked in the home, whether their own or someone else's." (ibid, 61) This is a key criticism to the notion of coalitions, movements, and feminism in general, in that it illustrates that women will not achieve equality with men if they cannot first create equality among themselves.

### **Legal Reform**

Men held parental authority, known as *patria potestad*, over children and rights over women in Latin America during the colonial period and for most of the nineteenth century. *La patria potestad* essentially refers to parent's official consent, which meant that men were given a set of rights (that women were not) over persons and property of their unemancipated children, and thus had the ability to make decisions on behalf of their children, whereas the mothers had no say. Towards the end of the nineteenth century, women began to take action as the protagonists rather than as objects of legal reform. With transitions from authoritarian rule towards notions of democracy and elected governments in the 1980s and 1990s, along with increased emphasis on women's rights in transnational arenas, the focus of women's movements in Latin America shifted to the institutional and legal arena. (ibid, 87) Women in Latin America have taken an increasingly hands-on and transformative approach to the legal apparatus of their respective countries over the last two decades. (Macaulay in Craske and Molyneux 2002, 79) Fiona Macaulay states that "by engaging with the legal system, women's groups hope not merely to gain new rights as citizens, but also to have them honored in practice." (ibid, 97)

Themis, a Brazilian NGO that trains grassroots outreach workers who in turn aid working-class women in accessing the justice system, provides a typical example of a

way in which women organized to educate each other about gender issues and how to overcome them. Thus, it is illustrative of the strategies used by the majority of women's organizations across the region and helps us to better comprehend the tribulations that women went through in their plight for gender equality. Themis, named after the Greek goddess of justice, was founded in 1993 with the aim of bridging the gap between gender perspectives and feminist concerns on the one hand, and the mechanisms and institutions of the law, on the other. (ibid, 92) Themis teaches women community leaders in low-income suburbs about law and protecting human rights, and trains them to become legal advocates. At a national level, Themis works with the Brazilian women's movement to recommend and expand public policies concerning gender and access to the justice system, and to develop legislation that supports gender equality. (Neira 2004)

Though the efforts of women's movements and organizations such as Themis have accomplished many of their goals of empowering women, there are still many obstacles that must be overcome. Institutions in Latin America need to modify to encompass the reformations demanded upon by women. The empowerment of women is simply not enough to transforming a country that is dominated by male influence. "Reform of the justice system institutions within a democratic society is now on the agenda for the twenty-first century." (Macaulay in Craske and Molyneux 2002, 97) The current deficiencies in the justice system will continue to restrain the ambitions of women's organizations, but hopefully it will not deteriorate their stamina.

### **Combating Domestic Violence**

In the 1980s and 1990s, when governments were transitioning from authoritarian to somewhat democratic, domestic violence became another focal point in the agenda of

Latin American women's movements. (Johnson in Craske and Molyneux 2002, 102) In Uruguay, the issue was pursued by women who were establishing an engagement in gender-based activism in political parties and independent women's groups between 1984 and 1985. The particular issue of domestic violence was first raised by the Working Group on Women's Status. This group was a coordinated body of female representatives from various political parties and women's social organizations, which struggled effectively to be incorporated in the National Consensus-Building Forum (CONAPRO). (ibid, 103)

To combat traditional taboos surrounding the issue of violence against women, in 1988 the first women's organization to specialize in domestic violence, SOS women, was founded. This group was essential towards researching domestic violence statistics and holding awareness-raising workshops. The organization was later joined by other specialist NGOs. In 1990 feminist organizations decided to take their issue of domestic violence to the state level. The first official steps towards tackling the problem of domestic violence were taken by the Uruguayan National Council of Women (CONAMU). (ibid, 104)

The decline in social and political activism and economic recession in Uruguay in the early 1990s led to the joining of eight women's organizations and the founding of the Uruguayan Network against Domestic and Sexual Violence (RUVDS). This organization allowed for women to share experiences, provided a support network, and developed a better method for the allocation of the limited resources. The primary concern of the Network was to press for greater state accountability with regards to the domestic violence issue. (ibid, 107)

By the end of the 1990s obvious progress had been made by the Uruguayan women's movement in its crusade to defend women's right to be free from violence. The Penal Code included domestic violence as a statutory offence and various state agencies and ministries implemented projects as an indication that the issue was no longer considered an individual personal issue. However, the campaign to make the state accountable had not been completely successful. Though eight bills concerning domestic violence were presented to the Uruguayan parliament in 1990s, only three were passed and only one of those three was actually implemented. The complexity of the domestic violence problem made it very difficult to define the states responsibilities. (ibid, 115-117) As Niki Johnson points out, "unless women's rights to sexual autonomy, reproductive self-determination and bodily integrity are respected in relation to the whole range of women's life experiences, the concept of women's human rights issues is seriously weakened and the gains made in the campaign against domestic violence could come under threat." (ibid, 118)

### **Sexual and Reproductive Rights**

Women share a commonality in many areas although they are observably extremely different. One of the areas in which women are connected is the fight for sexual and reproductive rights, which are globally recognized as significant both to advancing women's human rights and to encouraging development. Particularly in Latin America, where democracies remain brittle and governments' protection of human rights has been unreliable, the judicial courts must aim to be guarantors of the human rights of all citizens. In Latin America and the Caribbean alone, 23,000 women die every year from causes related to pregnancy, childbirth and the postpartum period, mainly hemorrhaging,

unsafe abortion, infection, obstructed labor and toxemia. Also, while sixty-two percent of women between the ages of 15 and 49 in Latin America are using modern contraceptive methods, the increase in the percentage continues to be low among rural women, low-income women and women with less education, adolescents, and certain ethnic groups. (LACWHN)<sup>7</sup>

A study by Ceri Willmott, in which she participated in workshops concerning sexuality and interviewed local women in the lower-income settlements of southern Santiago, Chile between January 1995 and January 1997, shows how women's struggle for sexual and reproductive rights is an international aspect that connects all women's experiences even though they are all situational and specific in a way that highlights a range of cultural, religious, economic and social concerns and interests. (Willmott in Craske and Molyneux 2002, 125-126) She argues that international rights are applicable across cultural circumstances. The method by which women construe such rights and relate them in their lives exemplifies how the notions of 'rights' and 'citizenship' can be used as premeditated apparatuses in negotiating their circumstances in different environments. She also argues that certain notions contained in the state and Church discourse, position women in a certain way that limits their ability to put their rights into practice. (ibid, 124-125) Willmott believes that despite such predicaments, "women's

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<sup>7</sup> The Latin American and Caribbean Women's Health Network, LACWHN, was created in 1984 during the First Regional Women and Health Meeting held in Tenza, Colombia. It is a network of organizations and individuals in the women's health movement working to promote women's health and the full exercise of women's human rights and citizenship through the cultural, political and social transformation of our region and the world from a feminist perspective. Their information was obtained from the United Nations Population Fund, the Pan American Health Organization, the World Health Organization, Population Action International and the Safe Motherhood Initiative.

activities can have a bottom-up effect on gender, disrupting state constructions and cultural stereotypes, and redefining the content and practice of citizenship.” (ibid, 144)

Although women had been molded to see their sexuality as being a service to their husband rather than their own enjoyment, the development of democratic ideals and notions of gender and international rights enforced a new outlook regarding women’s image. The limitations of a women’s sexuality are slowly being broken down from their traditional association with a women’s maternal role, and transcending towards a new outlook of a women’s self and societal value. Willmott is on point in her assertion that all women are connected by the same international human and gender rights. It is through workshops, such as the ones Willmott attended, and through other forms of education, that women are joining together and empowering themselves to take power over their human rights in their respective cultures.

### **Indigenous Women’s Rights**

The indigenous people of Latin America tend to fare poorly in terms of income, education, and maternal and infant mortality. The unease of poverty, as well as a conflict of cultures, often leave the women of such societies subject to gender-based violence, regardless of indigenous traditions of balance and shared lives between men and women. In the Andes region, indigenous women have been ignored by the states in their construction of rights and by the political movements of the area. In Mexico, as a force of social transformation in the 1990s, indigenous women made an appearance as new social subjects (Blackwell in Chong 2007, 193) “The participation of indigenous women in Mexico’s growing civil society mobilization, their demands against the state, and economic order, and their insistence on women’s autonomy within their own

communities dismantles the notion that others could speak for them.” (ibid, 194) Yet, Sarah A. Radcliffe argues that “the rights granted by states – and those fought for by peasants, by indigenous peoples and by women – have not adequately guaranteed indigenous women’s rights.” (Radcliffe in Craske and Molyneux 2002, 149)

Being a citizen entails having political participation rights within a society. When examining the region in social, economic and political terms, Andean republican states and societies have not regarded indigenous women as citizens in the complete sense of the term. (ibid, 150) The state and the Andean society have been treating indigenous women as equivalent to a population of peasants or Indians. They have been marginalizing their place in society, not considering the role of community patriarchal hegemony and masculine understandings of value, in their denial of rights to women. (ibid, 165) Women account for nearly 60 percent of the 50 million indigenous people in Latin America and the Caribbean. A study by the United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRAW), notes that indigenous women experience access to resources and positions of power in a different way from non-indigenous men and women. The study states that these women face “triple discrimination: as women, as indigenous people and as poor people”. (Lucas 2007)

In an article entitled “LATIN AMERICA: Indigenous, Black Women Face ‘Triple Glass Ceiling’”, Kintto Lucas discusses the arguments advanced by Guatemalan indigenous activist Otilia Lux de Cotí. De Coti exclaims that “from the indigenous women’s point of view, the struggle for women’s right to participate is inextricably linked to the struggle for indigenous peoples’ right to participate...therefore, when

demanding minimum quotas for women's participation, quotas for indigenous and Afro-descendant women should also be specified." In the same article, Afro-Brazilian leader María Inés Barbosa notes that the nation states in Latin American and the Caribbean were founded on ideologies that included sexism and racism. "To eliminate sexism and racism, we need to change society, but often at international forums we change the words we use so as not to have to change society. This cannot go on; we must change society instead," she said. (ibid)

Although there have been efforts to appease indigenous women, the collective rights awarded to Andean indigenous populations in the 1990s cannot mask the issue of common patriarchies that continue to limit or deny women's rights within those collectivities. In addition, women from the indigenous population struggle for rights within their own gender alliance. In fact, these women did not enjoy participating in the Feminist Encuentros until the sixth meeting. (Stephen 1997, 19) Yet, Radcliffe believes that by tying together multiple stands of identity into an effective politics, Andean indigenous women's rights can be achieved. (Radcliffe in Craske and Molyneux 2002, 168)

In Mexico, the emergence of indigenous women as new social subjects was a force for social transformation in the 1990s, and represents a sector of women's organizing whose political, cultural, economic, and social claims are both new and old. (Blackwell in Chong 2007, 193) The participation of indigenous women in Mexico's growing civil society mobilization, their demands against the state and economic order, and their insistence on women's autonomy within their own communities dismantles the notion that others could speak for them. (ibid, 194) Since indigenous women come from



multiple positions stemming from the cultures of their respective countries, their collectiveness may allow for a chance at attaining their rights; just as banning together worked for the networks that fought against domestic violence in Uruguay and the coalitions in Venezuela.

### **Domestic Servants**

Industrialization in Latin America has not been able to keep pace with urbanization, thus income distribution in the region is very unequal. With not enough jobs available, women tend to migrate to cities more often than men, resulting in urban populations having more women than men and rural populations having the opposite. While some women arrive with their families and perform domestic work for their own households, others arrive alone and enter the labor force as paid domestic servants for middle- to upper-class families. These servants are often exploited and have to neglect their own families. The difficulties and inequalities experienced by these domestic servants have been noted in various studies and articles.

One such study, *Women's Labor Force Participation Rates in Latin America*, released by the United Nations International Labor Organization (ILO) to commemorate the 2006 International Women's Day, found that an increasing number of women now hold jobs in Latin America's urban areas, rising from 39 percent of the total working population in 1990 to 44.7 percent in 2002. The study attributed the increase in female participation in the labor market to better schooling, urban growth, declining fertility rates, new cultural patterns that support the autonomy of women, and an increase in the number of female-headed households. However, the study also showed mixed results for women in access to quality jobs, unemployment compensation, remuneration and social

protection. It conveyed that domestic service represents 15.5 percent of the total female employment in Latin America. Maria Elena Valenzuela, co-author of the study performed by the ICO, said that one of the reasons why so many poor women are employed in domestic service in Latin America is because many women from medium- and high-income households have entered the labor market, thus many poor women "can only find paid employment by working for the better-off," she said. (Green 2006)

Another study, in Santiago, Chile, found that 57 percent of recent women migrants aged 15-24 were working as domestic servants in the 1970s. Working in higher class households, these women were isolated from other workers and their identification with the working class. Usually, by age 24, or after a 7-year career in service, the woman leaves the domestic service workforce to concentrate on a family of her own. However, the goal of having her own family often means abandoning her present job, thus reducing the income for the family she wishes to start. (Jelin, 1978)

In an article for the Daily Utah Chronicle, Bobbi Parry relates information regarding a speech made by Alma Guillermoprieto, a Latin American journalist and author. Guillermoprieto lectured on the relationship between female servants and employers in both Latin America and the United States, as part of a series on writing in Latin America and the United States, sponsored by the Obert C. and Grace A. Tanner Humanities Center. In her lecture, Guillermoprieto noted an "inherent shamefulness" exists in the relationship between a domestic servant and her employer, calling it "a relationship between haves and have-nots". In Latin America, domestic servants cook, do all of the house work, and help raise the children, however, "there is no relationship between wages paid and services provided," she said. Thus, the servants end up providing

crucial services for low wages, on average of about \$80 per month. Unfortunately, because many Latin Americans have developed the attitude that life is unfair, this type of lifestyle has become acceptable. (Parry 2001)

Judith Rollins depicts an additional characteristic of the domestic servant sector in Latin America; it is composed disproportionately of people of Indian or Mestizo backgrounds. (Rollins 1985, 41) In a white upper-middle- or upper-class neighborhood, a woman of color (typically of Indian or Mestizo descent) is immediately identified as a servant, and the class and race superiority of her employer are confirmed. Rollins argues that women's use of other women as servants is more unequal than other occupations because the affiliation between employer and employee is distinctively personal. She uses the relationship between Black, female domestic servants and their white women employers to show how one class and race of women escapes some of the consequences of patriarchy by using the labor of other women. She also demonstrates that privileged women's use of other women is personally exploitative, divisive among women, and inherently conservative. (Ostander 1987, 51)

Rollins argues that the use of domestics by other women is in fundamental opposition to a feminism that goes beyond a liberal agenda of equal opportunity for women to seek an end to all forms of institutionalized inequality. By increasing the demand for domestics, as middle-class women progress into the paid labor force and seek to improve their own standing by not doing domestic work themselves, the feminist movement has actually contributed to the divide among women. (ibid, 52) In other words, the division between different races transcends the division between the genders and

creates the divide among women, thus proving to be a complicated challenge that feminism needs to tackle.

## **Conclusion**

The Latin American women's movements that developed out of the revolutionary process towards the transition to democratic consolidation have been highly significant actors in the push for political change at many levels. These movements were able to organize autonomously; they provided an arena for political debate during a period when military oppression made other forms of public assembly practically impossible, and they brought feminist analysis to bear on larger issues of political change. (Jaquette and Wolchik 1998, 13) Ironically perhaps, the trends of that revolutionary time period had formed the backdrop to the most concentrated period of feminist organizing in Latin American history, and the introduction to the advancement of the cause of gender equality and women's rights throughout the region of state apparatus and legislation. (Chant 2003, 1-2) The concern for democracy has been a substantially impacted due to the development of feminism. (Vargas in Craske and Molyneux 2002, 217) In return, feminism has had many achievements due to the advancement of democracy. Women are becoming observable, empowered social actors as society's traditional belief systems are being modified. Progress is being made in process towards the acknowledgment of diversity, and laws continue to be passed to ensure that the boundaries of citizenship be expanded. (ibid, 215)

While a review of the changes in gender-state relations in Latin America over the course of the twentieth century shows that female activism ensured that some account was taken of women's interests, concessions from governments were usually minimal,

and the arenas of decision-making power remained largely impermeable to female accession until the century's close. (Dore and Molyneux eds. 2000, 68) Since the beginning of the 1990s, due to an increase in pressure from women's social movements, many of the Latin American countries have begun to address the issue of underrepresentation of women in politics through the application of gender quotas, which specify minimum levels of representation for each sex. While gender quotas were generally adopted voluntarily by political parties in Western Europe, in Latin America, gender quotas were more often imposed through national legislation on all political parties. (Franceschet and Krook 2006) The following chapter will discuss this method of increasing women's political participation and note its effectiveness in particular types of electoral systems, as well as overall efficiency in increasing women's voice and interests in politics in Latin America.

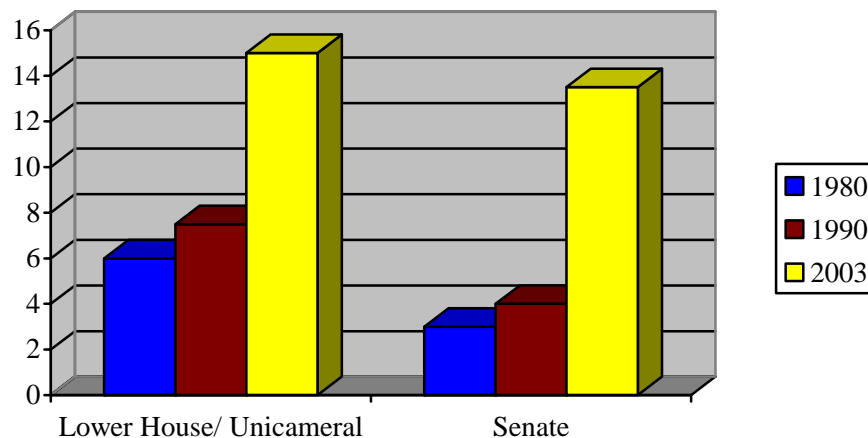
### **Chapter 3: Quota Laws**

In the previous chapter I discussed various ways in which women's social movements fought to advance the rights of women, and some struggles that have yet to be resolved. While their most significant achievement was obtaining the right to vote (woman suffrage was granted first in Brazil (1934), El Salvador (1939), the Dominican Republic (1942), Guatemala (1945), Argentina and Mexico (1946), and so on), this chapter will depict what I believe to be another important result of women's organizing: the adoption of quota laws, which were intended to increase women's presence in political office in hopes of not only creating equality between the genders within government, but also resolve some of the remaining struggles experienced by the women's movements.

The international Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), enacted in 1979, defines discrimination against women as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field." (UN 1997 – 2007) The Convention also stipulates states can adopt "special measures of temporary character designed to accelerate the de facto equality between men and women." As Stromquist notes, "this clause has doubtless served to support feminist demands for women's electoral quotas. (Stromquist 2007, 103) Argentina was

the first to ratify CEDAW (followed by 11 other countries), and between 1990 and 2003, Latin America experienced a significant increase in women’s presence in the legislatures (See table 1.1), thus indicating the remarkable positive change triggered by gender quota laws.

**Table 1.1** Trends in Women’s Political Participation in Latin America (By Percentage)



18 Latin American countries, including the Dominican Republic  
 1980 data not included for Chile, El Salvador and Honduras  
*Sources:* FLACSO, 2004; Inter-Parliamentary Union, 2004; IAD, 2001.

Quotas in general signify a frequently advocated scheme by which to address the severe underrepresentation of a particular group in the world's legislatures. For women, gender quota laws entail an assurance that the state will uphold a certain number or percentage of female members of a body, whether it is a candidate list, a parliamentary assembly, a committee, or a government. In Latin America, and worldwide, one of the central objectives of women’s movements is access to decision-making power by way of these laws. “The quota laws... are the product of women’s movement demands at the national and international level of governments to take action to increase women’s participation in politics.” (Htun and Jones in Craske and Molyneux 2002, 33) It was

assumed that increased levels of participation would allow women to influence policy making and to challenge the inequalities that women currently confront in many areas, including among others politics, employment and education (Sun-uk, 1995).

However, results of the laws do vary across the Latin American region. This chapter will define quota laws, depict how their application to different electoral systems makes them successful in some countries (increased women's political participation by 5 or more percentage points) in some instances and unsuccessful (increased women's political participation by less than 5 percentage points, did not increase women's political participation, or decreased women's political participation) in others, and review support for and criticisms of the laws from the literature. I seek to demonstrate that quota laws are successful if the party list is closed in a PR electoral system because voters have to select a party rather than individual candidates (thus women cannot be excluded), there are placement mandates (requiring parties to rank women candidates in high positions on closed party lists, thus ensuring their seat in the senate, should the party get elected), there is a moderate to large sized district magnitude (the higher the number of candidates in a district, the more likely quotas are to work because there are more opportunities for women to participate), there is good faith party compliance, and there are penalties associated with any failure to comply with the law.

### **Quota Laws Defined**

Quota laws, or affirmative action to remove the obstructions for women to gain access to decision-making positions in the executive or legislative branches, consist of setting a percentage or minimum number of posts reserved for women, whether in government designated positions, or as candidates on the election slates of political



parties. (Estrada 2006) The laws are set in place to allow women a more equal opportunity to participate in all areas of government (the executive, the legislature, and the judiciary), as well as in state bureaucracies, and voice their opinions regarding gender issues.

*Quotas and other forms of positive measures are thus a means towards equality of result. The argument is based on the experience that equality as a goal cannot be reached by formal equal treatment as a means. If barriers exist, it is argued, compensatory measures must be introduced as a means to reach equality of result. (Dahlerup 2002, 3)*

Gender quota policies fall into three broad categories: reserved seats, party quotas, and legislative quotas. They vary in terms of their basic characteristics, the countries in which they appear, and the timing of their adoption. Reserved seats are policies, used mostly in Africa, Asia, and the Middle East, that set aside spaces for women in political assemblies. In this way, they guarantee women's presence by revising the mechanisms of election to command a minimum number of female representatives. This proportion is often very low, as some reserved seats policies mandate as little as one or two percent of all seats. Party quotas are measures adopted voluntarily by political parties to require a certain proportion of women among their parties' candidates. Given their origins with political parties, these quotas differ from reserved seats in that they concern slates of candidates rather than the final proportion of women elected. They generally mandate a much higher proportion of women, usually between twenty-five and fifty percent of all candidates. First adopted in the early 1970s by various left-wing parties in Western Europe, party quotas are the most common type of gender quota today, appearing in parties across the political spectrum and in all regions of the world. (Krook 2007, 2)

In Latin America, some political parties use the quota systems in their procedures for selecting internal posts. Examples include: The Partido de la Revolución Democrática and the Partido Revolucionario Institucional of Mexico; The Partido Socialista, Partido por la Democracia, and Partido Demócrata Cristiano of Chile; The Partido Unidad Social Cristiana of Costa Rica; The Partido dos Trabalhadores of Brazil; Acción Democrática of Venezuela; Frente Farabundo Martí para la Liberación Nacional of El Salvador; and Frente Sandinista de Liberación Nacional of Nicaragua. (Peschard, 2002) These Party quotas also frequently coexist with legislative quotas in Latin America, where party quotas predate or accompany the adoption of more encompassing quota laws.

Legislative quotas are measures passed by national parliaments that require all parties to nominate a certain proportion of female candidates. Similar to party quotas, they address selection processes, rather than the number of women actually elected. However, unlike party quotas, they are mandatory provisions that apply to all political groupings, rather than simply those who choose to adopt quotas. Legislative quotas typically call for women to constitute between twenty-five and fifty percent of all candidates. They are the newest type of gender quota, appearing first in the early 1990s, but have become increasingly common as more and more countries adopt quota policies. (Krook 2007, 2)

There are two prominent forms of quota laws in Latin America: compulsory and indicative. Compulsory quota laws yield that the “set aside for women” percentage must be allocated in a certain way in the lists of both principal and alternate candidates, specifying alternation and sequencing (e.g., at least one of every three candidates must be a woman). This provides for sanctions in the event that the positions are not covered in

the manner established. Countries that have compulsory quota laws include: Argentina, Bolivia and Paraguay. In these countries, the lists of parties that do not meet the quota are not registered.

Indicative quota laws establish a percentage without specifying how it is to be met. The political party leadership is given a wide margin of discretion for placing the women candidates in any place on the lists, if not in the space for the alternates.

Countries that have indicative quota laws include: Brazil, Mexico, Panama and Peru. The laws in these countries do not specify the precise placement of women on the lists.

(Peschard, 2002)

### **Successful vs. Unsuccessful Quota Laws**

In Latin America, quotas have boosted women's presence in congress by an average of five percentage points. This result, though notable, hides the variation in the effects of quotas across countries. The success of quota laws has been more apparent in some countries than others. As the table below will illustrate, in Argentina, women's political participation rose from about 6 to about 27 percent, but in Brazil, women's participation actually declined after the quota.

**Table 1.2** Women's Political Participation in Latin America (Before and After Quotas)

Country	Year Adopted	Legislative Body	Quota %	% Women (before law)	% Women (after law)
Argentina	1991	House of Representatives	30	6	27
Bolivia	1997	House of Representatives	30	11	12
		Senate	25	4	4
Brazil	1997	House of Representatives	30	7	6
Costa Rica	1997	House of Representatives	40	14	19
Dominican Republic	1997	House of Representatives	25	12	16
Ecuador	1997	House of Representatives	20	4	15
Mexico	1996	House of Representatives	30	17	16
		Senate	30	15	16
Panama	1997	House of Representatives	30	8	10
Paraguay	1996	House of Representatives	20	3	3
		Senate	20	11	18
Peru	1997	House of Representatives	25	11	20
Venezuela (pre-2000)	1998	House of Representatives	30	6	13
		Senate	30	8	9

Source: Inter-American Dialogue. 2001. *Women and Power in the Americas. A Report Card*. Washington, D.C.: Inter-American Dialogue.

The variation of results in the different countries conveys that there must be a difference in the application of the quota laws that affects the effectiveness of the laws in a particular country. This disparity can be explained by what type of electoral system a country has (PR systems being the more sympathetic to quota laws, by whether the party list is open or closed (with the latter most effective) in a PR electoral system, the existence of placement mandates (requiring parties to rank women candidates in high positions on closed party lists), the size of the district magnitude (the higher the number of candidates in a district, the more likely quotas are to work), good faith party compliance, and penalties associated with any failure to comply with the law. (Norris 2004, 197) Table 1.3 indicates the method of application used by the countries in Latin America.

**Table 1.3** Applications of Quota Laws in Latin America

Country	% of Quota	Electoral System	Placement Mandate	Average District Magnitude
Argentina	30	PR: Closed-list	Yes	5
Bolivia	30	Mixed (PR and single-member districts)	Yes	7
Brazil	25	PR: Open-list	No	20
Costa Rica	40	PR: Closed-list	No in 1997; Yes since 1999	7
The Dominican Republic	25	PR: Open-list	No	5
Ecuador	20	PR: Open-list	No	6
Mexico	30	Mixed (PR and single-member districts)	No	40
Paraguay	20	PR: Closed-list	Yes	4
Peru	30	PR: Open-list	No	5

Sources: Htun, Mala N., and Mark P. Jones. 2002. "Engendering the Right to Participate in Decision-making: Electoral Quotas and Women's Leadership in Latin America." In *Gender and the Politics of Rights and Democracy in Latin America*, ed. Nikki Craske and Maxine Molyneux. New York: Palgrave; Htun, Mala N. 2002. "Women, Political Parties and Electoral Systems in Latin America" in *Women in Parliament: Beyond Numbers*. Stockholm, Sweden: International IDEA.

### **Electoral Systems: Majoritarian vs. Proportional Representation**

Electoral systems are the apparatuses by which the preferences of citizens are converted into seats in representative institutions. Each system of voting places different demands on voters and offers different opportunities for strategy to affect the winner. Different electoral systems may give very different results, particularly in cases where there is no clear majority preference. Most importantly, the way in which an electoral system translates votes into seats in elected assemblies may influence the degree of public support for the democratic system itself. Thus, their impact on a whole range of elements that make up the political nature of a society is extremely significant. Two major types of electoral systems are employed in Latin America and in other

representative democracies: majoritarian systems and proportional representation systems (also known or referred to as PR). The differences between the two have a tremendous impact on the level of the quota law's success in a country.

Majoritarian electoral systems, also known as majority systems, are designed to encourage responsible a single-party government by awarding the greatest representation to the two leading parties with the most votes; a candidate or party receiving the largest number of votes receives the seat (or seats) in a district. Proportional electoral systems, on the other hand, aim to produce comprehensive and consensual power sharing by generating parliaments that reflect the vote shares of various parties. (Norris 2004, 4) As Table 1.3 indicated, most Latin American countries have a PR party-list electoral system. Therefore, for this analysis I will describe the differences between the two types of electoral systems and illustrate how having a PR system (specifically a closed-list one), rather than a majority system, is more beneficial for the success of quota laws.

### ***Majoritarian Electoral Systems***

In majority systems, the winning candidates are those that have attracted the most votes (the "majority") in a given electoral district. "Majority" is normally defined as 50%-plus-one-vote. If no candidate gets a majority of votes, then a second round of voting is held. Majority systems typically rely on single-member constituencies, and allow voters to specify only one preference on their ballot. In single-member constituencies, only one member can win each constituency, which therefore means the number of votes won nationally does not equal the number of seats in the parliament. For example, a party which wins 50% + 1 of the vote in all constituencies will win 100% of seats, but only 50% +1 of votes. The majority system, with relation to democracy, is

interpreted as government by the majority of the people; however, the effect of a majority system is that the larger parties gain a disproportionately large allocation of the vote, while smaller parties are left with an unreasonably small allocation of the vote.

For advocates of majority electoral systems, responsible party government takes priority over the inclusion of all parties in stringent fraction to their share of the vote. On the other hand, advocates of proportional systems argue that other considerations are more important, including the fairness of the outcome for minor parties and the representation of minority social groups. Where majority systems accentuate governability, proportional systems focus on the inclusion of minority voices. (Norris 1997, 4) This is very important for the effectiveness of quota laws, due to the fact the quota laws indicate the underrepresentation of marginal groups, in this case, women.

### ***Proportional Representation Electoral Systems***

The basic type of electoral system greatly influences opportunities for women elected in office; they generally are more successful in being nominated and elected under proportional electoral systems. PR systems are the most widely used set of electoral systems in the world. They attempt to make the percentage of seats awarded to candidates reflect as closely as possible the percentage of votes that they received in the election, in the hope that assemblies and governments will accurately reflect the preferences of the electorate. In a PR system, parties make lists of candidates to be elected and parliamentary seats are then allocated according to the proportion of votes the party receives. (Norris 2004, 50) Voters may vote directly for the party, or they may vote for candidates and that vote will pool to the party. The basic principles underlying proportional representation elections are that all voters deserve representation and that all

political groups in society deserve to be represented in proportion to their strength in the electorate. Due to the nature of PR systems, they rely on multi-member districts as opposed to single-member districts.

There are many problems that electoral systems face when trying to increase women representation in Parliament. For example, there are no geographical concentrations that could form the foundation for women's constituencies, and as long as voting is tied to localities, no women candidate can sincerely present herself as representing women alone. Also, at the practical level, the choice between supporting a woman because she is a woman and supporting a man who seems closer to your views constantly presents itself. (Phillips, 1991) These problems are less important in proportional systems, where each region has a certain number of deputies allowing women and men represent the same are at the same time.

Countries that employ PR are rated as somewhat more democratic today than countries using majority electoral systems. They are also rated as having stronger record of democratic consolidation during the last thirty years. (Norris 2004, 30) In Latin America, where democratic consolidation includes the development of public sympathy towards gender equality, PR systems allow parties have significant motivation to develop a balanced ticket of legislative candidates in order to avoid any electoral penalties from the appearance of sex discrimination. This incentive is absent in candidate-ballots used in single-member districts in majority electoral systems, where each local party can select the default option of a male candidate without any collective responsibility for balancing the social profile of candidates as national level. (ibid, 258-259)



PR systems are of two basic types: party list systems and single transferable vote systems. In theory, positive action policies can be adopted under any electoral system, however, they are put into practice most easily when applied to balancing the gendered framework of PR party lists. (ibid, 207-208) Under party list systems, voters in an electoral district choose from various candidates put forward by a range of parties competing in an election. When the votes are counted, each party is entitled to seat the number of members from its list that corresponds to its allocation of the popular vote. There are two major and important variations of Party List systems, usually defined as closed list and open list elections: i.e. the order in which the party's list candidates get elected may be pre-determined by some method internal to the party (a closed list system such as the one in Argentina) or they may be determined by the voters at large (an open list system such as the one in Brazil).

The type of party list, whether it is closed or open, is highly significant for the success of a quota law. When party lists are closed, political parties present a rank-order list of candidates in each of the multimember districts where they are contesting seats. Voters can only select which party to support and the rank order of the candidates on the party list determines who is elected to parliament; candidates positioned highest on this list tend to always get a seat in the parliament while the candidates positioned very low on the closed list will not. A major advantage of closed list systems, when used in together with gender quotas and placement mandates, is that when combined with adequate enforcement of compliance, they guarantee a minimum floor of women's representation across all parties/districts. For example, in counties such as Argentina (where a closed list, placement mandates, and strict compliance are in force), we can be

certain that if a party wins three seats in a district, at least one of the seats will be occupied by a woman. (Jones 2007, 24)

An open party list allows voters to express a preference for particular candidates, not just parties. It is designed to give voters some say over the order of the list and thus which candidates get elected. “In an open-list system, there is a fierce intra-party competition in addition to the inter-party competition.” (Htun and Jones in Craske and Molyneux 2002, 37) In contrast to closed list systems, open list systems provide no guarantee that a woman will occupy at least one of the seats that a party wins. Thus, while in some districts women will do quite well electorally, in others they do quite poorly, even when their party wins a substantial number of seats. (Jones 2007, 24)

### **Placement Mandates**

When a party wins an election, it does not automatically mean that all women that appear on the ballot will enter into office, even in a closed list system. Reason being, these women may have been ranked in low positions on the closed party lists. The existence of placement mandates, which require parties to rank women candidates in high positions on closed party lists, is thus crucial for the incorporation of women into politics. Without a placement mandate, women’s positions on the lists depend on whether the party elites who principally decide the composition of the party lists are more or less favorable to the election of women. If they are less favorable, not having enforced placement mandates allows parties to continuously place women in the bottom list positions. Several quota laws have been amended, or today are drafted, with placement mandates specifying which positions women are to hold on electoral lists.

One example of a country with placement mandates in a closed list party system is Argentina. In Argentina the placement mandate is based on the past electoral success of the political party in the district. In practice, unless the party has historically won a number of seats of three or more (in a large district magnitude), one of the first two candidates must be a woman at the minimum. Subsequent seats on the list must be allocated using a similar logic such that the percentage of electable list positions held by women candidates corresponds to the quota percentage. As a result of the placement mandate, 34 percent of the representatives elected in 2003 were women. (Dahlerup, 151)

Bolivia has also instituted placement mandates; however, the Bolivian Chamber system is less complex, requiring that at the minimum every third person on the party list be a woman. (Jones 2007, 27-28)

### **District Magnitude**

One of the most important factors is the electoral system's ability to translate votes cast into seats won proportionally. Determining this is to a large extent the district magnitude, which is the number of members to be elected in each electoral district. In Paraguay, the relative success of the quota law in the Senate election of 1998 was a result of Paraguay's large district magnitude, combined with a one-in-five placement mandate. This combination made it possible for women that were placed low on the list to get elected. (Htun and Jones in Craske and Molyneux 2002, 42) In a district magnitude, the higher the number of candidates in a district, the more likely quotas are to work in that more seats are allocated to the larger districts and thus, women that have been placed lower on party lists still have the opportunity to gain a seat in the parliament or senate once the party is elected.

The district magnitude also has an impact on political parties, candidates, and campaigning. Small district magnitude, for example, fosters stronger links between individual candidates and their local constituencies. This would be beneficial to women in that it would allow the voters a chance to know them as candidates, hear their platforms, and develop personal connections, which may influence their voting. On the other hand, large districts give a stronger proportionality, and when more persons are elected from one district, women who may not have otherwise received the majority vote, have more of an opportunity to participate in politics.

Large districts also increase party magnitude, which is the number of representatives from one political party elected from the district. The increase in party magnitude tends to affect candidate selection by political parties. If the party magnitude is large, it is more likely that the legislature will consist of members from different ethnic and social groups, and both sexes. Parties will feel that they can win the most seats by presenting a wider variety of candidates. (Ellis, Kennedy, Larsrud, Reilly, Reynolds, and Tjernström 2006)

### **Party Compliance**

Whether a quota system achieves its goal of fair representation largely depends upon good faith party compliance, and government enforcement of sanctions for non-compliance. For example, in Argentina, Bolivia, and Paraguay, the lists of parties that do not meet the quota are simply not registered. (Peschard 2002) By not allowing parties who do not meet the set quotas to be registered, these countries are enforcing parties to place women on their lists and thus allowing women an equal opportunity for political participation. “However, there are mechanisms to evade the law, for example in Brazil

(the text of the law and the statistical technicalities make it possible for parties to present lists without women candidates) and in Bolivia (where male candidates have run under women's names)." (Inter-American Development Bank 2004, 48) Still, overall, compliance with the quota legislation has been generally good throughout the region, although as is the case with most laws in the region, some non-compliance has occurred on occasion and the interpretation of the laws sometimes disputed. (Jones 2007, 28)

### **Support for and Criticisms of Quota Laws**

Although there are different types of quota laws, some more efficient than others, overall, their establishment has increased women's political participation in Latin America. The enactment of the quotas in the 12 Latin American countries illustrates a step towards gender equality and democracy. Quota laws increased the share of women in parliament by an average of 8 percent for the region as a whole. (Smith 2005, 251)

Marcela Ríos is one of the authors of the study "Gender Quotas: Democracy and Representation," published in June by the Latin American Faculty of Social Sciences (FLACSO), with the support of the International Institute for Democracy and Electoral Assistance. Rios states that "in general, quotas have worked well in Latin America. They have significantly accelerated the presence of women in parliament, particularly when the quota laws have been well thought out." (Estrada 2006)

Other quota law researchers, such as Miki Caul, note that quotas for women candidates are a visible method for parties to demonstrate support for women's issues. As such, quotas may be more a figurative gesture and less an expression of real support for women. However, Caul also notes that this gesture, although initially designed for one end, can often have unintended consequences, and formal rules can turn into norms,

reinforcing the changing attitudes towards women in politics. Once women are in positions of power, it may become more difficult to exclude them in the future. (Caul 2001, 1226)

Htun and Jones develop two arguments regarding the effects of quotas on the election of women and on gender related policy results: (1) quota laws have been only slightly successful in escalating women's presence in legislatures; (2) there is preliminary proof indicating that when quotas work, women's greater presence in politics serves to alter the conditions of legislative debates. (Htun and Jones in Craske and Molyneux 2002, 32) Establishing certain percentages does not mean that women candidates are actually in a position to translate the percentage of candidates into a similar percentage of seats. Experience shows that the provision can be respected without respecting its spirit, since women are placed at the bottom of the lists of principal candidates, or as alternates, where they have little if any possibility of getting elected. (Peschard 2002, 3)

Another criticism of the quota laws are women's political alliances and agendas. Though there may be a certain number of women in the congress due to the quota laws, these women may not reflect the political agenda of the majority of the women that they are representing. Gender issues may not be the first priority of most women elected to public office. (Htun and Jones 2002, 48) Party loyalty is another reason why there has been a failure to produce changes with regards to all of women's concerns. Though the quota laws have made advances for women in the decision-making process, these women may not uphold all that is expected of them by the female population which they are representing.

Htun and Jones also exemplify an important point regarding the effect and the fairness of these quota laws on the male population. The authors note that the “adoption of the quota law in most countries never posed a major threat to the aspirations of male politicians”, and thus they passed relatively smoothly in the 1996-2000 period. (ibid, 43) Many males supported quotas because they were embarrassed by the low levels of women’s representation in their countries, they desired the support of women, and they needed to meet commitments outlined in international agreements. (ibid, 35) However, if one of the goals of quota laws is to create fairness and equality in the decision-making process, an argument can be made that it would be unfair for women to be granted a certain number of seats in congress, when men are not given the same luxury.

Lastly, quota laws alone may not be enough to increase women’s political participation and also voice the demands of women’s social movements. A country’s governmental institutions need to be altered to meet the objectives of the quota laws and that the quotas alone do not ensure an increase in the political participation of women. (Estrada 2006)

## **Conclusion**

Overall, the effectiveness of quota laws depends on how they are outlined and put into practice. If the quota laws are not tailored to a country’s electoral system, applied rigorously by political parties, and enforced by the government, they will produce few results for women. However, “when quota laws work, women have an equal chance to participate.” (Htun and Jones 2002, 51) The enactment of the quotas in the 12 Latin American countries illustrates a step towards gender equality and democracy. The following chapter highlights the case studies of Argentina and Brazil to illustrate how the

differences in the drafting and implementing of the quota laws have produced successful results in increasing women's political participation in some countries, but unsuccessful in others. Using these two case studies, along with two other examples from Latin America, Chapter 4 will also illustrate how quota laws have produced varied results throughout the region overall and demonstrate that while they can be seen as an overall success in achieving an increase in women's political participation in Latin America, they have produced little advancements for the women's movements and feminist agenda when it comes to improving the overall quality of life for women and achieving equality between the genders.



#### **Chapter 4: Case Studies of Quota Laws in Latin America**

In the previous chapter I made the hypothesis that in order for quota laws to be successful a PR electoral system with party lists needs to be in place as opposed to a majority electoral system, the party list of the PR system needs to be closed, there need to be placement mandates that require parties to rank women candidates in high positions on closed party lists, the district magnitude needs to be of moderate to large size so that there are more candidates in the district, there needs to be good faith party compliance, and government enforced penalties associated with any failure to comply with the law. I define a successful quota law as one which had increased women's political presence in legislatures by 5 or more percentage points in the immediate election after their ratification, and an unsuccessful quota law as one which only increased women's political participation by less than 5 percentage points, did not increase participation, or decreased participation. The following chapter tests this hypothesis through an analysis of four Latin American countries.

Quota laws have been passed in twelve Latin American countries: Argentina, Bolivia, Brazil, Colombia, Costa Rica, the Dominican Republic, Ecuador, Mexico, Panama, Paraguay, Peru and Venezuela. After researching all 12 countries I have found that Argentina is the best example of a successful quota law in that women's political presence in legislatures increased by 21% after the law was put in place, and Brazil best exemplifies an unsuccessful case in that women's political participation dropped a percentage point immediately after the law was put in place. However, although the

literature and data reveal Argentina as success when it comes to the implementation of gender equity in political representation, there remains to be a discrepancy regarding how much gender equity within the political system has actually transformed social realities outside of the political system. The data from both Argentina and Brazil indicates that while quota laws have effected women's political presence one way or another, they have had little success in increasing the formation of public policies that benefit women.

Using Argentina and Brazil as my main case studies, I will test my hypothesis from the previous chapter, regarding the apparatuses needed in order to make a quota law successful, and also illustrate how increasing women's political participation may not necessarily lead to public policy reformation that is in accordance with the demands of the feminist agendas and women's movements. I will begin by presenting and brief history of the each country and depict how the on-goings at specific points in history led to the development of feminism and the women's movements. I will than describe the type of government in each country and how the quota law was applied to it. I will conclude these two case studies with the results of the quota laws and the possible reasoning for these outcomes.

Since Argentina and Brazil fall at opposite ends of the spectrum (Argentina's law being very successful and Brazil's being unsuccessful when it was first implemented), I will describe two other cases in Latin America to demonstrate the regional variation of the countries that fall in between the two polar ends. Lastly, I will provide a critique for my own hypothesis and established conclusions by testing the internal and external validity of my study, and depict how my research is limited due to the lack of information available.

## **Argentina**

Conservative forces dominated Argentine politics through non-democratic means until around 1910, when Roque Saenz Pena Lahitte took office. In 1912, he passed Law 8831, known as "Sáenz Peña Law", which greatly altered the Argentine electoral system by making the vote secret, universal, and compulsory for males. The law and his rule put an end to electoral fraud and created a path for the rise of the Radical Civic Union. In 1916 a radical by the name of Juan Hipólito del Sagrado Corazón de Jesús Irigoyen Alem (also known as Hipolito Yrigoyen) won control of the first free-elected government. Yrigoyen was extremely popular with the middle class and he kept Argentina out of World War I, thus allowing it to profit from the high beef prices on the world market. Yet, his failure to deal with the calamity brought on by the worldwide depression caused his removal from office by an army coup led by José Félix Uriburu in 1930, leading to another decade of conservative rule. During this time, an ambiance of increasing political conflict arose; there was confrontation between right-wing fascists, leftist radicals, and military-oriented conservatives controlling the government.

The Argentine government of the 1930s tried to control the waves of economic and political change through the use of fraud and force. This eventually led to the political ascendance of Juan Domingo Perón in 1946, who endeavored to empower the working class and greatly increase the number of unionized workers. The wife of Peron, Eva (known as Evita), helped her husband develop strength with labor and women's groups. Through her influence, in 1947 women obtained the right to vote. When they voted in 1951, 29 women were elected, constituting 18% of the Parliament. The result of such a high percentage is due to the personal force of Evita, who pressed for a quota

method that was applied to the electoral rosters of the prevailing Peronist party and which was intended to elect women from its feminine branch. (Feijoó in Jaquette and Wolchick (eds) 1998, 31)

### ***Feminism and Women's Movements***

As part of the latest wave of international feminism and the establishment of the UN Decade for Women (1975-85), new groups appeared which were explicitly feminist. In Argentina, these groups included: the Argentine Feminist Union, the Feminist Liberation Movement, and the Argentine Feminist Organization. While some women endeavored to develop feminist organizations that linked to or were within leftist political parties, such as the Popular Feminist Movement or the Group of Socialist Women, others organized women's fronts within the parties that, like the Evita Group within Peronist Youth, did not take a position on feminism but did start to elevate gender concerns. When a military junta established a regime based on state terrorism in March 1976, these groups, along with practically the whole population of the country, were repressed. During the military's Process of National Re-organization, state terrorism resulted in the disappearance of an estimated thirty thousand people. (Feijoó in Jaquette and Wolchick (eds) 1998, 32-33)

During the years known as the Dirty War (1976-83), the organization of Madres de la Plaza de Mayo (Mothers of the Plaza de Mayo) was formed. This group was an association of Argentine mothers whose children, spouses, or grandchildren "disappeared" under the military dictatorship of that time. The Argentine Madres de la Plaza de Mayo (Mothers of the Plaza Mayo) were women who had not been active in politics before and who developed new forms of protest, including the wearing of white

scarves to symbolize the white doves of peace, that were extraordinary both in the ways that they politicized women's identities as mothers and their effectiveness against the military's claim to power (Jaquette 1994, 4) After the military gave up its authority to a civilian government in 1983, the Mothers of the Plaza de Mayo have pushed the new government to aid in finding answers to the kidnappings, murders, and disappearances that took place in the Dirty War years. The Mothers have fought for the right to re-unite with their abducted children, and find and know abducted grand children, for over three decades now. For many feminists, the Madres are exemplary because they redefined the arbitrary division between private and public. (Feijoó and Nari in Jaquette (ed) 1994, 125)

Democracy was restored on October 30, 1983, when Argentines went to the polls to choose a new government through fair and honest elections. Raúl Alfonsín, candidate of the Unión Cívica Radical (Radical Civic Union), received 52% of the popular vote for president. Alfonsín's Radical government took steps to account for the "disappeared", established civilian control of the armed forces, and consolidated democratic institutions. During this time of democratic transition, the organized groups of activists recognized the significance of undertaking the fight against gender discrimination in the context of reconstructing democracy. Women thus began their venture for 'parity democracy', developing practices and strategies that would reach out to women as a whole, and promote greater gender awareness, with feminist demands and new analyses of power. (Carrío 2002, 164)

In 1985, Argentina ratified the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW). The Convention defines discrimination

against women as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field." (UN 1997-2007) The 1980s ended with two other new advances: the Filiation and Inheritance Statute (1985) and the Divorce Law (1987). These new juridical instruments brought women greater legal standing within the family and enabled them to control certain situations, such as de facto unions, not contemplated in the previous legislation. In 1994, the National Constituent Convention incorporated the ratification of the CEDAW into the text of the new constitution. One of the driving forces behind this achievement was the Corriente 8 de Marzo (8th of March Movement), which linked feminist militants from diverse sectors and lobbied legislators in the National Congress. (De Cicco and Ocampo, 2003)

### ***Government, Politics, and Implementation of Quota Laws***

The politics of Argentina take place within the structure of a federal presidential representative democratic republic. Argentina has a proportional representation by districts electoral system, and seats are divided among those lists of candidates from parties or electoral alliances that obtain at least 3% of the electoral census or working electoral of the district. Argentina's two largest political parties are the Partido Justicialista (Justicialist Party), which evolved out of Perón's efforts in the 1940s to expand the role of labor in the political process, and the Unión Cívica Radical (Radical Civic Union), founded in 1891 and is the oldest existing political party in Argentina.

Both the President and legislature are elected to the Argentine government. Using a runoff voting system, the President and the Vice-President are elected in one ballot, for a four-year term, by direct popular vote. The National Congress is made up of two chambers: the Chamber of Deputies of the Nation and the Senate of the Nation. The Chamber of Deputies of the Nation has 257 members, elected for a four-year term in each electoral district (23 Provinces and the Federal Capital) by proportional representation, with half of the seats renewed every two years in all districts, while the Senate of the Nation has 72 members, elected for a six-year term in three-seat constituencies (23 provinces and the Federal Capital) for a six year term, with two seats awarded to the largest party or coalition and one seat to the second largest party or coalition. One-third of the electorates are renewed every two years.

As in most Latin American countries, women have been grossly underrepresented in important elective and appointive political positions (Htun, 1998) In 1991, Argentina took a big step towards gender equality by being the first country in Latin America to introduce quota laws (Ley de Cupos), specify their placement, and provide for sanctions. The quota law in Argentina established that 30 percent of the candidate lists proposed by the political parties for the Chamber of Deputies had to be women. The law also provides that women candidates must be positioned in proportions sufficient to get elected. In addition, in the National Electoral Code, Law No. 24,012 provides that no party list will be registered that does not have at least 30 percent women, and in electable positions.

### ***Results of Quota Law***

The use of a gender quota law has shown to have a significant positive impact on the percentage of women elected to the Argentine provincial legislatures. The table below

illustrates the increase in the number of women elected to the Argentine Chamber of Deputies between 1983 and 2007 after the elections of 1993 (first election after the implementation of the law), the number of female deputies increased tremendously.

**Table 1.4** Proportion of Seats Held by Women in Argentina’s Chamber of Deputies; Period 1983-2007

Year	Total Number of Seats	Number of Women	% Total
1983-85	254	13	5.1
1985-87	254	12	4.7
1987-89	254	14	5.5
1989-91	254	16	6.3
1991-93	257	16	6.2
1993-95	257	36	14.0
1995-97	257	65	25.3
1997-99	257	71	27.6
2000	257	72	28
2001	257	68	26.5
2002-04	257	79	30.7
2005	255	86	33.7
2006-07	257	90	35

\*Note the significant increase during the time that quota laws were put in place; 1991 - 1995.  
*Sources:* Cámara de Diputados de la Nación Argentina; United Nations Statistics Division

By 2002, Argentina had 30.7 per cent women representatives in the Chamber of Deputies and 35.2 per cent in the Senate. In 2005, Argentina was among the top 15 ranked countries in the world after Rwanda, Sweden, Norway, Denmark, Finland, the Netherlands, Cuba, Spain, Costa Rica, Mozambique, Belgium and Austria in terms of the representation of women in the national legislature. At present, Argentina has several constitutional and statutory provisions to ensure the necessary participation of women in politics, and, in particular, in the legislature. (Carrio, 164-165) Due to the issue of party compliance, women candidates have contested party lists, and now the National Women’s Council is also allowed to challenge parties’ non-compliance with the law on the female candidate’s behalf, which reduces confrontation for the candidate herself.



(Craske 1999, 72) Also, practically all the provinces of Argentina currently have a quota law regulating the elections of their respective legislatures, and that these laws also govern local councils.

Thus, the utilization of a placement mandate in a close-list system proportional representation electoral system, party compliance, and sanctions for those parties who do not comply, has allowed quota laws to work effectively to increase women's political presence in the country. However, although their numbers and active participation in politics have expanded, Argentine women continue to face challenges. A numeric increase in women's representation has not necessarily improved women's agenda or their actual engagement in politics.

While Argentina may look like a matriarchy due to its current female president, Cristina Fernández, (her nearest challenger in the 2007 election was also a woman, Elisa Carrió), its quota law that stipulates that 30 percent of the candidates on party lists for Congress must be women (which has been met), and its place as the home to one of the world's most prominent human-rights campaigners (the mothers and grandmothers of the Plaza de Mayo), the prominence of women in politics has not led to many feminist policies. The statistics of the successfulness of the quota laws illustrate positive growth within the political spectrum; however, this does not negate the fact that women continue to be denied certain, basic rights – particularly in lesser educated, underserved communities. Therefore, the Argentinean case demonstrates that while quota laws are important, as they have achieved their intended goal of increasing women's political presence in the country's legislatures, they are not necessarily enough to achieve gender equity. This responsibility falls not only on the female political representatives that need

to produce more policies that enforce gender equality, but also on society to embrace these policies and to change political and cultural norms.

Brazil provides an opposite case that allows us to gain more insight into what conditions limit a quota law's level of success. Unlike Argentina, which experienced an increase in political participation after the implementation of the quota law, Brazil actually experienced a decrease immediately after the quota laws were ratified. As previous research indicates, this decrease was due to Brazil's open-party list system and lack of enforcement by the government. However, the number of women in Brazil's legislatures is slowly increasing, which perhaps indicates a change in political norms or can be attributed to Brazil's robust feminist movement.

## **Brazil**

Brazil declared its independence from Portugal on September 7, 1822, and became a constitutional monarchy, the Empire of Brazil. On October 12, 1822, Dom Pedro I became the first Emperor of Brazil, but his government was considered economically and administratively inefficient, and thus political pressures eventually made the Emperor step down on April 7, 1831. His son, Dom Pedro II, was crowned Emperor on July 23, 1840. Due to his young age of 9 at the time of his crowning, during the Emperor's childhood, a series of regents administered the government, in accordance with the Constitution. His government was highlighted by a substantial rise in coffee exports, the War of the Triple Alliance, and the end of slave trade from Africa in 1865 (slavery in Brazilian territory would not be abolished till 1888). In the 1870s, in the face of crises with the Roman Catholic Church, the Army, and the slaveholders, the Emperor's grasp on domestic politics began to deteriorate. The Republican movement slowly gained

strength; the empire fell due to a military coup d'état because the dominant classes no longer needed it to protect their interests, and because the dominant classes deeply resented the abolition of slavery. In 1889 Pedro II stepped down, and the Republican system was adopted in the country. The country has been nominally a democratic republic ever since, except for three periods of overt dictatorship (1930–1934; 1937–1945 and 1964–1985).

### ***Feminism and Women's Movements***

During the last period of dictatorship (between 1964 and 1985), Brazil experienced repressive regimes and massive impoverishment along with the largest, most diverse, radical, and successful women's movement in Latin America. Popular women's groups emerged during the 1960s and early 1970s; these organizations were largely created through efforts by the Catholic Church to mobilize mothers' clubs in community self-help efforts. (Tabak, 1994) The International Women's Year of 1975 proclaimed by the United Nations also marked the appearance of several small feminist groups in Rio de Janeiro and São Paulo, including the Centro da Mulher Brasileira. That year also saw the beginning of the Movimento Feminino pela Anistia, which was not a feminist or women-oriented organization but a women's amnesty movement seeking to release the clench of the military dictatorship imposed in 1964. (Hahner 1985, 164)

During the transition from military to civilian rule, Brazilian social activities sought to combine their struggle for democracy with the struggle for social justice. They used the space opened up by the emerging democracy in the country, including opportunities presented in the process of drawing up the country's constitution, to introduce issues of racial inequality, as well as gender inequality. (Lovell 2000, 85)

Originally, the feminist movement was closely connected to human rights movements and resistance to the military regime. The movement started out as small groups of women meeting in Brazil's largest cities to discuss sexuality, feminist theory, and gender oppression. Women's movements grew in the 1980s, when the Conselho Nacional de Direitos da Mulher (National Council on Women's Rights) was created. They then developed a large middle-class base and extensive connections to other popular women's movements of that time period. (Alvarez, 1990)

Before the country's transition to democracy in 1985, the civil code endorsed male authority in the family and banned divorce, while the criminal code forbade abortion and considered rape a crime against "custom," not against a person. Since 1985, the country has succeeded in changing many, but not all, of these old laws regulating gender relations and women's rights. (Htun and Power, 2006) The attention of the women's movements had shifted from resistance to the military regime to violence against women, especially domestic violence and sexual abuse and harassment. As a response to this situation, special police stations for women were created to facilitate the reporting, investigation, and prosecution of cases of domestic violence and rape. These stations are largely staffed by women police officers who have been specially trained. In 1988, Brazil instituted a new Constitution, which declared that men and women are equal; a new civil code revoked provisions upholding patriarchy in family. Women's movements also mobilized support for reproductive health and rights, as defined in the 1994 International Conference on Population and Development, held in Cairo. (Lewis 1997)

In the 1990s, the feminist movement created several national and international networks to advocate for women's rights, including: organizations serving women's health, education, and legal needs; art and media groups; women's studies programs; women's labor union associations; and popular feminism, which was organized by poor and working-class women in order to combine work on class and gender. In recent times, black women's organizations are challenging the interlocking oppressions of race, class, and gender oppressions. (Alvarez 1990).

Within southern Brazil, the Movement for Rural Women Workers (MMTR) is one of the fastest growing women's movements in the country. The movement has its roots in a strong opposition organized in rural labor unions and in the Landless Workers Movement, or in Portuguese Movimento dos Trabalhadores Rurais Sem Terra (MST), with ties to the Partido dos Trabalhadores (PT, Worker's Party). It began in 1989 and grew out of women's activism in various mass movements that flamed across Brazil in the wake of the 1986 military takeover. Such movements included: the land-recovery movements, anti-dam movements, labor unions, and church based organizations. The original agenda of the movement was procuring equal working conditions and benefits for rural women, but like other movements in the region, it has switched its attention to reproductive health rights, domestic violence, representation of women in the political system, and general women's rights. (Stephen 1997, 209)

MMTR provides various services for women, including gender-awareness workshops on nonsexist education, abortion rights, and methods of preventing violence against women. In 1994, the MMTR was successful in obtaining maternity leave for rural workers, and also introduced bills that made health care and family planning available at

the local level. The MMTR has not only organized remarkable numbers of women locally, but has participated in several national campaigns to win legal rights for rural women and, in 1995, worked with rural women's organizations from all seventeen states in Brazil to form a national coordinating body. (ibid, 4)

The Brazilian Federation of Feminine Progress, also known as the Brazilian Federation for the Advancement of Women, was a national organization that successfully fought for women's suffrage in Brazil. Due to the efforts of the FBPF, a 1932 civil code extended the vote to women under the same conditions as men. Yet, women's political representation in Brazil remains to be extremely low. Although Brazilian women had obtained the right to vote in 1932, progress towards gender equality is slow in the country, as this right was obtained 51 years after the proclamation of the republic and of the qualified male vote. "This fact is frequently considered a reason for their late entry into politics and one of the causes of the existing asymmetry in relation to the political participation of women." (Araújo 2003, 2)

### ***Government, Politics, and Implementation of Quota Laws***

Like Argentina, the politics of Brazil take place in a framework of a federal presidential representative democratic republic. The Brazilian Federation is based on the relationship of three autonomous political entities: the States, the Municipalities and the Federal District; there is no hierarchy among the political entities. The States are semi-autonomous self-governing entities organized with complete administration branches and relative financial independence. Despite their relative autonomy, they all have the same model of government, as set by the Constitution. States hold elections every four years and implement a significant amount of power. The Municipalities are territories which

comprise one urban area, and several other minor urban or rural areas. Like the State, a Municipality is relatively autonomous; it is allowed to have its own constitution, to collect taxes and fees, to uphold a municipal police force, to pass laws (that do not disagree with either the state or the national constitution), and to create symbols for itself (ex. flag, anthem, and coat-of-arms). The Federal District is an irregular unit of the federation; it is not structured in the same way as a Municipality, does not hold the same independence as a state, and is closely correlated to the central power. It is considered a single Municipality, comprised of a seat (Brasilia) and some urban districts known as “satellite cities”. Satellite cities are established and governed directly by the governor of the federal district and have no true identity.

Since its independence Brazil has experimented with various electoral systems: single and multimember districts, and proportional representation with various formulas. Currently, Brazil uses a mix of both a majoritarian and proportional representation electoral system. There are four types of majority elections: the president, governors, and mayors, who are elected by absolute majorities, and the senators, which are elected to represent each of the twenty-six states and the Federal District by simple majorities. Brazil uses an open-list proportional representation system to elect federal and state deputies and city council members. The magnitude of the districts varies according to the size of the electorate, but each state has a minimum of eight and a maximum of 70 representatives. The country has a multi-party system, with such an abundant amount of parties, that often no one party has a chance of gaining power alone; they must work with each other to form coalition governments. There are four prominent political parties: The Workers' Party (PT), The Brazilian Social Democracy Party (PSDB), The Brazilian

Democratic Movement Party (PMDB), and The Democrats (formerly Liberal Front Party - PFL). While the PFL and PSDB parties are critical of the government's social and economic policies, the Catholic Church, MST, labor unions, and women's movements pressure the government for more intense reforms on taxation, landed property, and gender sensitive public policies.

Despite the fact that Brazilian women had been very active in grassroots politics for a number of years, the number of female representatives in the government was/remains extremely low. The debate on the adoption of quotas as a means of increasing the presence of women in political institutions and party leaderships began in the late 1980s. The Labour Democratic Party (PDT) and the Worker's Party (PT) were the first to discuss and adopt a form of quotas in their national and regional directories. Since then, other parties, mainly from the left, have followed suit. The first formal proposal for quotas was approved in 1995. It was presented that year by a member of the Chamber of Deputies, Marta Suplicy (PT), and dealt only with legislative seats in municipal districts. (Araújo 2003) In 1996 Brazil joined other Latin American countries in adopting mandatory quotas for lists of proportional representation candidacies. In 1998, mandatory quotas began to be applied at the federal and regional levels.

The first experience of the laws involved the Chamber of the Council, the equivalent of local legislative power, and established that parties must reserve a 20% minimum of slots for female candidates. The percentage was then raised to 25% in 1998, and then to 30% (with a maximum of 70% of slots for candidates of one sex) in 2000. By 2002 the law had been used three times, twice in municipal elections (1996 and 2000) and once in national elections (1998). (Htun 2002) Unlike Argentina, which uses a



closed-list PR system, Brazil elects members of its Chamber of Deputies through a system of open-list proportional representation: voters usually cast votes for an individual candidate, rather than for a party list. The system generates competition among candidates of the same party and women tend to be defeated. (Htun and Jones, 2002)

Brazil's electoral rules also differ from the closed-list system of Argentina in that placement mandates, requiring the staggering of women and men on party lists, are not enforced; the law did not establish penalties for noncompliance, and very few parties actually live up to it. In the absence of these enforcement and support mechanisms, increasing the proportion of women who hold public office in Brazil continues to be an intangible goal.

### ***Results of Quota Laws***

The results of the law have mostly been unsatisfactory at the national level. In fact, the number of women in Brazil's National Parliament actually decreased immediately after the implementation of the quota. (See Table 1.5 below)

**Table 1.5** Proportion of Seats Held by Women in Brazil's Chamber of Deputies; Period 1990, 1997- 2007

<b>Year</b>	<b>Total Number of Seats</b>	<b>Number of Women</b>	<b>% Total</b>
<b>1990</b>	487	26	5.3
<b>1997-98</b>	513	34	6.6
<b>1999-01</b>	513	29	5.7
<b>2002</b>	513	35	6.8
<b>2003-06</b>	513	44	8.6
<b>2007</b>	513	45	8.8

\*Note the subtle yet significant decrease in the number of women during the time when quota laws were put in place; 1998-1999

*Sources:* United Nations Statistics Division

The discrepancy in the details of the quota law is the reason for the unprogressive results. While the law requires parties to reserve 30% of candidate slots for women, it does not demand that they fill those slots, and it also permits parties to present 50% more candidates than seats.

*Since Brazilian electoral law allows parties to postulate 50% more candidates than seats being contested in a state, a party can in practice propose a full slate without including any women. For example, if a state elects 10 members to congress, each party is permitted to postulate 15 candidates. The quota law requires that parties reserve four of these slots for women. If a party is unwilling to recruit women, it may thus propose 11 male candidates to the electorate and still not violate the law. This loophole in the quota law helps explain why the number of women candidates has remained low. (Htun 2002, 119)*

Like other Latin American countries, Brazil undertook reforms to better the rates of female political participation. However, that endeavor increased their quota percentages without making the necessary changes to additional fixes, such as placement mandates and/or penalties for noncompliance. This made second- and third-round quota laws quantitatively ineffective. The example of Brazil illustrates the need to draft quota laws carefully with more specific regulations, such as placement mandates, that will force parties to not only place women on their party lists, but to place them at the top of those lists where they would have the opportunity to be elected into office.

Yet, although women's political presence in the legislatures experienced a decrease after the initial implementation of the quota law, the number of women in the Chamber of Deputies is slowly increasing and women in Brazil are making other advancements. As the result of an extensive process of consultation and discussion, in which key women's organizations played a crucial role, Brazilian President Luiz Inácio Lula da Silva signed a new law on Domestic and Family Violence against Women on August 7, 2006. Brazil's Federal Law 11340, also called Lei Maria da Penha (Maria da

Penha Law) aims to combat domestic violence. It changed the Brazilian Penal Code to increase punishment for those who practice said crime, and it's notable for being the first Brazilian federal law that includes the term "sexual orientation". However, the necessary funding to carry out the law is not there. The Lula government, after the endorsement of the law, cut 30% of the funding designated to the fight against violence against women for 2007. (Barros 2007) Still, women continue to fight for rights in the areas of basic human and sexual rights.

The case of Brazil illustrates how the application of quota laws to an open-party list system (that essentially does not allow for placement mandates), and the lack of law enforcement produces unsuccessful results for increasing women's political presence. Ironically, in Brazil where quota systems failed initially and where women continue to be underrepresented in the political system (even though their numbers are steadily increasing), gender equity is more advanced at the broader societal level. Perhaps this is due to Brazil's incredibly active feminist and women's movements, thus meaning that in Brazil, quota laws may not be the answer to achieving gender equality. While quotas may have worked in other countries to increase women's political presence, Brazil's women's movements should perhaps endeavor on a different path and should be more proactive in increasing their own participation rates in order to encourage the government to establish more public policies that enforce gender equality.

### **Other Examples from Latin America**

Since Argentina and Brazil fall at opposite ends of the spectrum when it comes to level of success in increasing women's political participation through the enactment of quota laws, I feel that it is necessary to demonstrate the regional variation of the countries

that fall between the two polar ends. For this reason, I will depict the countries of Ecuador and Paraguay to illustrate that while certain structural elements of government, such as type of party list system, placement mandates, and size of electoral district, may increase (or reduce) the chance of a quota law being successful, they are not necessarily essential in every case. As the case of Ecuador will demonstrate, quota laws can work in an open-party list system, and as Paraguay will demonstrate, having a closed-party list system and placement mandates does not lead to immediate and extraordinary success.

### *Ecuador*

In Latin America, women first won recognition as citizens in Ecuador in 1929. The Ecuadorian constitution of 1929 was the first in Latin America to give literate women the right to vote. The Ecuadorian women's movements of the early 1980s focused on proposing legislation that would be favorable to women, however they did not take into account the ethnic and cultural reality or the growing need for gender-sensitive approaches. At that time, it was thought that a change in legislation would translate into concrete and immediate results in the actual situation of women. (Pacari, 72) Although experience in the country has illustrated otherwise, Ecuador continues to have one of the most advanced quota laws; it is the only one that requires electoral candidacy lists to include women sequentially and in alternation with men until the quota has been fulfilled. (Preschard 2002, 1-5)

The quota began in 1998 when the members of the National Constitutional Assembly amended the constitution (article 9 on the electoral system) to incorporate a proportional representation (PR) system with open lists. The quota was first set at 30% and was required to increase by 5% in each election until the goal of 50% is achieved.

According to the data presented by the United Nations Statistics Division, the percentage of women in Ecuador’s National Parliament increased by 13.7% immediately after the quota laws were put in place, and then decreased thereafter until 2007. (See Table 1.6 below) However, other research reveals possible inconsistencies in the data.<sup>8</sup>

**Table 1.6** Proportion of Seats Held by Women in Ecuador’s National Parliament; Period 1990, 1997- 2007

<b>Year</b>	<b>Total Number of Seats</b>	<b>Number of Women</b>	<b>% Total</b>
<b>1990</b>	67	3	4.5
<b>1997-98</b>	82	3	3.7
<b>1999-00</b>	121	21	17.4
<b>2001-02</b>	123	18	14.6
<b>2003-06</b>	100	16	16
<b>2007</b>	100	25	25

*Source:* United Nations Statistics Division

In 2002, just months away from national elections, the president of Ecuador’s electoral tribunal tried to change the progressive legislation adopted in 1998. (Rohter 2003) Under such threat, Ecuador’s women’s movement mobilized the project “Red Alert!” In June 2002, the quota law’s reform proposal was under discussion in the reviewing commission and was awaiting presentation to the national Parliament. Perhaps due to the attempted alteration of the quota law, the 2002 elections to Congress show a decrease in the percentage of female winners. (Pacari, 74)

While the electoral law was an overall legal gain, it still presented challenges regarding the equal participation of women. The Ecuadorian quota law requires all the

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<sup>8</sup> According to Pacari, Ecuador’s implementation of the quota laws led to a 15.5% increase in women’s overall representation at different levels in 2000 (from 5.3% to 24.8%). Of the members elected to Congress in the 1998 elections, 13.2% were women (16 of 121 legislators), and this number increased to over 20% in 2000 as more women alternates replaced principal legislators, either permanently or intermittently. (Pacari, 74)

parties and political movements to include a certain percentage of women in the lists on an alternating and sequential basis. However, in practice the Tribunal Supremo Electoral (TSE, Supreme Electoral Tribunal) hindered its proper application by issuing an instruction for the local and provincial elections of May 2000 regarding the placement of women candidates on the lists. As a result, women were downgraded to the last positions, thus contradicting the law's mandate on 'alternation and sequencing'. (ibid, 75)

Before the 2004 provincial elections, the TSE passed a decision on how electoral lists should be made up. Yet, the parties still did not fulfill these legal requirements. They continued to relegate women to low positions on party lists, thus hindering the enforcement of the placement mandate. "The TSE did not report on this in its report to the nation but committed itself to review the instruction in response to the demands of various women's organizations." (ibid) Ecuador's electoral system continues to include open rather than closed party lists, no enforcement of a placement mandate (as it is difficult to apply to open-lists), and poor party compliance. While the percentage of women's political presence in the legislatures increased right after the initiation of the quota law, it has decreased thereafter and will continue to decrease if stricter regulations are not set.

### *Paraguay*

Over the past decade, Paraguay has made important legal strides in gender equity through the enactment or revision of various statutes, including reforms to the Civil Code, Electoral Code and enactment of domestic violence legislation. Implementation and enforcement of this legislation is hindered because of historical norms and cultural

barriers, which block practical enforcement of these expansive constitutional tenets.

(USAID 2005, 7)

Paraguay's bicameral Congress is comprised of a 45 – member Senate and an 80 – member Chamber of Deputies. Serving as the legislative branch of the Paraguayan state, both chambers of Congress are elected concurrently with the president by means of a proportional representation system. Deputies are elected by department and Senators on a nationwide basis “The Paraguayan law establishes a 20% quota (for primaries) and mandates that at least one of every five candidates on the lists presented in these primaries be a woman.” (Htun and Jones 2002, 39) However, although they had been added to the electoral lists, women were routinely placed in the bottom positions because the related provisions of the law did not specify what positions they were to be given. The limited success of the quota law in the Paraguayan Senate election of 1998 is a result of Paraguay's large district magnitude, combined with a one-in-five placement mandate. This combination made it possible for women that were placed low on the list to get elected. As a result, nine women were elected to the Paraguayan Senate, five from the Asociacion Republicana Nacional ANR and four from the Alianza, which are the two largest parties. (ibid, 42)

While Htun and Jones indicate success in Paraguay with regards to the increase in female presence in the Senate, data from the United Nations Statistics Divisions illustrates a less of a success in Paraguay's Chamber of Deputies. (See Table 1.7 below) In fact, between 1990 and 1997 there is a decrease in the presence of women, and it does not increase again until 2004.

**Table 1.7** Proportion of Seats Held by Women in Paraguay’s Chamber of Deputies; Period 1990, 1997- 2007

<b>Year</b>	<b>Total Number of Seats</b>	<b>Number of Women</b>	<b>% Total</b>
<b>1990</b>	72	4	5.6
<b>1997-03</b>	80	2	2.5
<b>2004-07</b>	80	8	10

*Source:* United Nations Statistics Division

Despite these noteworthy pockets of leadership and representation, political presence of women remains to be low. Often, women’s political presence is a result of personal political connections that have provided access rather than an explicit policy or endeavor to amplify women’s participation; their personal connections allowed them to triumph over the traditional barriers confronting women. These triumphs have made important gains for women at the local level. Nonetheless, the mere presence of women in office does not equate to incorporation of gender concerns. As indicated by research presented in the literature, like in other Latin American countries, women’s political presence in Paraguay has been frustrated by the male-dominated patronage systems of political party leadership. (USAID 2005, 10)

### **Conclusion**

In the beginning I hypothesized that in order for quota laws to be successful, a country must have a PR electoral system with party lists, the party lists of the PR system need to be closed, there need to be enforced placement mandates, the district magnitude needs to be of moderate to large size, there needs to be good faith party compliance, and government enforced penalties associated with any failure to comply with the law. However, as the case studies have illustrated, only Argentina and Brazil can really be accounted for in such a study, and even these two countries contradict the hypothesis. For



instance, Argentina has a PR system with closed-party lists, enforced placement mandates, overall good faith party compliance, and government enforced penalties for law breakers, but does not have a district magnitude of moderate to large size; yet, the quota law was extremely successful increasing women's political presence in the legislatures. Unlike Argentina, Brazil has an open-list PR electoral system, no enforced placement mandates, little party compliance, and no government enforced penalties associated with failure to obey the law. However, Brazil does have a large district magnitude, which unfortunately that was not enough to make the quota law successful initially.

In the case of Ecuador, the law was initially very successful in an open-list system, even though there was no enforcement of a placement mandate, and poor party compliance. Yet, after the initial increase, the lack of party compliance (due to the lack of placement mandate enforcement) led to a decrease in the number of female representatives, which has only risen as of 2007 (as indicated by the UN data). Paraguay on the other hand, did have a closed-party list with placement mandates, but since it only required a 20% minimum and did not strictly enforce its mandates, its mild success was due to its large district magnitude for the Senate. On the contrary, Paraguay's district magnitude was relatively low for its Chamber of Deputies, thus it did not achieve a great level of success in increase the presence of women immediate after the quota law was put in place. The other eight countries, Bolivia, Colombia, Costa Rica, the Dominican Republic, Mexico, Panama, Peru, and Venezuela also fall within the middle of the Argentina – Brazil spectrum. Some countries were relatively successful, Peru and Costa Rica, but had an open-party list system and/or no placement mandates. Others were

relatively unsuccessful, such as Mexico and Bolivia, but had either a large district magnitude, or placement mandates. (Refer back to Tables 1.2 and 1.3)

Overall, I conclude that my hypothesis cannot be strictly applied to any of the four case studies, or to any other country in Latin America. While Argentina may be the best example of a successful case, its lack of a moderate to large district magnitude places it out of the range of my assumption. Perhaps if the hypothesis is amended with the removal of the presumption regarding the district magnitude, than it can prove true in Argentina; however, it will still fail to account for the variations in the other countries. Inconsistencies in the data also make it extremely difficult to arrive at conclusions that support the hypothesis. I think that further research on the actual number of women in the legislatures needs to be compiled in order to obtain better results regarding the level of success of quota laws in increasing women's political presence. It should also be noted that perhaps one cannot theorize about the region as a whole, since what works for one country may not necessarily work for another. On the other hand, I think it's safe to claim that having PR electoral system with closed party lists, enforced placement mandates, moderate to large size district magnitude, good faith party compliance, and government enforced penalties associated with any failure to comply with the law may improve the chances of a quota law's level of success, but are not completely necessarily in all cases.

## **Conclusion**

While quota laws may have had an overall positive impact on increasing women's presence in politics, they may not necessarily be the answer to solving the issue of gender discrimination in Latin America. While their application is only meant to increase women's presence in government, and this expectation was met overall, the consequentialist expectation that they would produce more public policies that would enforce gender equality has not been met. "Given the history of corruption, authoritarianism and continued problems of clientelism in Latin America, it is unclear that electoral quotas offer the best way forward for women." (Chant and Craske 2003, 41) Thus, the normative claim for quota laws (quotas are the most efficient means of attaining fairness and equality with regards to the presence of women in decision-making processes that affect society at large) may not be completely accurate. While, quotas may be a great introductory step on the way to achieving gender fairness in politics, perhaps there is a better method for increasing women's presence in the decision-making process in a way that affects their equality within society. With that being noted, I argue that quota laws are currently the most efficient means of attaining fairness, however, due to the continuously evolving nature of our society, other methods need to be developed to insure that equality between the genders remains to be pursued.

According to the feminist research presented in the literature that I reviewed, it appears that, to date, quotas have done little to encourage women from grassroots organizations to involve themselves in electoral politics. The elite women, on the other

hand, have benefited by gaining access to the decision-making arena. Also, while increased quotas have led to women achieving higher levels of representation at the national level, they have had less of an impact on attaining power for women at the local level. Quotas may be a useful tool in advancing the notion and process towards an effective democracy only when they encourage participation of all women at all levels of public representation. (ibid)

The growth in women's presence in legislatures has corresponded with significant legal advances in women's rights, including many that appear on the agenda of women's social movements. Women legislators were responsible for enacting laws on domestic violence, rape, and the reform of discriminatory civil and criminal codes. For example, in Chile, women like Laura Rodriguez, Adriana Munoz, are making a difference. As members of Parliament, these women "put so-called private issues like divorce, abortion, and domestic violence firmly on the agenda of public and political debate." (Chuchryk in Jaquette 1994, 95) However, the mere presence of women in positions of power will not automatically generate policy outcomes sympathetic to women's interests. (Htun 2001, 8-9) It should not be assumed that just because they are women, and have a common experience of segregation from political structures of power, that they all share the same interests. (Stephen 1997, 283)

Some women who enter parliament through quotas can be non- or even anti-feminist, and may vote against measures which they perceive as challenging women's traditional domestic roles. (Craske 1999, 73) Although more and more women are being elected into official positions, their primary political loyalty is to their political parties, to their mentors, and constituencies within the party. "Under pressure, if the interests of the

political party contradict the interests of women's alliances, most women opt to vote with their party and not with other women." (Htun 2001, 8-9) Also, different women have various motivations. While there are those who campaign through their social movements, there are those who launch activities in pursuit of specific demands on their own initiatives. These "self-motivated" women often have concerns other than those on the feminist agenda, including infrastructure, and may be less concerned about the lack of nurseries or health care centers. (Caldeira in Jelin 1990, 67) Few women are elected to office on a platform of women's rights, and thus women's movements remain in a struggle to have their demands met.

While quota laws may have increased women's political presence as a whole, the state continues to be a problematic entity, which has habitually offered women only a subordinate role, both legally and culturally. (Chant and Craske 2003, 21) As the case studies have illustrated, the limits and resistance to women's political participation, combined with political allegiances of female representatives, and cultural boundaries, remain to be major obstacles to having women's interests accounted for. Women's social movements are facing many formidable obstructions due to the limited cultural resources on the part of men and in the gendered behavior of men and women. (Stephen 1997, 283) Despite evident accomplishments, the political culture of Latin America remains to be profoundly gender-biased. Values and practices in the world of public affairs are tailored more to the male spectrum, and the dynamics of political activity have been cast in the image of male models. (Carrio 2002, 165)

Yet, despite the cultural obstacles and lack of resources, the increase in women's political participation raises the probability of gender issues becoming more prominent

on political agendas. For women's social movements in Latin America, this probability is a step towards their goals of gender equality, but it is not a simple solution to their tribulations. It is evident that although 12 of the countries in Latin America have played a revolutionary role in legislating to support greater gender equality in decision-making arenas, they have a long way to go to translate this effectively into practice. (Chant and Craske 2003, 21) However, the enactment of gender quota laws in 12 Latin American countries is of tremendous symbolic importance, which is something that should not be taken for granted even though there continue to be many struggles for gender equality in the region.

If the aim of quota systems is to increase the political representation of women in the region overall, then they have achieved their purpose in Latin America. Party leaders are now putting more effort into their search for potential women candidates, and quotas encourage women aspirants to put themselves forward as candidates. However, political representation must be complemented with necessary socio-economic changes in society at large in order to appease the demands of women's social movements. The act of merely initiating gender quota laws is not enough to raise awareness regarding the need for an increase in female political participation. Quotas for candidates do not automatically lead to the election of more women. The process of implantation and the set of regulations are just as important as the percentage of quota set in place. The type of party lists (closed being more beneficial than open), the enforcement of a placement mandate, party compliance, and sanctions for non-compliance with the quota requirement are all key elements that need to be taken into consideration by a country that is striving for successful results from the quota law.

Other elements must also be considered when trying to appease the demands of women's social movements. While many women have gained the ability to influence the decision-making process, their allegiances to their parties and cultural barriers, have hindered their advancements of gender issues. However, there is indication that even women, who do not have links to the feminist movement, bring changes beneficial to democracy. Women's influence is most observable in the new perspectives that they offer to the various aspects of political life, rather than in explicit political platforms or legislative agendas. The accumulations of these minor changes may produce larger transformations over time. (Htun 2002) One can only hope that quotas can be used as a symbolic way to inform the public about the need for gender equality and demonstrate society's obligation to a democracy based on inclusiveness. The enforcement of a gender quota law at all levels of political participation and the encouragement of women from all socioeconomic and cultural areas to participate, broadens the perspective of policy and decision making institutions. In addition, an equal representation of both genders brings symmetry to the views and approaches considered in decision and policy making at all levels.

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