ENGAGING IN THE QUOTA DEBATE:
FROM EQUAL OPPORTUNITY TO EQUALITY OF PRESENCE

BY

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THESIS

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Abstract

Since the early 1990s, women have increasingly become visible actors in the formal political arena. However, their advances have varied through the world, and on average women continue to be highly underrepresented in positions of political decision-making. To overcome the gender discriminatory behavior still embedded within political institutions and processes, feminist movements have pressed government heads and political parties to adopt "women friendly" policies. Legislation of gender quotas to secure women's inclusion in electoral politics is one of such policies. In this thesis, through a comparative analysis of gender legislation in Chile and Peru, I explore the effectiveness of gender quotas policies for women's greater formal political participation. The study highlights two main observations: Firstly, quotas do not yield equal results wherever applied. Context-specific dynamics influence the effectiveness of quotas. Secondly, despite the success of quota legislation in getting women into positions of power, women's empowerment is not guaranteed as its outcome. While cultural attitudes may embrace women's leadership in the top echelons of political power, persisting cultural and institutional factors in society continue to block women's entrance into previously male dominated spaces. In order to transform formal political arena into processes and institutions inclusive of women and their interests, progressive initiatives challenging the patriarchal and hierarchical structures of power at many different arenas must accompany gender quotas policies.

Keywords: gender, quotas, empowerment, democratization, Chile, Peru

For my mother, father and husband.

Acknowledgements

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Chapter 1
Introduction

Whereas long ago citizenship was restricted to a privileged minority, today is no longer acceptable to exclude large portions of the population from exercising basic civil and political rights. Increasingly, nations are now taking proactive measure with the intent of expanding the core values found in the most basic definitions of modern democracies. Today more people have the right to vote, the right to participate in politics and the right to representation regardless of race, gender, ethnicity or religious beliefs. Yet, despite all the efforts made and the successes achieved, social inequalities and political exclusion continues to play important roles in societies all over the world. The struggle to construct more inclusive and pluralistic democracies continues to this day. Contestation of traditional democratic values has resulted in the formulation of new policy measures that question the efficacy of equal access opportunities and instead demand equality of result.

Historically, 'formal' politics based on social constructs of proper gender roles and separate spheres marginalized women from participating in activities within the public sector. Despite the limitations, women's ingenuity has been able to challenge such exclusionary constrains, at various points throughout history, by formulating strategies that manipulate the dominating gender ideology. We must acknowledge the significant advances women have made in improving their socio-economic and political standing despite the disproportionate results found across cleavages based on national, ethnic, racial, social, religious, gender identities and sexual-orientation.

As of January 1, 2010, women comprise a little over half of the world's population yet they remain far from holding 50% of key political positions. On average, women occupy 18.8% of the world's parliamentary seats (lower and upper house) and only 5.83% of all Heads of State and Heads of Government are women. Although these numbers show an improvement over the last few decades, the rate of progress has been phlegmatic at best. Without women's presence in mechanisms of policymaking power, democracy, gender equality and social justice remain incomplete. For this reason, special policy measures designed to integrate women into the political arena has gained political zeal since the early 1990's. One of the most popular strategies has been gender quota legislation.

Gender quota is a system that aims to ensure women's inclusion in electoral politics by recommending, mandating, and/or reserving a certain number or percentage of positions within candidate lists or parliamentary seats for women (Dahlerup, 2002; Phillips, 1995). Although the acceptance of quotas has increased in the past twenty years, especially regarding their ability to increase women's political presence, there is no unanimous agreement on whether quotas serve as an empowering tool for women. The purpose of this thesis is to explore the questions of quota efficiency and empowerment through the case study of Peru and Chile. These broader research questions were broken down to specific questions like: (1) what is the individual's perception regarding the effectiveness of gender quotas on women's political presence in the legislative branch? (2) what is the impact of quotas on women's everyday life through the introduction of "female friendly" policies and changing social perceptions? (3) what are the working relationship between feminist organizations and elected

congresswomen? and (4) what are the democratizing effects (if any) of gender quota legislation?

By tracing the Chilean and Peruvian quota debate, I propose gender quota legislation to be an imperative and practical avenue for confronting women's exclusion from elected posts that is linked to a longer national historical trajectory and a larger international experience demanding women's political equality and empowerment. Therefore, based on field information obtained by way of interviews with feminist scholars/activists as well as review of academic literature, my findings indicate that women's political empowerment is not a guaranteed outcome of gender quota legislation. Context-specific dynamics influence the outcome. In order to transform the decision-making process into a more socially diverse institution responsive to women's interests, progressive initiatives challenging the patriarchal and hierarchical structures of power must accompany quotas.

Outline of Thesis

Chapter 1 presents the background of the problem, the research question, and the organization of the study. Chapter 2 provides a summary of the current state of knowledge on gender quota scholarship, presenting the three types of gender quotas currently employed throughout the world to improve women's inclusion in electoral system. To exemplify the potentials and limitations of each type of quota, I will draw upon the experiences of South Africa, Peru and Rwanda. I will conclude this chapter with a discussion of arguments made for and against quotas. Chapter 3 outlines the methodology utilized for data collection and analysis in this study. Chapter 4 focuses on the specific case of Chile. It introduces the problem of women's political underrepresentation since the country's return to democracy in 1990 and

follows the legislative quota debate during the Bachelet administration—the country's first female president.

Chapter 5 places the Chilean legislative quota debate within a larger historical framework. It analyzes the gendered impacts of the Chilean democratic transition on women's political inclusion and mobilization post-1990. In this chapter I develop the idea proposed by Ríos (2004) contending that in Chile, as well as other Latin American countries, "the return to democratic rule not only eliminated repression and fostered political competition, but it also had the paradoxical effect of reducing opportunities for development of civil society and autonomous forms of social mobilization"(p.108). Although women's groups were unable to secure legislative gender quotas, they succeeded in pressuring the Chilean government to sign into creation of the National Women's Service (*Servicio Nacional de la Mujer*- SERNAM) whose goal as a governmental agency is to design public policies that address gender inequality issues. As I will argue throughout this thesis, women's policy machineries like SERNAM and gender quotas must deal with unexpected complexities of a specific context that may result in positive or negative outcomes.

Chapter 6 re-examines the Peruvian case. Albeit the socio-economic and political differences exist between Chile and Peru, both countries have sought to incorporate women into the political arena through the implementation of special measures such as quotas. By examining the 'success' story of Peru, we can extract, disseminate and make available valuable lessons for other countries striving to ameliorate women's unequal access to political decision making keeping in mind nuances of national contexts.

Finally, chapter 7 concludes by summarizing the most important points raised throughout this discussion. I emphasize the fact that processes of democratization do not always lead to women's political integration nor is women's political empowerment a guaranteed outcome of quota systems. Context-specific dynamics and historical-national experiences not only impact the effectiveness of quotas but women's ability to wield authority and power once elected to political office is also affected. Overall, we must remains aware that the locus of power and the meaning of empowerment vary substantially across contexts. For this reason, quotas are not to be an end in itself, but rather a means to achieving women's political empowerment.

Chapter 2
Gender Quotas as a Solution?

Gender quotas are a type of equal opportunity measure that aims to ensure women's inclusion in electoral politics by recommending, mandating, and/or reserving a certain number or percentage of positions within candidate lists or parliamentary seats for women (Dahlerup, 2002, 2006; Phillips, 1995). Applied at the various stages of the electoral process, quotas work to ensure the nomination or selection of a minimum number of women for political positions (Dahlerup, 2006). Quotas are geared towards political parties because as the 'political gatekeepers' they are responsible for nominating and selecting candidates for office (Matland, 2006). To radically increment the number of female candidates, political parties must voluntarily, or forcefully, adopt gender quotas to ensure women exercise their right to run for office.[1]

The optimal percentage advocated for, and legitimized by a series of international forums, has been 30%. According to Drude Dahlerup (cited in Paxton, Huges, & Green, 2006), a 30% "critical mass" is necessary if women are to have a "visible impact on the style and content of policy" (p. 902). Learning from experiences researchers have shown that there is a positive relationship between women's ability to legislate in favor of gender sensitive policies and the number of women in parliament (Ballington & Karam, 2005; IPU, 2009). As the saying goes, there is strength in numbers!

This chapter will engage in a detailed discussion of quota measures. It will explain the different type of quotas and their (in)compatibility with existing institutional arrangements that

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[1] L. Guillén (personal interview, July 1, 2009).

increase and/or decrease their effectiveness. Finally, I will close by exploring the theoretical debates on the topic and highlighting the most important arguments made in favor and against quota legislation.

Quota Legislation at the International Level

The declaration adopted by the United Nation's Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) established an international bill of rights for women. Consisting of 30 articles, it defines what constitutes discrimination against women and institutes an international agenda to end all types of discriminatory practices (civil, political, cultural, economic, and social) based on distinctions of any kind, including sex (United Nations, 1979). The provisions emphasize the fact that "the development of a country, the welfare of the world and the cause of peace" is directly dependent upon women's full participation, on equal terms with men, in all fields (ibid., Preamble). Article 7 recognizes that discriminatory practices exists against women in the political and public life and states are required to take all the necessary measures to ameliorate women's inferior status and condition. Acclaimed for presenting a vision of gender equality, the declaration failed to set targets and design concrete policy initiatives.

After the CEDAW convention, a series of women's international conferences and regional summits continued to be organized. These international gatherings gave women across the globe an opportunity to take advantage of newly established trans-national networks to coordinate and establish common international agendas and agreements (Craske & Molyneux, 2002). Each summit has contributed to the (1) formulation of new and improved strategies to enforce the implementation of the resolutions ratified (2) re-committed state actors to time

bound compromises and (3) created new spaces for exchanging experiences and disseminating knowledge.

Drafted during the 1995 Beijing Conference, the Platform for Action reaffirmed the ideals ingrained in the CEDAW declaration. Top concerns were equitable distribution of economic and political power. The document emphasized women's political integration as an indispensable priority for government structures to strengthen the rule of democracy. If political institutions are to reflect the composition of society more accurately then gender balance is a necessary pre-condition. In addition, it proposes that women would place new issues on the political agenda due to their gender-specific perspective (United Nations, 1995). The Platform for Action encouraged States to commit to measures "including, where appropriate, in electoral systems that encouraged political parties to integrate women in elective and non-elective public positions in the same proportion and at the same levels as men" (ibid., Article 190). Moreover, political parties were also prompted to "consider developing initiatives that allow women to participate fully in all internal policy-making structures and appointive and electoral nominating processes" (ibid., Article 191). This statement mostly alluded to the incorporation of gender issues into party statutes and political platforms.

Beijing helped to legitimize affirmative action measures, such as gender quotas, as a means to achieve equality in positions of decision-making power. Women's empowerment and the advancement of their needs where entrenched as essential component of modern democracies. Most importantly, the Platform for Action created a new discourse that shifted

the responsibility for addressing gender inequality from an individual to an institutional level (i.e. political parties and states).

Fifteen years after Beijing '95, the 2000 Millennium Development Summit once again reinforced the collective responsibility to eliminate the persisting gender disparities that continues to proliferate in all aspects of society. The Millennium Development Goals (MDGs) provided time bounded targets and measurable indicators to quantify progress. These targets were unique because they allowed for comparison across space and time. MDG #3 specifically asserts for the promotion of gender equity and women's empowerment. The target binds states to eradicate gender disparity in primary and secondary education, no later than 2015. The indicators agreed upon to assess progress are the following:

1. Ratio of girls to boys in primary, secondary and tertiary education.
2. Share of women in wage in employment in the non-agricultural sector.
3. Proportion of seats held by women in national parliament. (United Nations Development Programme [UNDP], 2000).

Once again, women's presence in mechanisms of decision-making was recognized as a priority if political processes are to be genuinely participatory and open to all citizens.

As helpful as international agreements and goal-oriented commitments have proven to be, the discourse employed has not been free of controversy. The imposition of a cohesive set of women's interests and rights as established global social norms is one of the main points of contention. For one, quantitative measurements can obscure the structural constraints women may face in context-specific settings (Smith, Troutner, & Hünefeldt, 2004). Secondly, targets and indicators are criticized for failing to capture and/or ignoring the most preeminent concerns of women in traditional and developing societies (ibid.,). Women from the global

South, who reject the narrow conceptualization of "women's interests," primarily voice most of these complaints. They claim, for example, that gender equality and those concepts associated with it should be treated as open and contested concepts "with a variety of meanings that arise from different political histories, contexts, struggles and debates" (Lombardo, Meir & Verloo, 2009). The article *A Cow for Hillary* perfectly captures the clash between Westernized visions of empowerment and those held by Bangladeshi women form the rural village of Maishahati (Bennholdt-Thomsen & Mies, 2000).

In spite of these limitations, standardized indices provide the necessary data to assess women's situation throughout the world. Quantifiable data is crucial for identifying areas of intervention and designing the most appropriate policy initiatives. Gender quotas, in retrospect, are one of the outcomes resulting from of such processes.

Quota Types

Political theorists have defined and continue to redefine political representation in multiple and competing dimension. The three basic types of political representation are: (1) symbolic (2) descriptive and (3) substantial (Franceschet, 2008; Dovi, 2006; Peters & Suter, 2009). Symbolic representation refers to the perception and evaluation of representative by those whom he/she represents. Standards of evaluation rests on the degree of acceptance a representative has among the represented. Descriptive representation alludes to the degree of presence any given social group holds in legislative bodies. In this case, higher levels of representation are based on how closely the representative resemblances (based on ideas/experiences) the represented (Dovi, 2006). Finally, substantive representation entails the ability of the representative to promote the interests of the group he/she represents.

In this situation, policy outcomes provide the basis for competency assessment.

The main objective of quotas is to increase women's descriptive representation by transcending beyond socio-economic, cultural, and archaic party norms that tend to discriminate against women's recruitment and nomination as candidates. The ability to represent in a substantive manner, although not guaranteed, is partly contingent upon the similarity existing between the representative and the represented. Research claims that incrementing the number of women in politics is more likely to increase in the attention given to gender-specific concerns (Goetz, 1998; United Nations, 1995). The following section will present the three basic types of quotas currently employed throughout the world.

a. Voluntary party quotas

Voluntary party quotas are adopted by political parties on a voluntarily basis. This quota type aims to include a certain proportion of women into lists for either appointed or elected intra-party positions/elections and inter-party elections for public posts. Socialist parties in Western Europe were the first to adopt party quotas in the 1970s. Today, parties across the world and the political spectrum have incorporated this kind of quota into party statutes. Quota percentages vary and enforcement is dependent upon the goodwill of the parties' leadership.

The successful experience of the African National Congress Party (ANC) of South Africa makes them a popularly cited example. The ANC voluntarily adopted a 30% gender quota for legislative elections following the transition from apartheid to democracy in 1994. The adoption and effective implementation of the ANC quota is largely due to the strength of the women's movement which, as Gay Siedman elaborates in Franceschet (2001), was concerned with constructing "gendered institutions through which women could actively help shape new

policies" (p. 212). Additional dynamics like the ANC's commitment to gender equity, the existence of a proportional representation electoral system, and the adoption of an informal placement mandate also played pivotal roles in the dramatic increase of women elected to the National Assembly and the National Council of Providences.[2]

Figure 2.1 plots the percentage of women in the South African parliament from 1994 to 2009. In 1994, women were 18% of the National Council of Providences, by 2009 the percentage had increased to almost 30%.[3] In the 400-seat National Assembly, the percentage of women in office incremented from 25% (n=100) in 1994 to 45.5% (n=178) in 2009.

Figure 2.1
Women in the South African Parliament 1994-2009
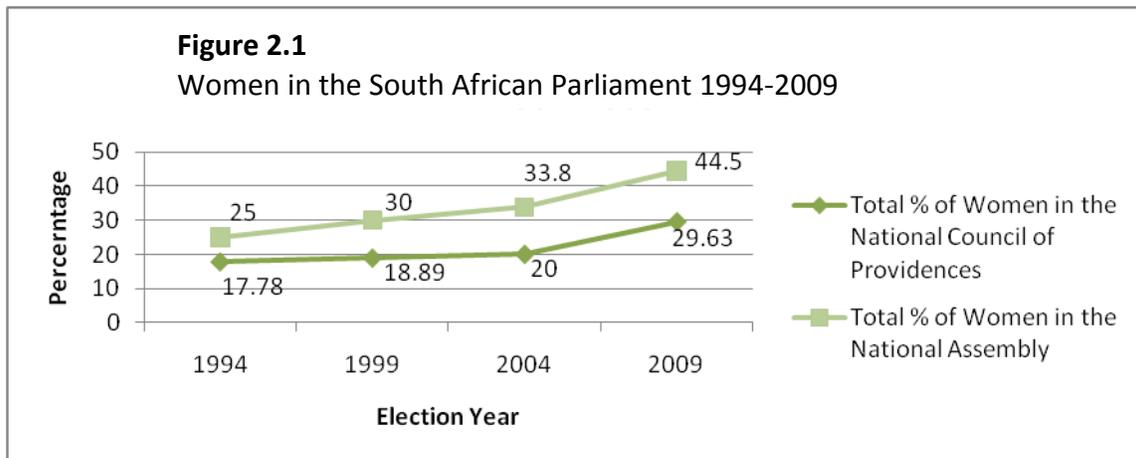
Note. Calculations do not include the 36 special rotating delegates appointed to the National Council on an ad hoc basis. Source: Parline (2010).

Figure 2.2 traces the ANC's compliance record to the 30% quota mandate. Beginning in 1994, the percentage of women in ANC lists has been on the rise –at times surpassing the established quota. A close evaluation of Figure 2.1 and Figure 2.2 reveals a close affinity

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[2] The ANC placement mandate, for the 1999 and 2004 National Assembly, elections placed one female candidate in every third position (Britton, 2006).
[3] The National Assembly is made up of 54 core positions and 36 ad-hoc seats. In 1994 there were 90 seats, by 2009 this number had been reduced to 54 (Parline, 2010).

between the percentage of women in the ANC party list and the percentage of ANC women elected to the National Assembly. As the percentage of ANC female candidate increases so does the proportion of ANC women elected to parliament. In this case, the ANC has upheld their party commitment despite the lack of sanctions for non-compliance.

Figure 2.2
ANC Candidates and Elected Women Parliamentarians 1994-2004
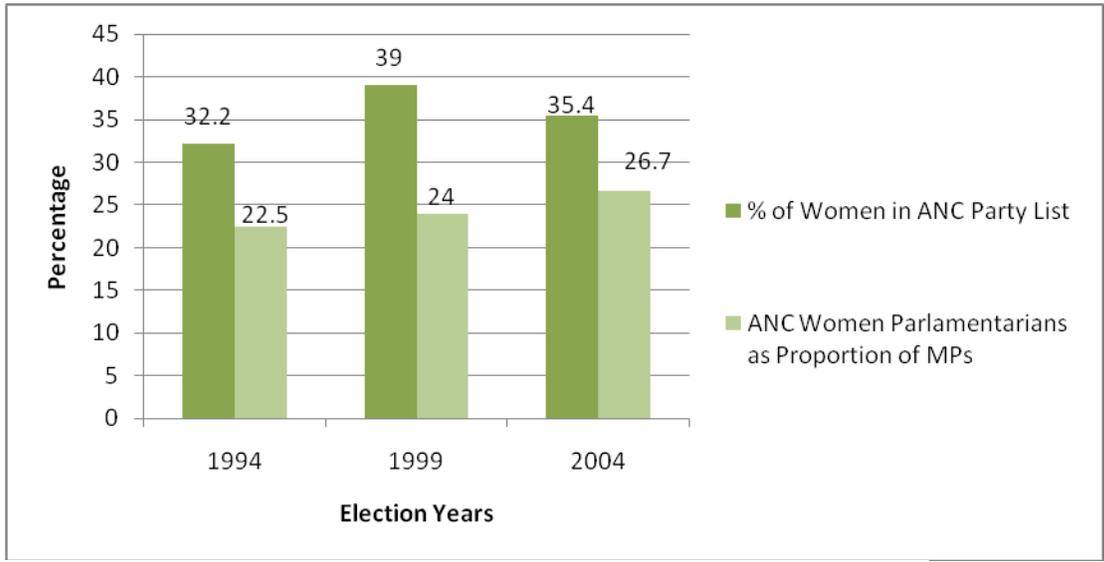
Adapted from Britton (2006).

     The ANC's pledge to gender equality has continued to reap benefits. In 2007, the ANC announced it was increasing the party's quota to 50% (Electoral Institute [EISA], 2009). Furthermore, the ANC's Manifesto: *Working Together We Can Do More*) committed the party to achieve gender party in parliament and governmental apparatuses (African National Congress [ANC], 2009). The 2009 electoral elections had the largest number of female candidates postulating for office than any previous years.[4] Out of the 9,310 candidates from 40

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[4] Seats for the National Assembly and the National Council of Providences are renewed in their totality every five years.

political parties, 2,511 were women. The electoral results proved to be more impressive for women whom now head 44.5% (n=178) of the National Assembly (the majority come from the ANC ranks). In 2009, the National Assembly almost attained gender parity. This accomplishment ranked South Africa third in the world, surpassing many Western nations.[5]

b. Legislative quotas

In 1991, Argentina was the first country to implement a legislative quota law, *Ley de Cupo Femenino.* Unlike voluntary party quotas, legislative quotas are institutional mandates that command all political parties, within the adopting nation, to include a minimum percentage of female presence in party lists for legislative elections. From 1990 to 2010, women's presence in the Argentinean Senate increased from 3% to a 38.5%. In the Chamber of Deputies, the percentage of women went from 6% to 35.2% (Parline, 2010). Legislative quotas, Krook, Lovenduski, and Squires (2009) explain, "take important steps to legitimize positive action and recognize 'gender' as a political identity, altering the basic meanings of equality and representation that inform candidate selection and process" (p. 786).

Due in part to the Fourth Women's Conference in Beijing, the popularity of legislative quotas has risen since the early 1990s. Legislative quotas, or electoral quotas as they also referred, are more prevalent in Latin America and in post-conflict countries like Angola, Iraq and Bosnia and Herzegovina (Quota Project, 2010). Research accredits legislative quotas to be an effective equal opportunity measure that aims to achieve equality of result (Dahlerup, 2003, 2006).

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[5] As if January 1, 2009 the top five countries with the highest percentage of women in parliament are: 1) Rwanda 2) Sweden 3) South Africa 4) Cuba 5) Iceland (Inter-Parliamentary Union [IPU], 2010).

Figure 2.3 present the situation of women as percentage of Latin American parliaments up until January 1, 2010. Eight of the top ten countries with the highest percentages of female parliamentarians have all adopted legislative quotas. Recently, Bolivia has stood above the rest of Latin America. With an astonishing 47.7% of women occupying Senate seats, Bolivia is the first Latin American country to get close to achieving gender parity in the Congress. In general, the collective results of Latin American countries has praised and further legitimized the efficacy of legislative quotas. As with any other successful measure, a contagion effect has spread throughout the region and the world. However, as Figure 2.3 illustrates, the levels of achievement has varied from country to country. We must not overlook the fact that context-specific results are not only dependent on quotas but also on a series of other institutional and structural dynamics.

Figure 2.3
Percentage of Women in Latin American Parliaments
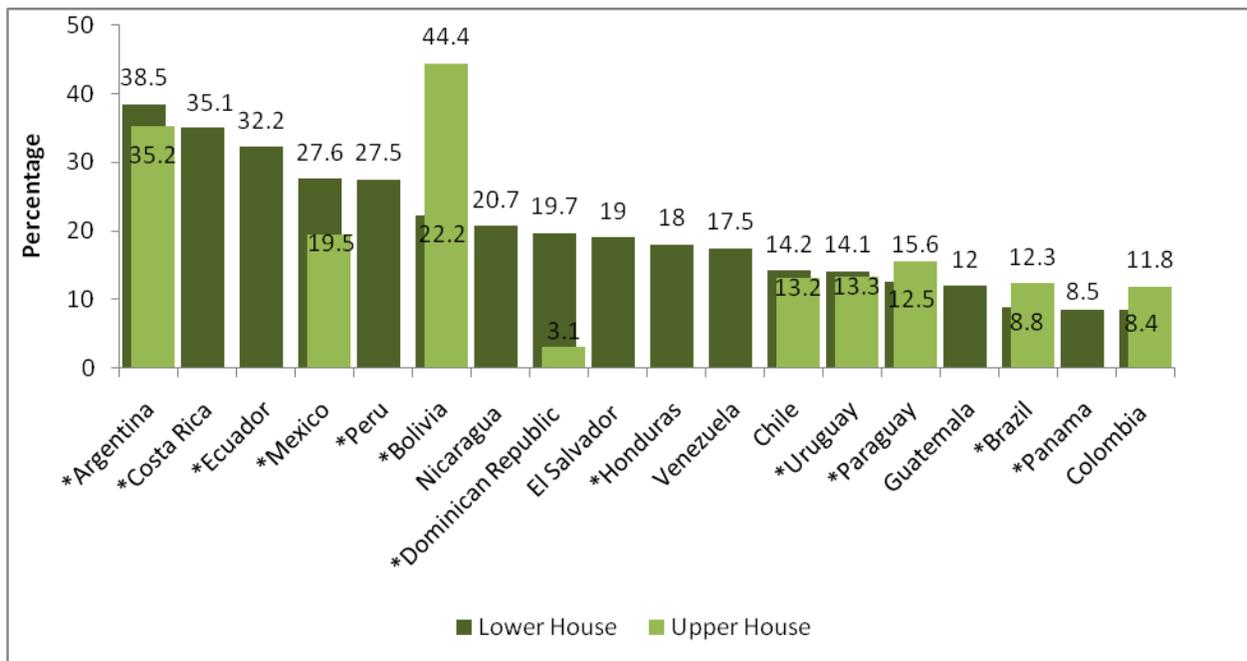
* Countries with legislative quotas.
Source: Parline (2010).

Take for example Peru. In September of 1997, the *Ley de Género* (Gender Law 26859)

came into fruition. Under the Organic Electoral Law, the quota mandate stipulated that party

lists presented for congressional elections must include at least 25% male and/or female

candidates. In 2001, after the resignation of President Fujimori, the quota increased to 30%.

From 1997 onwards there was been a significant increment of women parliamentarians in Peru

(see Figure 2.4). From 1990 to 2006, the percentages have more than doubled. Although Peru

has adopted a legislative quota, the experience is yet to be as successful as Argentina or as

worst as Panama. Chapter 6 will discuss the dynamics present in the Peruvian context that

contributed to such 'relative' success. A detailed exposition of the Peruvian case will examine

whether or not female parliamentarians have been able or willing to influence social policy and

secure rights for women.

Figure 2.4
Percentage of Women in Congress: Peru 1990-2006
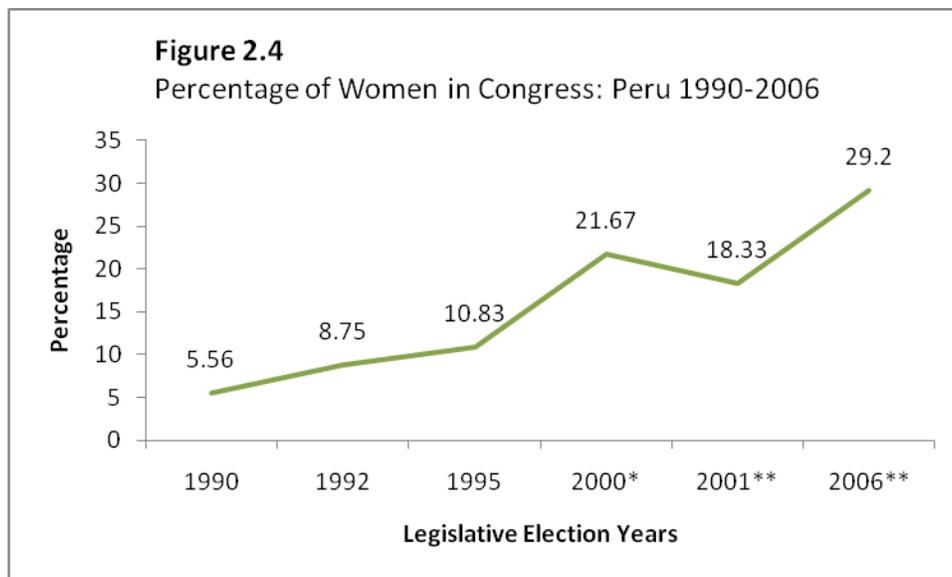
Note. In 1990, Peru had a bicameral congress.5.56% of the Chamber of
Deputy seats were held by women while in the Senate they controlled
6.67%. Adapted from Schmidt (2003b).

c. *Reserved seats*

Unlike legislative or party quotas, reserved seats guarantee women's presence by exclusively allocating a specific number of parliamentary seats for women. Reserved seat legislation can be found in Tanzania, Kenya, Rwanda, and India. Seat allocation occurs by either direct appointment, as in the case of Tanzania, or by holding special elections where only female candidates can postulate like in Rwanda (Matland, 2006). Reserve seats can be more effective than legislative and voluntary quotas for it guarantees results. However, many researchers have argued that this type of measure is highly susceptible to undemocratic practices and stigmatization of women as illegitimate power holders. 'Tokenism' is a term that is oftentimes associated with female legislators who lack political autonomy. In this context, tokenism emerges because as appointed officeholders female legislators lack support from a constituent base (Tinker, 2004; Tripp, Konaté, & Lowe-Morna, 2006). Type casted as 'token women' carries strong connotations of illegitimacy and powerlessness for they are unable to legislate on their own right.

Furthermore, the allocation of seats oftentimes can result in the creation of ceilings rather than floors for women's participation. Ceilings form when political parties relegate women to filling the seats reserved and discouraged from contesting the other available positions. For example, a 30% seat reservation can be turn into a cap-limit when the parties involved feel complacent with meeting this minimum and no longer feel obliged to increase women's participation beyond the 30% target.

The Rwandan experience has proven to be truly exceptional. Rwanda is currently the only country in the world that has achieved gender parity in the legislative with women holding

56.3% of the seats in the Chamber of Deputies (IPU, 2010). Considering the fact that the electoral law establishes a 30% reserved seats, women have gone beyond the prescribed minimum. This means that female candidates not only run for the 26 reserved seats (out of a total of 80) in an all female ballot but they also successfully contest against their male counterparts.

The implementation of the quota system in Rwanda is partly responsible for increasing women's presence in politics. Dynamics emerging in and from the Rwandan civil war in the early 1990s and the genocide in 1994 have ironically contributed to the gender parity levels now existing in the lower chamber of Rwandan parliament. Powley (2005) identifies the mobilization of the women's movement, the significant changes in gender roles, and the commitment of the Rwandan Patriotic Front (RPF) in the aftermath of systematic violence as factors that contributed to women's greater political leadership in contemporary Rwanda (ibid.,). The aftermath of the genocide resulted in a demographic imbalance-favoring women at the detriment of men. Under these conditions, women assumed roles previously revered for males. Women's ability to face the unforeseen challenges can be observed in the positive political changes they achieved, including parity-levels in the Chamber of Deputies and a gender-sensitive constitution in 2003 (ibid.,). The case of Rwanda proves that reserve seats are not always limiting in nature.

Arguing For and Against Quotas

Debating on women's political under-representation and the significance of affirmative action measures has been acrimonious in nature. Especially because quotas aim at reformulating the dominant cultural and political norms that define: equality, representation,

citizenship and rights (Bacchi, 2006). Historically, dominant elites have monopolized all of the concepts under consideration, excluding people deemed unfit—including women. This section will synthesize the theoretical debates vindicating women's presence in positions of decision making through the adoption of quotas.

Bacchi (2006) suggests the importance of framing affirmative action measures, such as quotas, as exception within anti-discriminatory laws. Because acts of discrimination and affirmative action both refer to the "different treatment of equals," quotas can lead to the stigmatization of the disadvantaged class/group advocated in favor of by branding them as unqualified and inherently deficient (ibid., p. 34). Instead, rhetoric should frame women's incorporation into politics as a women's right. Quotas must be framed as solutions to the entrenched privileges and prejudicial attitudes that prevent women from fully exercising their right to political representation and not as counter-discriminatory measures against men. This way, quotas will not run counter to anti-discrimination acts.

Some consider quotas as dynamics that democratize the internal procedures of political parties by making them more transparent and formalized (Dahlerup, 2009a, 2009b). Advocates demand greater transparency in the establishment of requirements and recruiting procedures for they discourage or encourage party members to run for office. In some instances, parties hold internal 'democratic' elections to select the party's candidates. In others, the party's leadership is solely responsible for choosing the best nominee. It is here, in the nomination process that claims of discrimination against women are voiced. Researchers, activists, and

female aspirants cite the predisposition of party elites (men in their majority) to choose male over female candidates based on obscure and unequal qualifications[6] (Dahlerup, 2006).

The leadership in charge of the candidate selection process justifies the over-representation of male candidates by stating that women lack the appropriate credential and necessary experience to postulate. However, the standards of merit are frequently obscure and informal. According to Bacchi (2006), the understanding of merit as constructed in a narrow and exclusive way that it ignores women's competence and contributions.

In instances where candidates must campaign in internal party elections, women compete from a disadvantageous position. It's been cited that women face a tripe-burden of balancing a family life, a professional career and parliamentary work (Peters & Suter, 2009). A political environment that does not take into consideration women's familial duties does not help women's situation.

Expensive electoral campaigns are another roadblock for women. Income inequalities, unequal access to credit, inheritance and property laws and the control of a family's income tend to favor male head of households (Kilimo, 2010). Such disparities exacerbate when other social inequalities, aside from sex, are considered. Nonetheless, financial constraints affect the ability of female candidates to fund a successful campaign.

Arguments presented in favor of gender quotas usually center on, normative, symbolic and utilitarian rationales. The first of these arguments falls along the lines of what scholars have termed *symbolic representation* (Franceschet, 2008). As discussed previously, symbolic

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[6] L. Guillén (personal interview, July 1, 2009); M. Ríos (personal interview, July 22,2009); A.M. Yáñez (personal interview, June 16, 2009).

representation refers to the dislodgment of deep-rooted assumptions of what is appropriate for women and men (Phillips, 1995). This claim assumes that as more women enter into male dominated arenas the hostility and biases against women's abilities to perform will be debunked, women's self-esteem will increase and a contagion effect will take place encouraging other women to follow suit. The more socially inclusive a society, the more egalitarian it appears.

Gender justice is another important argument made in favor of quotas. While theoretically women and men are entitled to equal citizenship and political rights, men continue to enjoy greater access to these. The fact that even though women make up 50% of the population they remain politically underrepresented reflects women's unequal access to power. Elaboration on social justice discourse entails the redistribution of material goods and positions as well as the recognition of difference (Guldvik, 2003). Fraser & Honneth (2003) explain,

> … it is unjust that some individuals and groups are denied the status of full partners in social interaction simply as a consequence of institutionalized patterns of cultural value in whose construction they have not equally participated and which disparage their distinctive characteristics or the distinctive characteristics assigned to them (p. 29).

Real equal opportunity does not exist just because formal barriers are removed, "…direct discrimination and a complex pattern of hidden barriers prevent women from being selected as candidates and getting their share of political influence" (Dahlerup, 2002). In this regard, quotas are compensatory measures aimed to restitute women for their historical political under-representation.

The third pro-quota argument emphasizes women's difference as a democratizing factor to political life (Phillips, 1995). The interest argument contends that men and women have different and even contradictory interests. Therefore, women' presence in politics can contribute a different perspective based on their identity and experiences as women – otherwise overlooked by all male legislations. The Organization for Economic Co-Operation and Developed (OECD) and the U.N. Millennium Declaration agrees that "women and men bring different perspectives to decision-making and a lack of women in government limits the effectiveness of the state and its policies and diminishes its representational quality" (Organization for Economic [OECD] 2008, p. 61). Whereas liberal definitions of representation refers to the 'common' good and the representation of ideas regardless of personal characteristics, the politics of presence ensures those who have been historically underrepresented have an opportunity to present their claims and interests specific to their group.

Although the acceptance of quotas has increased in the past two decades, the opposition has not ceased from mounting pressure against them. Resistance comes from different angles and includes women, men, feminist and non-feminist; no unifying factor identifies each camp. Even the array of statements made against quotas falls along different theoretical lines. At times, they have been so successful they have blocked implementation and even revoked institutionalized legislation.

One of the most powerful arguments made against quotas maintains that positive action mechanisms are nothing more than acts of reverse discrimination. In their understanding, women receive preferential treatment at the detriment of men. The

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controversy lays on the misconception that quotas bypass competitive processes and principles of merit are ignored (Bacchi, 2006). According to critics, quotas go against liberal fundamentals of individual merit. Because the merit system seeks to reward those who are better prepared, quotas are seen as a discriminatory measure that gives 'preferential' treatment to unqualified candidates (i.e. women). Quota legislation is also deemed incompatible with anti-discriminatory clauses enshrined in a number of countries' constitutions. But, Peters & Suter (2009) contend, "prohibition on gender discrimination is not absolute" especially when there are "justifiable by 'objective and reasonable criteria'" (p. 182). So, positive action measures are not to be considered discriminatory when they aim to level the field so actors can participate on equal terms.

Two additional arguments maintain that quotas are non-democratic for it curtails voter's choices and political parties' autonomy to select the most qualified candidates. Fundamentally, a voter's right to express his/her political will by selecting a candidate from a list is not curtailed since they are still presented with an array of contenders to choose from. Some even argue that quotas broaden the choices available to voters. Secondly, party autonomy is not unlimited (ibid.,). Restrictions and limitations have been imposed upon parties by state laws. As long as quota legislation remains a choice (i.e. voluntary party quotas) and/or is legally mandated to all parties, parties cannot argue the state is enforcing quota measures arbitrarily.

The discursive framing of women's underrepresentation and the arguments given in favor of quotas must expand the notions of equality, representation, citizenship and rights to include a gender perspective. Most importantly, the framing must avoid using rhetoric that can

be labeled as discriminatory (against men) since many countries have anti-discriminatory legislation. In most cases, the redaction of quotas incorporates gender-neutral language to avoid being gender-biased. Quota proposals also avoid essentializing women as being more democratic and non-conflictive by nature. The imposition of additional values and behaviors to already existing assumptions of proper gender roles create expectations that are not shared equally amongst male and female politicians. Quotas democratize the processes to ensure everyone has an opportunity to be represented and to represent. How democratic a political space is, depends on additional measures of accountability and transparency. A detailed discussion of these factors is beyond the scope of this study.

Chapter 3
Methodology

The present study is based on a multi-method and comparative approach that incorporates both a qualitative and quantitative paradigm. The use of mixed methods, specifically within an "interactive continuum," rejects the dichotomy oftentimes existing between qualitative and quantitative research. As Ridenour and Newman (2008) contend, citing Denzin and Lincoln (2000), "a 'modified dualistic' understanding of qualitative and quantitative research" allows researchers to accept holistic paradigms as "continuum[s] that allows multiple methods (or single methods) to be selected based on the purposes of each research study" (p. 24).

Part I: Literature Reviews

As a *historical-comparative research,* this study draws on a mix of evidence to explore, describe and explain gender quota legislation in two different countries and across different historical periods (Neuman, 1997). Literature reviews of a vast and growing pool of interdisciplinary scholarship exploring women's political empowerment structures the premise of this research. The articles examined include historical expositions and political studies.

The purpose for historical sources (primary and secondary) was to place gender quota legislation within a longer historical context. The use of historical data allows for an understanding of the origins of quota legislation and its relation to context-specific societal expectations. On the other hand, much of the political-based articles presents *hypothesis-testing research* (ibid.,). Such works deal with empirical studies that engaged with theory

testing by way of identifying trends and explaining relationships amongst various variables in tightly controlled conditions.

Most of the scholarship analyzed was produced in and out of academic circles such as International (IOs), Non-Governmental (NGOs) and Governmental Organizations (GOs) committed to the promotion of gender equality in all socio-economic and political aspects of everyday life. The majority of these works are easily accessible as electronic publications in various languages. However, some primary documentation was only accessible onsite at feminist organizations and governmental institutions in Santiago, Chile and Lima, Peru. Works and documentation written in Spanish and/or English posed no major obstacle, as I am a native Spanish speaker with complete fluency in English.

Part II: Interviews

As a complement to the qualitative aspect of this research, I conducted a series of interviews during the summer of 2009. From these interviews, I hoped to assess the effectiveness of quotas in increasing women's political representation and explore the impact of quotas on women's political empowerment. These broader research questions were broken down to specific questions like: (1) what is the individual's perception regarding the effectiveness of gender quotas on women's political presence in the legislative branch? (2) what is the impact of quotas on women's everyday life through the introduction of "female friendly" policies and changing social perceptions? (3) what are the working relationship between feminist organizations and elected congresswomen? and (4) what are the democratizing effects (if any) of gender quota legislation?. The data collected served to supplement, validate, explain, illuminate or reinterpret the qualitative data gathered from the

extensive literature reviews (Miles & Huberman, 1994). Summarizing Miles and Huberman (1994), the strength of qualitative data collection on a specific case is that it provides a more focused and bounded understanding of the phenomenon under consideration by taking into account the factors embedded in its contexts.

a. Procedure

Originally, my research proposal called for the compilation of primary documentation and the tentative administration of 20 face-to-face interviews. Researchers, female politicians, and community activists whose trajectory pertained to the investigation, dissemination, and endorsement of information regarding gender quota were my primary targets. To assure an equitable selection of participants and avoid researcher bias in selection, relevant actors enaged in any aspect of my research topic regardless of their gender, age, or ethnicity were eligible. However, because such topic specifically addresses women's political condition the majority of actors involved in gender mainstreaming were predominantly females over the age of 18.

The interviews conducted took place in Santiago, Chile and Lima, Peru during the summer of 2009 over the span of eight weeks. I resided in each city for approximately four weeks starting in June and ending in August of that same year. This study incorporates data gathered from nine different interviews. One interview took place at the University of Illinois at Urbana-Champaign, six in Lima and two in Santiago. In Santiago, I was unable to attain a minimum of six interviews due to the timing of my research, a couple of months away from the general presidential and parliamentary elections. Eight of the participants were female and one male.

All of my participants were over the age of 18 and were not part of a special or vulnerable population. The interviews conducted were based solely on voluntary participation. Participant confidentiality was insured by holding one on one interviews in places were participant felt most comfortable (i.e. work offices and/or private homes). Scheduling of interviews was made at the participants' convenience. All sessions, with the exception of one, lasted between 30 minutes to an hour and were conducted in Spanish. Only the participant and I were present during the session.

The administration of open-ended questions was the most advantageous for the purpose of this small-scale research. Interviews with open-ended questions allow participants to elaborate more freely of his/her personal experiences and individual understanding of the topical area. The detailed responses, to oftentimes-complex issues, present the investigator with unanticipated findings. A copy of the interview guide is available in the *Appendix A*.

One of the most pressing drawbacks of open-ended questions is that they can be time consuming and answers can include information not directly relevant to the study. To account for possible time constraints, I kept the total number of interviews s to nine. In addition, I did not address all questions included in my interview guide to each individual. Based on my research needs and the flow of the individual interviews, I selected questions that optimized the knowledge and experiences of each interviewee. Interviewee receptivity to specific questions determined the amount of response time allotted. Detailed responses and the complexities embedded within them was an important aspect of this research. Discontinuities and divergences found in answers exemplify how the meanings of certain concepts are contested across space and time (e.g. gender equality and political representation).

To prevent vagueness and ambiguity all questions were written in a clear and comprehensible manner, I strictly avoided the use of jargon and slang. Leading questions were discarded altogether. Institutional Review Board (IRB) at the University of Illinois at Urbana-Champaign and my summer research advisor pre-approved all interview questions.

To ensure interviewees of my full and undivided attention, all sessions were voice-recorded. The use of a voice recorder increases the reliability of data collection by providing exact records of the conversations (Bloor & Wood, 2006). Audio recording made the transcribing process more manageable. A camera with audio-recording capabilities was utilized for all interviews. No interviews were video recorded.

Abiding with policies established by the IRB, all interviewees were given consent forms to sign in the language of their choice (Spanish or English). All forms delineated a detailed explanation of the purpose of the study, the reason for the interview and their rights as participants. Each respondent was aware that the interview session would be audio recorded and that any information provided would be publically disseminated as research material unless otherwise strictly specified by the interviewee. No interview was administered without the signed consent of the participant. This research does not include information received without the written permission of the interviewee.

All participants understood their right to end the interview at anytime and for any reason. The risks involved in my study, to the participants physical well-being, privacy, dignity, self-respect, psyche, emotions, reputation, employability, and criminal and legal status, was minimum to non-existent. Because the majority of the persons interviewed are public figures engaged in political debates concerning the adoption, research, implementation, promotion,

and/or endorsment of gender qutoas, the information shared with me was already circulating

within the public domain. No personal questions irrelevant to my research topic were asked.

b. *Participant recruitment and profile*

A letter of introduction facilitated my access to Peruvian feminist organizations.

Written by my summer research advisor, Dr. Angelina Cotler, the letter described the research

project, vouched my credentials as a student researcher from an accredited research institution

and solicited the assistance and support of institutions and individuals. This letter of

introduction eased my access to interview participants. The letter was available for participants

in Spanish and/or English.

Three of the interviews conducted in Peru were with activists affiliated with two

feminist non-governmental organizations: Manuela Ramos and Flora Tristán. Both organizations

count with a 32-year long trajectory of community advocacy work in promoting women's socio-

economic and political empowerment. In addition, each organization provides women with a

space in which to expand women's political citizenship rights and advance development policies

that result in greater social equity and gender justice. Both organizations also act as research

institutions and resource centers for women (Flora Tristán, 2010; Manuela Ramos, 2010).

My third interview was with the Executive Director of the Peruvian charter of

Transparency International (ProEtica) and Former Minister of Peru's Ministry of the Promotion

of Women and Human Development (*Ministerio de Promoción de La Mujer y del Desarrollo

Humano*-PROMUDEH) now called the Ministry of Women and Social Development (*Ministerio

de la Mujer y Desarollo Social*-MIMDES*)*. A trained and professional historian, Blondet's

interview provided me with a brief account of the historical conditions surrounding the implementation of quotas in Peru.

For my fourth interview, I met with an active member of a neighborhood association and former Secretary for two government workers unions.[7] The fifth participant was a current philosophy doctoral student who is a gender studies instructor at the Pontifical Catholic University of Peru (*Pontificia Universidad Católica de Peru*). Although neither of the participants were, or had been, involved in gender quota research, as self-proclaimed feminists and as Peruvians they raised important questions and points that I had failed to acknowledge due to my positionality as an outsider.

My intended mission to interview congresswomen regarding their personal experiences as 'quota women' was circumscribed by the violent political conflicts occurring in Bagua (northern providence of Peru) during my stay.[8] Despite my persistent attempts to set up interviews with a number of female parliamentarians, all legislative forces were preoccupied establishing the causes, assessing the number of victims and formulating a plan of action after the Bagua incident. As a backup, I did an intensive search for political memoires and publications of first person account narratives. My search led me to a series of inter-

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[7] General Secretary for the Workers Union of the National Supervisory Commission for Companies and Securities (*Sindicato de Trabajadores de Comisión Nacional Supervisora de Empresas y Valores*) and the Secretary for Social Matters for the National Union Workers of the National Superintendency of Tax Administration (*Secretaria de Asuntos Sociales del Sindicato Único de Trabajadores de la Superintendencia Nacional de Aduanas*).

[8] In June 23 of 2009, police forces clashed with indigenous demonstrators in Peru's northern Amazonian region of Bagua. The clash between governmental forces and civilian demonstrators occurred over proposed legislative decrees that would make the rich Amazonian lands available for economic and development projects. The circumstances surrounding the evidence remain highly contested. The number of causalities and those injured has fluctuated depending on the sources reporting, a conservative estimate states that 23 civilians and 10 police officers perished while 82 were injured (Human Rights Watch, 2009).

parliamentary summits hosted by the United Nations and the Inter-Parliamentary Women's

Union (IPU) and attended by congresswomen from all over the world. The conference

publications presented a qualitative as well as a quantitative analysis of women's experiences

as political actors and their status as gendered citizens.

While in Chile, I faced greater limitations due to personal illness, time constraints,

availability of and accessibility to research participants. Against these obstacles, I secured two

interviews with a member of the Gender Equality division of the United Nations Development

Program in Santiago (UNDEP). The second, and only male participant, was the head of the Legal

Reform Department of Chile's National Women's Service (*Servicio National de la Mujer-*

SERNAM). Both research participants were instrumental to my research. UNDEP and SERNAM

have been the most predominant and visible actors involved in creating awareness amongst the

general public regarding the social and institutional discriminatory practices affecting women.

Moreover, the UNDEP and SERNAM had been active supporters of President Michelle

Bachelet's policy recommendation of legislative gender quotas and electoral reforms.

My experience in securing interviews with Chilean congressional women was as difficult

as in Peru. Being an election year, with the Presidential and Parliamentary elections a couple of

months away, most political figures were busy bringing their political tenure to an end as well

as starting their political campaigns for the December 2009 electoral campaigns. As a result, I

relied heavily on congressional transcripts and other print resources as insights to the political

interworks of congress. Most of these resources came from the Chilean Congressional Library

and the FLACSO. As an autonomous intergovernmental academic body, FLACSO is committed to

the full respect of human rights, equitable economic development strategies, democratic

governance and international cooperation of Latin American countries through the "production and dissemination of knowledge and training in the field of social sciences, using the highest standards of academic excellence"(Facultad Latinoamericana [FLACSO-Chile], 2010). A significant number of gender quota related scholarship was also retrieved from the International Institute for Democracy and International Assistance's (IDEA) Quota Project Division.[9]

Data Analysis

Abstraction of overlapping themes and concepts was used to analyze literature reviewed. This preliminary framework guided the formulation of interview questions and narrowed the search for relevant statistical evidence. By defining the focus of the study, time allotted to conduct interviews and the knowledge shared by my participants was utilized to the highest optimal levels. No statistical analysis was executed; instead, I provide a secondary interpretive and descriptive assessment of existing data.

Immediately after conducting an interview, all recorded data was uploaded to a USB flash drive. Afterwards, I transcribed and translated each interview. I was personally responsible for uploading, transcribing and translating all recorded sessions. All data collected from interviews was analyzed in a similar manner as print material, key terms and concepts were abstracted and overlapping themes identified. I also utilized triangulation to ensure greater validity and reliability of interviewee responses (Mathison, 1988; Patton, 2001). Patton (2001) suggests, "triangulation strengthens a study by combining methods. This can mean using

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[9] The IDEA Quota Project Division's Global Gender Database contains information about the use of gender quotas by governments across the world (Quota Project, 2010).

several kinds of methods or data, including using both quantitative and qualitative approaches" (p. 247).

During interviews, I also kept a notebook of my field notes. Unlike field notes kept by anthropological researchers that include detailed observations of what they see and hear in the field, my notes kept records of literature or works suggested by participants during or post interview sessions. The notes were helpful as reference material to complete, clarify and further investigate ideas developed during the session.

Summary

By drawing from a range of cross-national and multi-disciplinary scholarship engaged in the quantitative and qualitative aspects of political equality and democratization, the impact of such themes on men and women becomes problematized. Transcending beyond gender and analyzing the plethora of complexities embedded in individual as well as context-specific and historic regional experiences yields a more complete assessment of women's political status. In addition, personal interviews provide a closer look at the reality of women's presence in national politics of Chile and Peru as seen and studied through the eyes of academic researchers, organizers and activists.

Overcoming unexpected situations proved difficult at times. As my first field research experience and my first time conducting ethnographic interviews, I learned to improvise to the best of my abilities. In spite of the limitations posed by events outside of my control the sources presented in this study contributes a foundational frame of reference. Overall, my research provides a small stepping stone that calls for further in-depth analysis and future research studies that should focus on the systematic collection of interviews and personal narratives of

women's political experiences as 'quota women' and their impact on women's political

participation.

Chapter 4
The Problem of Women's Marginalization in Formal Politics: the Case of Chile

The 2009 Chilean presidential elections ended the 20 plus years of political power held

consecutively by the *Concertación* (coalition of center-left political parties). The 2009

presidential contenders were former President and Senator Eduardo Frei and billionaire

businessman Sebastián Piñera. Frei, member of the Christian Democratic Party, ran under the

Concentración party ticket.[10] The *Coalición por el Cambio* (Coalition for Change) endorsed

Piñera, from the *Renovación Nacional* (National Renovation-NC).[11] With an electoral result of

51.61% to 48.39%, Piñera defeated Frei (Servicio Electoral-Chile [SERVEL-CHILE], 2010b).

Piñera's victory marked the first time an oppositional party takes control of the executive since

the 1989 elections. The March 11, 2010 presidential inauguration was not only a symbolic

transfer of power but also the culmination of Michelle Bachelet's historical term as Chile's first

female President (2006-2010).[12]

In a country previously cited as being one of the most conservative in Latin America

when it comes to upholding traditional gender norms, Bachelet's election may be indicative of

shifting cultural attitudes regarding social perceptions of women's abilities and capabilities as a

nation's leader. However, such historic accomplishment must not overshadow the existing

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[10] The 2009 *Concertación y Juntos Podemos por Mas Democracia* (Coalition and Together We Can for More Democracy) was comprised by the *Partido Demócrata Cristiano* (Christian Democratic Party- PDC), the *Partido Socialista de Chile* (Socialist Party of Chile- PS), the *Partido por la Democracia* (Party for Democracy- PD), the *Partido Radical Socialdemócrata* (Social Democratic Radical Party- PRSD)*,* the *Partido Comunista de Chile* (Communist Party of Chile- PCCh), the *Partido de Izquierda Radical de Chile* (Christian Left Party of Chile- IC), and *Independientes* (Independents).
[11] Piñera represented the 2009 *Coalición por el Cambio* (Coalition for Change) which included the *Renovación Nacional* (National Renovation- RN), *Unión Demócratica Independiente* (Independent Democractic Union- UDI), *ChilePrimero* (ChileFirst- CH1) and *Independientes* (Independents).
[12] Bachelet, member of the Socialist Party, ran under *Concertación* party ticket.

structural and institutional inequalities that still prevail in and out of the political arena and

continue to circumvent equality between the sexes and women's socio-economic and political

empowerment.

Even though accessibility to legislative and executive mechanisms does not guarantee

the political empowerment of individuals, this study functions under the presupposition that

holding a post of decision-making power is an important element that has the potential for

people (in this case women) to become empowered political actors. As Nelly Stromquist

elucidates in Troutner and Smith (2004):

> Empowerment consist of four dimension, each equally important but non-sufficient by itself to enable women to act on their own behalf. These are the cognitive (critical understanding of one's reality), the psychological (feeling of self-esteem), the political (awareness of power inequalities and the ability to organize and mobilize) and the economic (capacity to generate independent income) (p. 6).

For this reason, the gender composition of Congresses and Parliaments are assessed and

utilized as indicators of accessibility. Furthermore, the female to male ratio is also useful for

measuring the degree of gender (in)equality existing in institutions.

Through the example of the Chilean Parliamentary election from 1990 to the present

day, this chapter presents a quantitative assessment of women's presence in formal politics. As

it will become evident, from the examination of these case, women are systematically absent

from spaces of legislative power. A synthesized analysis will discuss some of the most pressing

obstacles curtailing women's access to offices of popular election. Finally, I will conclude this

chapter by examining the National Women's Service's (*Servicio Nacional de la Mujer*- SERNAM)

Gender Agenda 2006-2010 and its policy commitments to gender equity.

[37]

Women in the Legislative 1990-2010

The 2009 Presidential Elections were held in conjunction with those of congress. Established by Article 47 of the 1980 Chilean Constitution, all 120 Chamber of Deputy seats are renewed every four years. Senatorial posts, 38 in total, have an eight-year term and must be alternatively renewed every four years. During the 2009 congressional elections, all of the Chamber seats and half of the Senate seats were open for contention.

Figure 4.1 plots the percentage of women in Chile's congressional houses. Tracing women's electoral trajectory from 1989 to 2009, the greatest leap made was in the Senate from 2005 to 2009. Increasing from 2.6% to 13.2%, women's presence in the Senate has officially broken the 5.2% stagnation prevailing for almost a decade. While these figures may signify a noteworthy growth, tabulation in actual numbers reveals that women are a minute portion of Senators with only one women in office from 1989-1993, two from 1997-2005 and five in 2009.

Unlike the Senate, the Chamber of Deputies experienced a decrease for the first time since 1989. As it appears in Figure 4.1, 2005 marked the peak year for women in the Chamber at 15%. As of today, women occupy 14.2% of the 120 Chamber posts. Although clearly ascending, with the exception of the Chamber of Deputies, the gender composition of both houses is below parity levels and the desired 30% critical mass advocated on behalf of women.

Figure 4.1 Women in Parliament: Chile 1989-2009

*Adapted from Fuentes, Ríos & Villar (2005) and Servicio Electoral-Chile (2009a).
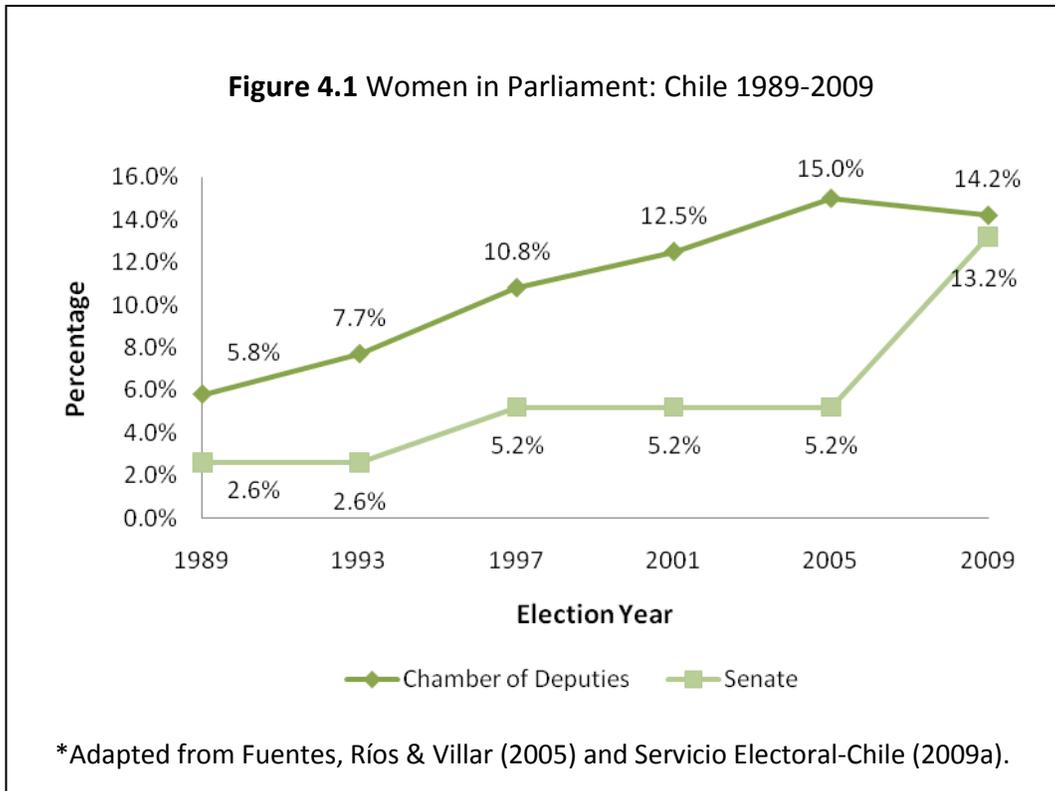
Women in Politics: 2010, a yearly publication of the Inter-Parliamentary Union in collaboration with the United Nations' Advancement for Women, ranked Chile 85th in the world in regards to women's presence in parliament (Inter-Parliamentary Union [IPU], 2010).[13] From a regional comparative perspective, Chile's performance is below that of its Latin American neighbors where women occupy an average of 22.1% of seats in the Single or Lower Chamber and 21.5% of the seats in the Upper House or Senate (ibid.,).

Aside from these shortcomings, when examining women's presence in ministerial positions, based on data available up to January 2010, Chile outperformed 97% of 188 countries. With women commanding 10 of the 22 executive-appointed ministerial posts, Chile

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[13] Ranking ranges from 1 to 141. The top 1st position goes to the country with the highest percentage of female parliamentarians. Position 141 goes to the nation where women hold the lowest share of parliament seats.

ranks 5[14]th in the world.[14] Bachelet's commitment to gender equity was manifested in her use of execute power through which she installed a gender balanced government—the first in Chilean history. From 2006 to 2010, Bachelet's presidential cabinet maintained a strong female presence that never fell below 40%.[15] In contrast, Piñera has received some criticism for not emulating the gender parity strategy of the previous administration by only appointing six female Ministers.[16] This example epitomizes the ability to promote certain expectations and behaviors conducive to the attainment of greater gender equality based on the political will of prestigious leaders. Even so, the will of political elites, or their lack of, is not the only determinant that can hinder and/or encourage women from becoming active participants in the deliberating process of national politics.

Since the return of democracy in 1990, the necessity to include women in positions of decision making power, at the national level, has been an important demand voiced by a sector of women who partook in the social movement against the Pinochet dictatorship. The adoption of voluntary party quotas during the 1990 has symbolized the commitment to a more inclusive and democratic society. Yet, how can one explain women's legislative under-representation when three of the largest parties of the *Concertación* have instituted mechanisms to promote women's ascendency to the representative apparatuses in Chile?

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[14] The top 5 countries with the largest percentage of female Minster's as of January 2009 were: 1. Finland (63.2%) 2. Cape Verde (53.3%) 3. Spain (52.9%) 4. Norway (52.6%) and 5. Chile (45.5%) (IPU, 2010).

[15] Some of the ministries headed by women included: the Ministry of Planning, Education, Labor, Health Agriculture, National Assets, Environment, Culture and Arts, the Ministry of the Government's Secretary-General and the Women's National Service (SERNAM).

[16] The female led Ministries are the Ministry of National Commission for the Environment, the National Women's Service (SERNANM), the Ministry of National Assets, the Ministry of Housing and Urban Development, the Ministry of Labor and Social Security, and the Ministry of the Secretary-General (Gobierno de Chile, 2010).

Voluntary Party Quotas and Chilean Politics

By the late 1990's the Party for Democracy (*Partido por la Democracia*-PPD), the

Socialist Party (*Partido Socialista*-PS) and the Christian Democratic Party (*Partido Demócrata*

Cristiano-PDC) had all adopted voluntary party quotas; the PPD being the forerunner in 1988

(Franceschet, 2001). Voluntary party quotas are a positive action measure that compels parties

to voluntarily include a certain portion of women into party leadership positions and/or

candidate lists for public posts (Krook et al., 2009; Ríos, Cook and Hormazábal, 2008).

Commonly, gender-neutral language characterizes the quota decree. Sanctions for non-

compliance and placement mandates remain optional (usually omitted altogether).

Article 105 of the Christian Democratic Party's (PDC) constitution outlines the party's

commitment to women's equal opportunity by stipulating that neither gender shall compose

more than 80% of positions assigned by the party's leadership (Partido Demócrata Cristiano

[PDC], 2005). Theoretically, this means that at least 20% of the candidate slots correspond to

women. Alternatively, the Socialist Party (PS) and the Party for Democracy (PPD) adhere to a

40% party quota.[17] While the PS refers to quotas as a form of "positive discrimination in favor

of women" and the Party for Democracy describes them as "positive action measure," both

parties pledge to construct a more just and egalitarian society by eliminating any discriminatory

practices that might hinder women from fully engaging in political affairs (Ríos et al., 2008, pp.

10-14).

For the past 15 years, all three parties have proven incompetent in achieving their quota

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[17] Both the PS and PPD originally established a 20% quota and increased it over time to the current 40%
(Franceschet, 2001).

targets. Unlike other countries that have adopted party quotas and seen its successful implementation (e.g. South Africa's National Congress), the Chilean experience is an example of the limitations resulting from failure to enforce and lack of commitment. Attention to the parties' record of accomplishment portrays their unsatisfactory performance.

Table 4.2 illustrates the percentage of female candidates running for the Chamber of Deputies and the Senate from 1989 to 2009 (tabulated by party). As we can observe, a female presence has been insubstantial and even nonexistent in senatorial races for all three parties. From 1997 to 2009, the PPD presented no Senate female candidate. Similarly, from 1989 to 2005 the PS also failed to nominate a single female candidate for the senatorial race. On the contrary, the PDC, with lowest quota percentage at 20%, was able to meet their objective in 2005 when 22.2% of their candidates running for the Senate were women.

Table 4.2
Percentage of Female Candidates Postulating in Chile's Legislative Elections 1989-2009

Election Year	Party for Democracy (PPD)		Socialist Party (PS)		Christian Democratic Party (PDC)	
	Chamber of Deputies	Senate	Chamber of Deputies	Senate	Chamber of Deputies	Senate
1989	8%	11%	0	0	4.4%	6.7%
1993	12%	25%	14%	0	4.2%	0
1997	17%	0	19%	0	7.3%	10%
2001	17%	0	14%	0	9.6%	0
2005	26%	0	29%	0	10.7%	22.2%
2009	22%	0	21%	25%	8%	12.5%

Adapted from Fuentes et. al. (2005) and SERVEL-Chile (2010a).

As a general observation, all three parties are more likely to endorse female candidates running for Deputy Posts rather than Senatorial seats. From 1989 to 2009, the percentage of females running for the Lower Chamber (Chamber of Deputies) has been on the rise—with the exception of the Socialist Party in 2001. This is largely due to the existing electoral system that makes Senatorial races more competitive due to low district magnitudes. Focusing solely on the 2009 parliamentary elections, none of the parties met their quota.

Even though women represent a small portion of the candidates postulating for office, they maintain higher rates of election in comparison to their male counterparts. Table 4.3 and Table 4.4 trace the rate of election of women and men, based on their respective portion of candidacies for the 2009 parliamentary elections. Table 4.3, which refers to the Deputy elections, demonstrates that female rate of election for the PPD is equal to the male rate of election despite the fact that only 22.2% of the candidates were women. In the Senatorial race, illustrated by Table 4.4, both female candidates running under the sponsorship of the PS and PDC where elected to office giving them a 100% rate of election. In contrast, one out of the three male candidates (33%) of the PS and 3 of the 7 male candidates (53%) of the PDC won a Senate seat.

In essence, Table 4.3 and Table 4.4 broadly reveal that the Chilean electorate is willing to vote for female candidates when placed on party lists even when they constitute such a small minority. In fact, these figures challenge male prerogative to hold leadership positions especially when female candidates have higher rates of election.

Table 4.3

2009 Chilean Parliamentary Elections: Chamber of Deputies

Party	# of female candidates of total candidates	% of female candidates	# of elected female candidates	# of elected male candidates	Female rate of election	Male rate of election
PPD	6/27	22.2%	4	14	67%	67%
PS	5/24	20.8%	2	14	40%	74%
PDC	3/39	7.7%	1	19	33%	53%

Source: SERVEL-Chile (2010a).

Table 4.4

2009 Chilean Parliamentary Elections: Senate

Party	# of female candidates of total candidates	# of elected female candidates	% of female candidates	# of elected male candidates	Female rate of election	Male rate of election
PPD	0/4	0	0	2	0	50%
PS	1/4	1	25%	1	100%	33%
PDC	1/8	1	12.5%	3	100%	43%

Source SERVEL-Chile(2010a).

In retrospect, voluntary quotas in Chile have failed dramatically and substantially to redress women's political underrepresentation. Nevertheless, if women are 'electable' why do political parties continue to evade their own gender equity measures? To begin answering this question, we must explore the impact of the binominal electoral system on the candidate selection process.

The Effects of the Binominal Electoral System

Plagued by fears of multi-party systems, leading to the political factionalism and polarization of the 1960's and 70's, the binominal electoral system was engineered during Pinochet's military dictatorship (1972-1990). The electoral system ensures and establishes stable majorities, pragmatism and the survival of few parties. This has resulted in the creation of a pseudo-two party system.

The binominal system contains attributes from both Proportional Representation (PR) and Majority/Plurality systems. Under this system, Chile is demarcated into 19 Senatorial circumscriptions and 60 Deputy districts. Two elected officials represent each circumscription and district. Since each district can only elect two representatives for either Legislative Chamber, political parties can only present two candidates per list. Consequently, parties are compelled to align with other parties and create political coalitions if they are to secure congressional representation. Forming political coalitions is a common practice especially where low district and/or low party magnitudes exists.[18]

Albeit the existence of multi-member districts, the lowest possible for a PR system, it is extremely difficult for a coalition to win both seats. As referred by electoral rules, a coalition must double the votes obtained by the second highest list in order to obtain both posts. If a list is unable to double, the top candidates from the list with the most number of votes gets one seat. The second seat assigned to the top candidate from the second most-voted list (Fuentes & Ríos, 2007). Parties forming coalitions and coalitions competing over a small number of

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[18] See Htun and Jones (2002) and Matland (2006).

available seats curtail women's chances for candidate nomination.

Evaluative studies conclude that the Chilean electoral system does contain undemocratic attributes that prevent people from equal representation. Specifically, Ríos (2006) explains, the system's subtle gendered characteristics disproportionately affect female aspirants. As presented earlier, women as a group remain marginalized from party lists and absent from legislative spaces. The fierce inter-party and intra-party competition makes the candidate selection process extremely fractious. As political leaders gather to negotiate candidate postulations and determine list placements, women are inherently excluded from such processes. In Chile, this has been the norm since the return of democracy in 1990 (ibid.,).

The candidate selection process, at the hand of a small group of political elites, is criticized for fostering and projecting a mentality that endorses men's right to political power. Chilean party leaders justify their candidate appointment, which overwhelmingly includes middle-class males, by emitting an array of excuses and rationales. Based on documentation from congressional meetings and debates, parties claim that men, in contrast to women, are more competent, prepared, experienced and willing to actively pursuit a nomination bid [19] (Matland, 2005). Hence, the answer to women's alienation from politics is their own 'auto-exclusionary' tendencies. By this argument, they conclude party behavior is not responsible for women's underrepresentation.

While it may be true that some women may hold reservations and even refuse to participate in politics where conflictive and aggressive behavior are standards, notions of

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[19] M. Ríos (personal interview, July 22, 2009); A.M. Yáñez (personal interview, July 1, 1990).

[46]

biological predeterminations are not the sole answers to this very complex issue. Dr. Marcela

Ríos, researcher for the United Nations Development Program in Chile, challenges the norm

instilled in the past by Chilean politicians claiming that women have a tendency to auto-exclude

themselves from politics based on a narrow understanding of the problem. Politicians and

political parties, M. Ríos argues, "fail to see the root of the problem [to women's political

exclusion]—their internal procedures and operational norms" (personal interview, July 22,

2009). As many feminist activists and scholars have vocalized time and time again, equal access

opportunities does not guarantee equality of results since underlying patriarchal ideologies and

behaviors remain unchallenged.

Combating Inequality through Policy

Bachelet's presidential campaign envisioned a new Chilean society where gender, class

and ethnicity are no longer basis for discrimination. The necessity to overcome the socio-

economic and political inequalities that negatively and disproportionately affect women was

seen as an essential component to the fostering of a more inclusive and responsive democratic

government. Bachelet's administration openly endorsed SERNAM's 2006-2010 *Gender Agenda*

which declared, "…a strong civil society is a necessary precondition for attaining a more durable

and mature democracy," without it democracy remains just an aspiration (Servicio Nacional de

la Mujer [SERNAM], 2007, p. 33). New policy initiatives were formulated with the goal of

transcending existing equal opportunity measures to eradicate the inequality gaps prevailing

not only between men and women, but also within women themselves (ibid.,).

Gender equality, unlike any previous administrations, was prioritized as a focal point of

interest within Bachelet's political agenda.[20] Redressing gender inequalities would not only

require an assessment of women's condition in comparison to their male counterparts, but it

would also take into consideration the vast differences existing between women in terms of

class and ethnicity. New government programs and policy proposal sought to emphasize that

social, political, economical, and gender equalities are interconnected and solving one does not

alleviate the burden posed by the others (Programa de Gobierno, 2005).

As a starting point, the Boenger Commission was assigned the task of formulating policy

proposals to modify the binominal electoral system. In conjunction, debates began to partake

in order to analyze the potential benefits of legislative quotas. In June of 2006, the Boenger

Commission presented its findings to the Senate. The report outlined the major defects of the

electoral system and presented suggestion to correct them.

The major grievances associated with the system, and discussed earlier in this chapter,

were (1) the low levels of district magnitude (2) the formulation used to allocate seats and (3)

the exclusionary nature of coalition politics (Proyecto de Reforma, 2006). As a solution, the

commission called for an increase to the number of seats in both Chambers in proportion to the

numbers of people in each given district and circumscription. Seat allocation would be

distributed based on a Proportional Representation (PR) formula where the number of votes a

party obtains determines the portion of the seats won (ibid.,). This would incite small parties to

run since they would have better chances of securing seats in congress without having to

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[20] M. Rendón (personal interview, July, 2009).

engage in coalition negotiations. With more parties in Congress, the more representative politics become.

Unfortunately, as seen in the past, the proposed reforms were unavailing for they failed to secure a majority support. Reports maintained that radical modifications to the electoral system would have scarce possibilities to materialize, instead, they championed for moderate reforms that would not utterly alienate parties of the opposition (Ríos, 2006). Until then, candidate selection will remain a rigorous endeavor.

In 2006, the Chamber of Deputy's Family Committee presented a legislative quota initiative. Although not the first of its kind, many of its proponents hoped it would yield better results than previous attempts.[21] The quota proposal framed women's marginalization from politics as a democratic deficit. Paraphrasing the sponsors of the bill, democracy could not be achieved if half of the population is not engaged in the deliberation of policies and the formulation of laws that affect the nation and individual's well-being (Informe, 2007). Such disposition highly resonated with the belief that "*sin la participación de las mujeres no hay democracia completa,*" (without women's presence democracy is incomplete) (Servicio Nacinoal [SERNAM, 2006). As a resolution, the committee proposed adopting legislative gender quotas to legally bind all existing parties to refrain from nominating more than 60% of either gender to either congressional house (Informe, 2007). In other words, male and female candidates must comprise a minimum of 40% of parties' list candidate slots.

The committee and Bachelet endorsed legislative quotas based on the successful results

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[21] See Proyecto de Reforma (2006): Boletín 1994-07 (1994) and Boletín 3020-06 (2002).

encountered by an array of countries throughout the world. Proponents, however, were conscious of the fact that quotas alone would not be responsible for achieving parity levels in parliament. A cultural shift, they maintain, would need to accompany quotas. Society and politics must recognize the necessity for equal opportunity measures (in and out of politics). Moreover, there needs to be greater appreciation for women's contribution to politics and society.

By the summer of 2009, the quota debate began to simmer down after the Family Committee failed to secure the necessary votes to move the process of deliberation to the floor of the Chamber of Deputies. In a surprising turn of events, during that same summer the then President of the Senate, Jovino Novoa, publically declared his commitment to propel a quota debate in the Senate[22] (Orbe, 2009). As of today, the debate promised is still pending.

Unfortunately, both electoral reforms were dismissed. However, the discussions and debates sparked served to sensitize the public about the specific effects the electoral system and the practices of political parties have on women. This defeat does not mark the end for quotas. Researchers and politicians are already formulating variations and designing alternative measures that will be compatible with the Chilean political system (Ríos et al., 2008). The new problem is to examine whether or not legislative quotas can successfully co-exist in a mayoritarian system. If so, how effective it will be?

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[22] M. Ríos (personal interview, July 22, 2009).

Chapter 5
Institutionalizing Gender Equality and the Role of Political Transitions in Chile

In any society and situation it is those most affected who must act to bring about change. Those who are privileged benefit, even unconsciously from a system that marginalizes others. Hence they cannot be depended upon to make the changes that will remove their privileged status. It is up to us, the women (Ginwala, 2005, 16).

Political transitions from authoritarianism to democracy provide a window of opportunities for previously excluded groups to influence the process of designing new institutional reforms. During periods of transitions, new administrations are concerned with consolidating and broadening civil and political right, to secure international legitimacy as new modern democracies. Against this background, progressive legislation sees new opportunities for inclusion. While periods of reconstruction following armed conflicts or socio-political instability may create a space for integrating previously marginalized voices, additional factors are needed to efficiently promote the interest and demands of those groups found at the periphery of formal politics.

In the 1980s and 1990s, Latin America and Africa entered a phase of re-democratization. Securing political and civil rights for women became imperative to ensure a substantive brand of democracy (Araújo & García, 2006). In regards to women's access to political power, democratization has yielded mixed results (see chapter 2). For example in South Africa and Peru, women have been able to secure gender quota legislation and seen its successful implementation. On contrary, legislative quotas in Chile have proven difficult to become institutionalized and party quotas are yet to be systematically enforced.

To understand women's current political underrepresentation in Chile we must situate women's political participation within a larger historical framework. This chapter explores the Chilean period of democratic transition and the role played by the women's movement through a discussion of the challenges and gains made in favor of promoting women's interests.

Chile's Democratic Transition: a Paradox of Inclusion

The quota debate that recently took place in Chile is part of a longer process that has labored to incorporate gender into formal politics. Researchers have written of the paradox of Chile's democratic transition where residues from the dictatorial regime affected the quality of the newly negotiated democracy. For reformists, democratic transitions provide an opportunity to renew civil and political rights and demand change in discriminatory legislation (Blofield & Haas, 2005). However, unequal power relations at the negotiation table, including the explicit omission of certain actors, may lead to piecemeal agreements that allow previous undemocratic practices to continue operating under the new democratized regime (ibid.,). Focusing on Chile, high levels of mobilization, activism and presence of a vibrant and heterogeneous women's movement —ranging from feminist to human rights organizations— during the military regime (1973-1989) declined in the aftermath of democratization. With the return of democracy, political parties once again regained their elite status as the primary and formal arbitrators between the state and civil society thus displacing and fragmenting the strength of the social movement (Baldez, 2003; Waylen, 1994).

Politicizing the Private: Strategic and Practical Mobilizations

In 1973, Chile witnessed a military coup d'état led by General Augusto Pinochet which

overthrew the democratically elected government of Marxist-Socialist president Salvador

Allende. The once democratic country turned into a bureaucratic-authoritarian state where the

military provided social and political order while trained economist, also known as the *Chicago*

Boys, embraced a free-market economy (Blake, 2007). The military *juntas'* task of national

reorganization, based on the Doctrine of National Security, championed for the protection of

conservative traditional values such as religion, private property, proper gender roles and the

preservation of the family unit (Jaquette, 1989). The Doctrine justified the total annihilation of

"internal subversives" who threatened, in any form, the juntas' plan to restructure society or

the implementation of "shock treatments" designed to revive the deteriorating economy (Vidal,

1982). As a by-product, unions, political organizations, and political parties mobilized around a

class-struggle ideology and integrated into the national political life by former president

Allende's administration became targets of political repression, torture, murder, kidnappings

and disappearances (Noonan, 1995).

The effects of the dictatorship were devastating for civil society as a whole. Yet, state

directed terror intended to depoliticize the public sphere, traditionally monopolized by males.

Despite the fact that women were politically active during the Allende years, Pinochet's military

state ignored them as immediate threats because their mobilization was restricted by a class

struggle ideology within traditional gender confines. Julieta Kirkwood, a famous Chilean

feminist writer, explains: "the UP [Allende's Popular Unity] failed to recognize women's distinct

political contributions, addressing women simply as wives, mothers, daughters, or sisters of the

workers" (Kirkwood, 1986, pp. 40-41). Traditional gender ideology continued and reinforced

during the dictatorship with the purpose of depoliticizing and demobilizing. The national

political agenda defined proper gender roles confining women to the private sphere in order to fulfill their domestic duties as devoted mothers and wives (Franceschet, 2005). Ironically, it was women's perceived invisibility in conjunction with the absence of political parties, the state's endorsement of traditional gender roles and the economic, political and social hardships directly threatening women's private sphere that catalyzed cross-class and cross-ideological alliance against the authoritarian state.

Three basic types of women's organizations emerged during the dictatorial years, joining forces with oppositional movement. Molyneux (1985) differentiates between two types of women's organization based on the issues they sought to resolve. Human rights groups and popular economic organization mobilized women around practical gender interests. Practical gender interests mobilized women as "wives and mothers, reinforcing or defending women's domestic role" (Safa, 1990, p. 363). Both organizations protested against the state's implementation of neoliberal economic policies and political repression. By framing their demands around maternal roles and their inability to fulfill them because of the economic hardships and the direct physical attack against their family members, women created a space in which their perceived submissiveness became a pathway for subversion.

The reemergence of the feminist movement organized around strategic gender interests questioned and challenged traditional gender roles. Feminists sought to transform the division of labor and women's private and public marginalization rooted in society's patriarchal arrangements and the state's authoritarian policies (Kirkwood, 1983). Women's liberation rested on the dismantling of patriarchy at home and in the state. Feminist organizations, for example, were concerned with providing a women's perspective on issues of community

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development, housing, education, rural development, reproductive health and domestic violence.

Although the state considered public demonstrations as acts of defiance against the state, alternative forms of resistance masked by women's maternal roles were common during the dictatorship. Non-traditional actors and forms of participation was accepted and legitimized due in part to the relative absence of political parties (Baldez, 2003). As traditional avenues became restricted and banned, women as feminists took advantage of the opportunity to define their own agendas without having to deal with party politics. For many feminists, the absence of political parties allowed women to peruse women's interests without fearing political co-optation. Most importantly, Chilean feminists re-conceptualized politics based on a "nonsexist concept of what is political- a concept that included daily life and the private sphere" (Chuchryk, 1994, p. 82).

The fundamental difference between practical vs. strategic mobilization exacerbated during and after the transitional period of democratization. Lack of agreement on goals and course of action led to a divided feminist force and a fragmented women's movement. With the return of democracy and the re-establishment of political parties, women as social actors faced a defining question: to become institutionalized actors or remain politically autonomous?

Negotiating Democracy: Women's Demands, Gains and Losses

With fermenting international pressure mounting from public denunciations of human rights violation and national discontent from a staggering economy, Pinochet issued a plebiscite in 1988. The national referendum came a year before the promised 1989 democratic elections outlined in the 1980 constitution. The plebiscite, a political maneuver of the military

administration, hoped to extend Pinochet's rule. Voting for the YES campaign extended

Pinochet's term for an additional eight years. A vote of NO meant the return of democracy and

competitive elections. As an alternative to armed resistance, the NO campaigned initiated a

full-scale mobilization to end the 16+ years of dictatorship. Receiving 55% of the vote (versus

43%) the NO campaign was victorious (Angell, 2007). Accepting defeat, Pinochet stepped down

from power and prepared to hold elections the following year.

United by a common enemy, a 17-party coalition formed under the name of the

Concertación de Partidos por la Democracia (Coalition of Parties for Democracy). The

Concertación endorsed the presidential bid of Patricio Aylwin from the Christian Democratic

Party. With a large number of parties running together as one, competing visions of what a new

Chile should be was almost unavoidable. From a feminist perspective, the defeat of Pinochet

meant the overthrow of both the state and society's authoritarianism. The new democracy

would acknowledge and appreciate women's contribution in the public and private sphere

(Waylen, 1994). In this context, men and women would equally share power (ibid.,).

To safeguard women's issue on the *Concertación's* political platform, a cross-partisan

alliance of female activist formed the *Concertación Nacional de Mujeres por la Democracia*

(National Coalition of Women for Democracy-CNMD). One of the main purposes of the CNMD

was to encourage female activists to run for office in the upcoming 1989 parliamentary

elections (held conjunctively with those of the President). Further, the group drafted a series of

demands for the future government to implement. Some of the demands included:

(1) Allocation of 30% of decision-making government positions to women
(2) Creation of a National Women's Office with ministerial rank
(3) Elimination of sexist education

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(4) Development of a program of education and advertising to promote gender equality

(5) Elimination of sexism in advertising

(6) Ratification of the UN Convention on the Elimination of All Forms of Discrimination Against Women (Chuchryk, 1994).

Some welcomed the proposal as a great accomplishment while others felt betrayal and disillusionment. Radical feminists were especially unhappy with the omission of divorce and abortion legislation.[23] The exclusion of divisive issues was a strategic move to prevent internal strife within the larger party (Baldez, 2001). This allowed for a decrease in conflict and moderate reforms had higher probabilities of endorsement. Once elected, Aylwin incorporated a series of the women's demands but women themselves failed to secure political power in representative positions.[24]

In the Chile, even when women were active forces of change without a strong and cohesive movement and without the co-operation of political parties increasing women's presence in formal politics was unlikely. Political parties, during the transition, were willing to concede to a limited of women's demands. Parties budged because they saw in women a potential voting constituency. The experience of political women in Chile, Franceschet (2001) postulates, "reveals that parties will respond favorably to feminist demands only insofar as they benefit—or believe they will benefit— from doing so" (p. 211). The factionalism of the women's movement, in tactics and goals, during and after the transitional period is also an important factor that hindered the attainment of women's political power.

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[23] Divorce was not legalized until 2004 and abortion remains illegal without any exceptions.

[24] The creation of a cabinet-level ministry for women, programs for poor women and legislation on equal employment measures were issued placed on Aylwin's political platform.

With the return of formal politics, many social activists faced the question of whether to continue their activism outside politics by pressuring the state via 'informal means' (i.e. mobilizations, protests, etc) or channel their demands though institutional avenues (political parties). The feminist movement advocating for *"Democracia en el país y en la casa"* (democracy for the nation and the home) underwent such rupture. On the one side, a feminist camp of *Autónomas* (autonomist) refused to negotiate and/or affiliate themselves with any political party. The refusal came from a historical trend that had marginalized women from top leadership positions and co-opted women's demands (Chuchryk, 1994). *Autónomas* sought to maintain an autonomous space where women's demands could be articulated, negotiated and advocated from a feminist perspective. They cherished independence from class and ideological politics and refused to engage in the "patriarchal bargain" where a much more limited space, dominated by men, would be allocated for the discussion of their demands (Greisler, 2004). As Araujo (2002) elaborates, "all processes of negotiations imply a power relation, and every power relation implies an unequal position of power," the disadvantage of negotiating from a subordination position threatened the survival of feminist's demands (p. 45). Instead of working under the thumb of the state, or political parties, the *Autónomas* sought to maintain an autonomous force powerful enough to create the change they envisioned (ibid.; Chuchryk, 1994). One of the drawbacks of maintaining an isolationist stance has been the low levels of institutional influence the women's movement has had resulting from the lack of political connections (Ríos, 2004).

The *Políticas,* female party militants and sometimes self-proclaimed feminist, perceived political involvement as a more effective approach. By injecting gender demands into national

politics, democracy would transform from within. However, being selected as candidate for

public office (especially for Congress) and pressing for legislation that challenges conservative

ideals of proper gender roles would prove to be much harder than previously thought (Blofield

& Hass, 2005). Although as of today most political parties acknowledge and value women's

importance both as constituents and politicians, structural and ideological barriers continue to

obstruct the nomination of female candidates and halt legislation dealing with women's rights

(ibid.,). Male politicians refuse to "share *power* with women because doing so is a direct

challenge to the dominance of men in the parties" (Franceschet, 2001, p. 211).

SERNAM and State Sponsored Feminism

Once in office, President Aylwin faced a polarized nation with persisting institutional

obstacles lingering from the dictatorship. In Congress, legislative impasse along party lines

prevented Aylwin's coalition from pursuing radical reforms that would undue or discredit the

right wing/ ex-dictatorship supporters. Since 1990, each president thereafter has made

significant actions to the remove the most blatantly authoritarian statutes embedded within

the 1980 Constitution.[25] In regards to women's demands, the creation of the *Servicio Nacional*

de la Mujer (Nacional Women's Service- SERNAM) was one of the most anticipated and

significant policy measures of the Aylwin's government.

SERNAM, a cabinet-level agency whose Minister would be directly appointed by the

President in office, was designed to collaborate with the executive branch in the design and

coordination of public policies to end the unequal status of women in the family, social,

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[25] Some of the legislation challenge included the amnesty granted to all military forces and the appointed life-time serving Senators.

economic, political and cultural spheres (Richards, 2003). Before becoming a permanent governmental institution, the bill proposing the creation of SERNAM needed congressional approval. The scrutinizing debates leading to the approval of SERNAM reveals the antagonism felt by political parties toward the women's movement and feminist demands in particular. For the conservative parties, the women's movement (including feminist organizations) was nothing more than a "cultural cover for the traditional Marxist-Leninist left and unacceptable threat to the social order" (Baldez, 2001, p. 12). The Christian Democrats (DC), the most powerful party within the *Concertación*, felt a need to represent women's interests in order to circumvent the autonomy enjoyed by the movement and build a loyal constituency for the party (ibid.,).

Facing conservative opposition, SERNAM supporters sought to bolster public support for the initiative by creating awareness among women's groups made up of poor and working-class women. Many signed petitions in favor of SERNAM but voiced strong dissatisfaction with the agency's structure. In addition, many complained that SERNAM's agenda failed to take into consideration the priorities of the women's organizations and rather focused on those deemed important by the government. The perceived disconnect between grassroots and governmental priorities was further aggrandized when SERNAM took a more moderate stand in order to avoid greater conservative opposition. In 1991, SERNAM finally became a legal entity when the proposed bill became law.

As a vehicle for women's equality, SERNAM has help draft bills pertaining to the criminalization of domestic violence, expansion of women's rights within the family, employment security for women and the prohibition of expulsion of teenage mothers from

school (Franceschet, 2003). Because SERNAM has no legislative powers, it must lobby parliamentarians to introduce and/or sponsor bills. In a study conducted by Siavelis (1998) and Blofield & Haas (2005), between 1990 and 1995 a total of 24 bill containing legislation relating specifically to women were introduced and only 11 became law. The executive introduced nine of the 24 bills and seven of these became law. The legislative introduced 15 and only three became law; SERNAM co-sponsored only one of the three bills drafted by legislative (Baldez, 2001).[26] These two studies reveal three major findings (1) the lack of urgency given by parliamentarians concerning gender legislation (2) the unsuccessful lobbying power of SERNAM in behalf of women's rights and (3) the power of the executive to present and expedite bills. Whether the lack of female parliamentarians is directly correlated to the low number of women-sensitive bills introduced and/or approved remains to be systematically analyzed.

In addition to proposing and lobbying for legislation, SERNAM is also accountable for providing women's social organizations institutional and financial support. Various researchers have concluded that SERNAM has failed to meet expectations. Richards (2003) found that SERNAM is an exclusive vehicle that only certain issues and organizations can realizably count on.

Some feminist NGO's argue that perusing the *Políticas'* route of state feminist has led to the subordination of their demands at the hands of the state. Others like grassroots organizations dealing with ethnic and class based inequalities feel marginalized by the predominance of well-established NGOs that enjoy greater influence to policy initiatives and

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[26] Intra-Familial Violence Law 19.335 (*Ley de Violencia Intrafamiliar*).

accessibility to the state via SERNAM. Acknowledging the weakness of institutions should not automatically discard the potentiality for success. Utilizing a historical institutionalism framework Franceschet (2003) argues for the competency and efficiency of SERNAM to work for the advancement of women's interests.

Historical institutionalism rationalizes institutions as receptive to the demands of social actors within a reciprocal power structure (ibid.,). Yet, reciprocal power relations are unequal among actors, privileging at the detriment of others. Therefore, as privileged institution SERNAM acts as a vehicle in which other organizations can latch on to in order to further their agendas.

To increase the efficiency and effectiveness of institutional feminism, Franceschet identifies three essential and inter-related conditions. First, the state should be viewed as a "series of arenas which are both the product of earlier social struggle and appropriate sites for the continued contestation of gender, class, and racial hierarchies" and not as a "monolithic agent that act solely in the interest of a particular social group, whether males elites or the capitalist class" (ibid., p. 17). Struggles for policies and imitative should take place in and out of the state as to create pressure from all possible angles.

The second condition emphasizes the crucial necessity to link grassroots organizations with SERNAM. A two-way communication must be established, and SERNAM must be open to the agendas and demands of organization without appropriating or jeopardizing the autonomy of the organizations .Through stronger linkages, issues of class, ethnicity and race can be better represented.

The third and final recommendation is rooted on the concept of "citizen control". This idea postulates that as social forces increase in number pressure they exhort can force the state to address and abide by the demands put forth (ibid.,). It is not enough to have an agency in charge of promoting and formulating gender policy, it is equally important to have a strong social movement demanding initiatives, pressuring implementation and overseen its enforcement. What SERNAM lacks and what it needs is a stronger and more unified partnership with women's and feminist's organizations.

Like SERNAM, the legislative quota debate was also a state-sponsored initiative. However, quotas have lacked the support SERNAM enjoyed in the 1990s. From the research conducted to date, legislative quotas appear to lack the support of grassroots organizations.[27] This can be party explained by women's avoidance of formal politics due to the 'power games' and the aggressive behavior characterizing the political arena (Franceschet, 2001). The government's disappointing record of not following through with their political commitments concerning women's legislation has forced feminists to lobby for gender policy in alternative channels outside of the state. In essence, although women are absent from 'formal' politics does not mean women are not active political actors in alternative spaces (i.e. invited and/or invented).[28]

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[27] M. Ríos (personal interview, July 22, 2009).
[28] See Miraftab (2006).

Chapter 6
Appraising Women's Substantive Representation: the Case of Peru

As discussed in earlier chapters, quotas seek to increase the numeral representation of women with the aim of getting gender issues on the political agenda and empowering women as political actors. The question of whether holding positions of power has translated into women's empowerment and/or incremented the attention given to women's issues has generated multiple debates with contradicting findings. The Peruvian experience with legislative quotas is one that presents optimism and caution. It exemplifies the challenges that come with an associational relationship between civil society, and female and male parliamentarians. Even when quota legislation was passed under conditions less than perfect, Peruvian feminist organizations supported the legislation and have been active in ensuring its enforcement. Through the case of Peru, this section will discuss the capacity and effectiveness of female parliamentarians to carve out spaces where women's interests are articulated and acknowledged. Based on extracts from a series of interviews with feminist activist leaders and scholars, we move away from exclusively evaluating empirical evidence to a more nuance interpretation of the impact of quotas on women's political representation.

Contemplating Gender Quotas

In 1995, literate Peruvian women gained the right to vote. By the mid 1970s and 1980s gender equity demands, highly stratified across ethnic and class lines, began to proliferate throughout Peruvian society. Demands favoring women's equal status and treatment stemmed from women graduating in larger numbers from university and obtaining degrees in profession traditionally governed by men. In addition, gender roles became altered as economic hardships

impelled more women into the labor force oftentimes displacing men as the sole breadwinner.

By the 1990's, women experienced greater political and civil rights while at the same time

macroeconomic restructuring programs attenuated the economic power of women from the

popular sector (Rousseau, 2006).

Gender quota legislation was part of a series of demands articulated by *Foro Mujer*, an

amalgamation of feminists NGOs. The proposal aimed to in increase women's political

representation at the national, municipal, local and party-level leadership positions of decision

making by proposing a 30 percent quota for women. During the 1990 presidential debates

between populist candidate Alberto Fujimori, from *Cambio90* (Change90), and Mario Vargas,

Llosa from *Frente Democrático* (Democratic Front-FREDEMO), quotas first gained political

attention. As part of these presidential debates, both presidential candidates were pressured

by *Foro Mujer* (Women's Forum) to articulate their position on a number of gender issues

including quotas and gender discrimination (Yañez, 1998). Both candidates ignored *Foro's*

agenda and quotas gained little public attention (Schmidt, 2003a). Seven years would elapse

before quotas the institutionalization of quotas amidst Fujimori's legitimacy power crisis.

Fujimori's presidential campaign vowed to alleviate the economic plight of the masses

and solve the political violence plaguing the nation during the previous administration

(Skidmore & Smith, 2005). From the onset, gender issues remained at the periphery of the

political platform of Fujimori's administration. By 1992 however, Fujimori recanted on his

populist promises enacting radical economic structuring programs and turning Peru into an

illiberal democracy.[29] On April 5, 1992, Fujimori, with the support of the military forces, carried

out an *auto golpe* (auto coup) that dissolved congress, suspended the constitution and purged

the judiciary. The coup, according to Fujimori, was a necessary response to the state of

emergency experienced by Peruvian society as a result of the conflicts caused by the existence

of the Maoist guerrilla organization Shining Path (*Sendero Luminoso*) and the Marxist-Leninist

organization Túpac Amaru Revolutionary Movement (*Moviemiento Revolucionario Túpac*

Amaru-MRTA). To successfully fight the threat posed by the guerilla movement hardliner tactics

were set in motion by the military forces and the National Intelligence Force (*Servicio de*

Inteligencia Nacional- SIN) and as early as 1991 approximately two thirds of Peru was under

military control (O'Toole, 2007). Although Fujimori's authoritarianism raised national and

international concerns, the steady (although unsustainable) economic growth and containment

of the guerilla received much praise. Ironically, while democracy appeared to be breaking down

the political arena became more open to women's leadership. The caveat rested on the fact

that most women lured into politics were staunch *Fujimoristas.* Some of the most visible and

powerful figures included superintendent of customs Carmen Higaonna, privatization advisor

Martha Chávez, chief public prosecutor Blanca Nélida Colán, and *Cambio90* congressional

representatives Luz Salgado and Martha Hilderbrandt. According to statistics presented in

Schmidt (2006), during Fujimori's first presidential term women occupied 20 percent of Peru's

vice-ministries (all executive appointments).

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[29]Skidmore and Smith (2005) define illiberal democracies as country in which free political elections are held while there is systematic violations of political and human rights of citizens.

In 1993, a new constitution was ratified establishing a highly centralized government formed by a unicameral congress elected in a single national district. Furthermore, it allowed the consecutive reelection of presidents for a limit of two terms. At the height of his popularity, Fujimori was re-elected for a second term in 1995. Despite the high levels of popularity, accusations of human rights violations and charges of corruption increasingly began to envelop the administration. Fujimori's then wife Susana Higuichi, whom he later divorced after keeping her under house arrest, publically disseminated some of these claims. Fujimori's image was tarnished and a blow to his ego came when Higuichi announced her presidential bid for the 1995 elections.

Further complicating the situation, foreign and domestic critics began to question the regime's commitment to democracy and human rights. To assure the regime's credibility, gender issues became a priority during Fujimori's second presidential term (1995-2000). Under these circumstances, *Fujimoritas* achieved what feminists had been unable to earlier in the 1990s: the adoption of legislative gender quotas. As much as the adoption of quotas signified an achievement for the feminist movement, the political ambience that ushered their approval received skepticism and apprehensiveness.[30] Scholars and feminist alike have interpreted the introduction of quotas as a political maneuver to legitimate Fujimori's regime as open, modern and democratic (Rosseau, 2006). To others, this gesture was viewed as a way for Fujimori to vindicate the *machista* behavior he displayed against his ex-wive Higuichi and replace it with that of an image of a progressive leader/man (Schmidt, 2006).

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[30] C. Blondet (personal interview, July 2, 2009); A.M. Yañez (personal interview, June 16, 2009).

Gender Quota Law 26859

Peruvian feminists had been championing for quotas since the early 1990s but it wasn't until after the Beijing Conference in 1995 and the 1997 inter-parliamentary meeting on gender equity in New Delhi that quotas gained legitimacy and strength (internationally and domestically). Congressional hearings of new electoral legislation in Peru provided the perfect opportunity for the discussion of quotas. The first of a series of proposals came in 1997 by congresswoman Lourdes Flores Nano, member of the oppositional conservative Popular Christian Party (*Partido Popular Cristiano*). The initiative, which called for a minimum percent quotas for women, was immediately rejected. Martha Chavez, a diehard pro-*Fujimorista,* strongly voiced her opinion against quotas arguing they were unnecessary (Schmidt, 2003a). It would be Martha Hilderbrandt and Luz Salgado's proposal, whom were also pro-*Fujimoristas* congresswomen, that ended up being personally endorsed by Fujimori. Without much hesitation, in September of 1997 congress unanimously approved the bill (ibid.,).

The Organic Electoral Law the Gender Quota Law 26859 (*Ley de Género*) legally mandated parties to include a minimum of 25% of either gender to party lists for congressional elections. The quota subsequently increased to 30% in 2000.[31] Figure 6.1 graphs women's presence in Congress. Since the adoption of the quota law in 1997, women's presence in congress been on the rise. The most significant leap was made from 1995 to 2000 when women doubled their share of seats from 10% (n=12) to 20% (n=24) in 2000. Similarly to Chile, quota legislation is not the exclusive factor responsible for increasing women's presence in the legislative. Unlike in

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[31] The 30% quota too

Figure 6.1
Women in Congress: Peru 1990-2006

Chile, where party quotas have been curtailed by structural and institutional constraints, the effectiveness of legislative quotas in Peru has been facilitated by the existence of a single national district and preferential voting— both institutional factors not considered during the congressional debates—single national district and the preferential vote. (ibid.,).

Women in Congress: Peru 1990-2006
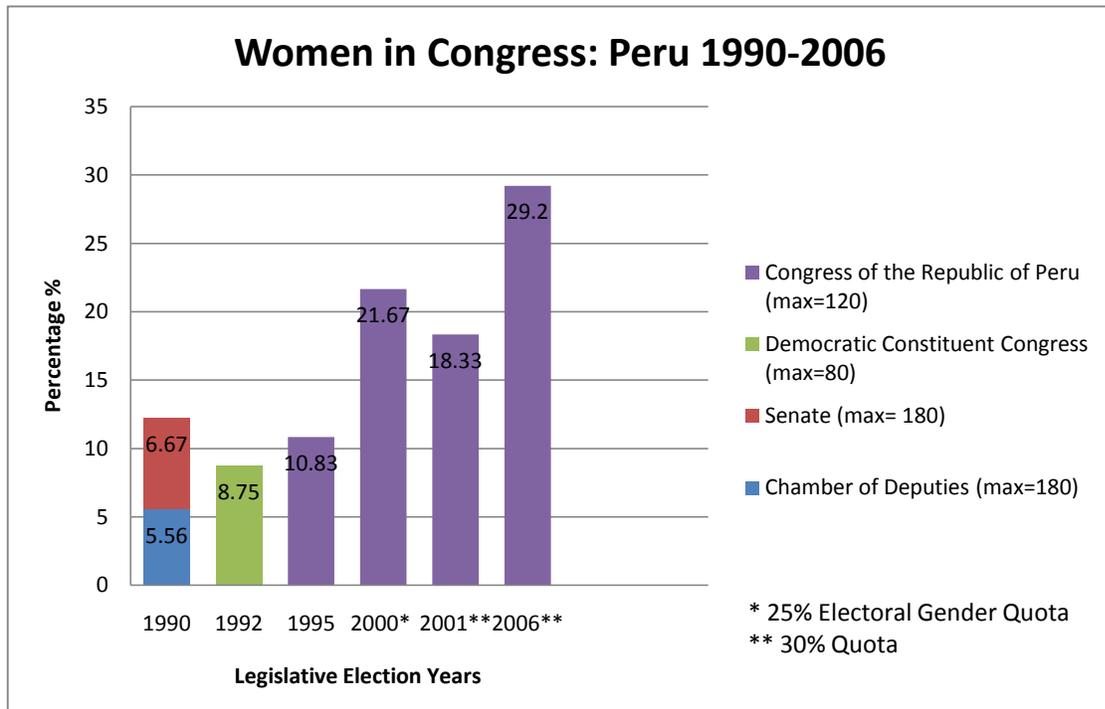
Source: Parline (2010) and Schmidt (2003b).

The works of political scientists Htun and Jones (2002) and Matland (2005) analyzes the impact of the type of electoral system, the type of party list (open vs. close), the existence of a placement mandate, district magnitude and level of compliance by political parties on gender quotas. Conventionally, the findings suggest that systems of proportional representation (PR) systems, large district magnitudes, close party lists, placement mandates and a strong commitment to enforce quotas yield the best possible results. Yet, Schmidt (2003b) has

challenged the universal applicability of the aforementioned factors citing that even though

Peru lacked some of them the existence of others were still efficacious.

The fact that Peru has a PR system with open-lists and a single national district, later

modified to multiple electoral districts, served more as a benefit than as an obstacle. Part of the

Peruvian success was, and still is, the *preferential vote*. Preferential voting offset the potential

negative effects of having open-lists without a placement mandate for female candidates.[32] The

rational is based on the assertion that open-lists without placement mandates are considered

to be detrimental to female candidates even in countries where quota legislation is present

because electors who may hold prejudicial view's against female candidates and would refuse

to vote for them. The resolution to whether close-list systems are better than open-list systems

is dependent upon who is the most biased: party leaders or the electorate (Htun, 2002). As

Mala Htun clarifies, "close-lists systems permit party leaders to ensure the election of women in

spite of a sexist electorate" while "preference voting allows a feminist electorate to elect

women against the desire of sexist party leaders" (ibid., p. 11).

In Peru, the preferential vote grants citizens the option of voting for two candidates

running for Congresses within the same party list. What has resulted from this practice has

been the willingness of the electorate to divide the vote amongst female and male candidates

in an egalitarian manner.[33] Therefore, regardless of a candidate's placement within a list

Congressional seats are distributed first to the top-ranking candidates. Interviews with feminist

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[32] See Rule and Shugart (1995).

[33] Cecilia Blondet attributes such behavior to the "new common sense" of Peruvian society. For Blondet, during the 1990's women's political participation was seen as a way to reinvigorate the style of politics by calling upon women's way of doing politics (Blondet, 2002, 2004).

activists Lizbeth Guillen (personal interview, July 1, 2009) and Ana Maria Yáñez (personal interview June 16, 2009) corroborated the fact that the preferential vote is the "most powerful weapon" available for women postulating for office. In some instances for example, women who placed in less than favorable positions within lists have been able to secure a congressional seat based on their ability to outrank their male counterparts (Yáñez, 2006; Manuela Ramos, 2006). So, when attempts have been made to annul the preferential vote in a move to strengthen political parties, feminist organizations and congresswomen have united in force to oppose such initiatives (L. Guillén, peronsal interview, July 1, 2009; A.M. Yáñez, June 16, 2009). Today the preferential continues to be enforced.

By 2001, Fujimori had fled the country amidst of a corruption scandals involving his spy chief Vladimiro Montesions. Thereafter, Peru underwent a period of democratization. One of the many steps taken, to undue Fujimori's legacy of centralized power, was the elimination of the single national district replaced by 25 new electoral districts. To accommodate the gender quota statute to this new context, the required percentage of women in party lists was raised to 30 percent. Modified in 2001, Law No. 26.859 increased the number of congressional seats from 90 to 120. Each district is guaranteed one seat while the resting 95 slots would be proportionally divided amongst districts based on the number of eligible voters. However, the misinterpretation and misapplication of the new quota law resulted in a 2.34% decrease from 2000 to 2001 (refer to figure 6.1).[34] By 2006, the practical aspects of the law had been

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[34] See Flores (2003) for in-depth discussion.

essentially resolved and as a consequence the percentage of female congresswomen increased to the highest level yet: 29.17%.

Decentralization efforts have had a positive impact on women, particularly those living outside of Lima (Peru's capital) where the majority of elected congresswomen originate from. Of particular importance has been the increasing presence of indigenous women elected to congress in the 2006 elections. María Sumire de Conde and Hilaria Supa Huamán, representatives of Cusco, made history during their swearing-in ceremony by being the firsts to take their oath in Quechua (native indigenous language)[35]. The action was not free of controversy, congress woman Martha Hildebrandt and various other congress member highly criticized Sumire and Supa. This episode, as L. Balbuena (personal interview, July 2, 2009) describes, highlighted the discriminatory attitudes still prevalent against indigenous people. Both congresswomen face additional obstacles not as women but as racial minorities. The impact of gender quotas on women from different ethnic and racial lines within national contexts, I believe, deserves greater attention and development.

In Peru, the implementation of legislative quotas in combination with a proportional representative electoral system, open party list and a preferential vote has successfully increased women's descriptive presence in congress (Schmidt, 2003b). In comparison to Chile, Peru has more than twice the women in the second highest apparatuses of political decision-making power. However, analyzing hard data presents only one aspect of a multi-dimensional issue. For quotas, focusing on the percentage of women in the Peruvian congress does not

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[35] L. Balbuena (personal interview, July 2, 2009).

elucidate the complexities involved prior, during, and after the election of women. Nor does it say much on what women have accomplished once in office.

Women, Quotas, and Empowerment?

What happens after women are elected to office? Does an increase in women's descriptive presence yield substantial changes in policy? Have women's voices been able to be heard? What have women done *for* women? These are some of the questions being asked to assess the qualitative aspect of quotas. Based on a series of interviews, this segment will focus on the impact women have made in regards to female-friendly legislation in Peru.

As in any country, all women do not unanimously support gender quotas nor do all men oppose them. Four of my eight interview participants viewed quotas from a cautious and critical perspective. The premise of their mistrust is tied directly to the authoritarian context in which the quota legislation was implemented. Greater female presence during the Fujimori years came at a cost to democracy. For one, the popular women's movement was co-opted by the government through the restriction of social assistance to loyal supporters[36] (Blondet,2001). Two, women who climbed up the political ladder during the Fujimori years had very authoritarian and undemocratic tendencies (ibid.,). The third point raised in opposition to quotas dealt with the delegitimizing factors. Laura Gonzales, member of a neighborhood organization and ex-member to worker union, expressed her concern with quotas as being mechanisms that "distort women capacity" since "women are chosen [as candidates] simply for being women and not for their competency" (personal interview, June 21, 2009). Despite these

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[36] A. Cotler (personal interview, August 15, 2009); L. Balbuena (personal interview, July 2, 2009).

comments of apprehension, there was an overarching acceptance of quotas and their ability to diversify male-dominated spaces such as Congress.

Much of the optimism lays on what female congresswomen have been able to achieve in regards to pro-women legislation. Ana María Yáñez, Cecilia Blondet and Lisbeth Guillén contend that congresswomen have been responsible for pushing forth gender sensitive issues that affect women, as opposed to men, in different and particular ways. One of the most popular actions cited is the repeal of the Criminal Code which, prior to 1997, contained a provision that absolved rapists from criminal accountability if the perpetrator (or one of the perpetrators involved in a gang rape) married the woman assaulted (Schmidt, 2006). It was congresswoman Beatriz Moreno who proposed the repeal in 1997 and thanks to the support and pressure mounted by women's organizations and movements, the legislation was overturned (ibid.,). It is astonishing how colloquial laws dealing with the sexual violation of women continue to work against the victim (especially when the family's honor is at stake). The example of the Criminal Code is one amongst many that show how laws are gendered in nature. Although it was a woman who mobilized against this particular law, generalizations and predictions about what type of legislation female and male representatives are more prone to support and/or propose are virtually impossible. Campaign platforms and agenda commitments provide an informal biding compromise by which the electorate can hold candidates accountable once they are elected into office. If female and/or male politicians run under a gender platform, they have a responsibility to address those issues once elected.

Wanting to and having the power to introduce bills raises another set of complex questions. Once in office, the power of female legislators to pursuit certain issues and interests

is curtailed by additional obstacles. In Karam and Lovenduski (2005), women's presence, especially those "motivated to present women's issues and concerns," is an important pre-condition for women to make a difference in congress (p. 189). But, as they further argue, women's ability to produce change is also affected by women's knowledge of specific regulations that shape the behaviors and functions of legislators. For Karam and Lovenduski a three part strategy consisting of: learning the rules, using the rules and changing the rules would ease the transition and turn women's symbolic presence into a more substantial kind of representation.

Learning the rules entails understanding how the legislature operates in order to maneuver through this channel more easily. Training, networking and mentoring newly elected congresswomen is both important and beneficial. Capacity-building programs are essential to the empowerment of female politicians because they help build confidence and develop leadership skills necessary to encourage political autonomy and avoid party dependence. Networking and training workshops can be held by congresswomen in conjunction with feminist and women's organizations.

Coalition building, based on a model of "empowerment triangles" between the women's movement, congressional cross-party alliances and the state is an encouraged strategy to push forward gender sensitive legislation. Greater communication between "formal" and "informal" political actors/spaces benefit society at large since political actors are more in touch with the necessity and demands of their constituents and citizens are pro-active participants in the agenda setting process. Moreover, Ngos and social groups play an extremely

important roles for they mount outside press to ensure the state adopts and implements a political agenda that is beneficial to their needs (Vargas, 2002).

The Peruvian Parliamentary Women's Group is a strategy that seeks to build inter-party alliances amongst female parliamentarians to increase their power and potential within parliament through collaboration. The creation of this space has yielded mixed results. While congresswomen have banned together on specific issues that cut across political lines (i.e. issues of sexual and physical violence against women), highly controversial issues dealing with sexual and reproductive rights remain politically divisive. In the 2006 elections, only the *Frente Amplio de Izquierda* (Braod Leftist Front) and the *Partido Socialista* (Socialist Party), promoted women's access to emergency contraceptives (morning after pill) and supported the decriminalization of abortion in their party platforms (Flora Tristán, 2006). Party support, or the lack of, also influences the selection of issues party members chose to promote. Unequal power relations between women based on party affiliation plays a huge role in the deliberation of issued addressed and supported. [37]In congress, gender solidarity is constantly challenged by party loyalty.

The Parliamentary Women's group has been a space of exchange. Feminist advocates are regularly invited to participate in discussions based on their expertise on specific issues. In some cases, NGOs produce policy proposals at the request of congress members. Organizations commit to do all the legwork, including the research and redaction of the bill, delivering the final product to the respective legislator. While sometimes bills are endorsed, in others they sit on congressional desks collecting dust.

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[37] L. Guillén (personal interview, July 1, 2009).

As my interviewees revealed, not all congress members (including men and women) have embraced a gender-sensitive consciousness.[38] To sensitize politicians feminist NGOs like Manuela Ramos and Flora Tristan provide additional technical support to female/male candidate aspirants, elected congresswomen/men and women/feminist activists. Initiatives include capacity-building workshops that emphasize the importance of employing a gender analysis into their congressional agenda, creating media spaces for female candidates to disseminate their campaign platforms, and providing gender-aggregated data to help redact policy proposals (Manuela Ramos, 2006).

Under the direction of Manuela Ramos, *Barra de Mujer* (Women's Forum) and *Manuela en el Congreso* (Manuela in Congress) aim to enhance the quantitative and qualitative aspect of the gender quota legislation. *Barra de Mujer*, a television program broadcasted during periods of national elections, helps create media exposure for female political aspirants (ibid.,) In a series of episodes, candidates debate and discuss numerous of issues affecting women's status. In some cases, political commitments arise during the course of the show. *Manuela en el Congreso*, previously known as *Vigilancia Congresal* (Congressional Surveillance), is an initiative that seeks to engage citizens in the formulation of laws and serves to hold elected officials accountable (ibid., p. 40). Furthermore, *Manuela en el Congreso* emphasizes the urgency for increasing civic engagement as a means of demanding transparency in the law-making process (ibid.,).

El Cuarto Femenino (Feminist Corner), a magazine published three times a year by Manuela Ramos, has a section dedicated to present the different proposals formulated by

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[38] D. Miloslavich (personal interview, July 2, 2009); A.M. Yaáñez (personal interview, July 16, 2009).

congress member. Each policy proposal is summarized and analyzed from a gender perspective. This publication serves to inform the general public about congressional proceedings. A.M. Yánez (personal interview, June 16, 2009) affirms that Manuela's ongoing presence in congress has halted the continuation of damaging legislation before it reaches the congressional floor. In this same way, Manuela has also mobilized support for legislation that may have otherwise been marginalized in congress. Currently, the hot issue in Peru is the institutionalization of the medical protocol that would outline proper procedures for therapeutic abortions. As L. Guillén (personal interview, July 1, 2009) explained, although Peru has a statute legalizing therapeutic abortions they cannot be administered because there is no national medical protocol that would regulate the procedures. Expediting the process of creating a protocol has been hampered by lack of unity amongst pro-choice congressional advocates and the opposition. The influence of the Catholic Church is another factor pro-women legislation has to contend with especially in countries where the church exhorts tremendous influence.

As the Peruvian experience has reassured, quotas are not the ends to gender equity— they are just a means to. Women as political candidates and then as elected congress members have to jump greater hurdles to legitimize themselves as competent and deserving political actors. Once in congress, women face additional challenges as political newcomers. There are official rules governing congress but there are also "unwritten rules and practices or areas or sphere that are not necessarily accessible to women, where decision are taken in an informal way" (Jabre, 2009, p. 55). Being unaware of the rules of the "game" can be a strong detriment against women's ability to exhort real political power.

Other obstacles include sexist attitudes towards congresswomen and a lack of sensitivity and understanding concerning towards women's familial responsibilities. In addition, women's issues are often times left for women to pursuit (social assistance, education) while men deal with more important ones (i.e. economy, defense etc). Unifying women across parties is key to maximize results. However, lacking a critical mass, women must forge alliances between their male-counterparts. There must be an understanding and acknowledgment that gender issues are the concerns of both men and women. Gender legislation should not only be the exclusive responsibility of female legislators, gender statutes need to be promoted and supported by political parties as a collective unit.

Despite all the advancements made by quota legislation in Peru, the process of becoming empowered actors remains an ongoing battle for women. For some, especially those coming from the lower social strata, the road to parliament has been more treacherous. Initiatives to facilitate women's access to parliament and enhance their legislative power needs to continue after they become office holders. It is also apparent that a strong and organized women's/feminist movement is also necessary to articulate issues , demand accountability, and provide political support.

Chapter 7
Conclusion

What this paper has tried to make evident is the ability of quotas to bypass the discriminatory practices of political parties and successfully integrate women to decision-making posts. Women's presence in the deliberation of national and everyday policies is an indispensable requirement for the consolidation of democracy. Women's experiences, from all sectors of society, bring to politics perspectives that may broaden, challenge, and/or complement those existing in male-dominated arenas. Without women, democracies are incomplete. However, as the Chilean experience has demonstrated women's access to parliament is not a guaranteed outcome of democratization. On the contrary, quotas can be susceptible to political co-optation, as in the case of Peru.

Gender quota debates continue to raise important questions whose answers leave us with contradictory findings. Whether or not female legislators are the best-suited representatives of women's interests is one example. While many contest the homogeneous nature of women's interests (and with good reason), I believe women have and are able to unite on common causes based on their gender-identity. As the Peruvian case illustrated, congresswomen's ability to unite across political divides achieved legislation in favor of statutes penalizing sexual and physical violence against women. Nonetheless, gender camaraderie can easily erode by the many differences that divide women. Differences in economic, social, and political background are few factors that affect women's access to and performance as representative. In some countries, racial/ethnic based racism adds a third or fourth level of discrimination against women. Thus, while quotas can radically change the gender composition,

unequal access to power between men and women, and within women themselves, may go unaltered. Transcending beyond gender and analyzing the plethora of complexities embedded in individual context-specific and historic regional experiences yields a more complete assessment of women's political status.

The relationship between gender quotas and women's empowerment is another reoccurring theme that has yet to be fully examined. Even where gender norms appear to balance the value placed on men and women, male-centered practices may continue to undermine women's empowerment. In other words, while cultural attitudes may embrace women's leadership in the top echelons of political power, persisting cultural and institutional factors continue to block women's entrance into previously male dominated spaces. The election of Bachelet in Chile symbolically represents the social embracement of women's political leadership while unequal access to education, health, gender-income inequalities, violence against women, and the curtailment of women's reproductive self-determination reflect the sexist power structures still embedded deep within Chilean society. Quotas alone do not guarantee women's empowerment. Without challenging the patriarchal and hierarchical structures of power, be it through progressive political, economic, and/or social legislation, women's empowerment remains undermined.

Furthermore, quotas do not yield equal results wherever applied. Interactions of context-specific dynamics affect the effectiveness of quotas. In most cases, the type of electoral system is one of the most important factors quota proposals must take into consideration. Political commitment, whether voluntary or mandated, can turn quotas into empty promises or real progressive change.

A visible and active woman's/feminist movement are also an important dynamic. NGOs can provide ongoing training support and technical assistance to female political newcomers. NGOs can also suggest and create policy for legislators to introduce. A close working relationship between congress members, NGOs, and grassroots organizations can be a valuable two-way channel for the exchange of knowledge and political support. Engaged feminist advocates and a proactive women's movement can help prevent the tutelage of women's interest as another ploy of clientelist politics by demanding accountability. Additional political reforms such as greater political transparency and civil engagement further enhance the accountability and responsiveness of officeholders.

Current research has shifted focus from the national to the local political arena. Women's political activism in local governments and grassroots organizations is another arena where women can begin their formal political training. In close-knit community settings, women are more likely to become politicized and organize. For this reason, local-level politics serve as a stepping-stone or training ground for future national representatives. Parties and organizations should invest in leadership training to develop the skills required to serve as national representatives.

Although the cases discussed throughout (i.e. Chile, Peru, South Africa and Rwanda) focused primarily on the quotas experience at the national level, scholarship on quotas systems at the local level provides new points of reference for future research. In India for example, the move to democratization and decentralization of power has resulted in important gains for women, especially those from historically marginalized *scheduled castes* and *schedules tribes* in *Pachayats Raj* (village councils) (Misra & Kudva, 2008).What is interesting about India is that

the *pachayat's* have a double one-third reserve seat quota in place for women. The first applies

to women in general and the second functions to ensure women from schedule castes and

schedule tribes are one-third of the representatives elected from those previously excluded

groups (Raman, 2003). In this case, gender and caste are interwoven dynamics embedded

within gender quota legislation. Whether or not generalized gender oppression will be enough

to unite women across caste, religion and ethnicity or if gender equality and justice is enough

to emancipate oppressed groups and communities remains to be seen (ibid.,). What is evident

is the fact that the struggle for political power is no longer monopolized by men, since 1994

nearly one million women are now active political actors in institutions of local self-governance

(ibid.; Misra & Kudva, 2008). Thus, women's involvement in local politics in India will provide

fruitful insights for the international community laboring for women's empowerment from the

bottom up.[39]

In summary, quotas have achieved great achievements. Increasingly, women are holding

larger shares of what used to be a male-dominated arena. Consequently, women's issues and

demands are no longer marginalized from the political agenda. However, civic engagement and

collaboration between parliamentarians and women from all sectors of society is imperative to

continue broadening women's issues. As women entering congress become more diverse in

terms of their class and ethnic background, the issues, perspectives, and attributes brought to

the legislative table will more closely resemble those of society.

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[39] See Sharma (2004), Raman (2004) and Mohanty & Seldom (2003).

As successful as quotas are in incrementing women's descriptive representation, their effectiveness must not overshadow the many difficulties women still face during and after their election. Reforms to women's economic constraints, better access to education, and gender discrimination in all aspects of life must accompany quotas if we are to see real substantive change in women's life. As the locus of power and the meaning of empowerment vary substantially across contexts, quotas are only a way for women to achieve political empowerment. In order to transform the decision-making process into a more socially diverse institution, responsive to women's interests, progressive initiatives challenging the patriarchal and hierarchical structures of power must accompany quotas. For this reason, quotas are not to be an end in itself, but rather a means to achieving women's political empowerment. Politics is just one area of struggle and we must not lose sight of the many battles yet to be fought.

Appendix A
Sample of Interview Questions

1. Taking into consideration your current and past research, would you consider the electoral gender quota legislation efficient in getting women elected to the chamber of deputies posts?

   a) If not, what are some of the factors you identify as obstacles in the success/efficiency of the law?
   b) If so, what factors can you attribute to its success?

¿Tomando en consideración sus investigaciones, actuales y pasadas, consideraría eficiente la ley de género en cuanto a la incrementación de mujeres en la Cámara de Diputados?

   a) *Si no, ¿cuales son algunos factores que obstruyen la eficiencia/éxito de esta ley?*
   b) *Si si, ¿Cuáles son algunos factores que contribuyen a su eficiencia?*

2. In your opinion, has there been a backlash to women politicians elected through the gender quota law within congress?

En su opinión, ¿se ha visto reacciones negativas en contra de mujeres políticas electas por medio de la ley de género en el Congreso?

3. Who has mounted the most hostility towards the quota law and how have they framed their oppositional discourse?

¿Quiénes han ejecutado mas hostilidad en contra de la ley de género y cuál es la estructural de su discurso oposicional?

4. There are opinions circulating within the debates of gender equity in the political arena that state that the women who are elected are part of the elite class and therefore do not represent the needs of lower-class, working women. What is your response to such a statement?

Existen opiniones, entre los debates de igualdad de género, que critican a las políticas electas de ser elites y no representan las necesidades de mujeres de clases bajas y trabajadora. ¿Cómo podría usted responder a este comentario?

5. What role have NGO's and women's movement played in aiding and/or endorsing female political candidates running through the quota legislation? (e.i. public/media exposure, leadership training programs)

¿Qué papeles han jugado ONGs y los movimientos de mujeres en ayudar y abogar por candidatas políticas postulando por medio de la legislación de cuotas de género?

6. In your opinion, has women's voting turnout increase/decreased/remained the same since the implementation of the quota legislation?

En su opinión, ¿ha incrementado/disminuido/quedado intacto el número de mujeres votantes desde la implementación de la legislación de cuotas de género?

7. People living in the Peruvian highlands remain somewhat politically isolated. Some literature even states that a large number of the indigenous population doesn't even count with proper identification to cast a ballot. What programs/outreach has been done to incorporate indigenous women into the quota legislation to ensure their representation?

Personas viviendo en las punas peruanas todavía se mantienen políticamente excluidas. Según cierta literatura, populaciones indígenas carecen de cartillas validas para ejercer su voto. ¿Qué programas/asistencia se ha dado para incorporar a las mujeres indígenas bajo la legislatura de cuotas de género y asegurar su representación?

8. In your opinion, has the state been committed to increasing gender equity in the political arena through the implementation of institutional frameworks to assure compliance to the quota law by political parties?

El estado, en su opinión, ¿ah estado comprometido a incrementar el nivel de igualdad de género en la arena política por medio de marcos institucionales para asegurar el cumplimento de la ley por los partidos políticos?

9. Besides looking at the percentage change of women holding posts in congress (chamber of deputies) how has the implementation of electoral gender quotas affected the overall socio-economic status of women? Is there such a correlation?

Aparte de enfocarnos en el porcentaje de cambio entre mujeres electas, antes y después de la ley de género, en la cámara de diputados ¿Como ha influido la ley en la posición socio-económica de la mujer? ¿Existe tal correlación?

a)   As a woman elected through the quota law, do you feel you have more challenges/obstacles to overcome when proposing/introducing bills/legislation?

Como mujeres electa por medio de la ley de género, ¿Qué piensa usted a sido los mayores obstáculos que ha tenido que sobrepasar cuando introduce y/o propone pólizas/legislación?

10. Do women in congress (Chamber of Deputies) work in across party alliance when it comes to legislation concerning gender issues? Or is party loyalty priority?

¿Mujeres en la cámara de diputados trabajan en forma de alianza cuando se propone legislación acerca de cuestiones de género? ¿O es la lealtad partidaria prioridad?

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