Do Women Advance Women?

A Study of Female Representation in Latin America

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Introduction

The number of women in parliaments and legislatures across the globe has nearly doubled in the last ten years. What happens when more women enter politics, and what impact does that have on the lives of female constituents? Drawing on substantive representation theory, many claim that women are the best at representing women. Previous literature also suggests that although there is no critical mass of women required in a legislature to enact change, increasing the percentage of women can make it easier for female legislators to put women’s issues on the agenda.

This project applies the current body of Western-centric literature to Latin America, where women’s advancement is met with resistance from machismo culture, and has been historically encumbered by authoritarian regimes and imperialism. Through case studies focused on Argentina, Costa Rica, The Dominican Republic, Chile, and Uruguay, I explore the legislative effects of increased female representation in Latin America. This project aims to answer numerous questions regarding female representation, including: Does having more women in the legislature lead to the passage of more laws related to women’s interest? Do these laws become more meaningful as the number of women increases? And does the influence of female legislators extend beyond the legislature and into other areas of government?

Finally, I take into account the numerous other factors that affect the advancement of women’s rights and female-centric legislation — previous literature has established that the support of left-leaning parties, well-funded bureaucratic agencies in charge of women’s affairs, and women’s movements are three factors that play a vital role in the passage of legislation related to women’s issues. Are these factors more important that the descriptive representation of women?
In other words, do women advance women, or is the formula for increasing women-centric legislation far more complicating than electing more female legislators?

Chapter One: Substantive Representation and Critical Mass Theory

There is a great deal of prior research on how to advance female political participation and representation. However, the research on results of women’s advancement in politics is lacking. Specifically, once women are in positions of power, what impact does it have on the lives of female constituents? Will female legislators propose and pass bills related to women’s interests? And if so, will they be able to pass more legislation related to women’s interests as they become a larger minority in the legislature? So far, the existing body of research on these topics has been contradictory. In addition, the current literature is largely western-focused or narrowly tailored to a few specific nations. My research will contribute to the literature by focusing on several nations in Latin America, and confirming which conclusions from the current body of literature are applicable in my five countries of focus, and why or why not.

At the heart of this research question is the idea that women represent women. To understand the extent to which this is true, we first turn to the literature on the link between descriptive and substantive representation. In her book on political representation, Hanna Pitkin was one of the first scholars to delineate the two types of representation (Franceschet and Piscopo 2008, Celis and Childs 2008). Pitkin distinguishes between legislators who share similar characteristics as their constituents, and therefore describe them, versus legislators who substantively act for their constituents by promoting their interests and concerns (Pitkin 1967). Pitkin contends that it is more important what representatives “act for” than who they “stand
for,” and thus, the composition of legislative bodies is not as important as the policies legislators pursue.

But many scholars, as well as proponents of the feminist movement, believe the two conceptions of representation are interconnected (Celis and Childs 2008). Simply put, women not only “stand for” other women, but they are also more likely to “act for” women’s interests. Although women have varied identities and interests and are certainly not a homogenous group, an individual woman can at least share one piece of their identity puzzle with the group of women she represents. Franceschet and Piscopo state it best in their 2008 article: “The link between descriptive and substantive representation does not require a one-to-one correlation between being like and speaking for. Shared interests simply broaden the agenda (Franceschet and Piscopo 2008).

The theory of “politics of presence,” first put forth by Phillips, contends that a link between descriptive and substantive representation exists, and suggests that female legislators are the best at representing the interests of female constituents (Wangnerud 2009, Phillips 1995). Phillips’ argument rests on the idea that, broadly, women and men have different life experiences. For example, women share the experiences of bearing children, dealing with sexual violence and sexual harassment, and facing gender discrimination. However, Phillips recognizes that the overlap of shared female experience is not complete, nor is it a guarantee of a unified policy platform, stating, “The shared experience of women as women can only ever figure as a promise of shared concerns, and there is no obvious way of establishing strict accountability to women as a group.” However, it is worth exploring the extent to which the shared experiences of women translate to policy actions.
Following Phillips’ theoretical framework suggesting female legislators are the most effective to substantively represent women, many scholars have examined how female legislators vote on certain issues that directly affect women, such as reproductive rights and women’s workplace issues. Swers examined how the gender of U.S. representatives affects their votes on issues that directly affect women. Swers found that female representatives are more likely to cross party lines and vote together when a bill directly affects women (Swers 1998). She also found that the relationship between gender and voting on women’s issues was strongest for votes dealing with abortion or women’s health. In her 2013 book, she asserted that female representatives are stronger proponents of social welfare programs and women’s workplace rights. Swers controlled for other common influences on congressional voting, including party, personal characteristics, and ideology. Much of the relationship could be attributed to Republican women crossing party lines to vote more liberally in regards to women’s issues. But Swers found that on issues less directly related to women, such as education, the influence of gender was overcome by other factors such as party or ideology (Swers 1998).

Research from Chattopadhyay and Duflo (2004) also shows that female leaders are more likely to implement policies that are directly relevant to their own gender. Their study showed that women serving on village councils in India were able to tailor the types of public goods provided by the local government in order to specifically benefit women.

However, even if women tend to vote together on women’s issues, simply electing women to legislatures may not be enough to affect change, especially when women are still the minority gender in the legislature. These female legislators must additionally be effective at implementing their policy preferences. Jeydel and Taylor (2003) studied the effectiveness of women as legislators in the U.S. House of Representatives. They measured legislator
effectiveness, broadly defined as the ability to turn policy preferences into law, by looking at data on bill and amendment sponsorship and the ultimate allocation of federal domestic funding. The authors found that gender did not have a significant influence on legislator effectiveness. Instead, they argue that legislator effectiveness is influenced by seniority, committee memberships, and other preferences. Although these previous studies provide us with some insight into the effectiveness of female legislators and their willingness to cross party lines when it comes to women’s issues, many of them are focused on the United States or other developed nations.

When discussing the effectiveness of female legislators on promoting women’s issues, we must also look at critical mass theory, which has its problems but nevertheless plays an important role in gender politics. Critical mass theory as it relates to gender politics holds that a certain percentage of women are required in a political body in order to affect change. Although the idea of a specific turning point to go from a small minority to a large minority (usually 30 percent) is commonly touted as conventional wisdom among feminist movements and female politicians, many scholars have reservations (Childs and Krook 2006, Dahlerup 2006, Franceschet and Piscopo 2008). Dahlerup calls critical mass a “story” used by female politicians to explain why they have not made more of a difference, or by feminist movements to justify the election of enough women to constitute a critical mass (Dahlerup 2006). In her 1998 article about women in Scandinavian politics, Dahlerup explains why the concept of a critical mass should be replaced with the concept of a critical act: “…The crucial point is whether women in politics develop some common ideas they want to fight for.” Examples of critical acts would include implementing legislative quotas for women or female politicians consciously recruiting other
women, both of which change the position of women in politics and would lead to change down the line (Dahlerup 1998).

Other scholars have also found evidence contradicting the 30 percent benchmark for a critical mass of women in a legislature. Bratton studied skewed state legislatures in the United States in which women make up less than 15 percent of the legislative body. She found that “token” women were not marginalized, but rather more likely to develop legislative agendas that were different from their male counterparts (Bratton 2005). Moreover, Bratton states, “Women are generally as successful as men in passing the legislation that they sponsor, and that in very homogeneous settings, they are sometimes more successful than men (2005).” On the contrary, Grey found that for female legislators in New Zealand, “increased female presence in both the legislature and in government executives also correlates with a rise in overt hostility toward feminist agendas (Grey 2006).”

It is clear that there is no universal formula for the percentage of women in a legislature that will be able to enact legislation beneficial to women as a group (Childs and Krook 2006). Depending on circumstances, women may be more effective legislators as their minority group grows or they may be less effective at enacting legislation beneficial to women as a result of backlash from their male legislators, or because greater numbers allow women to pursue their own individual policy agendas (Childs and Krook 2009). However, as previously stated, much of the current research is focused on the United States and other developed, Western countries. The literature has not greatly explored how these opposing findings play out in Latin America. As the percentage of women increases in Latin American legislatures, is it possible that “critical acts” such as recruiting more women, or passing gender quota laws, become easier for female legislators to tackle? Or as women become a larger minority in the legislature, will their policy
agendas begin to diverge from women’s issues or be met with greater hostility from their male counterparts?

Latin America presents its own unique challenges for women. The social construct of machismo persists, by which male dominance and superiority are legitimized by a patriarchal social system (Mayo and Resnick 1996, Segrest et. al. 2003). Meanwhile women are also influenced by the marianismo ideal, or the stereotypical female counterpoint to machismo, based on the ideals of the Virgin Mary — fragility, submissiveness and holiness (Stevens 1973, Segrest et. al. 2003). Latin American women are often socialized into accepting the dictates of male superiority, and trained to be housewives and mothers (Mayo and Resnick 1996). Thus, machismo culture presents an additional barrier in encouraging women to pursue work outside of the home, such as running for legislative office. Although the unique challenges in Latin America make it an interesting place to delve into questions regarding substantive representation, the current body of research is not well developed. Much of the current research on female legislators is only tangentially related to the question of female legislators’ impact on women’s issues, or is only focused on one nation.

For example, Htun (2014) studied the political effects of Afrodescendant women’s inclusion in six Latin American legislatures, finding that black, female legislators acted in the interest of their broader demographic groups to advance the rights of women, Afrodescendants, and other marginalized groups.

Caldwell (2010) studied substantive representation in both Costa Rica and New Zealand, countries with similar percentages of female legislators. She found that with a critical minority of at least 30 percent women in the Costa Rican legislature led to an increase in bills pertaining to women. Furthermore, she found that the effect was more dramatic in New Zealand, where
female legislators were elected without the aid of a gender quota, than in Costa Rica, where a high percentage of female legislators was mandated by quota (Caldwell 2010). Similarly, research on substantive representation in Argentina, the first nation to implement a legislative gender quota, shows that although female Argentine legislators were proposing numerous bills related to women’s issues, many did not pass or died in committee (Htun 2013, Franceschet, S., & Piscopo 2008). Many of the female legislators interviewed by the authors believed they were negatively stereotyped as “quota women,” which undermined their ability to accumulate power and influence (Franceschet, S., & Piscopo 2008). Legislators who feel they are stereotyped as “quota women” may be more cautious about engaging with and promoting women’s issues.

Schwindt-Bayer (2010) focused her study of women’s substantive representation on three nations — Argentina, Colombia and Costa Rica — and found that the presence of female legislators did bring women’s issues to the legislative agenda through their presence on committees related to women’s interests. However, she called the representation of women in Latin America a “double edged sword.” Female legislator’s prioritization of women’s rights and social issues was part of the reason for their continued marginalization in the legislature (Franceschet 2012, Schwindt-Bayer 2010).

My research will focus on Argentina, Costa Rica, The Dominican Republic, Chile, and Uruguay. For the nations that have already been studied widely, such as Argentina and Costa Rica, I hope to explore whether the trends previous scholars have found hold up over time, and determine if some of the results regarding substantive representation are more widely applicable to the region as a whole. For the nations that have yet to be studied in depth, my research will fill in some of the gaps pertaining to South America in the literature on substantive representation.
Chapter Two: Theory

Theory and Hypotheses

The following section will explain my main assertion, as well as related two secondary assertions. Firstly, I explain how increased female participation in a legislature can cause an increase in the number of bills proposed related to women’s issues, and subsequently an increase in the number of bills passed related to women’s issues. Secondly, I will address how increased female participation in a legislature can impact lawmaking in other branches of government. The theory will explain how changes in the demographics of the legislature can influence executive decisions and administrative leadership, thus extending the power of the female representatives beyond the legislature. Finally, I will investigate how the percentage of women in a legislature affects the importance and reach of laws. I will construct a framework for what constitutes a substantive law versus a less impactful, symbolic law. The theory will then explain why laws related to women’s issues may become more meaningful as more women are elected to the legislature — female representatives have a greater incentive to create meaningful outcomes for women rather than symbolically acknowledge women.

As previously stated, the broad goal of this project is to investigate the question, “Do women advance women?” My primary assertion is that yes, female legislators do advance women by increasing the number of bills passed related to women’s issues. And as more women enter the legislature, more bills related to women’s issues would pass.

Of course, there are many other factors that could increase the number of bills related to women’s issues. From women’s movements and women’s caucuses to left-leaning political parties and parties hoping to attract more female voters, there are numerous actors besides female legislators that are involved with advancing women’s interests and lobbying for women’s
rights. Previous literature has firmly established three causal mechanisms for the passage of female-centric legislation: 1) the influence of leftist parties, 2) well-funded and well-supported bureaucratic agencies that are led by progressive women, and 3) robust women’s movements (which may include the presence of a women’s caucus in the legislature).

In Stetson and Mazur’s book on comparative state feminism, they found that numerous types of governmental structures designed to address women’s issues actually contribute to policies that advance women (Stetson and Mazur 1995). These include state offices such as national offices for women, government-created women’s societies and women’s lobbies. To add a layer to the equation of advancing women, the authors found that strong state feminist offices were “all created under the initiatives of Social Democratic governments that placed gender equality on their policy agendas, amid relatively strong pressure from moderate feminist groups (Stetson and Mazur 1995).” Undoubtedly, there are many mechanisms in addition to female legislators that may impact the number of laws related to women’s issues that a legislature passes. However, my theory will focus solely on the legislators themselves, and specifically the links between descriptive and substantive representation, in an attempt to isolate the impacts, if any, of electing female legislators.

To that end, I hypothesize the following causal chain to explain the assertion that female legislators do advance women: first, increased female representation in the national legislature will make it easier for women to introduce bills, speak up in the legislature, and gain support for women’s issues.

With more women in government, the “boys club” mentality will be diminished in the legislature. There are countless stories of female legislators facing “subtle sexism” — such as gendered comments about their appearances, weight, or proper place in the workforce
(Karpowitz and Mendelberg 2014). One can imagine that female legislators in Latin America may experience even more sexism in the workplace as their political ambitions clash with a pervasive culture of machismo. Not only do these comments make the legislature a less friendly place for women, but they also impede their ability to work as effectively as possible. Borrowing from the field of psychology, Glick and Fiske (2001) assert that women who are seen as usurping men’s power experience hostile sexism. Additionally, an alternative brand of sexism that seems like a compliment on the surface, what the authors call “benevolent sexism,” is also harmful because it diminishes the authority of women by putting them on a pedestal and praising those who embrace traditional gender roles (Glick and Fiske 2001). Although it may seem insignificant, this pervasive benevolent sexism in male-dominated institutions impacts the ability of women to work effectively. Karpowitz and Mendelberg (2014) studied local politics in the United States, specifically looking at political institutions that were run by majority rule and where women were in the minority. The authors found that in these political institutions, women were less likely to speak or take up floor time (Karpowitz and Mendelberg 2014). Likewise, female politicians in male-dominated institutions were “less likely to raise issues of distinctive importance to women on national surveys, such as the needs of families and children or the plight of the poor and needy.” Moreover, women who were outnumbered in a political body were more likely to be interrupted by male colleagues. However, as the number of women grew, the interruptions by men grew less frequent or changed to interruptions offering support. Overall, as the number of women in a political body increased, the amount of time they spoke, the content of their speech and the behavior of their male colleagues was altered (Karpowitz 2014). I posit that these positive changes for female politicians will hold true in Latin American legislatures as
the number of women increases. As a result, it will become easier for female legislators to speak up and garner support for issues they care about.

In turn, this will lead to more legislation proposed to enable gender equality. I expect that when more women are in legislative positions, there will be more bills proposed regarding women-centric issues such as eliminating barriers to education for women, funding women’s education, promoting workplace equality, and instituting paid parental leave. This assertion is based on the current body of research, which shows that female leaders are more likely to implement policies that are directly relevant to their own gender (Chattopadhyay and Duflo 2004). Moreover, scholars studying substantive representation have concluded that female legislators are the best at representing the interests of female constituents (Wangnerud 2009, Phillips 1995). Simply put, women not only “stand for” other women, but they are also more likely to “act for” women’s interests.

Furthermore, increased female representation will likely allow women to be more persuasive and influential in the legislative process. Prior literature suggests women are effective legislators. Especially important to this research is the finding that women tend to cross party lines to vote with other female legislators on women-centric issues (Swers 1998). My theory does not take into account party discipline. Rather, it assumes that women have freedom to vote across party lines. However, party politics still play a key role in how persuasive women in the legislature may be. As more women enter the legislature, it is likely that some female legislators will move up in the leadership of their party and therefore have increased influence over the policy agenda.

Other scholars go as far as asserting that women outperform men in legislatures (Anzia and Berry 2011). Because female legislators face sex discrimination in the voting process, only
the most talented, qualified, and hardworking women are actually elected to office (Anzia and Berry 2011). Additionally, evidence suggests that women are prone to low political ambition when compared to men of equal merit. Fox and Lawless find that the gender differences stem from two factors: “First, women are far less likely than men to be encouraged to run for office; second, women are significantly less likely than men to view themselves as qualified to run (2004).” Therefore, the women who do run for office will likely be more qualified than the average male candidate. In other words, many potential female candidates are filtered out in the electoral process due to sex-based selection bias, and thus “the women we observe in office will, on average, outperform the men (Anzia and Berry 2011).” Perhaps these explanations for why women outperform men may diminish as more women enter the political arena. However, for the purposes of this project, most of the case study countries do not come close to achieving gender parity in the electoral process. As a result, the sex-based selection bias that would allow us to reasonably conclude that female legislators are more successful than their male counterparts remains intact in most Latin American nations.

Considering this evidence of the effectiveness of female legislators, it follows that if more women are elected to national legislatures, then not only would more legislation to enable gender equality be proposed, but more of this legislation would also be passed and implemented.

_Hypothesis 1: If female representation in a legislature increases, then the number of legislative bills passed related to women’s issues will increase._

My null hypothesis for H1 is that increased representation of women in national legislatures of will have no effect on the number of legislative bills passed related to women’s issues.
However, it is important to recognize that a nation’s policy surrounding women and women’s issues is not created in a legislative vacuum. In addition to legislative laws regarding women’s issues, there are also policies being implemented through executive order, administrative bodies and the court system. My secondary assertion is that as female representation in the legislature increases, not only will it impact the number of laws related to women’s issues that are passed within the legislature, but it will also impact policy decisions made in other branches of government. For the purposes of this project, I focused on potential increases in executive orders related to women’s issues.

Most study on legislative-executive relations holds that these two branches of government are expected to work together cordially (Oni 2014). In general, it is considered desirable when there is cooperation and understanding between the chief executive and national assembly, and when legislators perceive that the balance of power is acceptable (Oni 2014, Bernick and Wiggins 1981). Although each nation’s legislative-executive power dynamic is obviously different, the concept that it is desirable when there is cooperation and understanding between the chief executive and national assembly has been applied internationally (Oni 2014). I posit that this concept will hold true in Latin America. As previously asserted, if more women enter the legislature, they are likely to advance women’s interests. It follows that the executive branch would have to follow suit to remain cordial with the legislative branch. A cooperative legislative-executive relationship would break down if the legislative became less male-dominated and more likely to discuss women’s issues but the executive branch remained a “boys’ club.”

The underlying link between the legislative branch and the executive branch is the mechanism of party politics. All of the case study countries are presidential systems with multi-
party legislatures elected by proportional representation (Political Database of the Americas).

The combination of a presidential system and multi-party legislature means that the president is elected independent of the congress, and may not benefit from support of the majority party in the legislature. In some multi-party systems, there may not be a majority party at all. As a result, presidents must find other ways to build coalitions in order to pass their policy agenda. In their research comparing the multiparty presidential system in Indonesia to similar systems in Latin America, Melo and Pereira state:

“The fragmented party systems typical in Latin America make exchange mechanisms crucial. If democracy is to work—indeed, if it is to last—the government in general and the president in particular must build and keep winning coalitions. In order to do so, the president needs to be strong and attractive to different coalition partners (2012).”

The authors contend that multi-party presidential systems are possible in part through the availability of trade-worthy goods that can be used to form coalitions, such as cabinet appointments, pork-barrel spending, executive orders to advance a certain group’s policy agenda, and policy concessions (Melo and Pereira 2012).

As previously stated, my theory does not take into account party discipline, and assumes that female legislators are free to vote across party lines, especially on legislation regarding women’s issues. Considering this, as well as Melo and Pereira’s theory, I argue that Latin American presidents may attempt to advance women’s interests through “trade-worthy” mechanisms as an attempt to attract female legislators as coalition partners in the legislature. (This could not only impact the number of executive orders or policy concessions related to women’s issues, but also impact administrative laws. It is easy to foresee a scenario in which a president appoints cabinet officials who are interested in advancing women’s issues in order to
appeal to female legislators. However, the scope of this project was too narrow to include administrative laws from all ministries of each of the five countries of focus.)

Thus, I hypothesize that as the number of women in the legislature increases, their influence on the executive branch will also increase. Therefore, the number of executive orders related to women’s issues will also increase, for two reasons: 1) The executive hopes to maintain an amicable relationship with the legislature, and must appeal to a growing number of women in order to do so, and 2) the executive has an incentive to appease female legislators with trade-worthy goods in order to form coalitions and overcome the limitations of a multi-party presidential system.

_Hypothesis 2: If female representation in a legislature increases, then the number of executive orders related to women’s issues will increase._

My null hypothesis for H2 is that increased representation of women in national legislatures will have no effect on the number of executive orders related to women’s issues.

Finally, when discussing the advancement of women through policymaking, it is important to not only focus on the number of policy changes being implemented, but also the degree of importance of each policy change. For example, it is clear that a comprehensive reform of maternity leave and early childcare policy would be more important to the overall female agenda than a declaration for a “National Day of Women.” Considering the previous discussion of links between descriptive and substantive representation, I contend that women not only “stand for” other women, but they are also more likely to “act for” women’s interests (Celis and Childs 2008, Franceschet and Piscopo 2008). In acting for women’s interests, I expect that female legislators will be more interested in pursuing policies that create actual changes in the
material position of women in society, or actual changes to rights rather than policies that merely look good on paper. I hypothesize that as more women enter the legislature, the bills and laws passed related to women’s issues will be more meaningful and central to the women’s agenda.

Similar to my primary hypothesis, this too depends on the effectiveness of female legislators as well as party politics. As more women enter the legislature, it becomes easier for women to introduce bills that are of greater importance, gain support for policies that would substantially move the needle for women, and move beyond marginal policy change. These gains will also become easier as women move up in the leadership of their own parties.

**Hypothesis 3: As female representation in legislatures increases, bills and laws passed related to women’s issues will be more meaningful rather than marginal.**

My null hypothesis for H3 is that increased representation of women in national legislatures will have no effect on the degree of meaning of the laws passed related to women’s issues.

### Chapter Three: Methodology

**Defining Women's Issues**

In order to study the relationship between women in legislatures and the advancement of women’s issues, I first defined a list of “women’s issues.” In creating my definition, I focused on issues that directly effect women rather than on issues that women have professed to care about. Since my research is aimed at answering the question, “Do women advance women?” a more narrow definition of women’s issues, focused only on policies that directly effect women, is necessary. This more narrow definition includes issues and policies that were designed with gender in mind, for example, maternity leave policies, divorce policies and equal pay policies. In
coding legislation, I included most laws that specifically mentioned gender, sex or women, or laws that applied specifically to women. My definition also includes issues that primarily affect women, such as rape and domestic violence. This approach differs from the methodology of some other scholars, who have looked at active women’s organizations within case study countries to determine which issues are of importance to women (Swers 2002, Caldwell 2010).

For example, Caldwell found that women’s groups in Guatemala organized around rights of the indigenous (Caldwell 2010). Yet, as this is not a policy area that is related specifically to women, it is not included in my definition of women’s issues. In creating my definition of women’s issues I also tried to be cautious of highly politicized issues surrounding women, and confounding women’s issues with partisan issues. For example, abortion rights are often included in discussions of women’s issues, but they are often supported only by leftist parties, and, in fact, many women oppose abortion rights. Below is the list of words related to women’s issues, translated into Spanish, which I used as search terms in each case study country’s legal code database.

| 1. women/woman       | mujer(es) |
| 2. gender            | género   |
| 3. sex               | sexo     |
| 4. female            | femenino |
| 5. feminism          | feminismo|
| 6. mother            | madre    |
| 7. maternity:        | maternidad |
| 8. sexual harassment | acoso sexual |
| 9. sexual assault    | asalto sexual |
| 10. equal pay        | igualdad de salarios |
| 11. equal pay        | pago igual |
| 12. rape             | violación |
| 13. reproductive     | reproductivo |
| 14. sexism           | sexismo  |
| 15. male gender role | machismo |
| 16. female gender role | marianismo |
| 17. domestic violence | violencia domestica |
| 18. violence against women | violencia contra las |
In coding the legislation, I also denoted how meaningful the legislation was to the advancement of women’s issues. I define “meaningful” legislation as legislation that is considered a major achievement for women’s interests. More concretely, this is legislation that creates actual changes in the material position of women in society, or actual changes to rights. Meaningful legislation moves the needle for women’s rights in important areas. By contrast, marginal legislation indicates achievements that are only minimal, or are merely symbolic. For example, declaring a “National Day for Women” sounds nice on paper, but it has marginal importance in the grand scheme of women’s advancement and has minimal impact on policy solutions for women. Other examples of legislation or executive orders that I denoted as marginal include 1) laws that create a committee or new position related to women’s interests, 2) laws that create an honorary order or day of recognition related to women’s interests, 3) laws that include a generic anti-discrimination clause that is not exclusively related to gender discrimination, but rather includes a blanket statement about equal application of law regardless of race, ethnicity, gender, age, etc. (for example, all Wage Council laws in Uruguay, which are largely unrelated to women’s issues specifically, are required to have a generic equality clause), 4) laws that outline future objectives related to women’s issues. While these symbolic gains are important, and often times lead to more impactful changes down the road, they are marginal in comparison to legislation and executive orders that create changes in women’s rights and the position of women in society.
I created a bivariate measure for how “meaningful” each law is, and assigned each law a number: “1” for marginal and, and “2” for meaningful. Although this variable is somewhat subjective, I felt that it was important to attempt to distinguish between legislation that is central to the female agenda and legislation that is on the periphery.

**Research Design**

To study the relationship between women in legislatures and the advancement of women’s issues, I used a country level, case study approach, as well as quantitative comparisons between the countries. Case study research allowed me to delve into specific legislation and country-level policies regarding gender equality and discuss potential causal mechanisms specific to each country. For my quantitative analysis, my unit of analysis was the country-year — this allowed me to not only make comparisons between the five case study countries, but also between different years within the same country.

To operationalize the independent variable of women in lower houses, I relied on Inter-Parliamentary Union data on the percentage of females who occupied seats in the lower houses of legislatures in Latin America between 2000 and 2010. Keeping the time period consistent throughout cases helps control for supranational trends in women’s rights, politics, and other international factors. I excluded upper houses of legislatures from the research because 1) the data available on upper houses are much more inconsistent and incomplete, 2) upper houses are often ceremonial, and 3) some nations have unicameral legislatures without an upper house at all. Additionally, upper houses tend to be smaller, meaning that adding just a few more female representatives could greatly change the gender percentages. Although some nations have upper houses that are vital to legislative proceedings, it is more valid in a cross-national analysis to
compare the larger lower houses. I used the eleven-year period to allow me to see change over time as the percentage of women in each national legislature increased. Between 2000 and 2010, several Latin American nations began to implement gender quotas for elections or gender quotas in the legislature. Even most nations without quota laws saw an increase in female representatives during this time period.

To operationalize the dependent variable, or the number of laws passed related to women’s issues, I coded legislation from each of the five case study countries by using their national online legal code databases. I searched for the key terms listed above to find laws that fit within my definition of women’s issues. I then coded the laws that fit within the framework, taking note of the year, branch of government where the law originated, keywords, and whether the law was “meaningful” or “marginal”. Because some legislatures are more productive than others, I looked at the number of women-centric laws as a percentage of all laws passed, rather than looking at absolute numbers of laws.

Limitations of Data

The quantitative analysis portion of this project relied entirely on governmental databases of legislation, which had its limitations. The quantitative portion of this project relied on the assumption that the governmental databases were a complete record of all legislative and executive laws passed. However, I was unable to find a searchable database for executive orders in the Dominican Republic, so the nation is left out of analysis of executive orders. Nor was I able to find an accurate count for the total number of executive orders passed during this time period in Uruguay, and therefore could not calculate the percentage of all executive orders that the executive orders related to women’s interest represented.
Moreover, since each country organized their data in different ways and had different search capabilities, the comparison between each nation’s data is complicated. For example, Argentina’s legislative database had a very sensitive search filter, which would search the complete text of each law for the keyword, related keywords and different forms of that word. Meanwhile, Costa Rica’s database had a more limited search function, which in some cases was unable to search the entire text of a law, and the Dominican Republic’s database required keywords to be longer than five letters. Subsequently, results could be skewed to make it appear that a country has passed more laws related to women’s issues, when in reality the country simply has a better legal database.

To combat some of these issues, I used keywords that overlapped. Often times, laws which included the word “gender” would also include the word “sex,” or laws related to “maternity” would also include the word “mother.” As a result, many of these searches yielded overlapping results, which ensured that fewer laws were able to fall through the cracks of the search process. Additionally, to circumvent minimum letter requirements, I searched for the keywords themselves, the plural forms of the keywords, and keywords including an article (for example, “la madre” instead of “madre”). To further improve the cross-country comparison, I used multiple translations of the same word to account for different dialects of Spanish that are used in different countries.

**Case Study Selection**

For my case studies, I chose to focus specifically on the region of Latin America. Not only did I focus on this region because it is of particular interest to me, but also for the sake of easier comparison. To ensure the validity of my case study selection, I wanted to avoid choosing
five random nations from across the globe, which may have very different factors impacting the lives of women. Argentina, Costa Rica, The Dominican Republic, Chile, and Uruguay share similar histories regarding the treatment of women. All five case study countries have presidential, multi-party systems of government with similar timelines for the advancement of women and cultural concepts of machismo and marianismo. By limiting the case studies to Latin America, I hope to have more comparable cases. Each of the countries chosen is considered a strong democracy by the Polity IV scale of democracy and has legislative data that is considered transparent and accurately reported (Polity IV). However, the nations are varied enough in their policies, histories, and current state of women in the legislature to allow me to draw conclusions from their differences. For comparison, I chose two nations that have historically had higher percentages of women in the legislature — Argentina and Costa Rica. During the 2000 to 2010 time period, Argentina began with 28 percent female legislators — well above the regional average of 15.3 percent — and grew to 38.5 percent female. Perhaps more drastically, Costa Rica’s percentage of women grew from 19.3 to 38.6. I also chose a nation that was in the middle-of-the-pack, The Dominican Republic, in which female representation in the lower house grew from 16.1 to 19.7 during this eleven-year period. Finally, I chose two nations with low levels of female representation compared to the rest of South America in this time period — Chile (from 10.8 percent to 14.2 percent) and Uruguay (from 12.1 percent to 15.2 percent). These changes in representation are outlined in the table below, which also includes regional averages for the Americas, world averages, and the United States' percentage of female representatives during this time period for the sake of comparison.
Growth in Percentage of Female Legislators in Lower House, 2000-2010

<table>
<thead>
<tr>
<th>Country</th>
<th>Percentage of women in lower house — 2000</th>
<th>Percentage of women in lower house — 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>28</td>
<td>38.5</td>
</tr>
<tr>
<td>Chile</td>
<td>10.8</td>
<td>14.2</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>19.3</td>
<td>38.6</td>
</tr>
<tr>
<td>The Dominican Republic</td>
<td>16.1</td>
<td>19.7</td>
</tr>
<tr>
<td>Uruguay</td>
<td>12.1</td>
<td>15.2</td>
</tr>
<tr>
<td>Regional Average — The Americas</td>
<td>15.3</td>
<td>22.2</td>
</tr>
<tr>
<td>World Average</td>
<td>13.4</td>
<td>19.1</td>
</tr>
<tr>
<td>The United States (for reader comparison)</td>
<td>13.3</td>
<td>16.8</td>
</tr>
</tbody>
</table>

The nations differ in other ways related to women in government as well: Argentina and The Dominican Republic implemented legislative gender quota laws in the early nineties, while Costa Rica and Uruguay did not implement quotas until much more recently, meaning the effects of those laws do not fall within the time period for this project. Chile still does not have legislative gender quota laws (The Quota Project 2015). Finally, political parties in power varied throughout this eleven-year period for each of the case study nations, which allowed me to analyze the impact of the ruling party on legislation related to women’s issues.
Chapter Four: Quantitative Analysis and Findings

Introduction

Regressions comparing the percentages of female legislators to various indicators associated with the amount of legislation advancing women’s issues yielded no statistically significant correlations. The results of these regression analyses point to the conclusion that mechanisms besides the raw numbers of female legislators, most likely the three other factors most often cited in previous literature (the left party mechanism, women’s agencies and women’s movements) have a stronger influence on legislative outcomes.¹ Further consideration of the party mechanism in the five countries of study will be explored through case studies in the next chapter. Meanwhile, a regression comparing the percentage of women with the percentage of meaningful laws did yield statistically significant results, but in the opposite direction of what I hypothesized. Results show that greater representation of women in a legislature is associated with a higher percentage of gender-related laws being “marginal.”

Quantitative Findings

Plots comparing the percentage of all laws passed that were related to women’s issues to the average percentage of women in the legislature of each country during the eleven-year time period show no statistically significant correlation, with a Pearson correlation coefficient of less that .2 (see graph 1). Graphing the correlation between the total number of laws related to women’s issues to the average percentage of women in the legislature yields a higher correlation, but one that is still statistically insignificant (r = .55674).

¹ As this project only uses five countries for analysis, there are insufficient data points to perform most statistical analyses. Therefore, my quantitative analysis relies mainly upon correlation, which is supplemented further case study analysis.
Individual country level analysis of laws and executive orders compared to the percentage of women in the legislature each year leads to similarly inconclusive results. Although plots comparing the percentage of laws related to women’s issues to the percentage of women in the legislature each year for Argentina (graph 2) and Costa Rica (graph 3) appear somewhat correlated, the Pearson correlation coefficients (r) show no statistical significance (see table 1). Therefore, from a quantitative perspective, I fail to reject the null hypothesis H1, which states that increased representation of women in national legislatures will have no effect on the number of legislative bills passed related to women’s issues. Likewise, table 3.2 shows that executive orders are also not correlated at statistically significant levels, and therefore, I also fail to reject null hypothesis H2, which states that increased representation of women in national legislatures will have no effect on the number of executive orders related to women’s issues.
### Table 1: Laws (legislative)

<table>
<thead>
<tr>
<th>Country</th>
<th>Correlation between % women and % laws related to women’s issues</th>
<th>P value</th>
<th>Statistically significant at significance level .05 (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>-0.053474792</td>
<td>.877008</td>
<td>N</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>0.332045325</td>
<td>.318537</td>
<td>N</td>
</tr>
<tr>
<td>Chile</td>
<td>0.054457932</td>
<td>.873782</td>
<td>N</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>-0.590624532</td>
<td>.056048</td>
<td>N</td>
</tr>
<tr>
<td>Uruguay</td>
<td>-0.354752167</td>
<td>.285487</td>
<td>N</td>
</tr>
</tbody>
</table>

### Table 2: Executive Orders

<table>
<thead>
<tr>
<th>Country</th>
<th>Correlation b/w % women and % exec. orders related to women’s issues</th>
<th>P value</th>
<th>Statistically significant at significance level .05 (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>0.04020341</td>
<td>.906582</td>
<td>N</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>-0.069028632</td>
<td>.840243</td>
<td>N</td>
</tr>
<tr>
<td>Chile</td>
<td>0.172396465</td>
<td>.612437</td>
<td>N</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Uruguay</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Graph 2: % laws pertaining to women's issues compared to % women in legislature each year — Argentina

$r = -0.053474792$ → No significant relationship

Graph 3: % laws pertaining to women's issues compared to % women in legislature each year — Costa Rica

$r = 0.332045325$ → No significant relationship
An analysis of the number of meaningful versus marginal laws and executive orders at the country-level yielded unexpected findings. In general, nations with higher average percentages of women in the legislature passed more “marginal” laws and executive orders. For example, Argentina, the case study nation with the highest average percentage of women in the legislature (33.53%) passed 23 marginal laws during the eleven-year period, constituting 43.4% of all laws related to women’s issues passed during this time period. Meanwhile, Uruguay, the case study nation with the lowest percentage of women in the legislature (12.2%) passed just 3 marginal laws out of 33 total laws related to women’s issues, or 9.09% marginal.

A plot of the percentage of laws that were meaningful versus the average percentage of women during the eleven-year time period shows a strong negative correlation (see graph 4). The relationship has a Pearson correlation coefficient of -.9 and a p-value of .037, making it statistically significant at the .05 level. Therefore, I reject the null hypothesis H3, which states that increased representation of women in national legislatures will have no effect on the degree of meaning of the laws passed related to women’s issues. There is, indeed, an effect on the degree of meaning of the laws passed — however, the relationship is the opposite of what I hypothesized. As the average percentage of women increases, so does the percentage of laws related to women’s issues that are considered “marginal.”
This finding has several possible causal mechanisms. Celis and Childs (2008) explain that representatives who foster substantive representation for women engage in a variety of acts that have different roles. While some of these acts, such as voicing women’s concerns and voting in a manner that substantively represents women’s interests could lead to “meaningful” laws being passed, other activities, such as prioritizing and constructing women’s interests could lead to laws that are considered “marginal,” such as outlining objectives related to women’s advancement or creating a committee with an organization to focus on the role of women (Celis and Childs 2008). Another explanation is that symbolic victories for women are politically beneficial, and do not incite opposition or require much effort by legislators. Finally, the lack of meaningful legislation could be attributed to backlash from male legislators. This was one theory offered by Childs and Crook to explain how female legislators could be ineffective even as their numbers grow (Childs and Crook 2009). As more women enter the legislature, they likely propose more bills related to women’s issues, including meaningful bills. However, male
legislators fight these women-centric bills or attempt to diminish their impact. Thus, few meaningful proposals are passed, and the bills that do get passed are water down and therefore less meaningful. Although a similar trend appears to hold true for the number of marginal versus meaningful executive orders, I was unable to conclude a statistically significant correlation without data on executive orders for the Dominican Republic, or knowledge of the total number of executive orders passed during this time period in Uruguay.

Chapter Five: Case Study Analysis

In the following sections I will place female representation in the context of each country’s history, political climate, and timeline of women’s advancement. I will also discuss how party politics, women’s movements, gender quota laws, and historic trends of gender equality or inequality may have affected present-day female representation. Additionally, I will analyze how these same mechanisms may subsequently impact the number and importance of laws passed related to women’s issues.

The largest takeaway from individual case study analysis of the effects of female representation is that no cross-country generalization is possible — the number of laws and executive orders related to women’s issues and their importance depends very much on the context of each country during the given year. Moreover, the three other factors that are generally considered to have a significant impact on female-centric legislation — namely leftist parties, government agencies in charge of women’s affairs, and women’s movements — were more influential than substantive representation of women.
1) The Case of Female Representation in Argentina

*Country Background and History:*

The first case I will focus on is Argentina, which has the highest level of legislative female representation in Latin America, and was one of the first nations in the world to adopt gender quotas. Following a series of military dictatorships and “The Dirty War,” which ended in 1983, Argentina has consistently held democratic elections and is considered a stable democracy. Argentina is a presidential republic with a multi-party system. The president of Argentina is elected for a 4-year term. During the time period studied for this paper, 2000 to 2010, Christina Fernández de Kirchner became the first female president to be elected in Argentina. However, Isabel Martínez de Perón was technically the first female president of Argentina after she assumed the presidency in 1974 following Juan Perón’s death.

*Women, Politics, and Political Parties:*

The Argentine *Congreso Nacional* is bicameral, consisting of a 72 seat Senate and a 257 seat Chamber of Deputies. Senators serve 6-year terms and Deputies serve 4-year terms. Both houses are elected by list proportional representation (PR), which has been shown to favor the election of women (Castels 1981, Darcy et. al. 1994, Duverger 1955, Matland 1997).

The major political parties in Argentina underwent enormous changes during the early 2000s. Since 2001, the Justicialist Party, which is the remaining Peronist party, dominated Argentine politics. The party has two opposing factions, the right-wing “federal Peronist” front, and the left-wing “Front for Victory.” The left-wing Justicialists boasted multiple presidential terms in power during the 2000s under Néstor Kirchner and Cristina Fernández de Kirchner (who would later affiliate with the Front for Victory). Their success was facilitated by the 2001
collapse of the longstanding Radical Civic Union Party (UCR), a centrist social democratic party. It wasn’t until the 2015 elections that parties reorganized into center-left and center-right coalitions to put up viable opposition to the Justicialists. There are also many smaller parties that frequently win representation in Congress.

Throughout Argentine history, women have crossed party lines to work together on issues of women’s equality. In 1971, representatives from all parties founded the “Group of Women Politicians,” which organized to reform women’s rights in the family and pass a divorce law (Htun 2009). The issue of equality in the family brought together Peronists, Radicals, jurists and even some conservatives (Htun 2009).

The first women were elected to Argentine Congress during the height of the Peronist Women’s Party in 1951. Twenty-four women won seats in the legislature on the Peronist Party ticket, placing Argentina first in the world for female representation (Hinojosa 2009). (In fact, the Peronists party’s unofficial gender quotas would eventually aid the passage of the world’s first national gender quota law (Waylen 2000.))

History of Women’s Advancement and Legislative Victories:

Following decades of women’s exclusion from political life, the start of the 20th century brought modernization and increased opportunities for women, paving the way for female activism and women’s organizations (Hammond 2011). At the turn of the 20th century, three Argentine parties — the Radical Party, the Socialist party and the anarchist movement — allowed female members. However, the first strictly feminist group, the Consejo Nacional de Mujeres, did not affiliate with any of these parties, as they garnered legitimacy by affiliating with the mainstream conservative party (Hammond 2011). According to Hammond, “Only when
women’s organizations dedicated to political reforms began to appear in the first decade of the twentieth century does the feminist movement appear as a political, as distinct form revolutionary, phenomenon in Argentina (Hammond 2011).”

Even with the emergence of women’s organizations in the early 1900s, Argentina was slow to reform its civil code, which — like most Latin American nations at the time — was severely restrictive of women. Although proposals for reform of female employment restrictions and married women’s rights were introduced in the legislature as early as 1915, it took a full ten years before any legislation passed the scrutiny of the all-male congress (Lavrin 1998). In 1926, the “law of women’s civil rights” was approved, granting women all the “rights and civil functions” already afforded to men of legal age. These rights included the ability to enter into any career, direct control of earnings, custody of children for unwed or divorced mothers, and the ability to participate in civil and criminal court cases (Lavrin 1998). In a short amount of time, women gained a foothold in the workplace as notaries, stockbrokers and government employees, and made “considerable legal gains” through the court system (Lavrin 1998).

After gaining equal rights in the civil sphere, the notion of suffrage did not seem as far-fetched to some Argentine women. However, many people — including some feminist groups — rejected the idea, believing that Argentina was not ready for such a radical change (Hammond 2011). The suffrage movement did not gain a strong foothold until the Radical Party took power in San Juan and unilaterally changed the provincial constitution to allow women to vote, thereby providing a model for the rest of the nation (Hammond 2011). Yet reform was slow — the decades following the 1926 civil code reform proved difficult for the Argentine women’s movement as a result of two periods of military rule and frequent changes of power. During the three periods of military government in the 1940s, Juan Domingo Perón’s rise to power would
cause another shift in the women’s movement. Perón and his wife, Evita, began a “new” feminist movement, apart from the Radicals and Socialists who did not support his candidacy, to attract women to their movement (Hammond 2011). It was not until September 1947, during the administration of Juan Domingo Perón, that the women’s suffrage law finally passed. Many Argentines attributed the success of the law to Evita Perón’s direct involvement (Hammond 2011). The Peronists were quick to discard the earlier feminists from their Peronist Women’s Party, and Evita held a tight grip on the direction of the women’s movement, removing those who contested Peronist ideals (Hammond 2011).

Although the women’s movement was obviously not idle during the Dirty War period from 1976 to 1983, there is not a great deal of information from this time period, nor were there many significant advances for women. Fast-forwarding to the post-Dirty War period, elite feminist groups were revitalized with the return to democracy (Htun 2007). Argentina ratified the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in July 1985 (United Nations). The same year, the administration of Raúl Alfonsín restored women’s right to joint custody, which had been repealed by the military dictatorship in 1956 (Htun 2007). This meant that men no longer had the final say in many familial decisions. Just a few years later, Argentina expanded women’s rights in the family sphere even more by legalizing divorce (Hinojosa 2009).

Although female representation was robust in the Argentine legislature during the Peron era, most experts place more weight in Argentina’s record of female descriptive representation following the Dirty War because the multiple periods of military rule caused numerous setbacks for women’s rights and representation. Following the 1983 elections, only 11 representatives in the chamber of deputies were women, or 4.3 percent. Female representation continued to remain
low until the passage of Argentina’s national gender quota law in 1991 (Hinojosa 2009). The pioneering quota law was enacted in 1991, and was the first law of its kind in Latin America. The law states, “Party electoral lists are required to have a minimum of 30% women among their candidates for all national elections with real chances of being elected (The Quota Project).” The law’s effects were seen almost immediately, with lower house female representation jumping to 12.5 percent in 1993 and 24.9 percent in 1995 (Hinojosa 2009). The passage of the gender quota law has been attributed to a cross-party alliance of women, as well as the support of nongovernmental organizations, feminist groups, the National Council of Women, and the Menem administration (Waylen 2000, Hinojosa 2009). Likely as a result of the national quota law, all major parties have elected a female representative in modern history. Argentina also has gender quota laws at the regional level and in Buenos Aires City, and the Justicialist Party has adopted a voluntary rule stipulating that the representation of women be respected at all levels within the party (The Quota Project).

Even following the successful reform of the civil code, the suffrage movement, and the advances made immediately following the return to democracy, Argentine women still had hurdles to overcome to achieve true equal rights. According to an index created in 2009 by Universidad Cartólica Uruguay professor Dr. Juan Bogliaccini, Argentina still had one unequal rights provision remaining as of 2009. (The index tallies seven different unequal rights provisions that remain in certain Latin American civil codes, including requiring women to have permits from their husband to enter certain professions, requiring permits from fathers or ex-husbands to marry, requiring married women’s assets to be managed by husbands, and allowing legal punishment for adultery.) In Argentina, certain married women’s assets needed to be managed by a woman’s husband as of 2009. (Bogliaccini 2009).
Selected Legislative Reforms Between 2000 and 2010:

The legislation and executive orders passed in Argentina during this time period were nearly equal parts meaningful and marginal. Many executive orders merely outlined objectives for advancing women’s rights. For example, an order (decreto nacional 1.106/2000) outlined the structure of the Ministry of Health and called for the formulation of programs to reduce infant and maternal mortality, but did not offer specifics. Another symbolic order (decreto nacional 329/2010) declared Eva Perón as the “Woman of the Bicentennial” for her advancement of women’s rights. Numerous laws were also found to be “marginal” because they included generic equality clauses that condemned not only gender discrimination, but also discrimination based on race, ethnicity, etc.

Yet there was no shortage of meaningful laws related to women that also passed during this time period. A 2005 law called the “Law of Integral Protection of the Rights of Girls, Children and Adolescents (ley 26.062)” guaranteed access to health services for children and pregnant women. It also prevented discrimination against teen mothers in both private and public education institutions. In 2008, ley 26.364 declared adherence to the UN protocol to “Prevent, Suppress, and Punish Trafficking Persons,” which in turn led to hundreds of Argentine women being saved from sex slavery and sexual exploitation. The legislature tackled another problem that disproportionately affects women in 2008 with the passage of the “Declaration of National Interest in the Prevention and Control of Food Disorders (ley 26.396).”

Perhaps the most important piece of legislation for women in this era was a law to “eradicate violence against women (ley 26.485),” passed in 2009. The law called for “elimination of discrimination between women and men at all levels of life” as well as “the right
for women to live a life without violence.” The landmark law recognized that violence against women can be physical, physiological, sexual, economic, and patrimonial. Above all, the law provided victims of gender-based violence with economic and psychological support systems.

*Explaining Legislative changes:*

A quick look at the percentage of laws and executive order passed each year between 2000 and 2010 offers no rhyme or reason. There are few plausible explanations for why the graph points jump wildly from one year to the next. The Kirchner’s left-leaning Justicialist administrations were in power from 2003 until 2015, offering no explanation for changes during those years. Moreover, the Peronists held Congress by a majority during all the years studied.

Most plausibly, the wild variation is due to a preoccupation with other issues — namely the massive economic crisis that hit Argentina in 2001. In the wake of the economic crisis, women’s issues (and all other issues for that matter) took a back seat to economic needs. It is likely that laws related to women were passed when they reached the legislature, but were not prioritized during this time period.
% of Laws Pertaining to Women's Issues Each Year — Argentina

% of Exec. Orders Pertaining to Women's Issues Each Year — Argentina
Conclusions for Argentina:

Even though Argentina has the highest percentage of female legislators in Latin America, with near gender parity in the Argentine legislature, factors unrelated to descriptive representation, such as the 2001 economic crisis, could diminish the amount of women-centric legislation. In the wake of the economic downturn, Argentine legislators of all genders likely prioritized economic needs and welfare policies over legislation related to women’s issues. When women-centric legislation was able to pass, it could be attributed to the influence of a strong women’s caucus and women’s movement.

2) The Case of Female Representation in Costa Rica

Country Background:

The next case I will focus on is Costa Rica, which also has historically high levels of female participation in the legislature. Costa Rica is regarded as one of the most stable democracies in Latin America, with no long periods of autocratic rule. It is also one of the few nations in the world with no formal military. The strong tradition of democracy allowed women’s rights to move forward in Costa Rica long before neighboring Central American countries even put women’s political and civil rights on the agenda. Costa Rica is a presidential republic with a multi-party electoral system. The president of Costa Rica is elected for a 4-year term. During the period studied for this paper, all presidents of Costa Rica were male. However, Costa Rica elected its first female president, Laura Chinchilla of the National Liberation Party, in 2010.
Women, Politics, and Political Parties:

The Costa Rican Asamblea Legislativa is unicameral, with 57 seats. Members are elected to 4-year terms, with elections taking place in February (CIA World Factbook). Legislators are elected through proportional representation. Following the Costa Rican civil war in 1948, a two-party system developed under the National Liberation Party (PLN), a social democratic party (Booth 2007). Several conservative parties developed as opposition to the PLN, which eventually merged to become the Christian-Social Unity Party (PUSC). However, in the early 2000s the two-party system gave way to a multi-party system as another social democratic group, The Citizens’ Action Party (PAC), gained a foothold in the legislature (Booth 2007).

The left-leaning PLN established itself as the party most favorable to women shortly after women gained the right to vote in 1949. In the first election following the civil war and new constitution, all three of the female legislators elected were backed by the PLN (Saint-Germain 1993). The Costa Rican National Center for the Rights of Women and Families was created under a PLN administration in 1975 to work toward improving the lives of women and to encourage women to organize (Saint-Germain 1993). And in 1978, the PLN created the first intra-party women’s caucus called the Movimiento Femenino. Not only did the caucus push for women to rise in the ranks of the party (for example, nine women were appointed to the PLN national Directorate in the 1980s), but it also may have helped increase the overall number of women in the Costa Rican legislature by encouraging the party to back more female candidates (Saint-Germain 1993). By 1986, seven women had been elected to the legislature (12.3%) — all backed by the PLN (Saint-Germain 1993). In modern times, the PLN is still viewed as a party that is favorable to women. Laura Chinchilla, the first female president of Costa Rica elected in 2010, was a PLN candidate.
Women’s groups in Costa Rica have also traditionally been organized around left-leaning principles. The first modern women’s group, Unión de Mujeres Carmen Lyra, was founded in 1948 and backed by a small left-wing party (the Partido Vanguardia Popular, or PVP). When the PVP collapsed shortly thereafter, the women’s group reorganized into a broader women’s movement called the Asociación de Mujeres Costarricense, which also leaned left-of-center (Saint-Germain 1993). However, there is really no one unified women’s movement in the nation. In fact, by the end of the 80s, there were more than 150 separate women’s groups (Saint-Germain 1993). In practice, this translates to the women’s movement having limited power due to dispersion or organization and lack of communication between different groups (Cabrera 1997).

*History of Women’s Advancement and Legislative Victories:*

In 1916, Costa Rican feminist Angela Acuña pioneered a movement to amend the civil code to allow women to work in more professions. Just a few years later, in October 1923, Acuña founded the Costa Rican Feminist League, which would lay the groundwork for a broader women’s suffrage movement (Fajardo 1997). Yet it would take three decades of struggle for women to gain equal political rights. Like many Latin American women’s movements, the Costa Rican women’s suffrage movement struggled to find grassroots support, and faced obstacles stemming from the nation’s class struggles and “highly Patriarchal Catholic heritage (Sharratt 1997).” Suffragettes were repeatedly likened to children or the insane — two other groups barred from voting in Costa Rica — or directly told that women’s roles were limited to reproduction and homemaking (Fajardo 1997). On May 15, 1943, large public protests in favor of women’s suffrage seemed to be tipping the scales on the issue. However, a bill presented to Congress just
five days later was rejected on the grounds that the left-leaning party was using women’s suffrage for political gain during an election year (Fajardo 1997). It would take five more years and another round of protests before women gained the right to vote in the new 1949 Constitution (Fajardo 1997).

The Family Code of Costa Rica, passed in 1973, stood out early on for being one of the first codes in the world to grant parental authority jointly to both parents and to allow for divorce (OECD). However, men are still designated as “bearing the principle expense of the family,” or being the head of the household (OECD). Additionally, women often face economic discrimination in the wake of divorce and have no legal protections against losses caused by destruction of property or the selling of assets by the male partner (OECD).

In the 1980s, women in Costa Rica began pushing for legal equality in response to low female participation in government and the labor market, income inequality and sexual violence (Montero 1997). Inspired by the UN Convention on the Discrimination of All Forms of Discrimination Against Women, a “Bill for Women’s True Equality” was introduced to the legislature in 1988 (Montero 1997). Immediately, the passage of the bill was doubtful—but rather than be killed entirely, it went through a two-year period of debate and revisions. In the revision process several key provisions were removed, including an electoral quota system, mandatory financing of child-care centers to aid working mothers, and protections for women engaged in legal action regarding sexual abuse cases (Montero 1997). When passage seemed unlikely, President Óscar Arias (a member of the left-leaning PLN) created the Office of the Defender of Women’s Rights within the Ministry of Justice, an important reform in its own right. Through the President’s “Immediate Action Plan,” some demands of the women’s movement were met without action from the legislature, including removing gender bias language from
public school textbooks, making credit available to women, creating programs to train female workers, and extending women’s social security coverage (Montero 1997). After extensive debate, the final version of the bill, Law for the Promotion of Women’s Social Equality, was passed in 1990. Although the final law was less progressive and much less extensive than the original proposal, it was still considered a huge victory for women at a time when many other Central American nations were struggling with war and democratization rather than the plight of women (Montero 1997).

Costa Rica established national gender quotas in 2009, which require 50 percent of candidates to be from each gender (The Quota Project). However, the quotas do not appear to have made drastic changes in the gender composition of the legislature following 2009, most likely because the number of female legislators in Costa Rica was already well above average. According to Inter-Parliamentary Union data, the percentage of female lower-house legislators in Costa Rica grew from 19.3 percent to 38.6 percent in the period between 2000 and 2010 ("Women in Parliaments”). Costa Rica also has gender quotas at the sub-national level, and several political parties have adopted voluntary gender quotas (The Quota Project).

Despite significant legislative gains and a strong presence of women in the legislature, gender inequality still exists in Costa Rica, especially in the form of economic inequality between men and women stemming from society rooted in *machismo* (Montero 1997). Even several political and civil inequalities exist in the modern era. According to Bogliaccini’s index, Costa Rican women had not yet realized full equality as of 2009. Three unequal provisions remained: 1) Women needed the permission of a father or ex-husband to remarry, 2) In labor legislation, women were equated with minors, and 3) Punishment for crimes was diminished if the victim was a woman (Bogliaccini 2009).
Selected Legislative Reforms Between 2000 and 2010:

Similar to Argentina, Costa Rica passed large numbers of “marginal” laws and executive orders during the eleven-year period studied. These included multiple executive orders declaring national interest in things such as the International Day of Women, or in national events related to women’s rights issues. Many of the gender-related laws passed by the legislature were considered marginal because they included generic equality clauses, barring discrimination based on gender but also based on race, ethnicity, etc. Additionally, many laws merely outlined objectives for advancing women rather than actually creating programs, devoting resources, or developing legal provisions to improve the lives of women.

However, while about a third of all laws related to women’s issues were “marginal,” there were still 23 “meaningful” laws. Arguably the most important law passed during this time period was the 2007 Criminalization of Violence Against Women Act. The law was designed to protect the rights of victims of violence, specifically violence stemming from marriage or gender discrimination. Another landmark piece of legislation was Electoral Law 8765, the Costa Rican gender quota law, which passed in 2009 and required 50 percent of nominated candidates to be women in national and sub-national elections. Similarly, there were many meaningful executive orders passed between 2000 and 2010. For example, a series of orders developed the Law Against Sexual Harassment to assist the Attorney General’s office with preventing, investigating and punishing crimes of sexual harassment.

Explaining Legislative changes:

The largest spike in laws related to women’s issues during this time period occurred in 2007 — coinciding with the change in governments and the incoming Arias (PLN)
administration. The percentage of all laws that were related to women remained high for the duration of his administration and the 2010 electoral season in which another PLN candidate, Laura Chinchilla, won the presidency. Between 2006 and 2010 the PLN also held a majority in the Legislative Assembly (Álvarez-Rivera 2014). This spike is intuitive as the PLN has historically been the party most favorable to women. The spike in 2001 also coincides with the lead-up to an election year. Although the Christian-Social Unity Party (PUSC) retained power in both the Legislative Assembly and the presidency following the 2002 elections, it is possible that PUSC was attempting to appeal to women and draw female voters away from voting for PLN candidates. The year-to-year change in the number of executive orders was too small to draw any meaningful conclusions.

![Graph of % of Laws Pertaining to Women's Issues Each Year — Costa Rica](image)
Conclusions for Costa Rica:

In Costa Rica, leftist parties played the largest role in advancing female-centric legislation, rather than descriptive representation of women. Although Costa Rica has one of the highest percentages of female legislators in the region, the percentage of all laws that were related to women’s issues each year did not consistently rise along with the number of female legislators. Rather, the percentage rose and fell with the influence of the left-leaning PLN. Additionally, the amount of female-centric legislation rose leading up to election years, likely because members of all parties were trying to attract female voters.

3) The Case of Female Representation in The Dominican Republic

Country Background and History:

For a case where women’s representation is in the middle of the pack, I will look at the case of the Dominican Republic. Between 2000 and 2001, The Dominican Republic’s percentage
of women in the lower legislature grew from 16.1 to 19.7, which hovers between the regional average for the Americas (which grew from 15.3 to 22.2 percent female) and the world average (which grew from 13.4 and 19.1) during this time period ("Women in Parliaments"). The Dominican Republic is a multi-party presidential system, where presidents are elected to 4-year terms.

Women, Politics, and Political Parties:

The Congreso Nacional is a bicameral legislature. There are 190 members of the House of Representatives, who all serve 4-year terms and are elected through proportional representation. The upper house consists of 32 Senators elected by simple majority vote for 4-year terms (CIA World Factbook). In modern times, congressional seats are usually divided between the three major parties: the center-left Dominican Liberation Party (PLD), the social-democratic Modern Revolutionary Party (PRM), and the right-wing Social Christian Reformist Party (PRSC).

The dictatorship of Trujillo, which began in 1930 following American occupation, profoundly changed Dominican politics by consolidating the multi-party system into a one-party regime under his nationalist Dominican Party (Mayes 2008). Early on, the feminist and suffrage movements were backed by the nationalist Trujillo regime and elite female activists allied themselves with the right-wing Dominican Party (Mayes 2008). Shortly after the establishment of women’s suffrage in 1942, the first female parliamentarians were elected as Dominican Party candidates. It was not until political liberation in the late 1970s that a diversity of opinions began to re-emerge in the women’s movement (Flora 1984). With the reemergence of a multi-party system, the left-leaning Dominican Liberation Party has been the most favorable toward women
and women’s issues, and is the party of many prominent women in Dominican Politics. At present, there is no women’s caucus in the Dominican legislature, according to the Inter-Parliamentary Union (Database on Women’s Caucuses).

History of Women’s Advancement and Legislative Victories:

The history of women in the Dominican Republic cannot be separated from its history of occupation and authoritarianism. Early began feminists to come together during the U.S. occupation lasting from 1916 to 1924 (Mayes 2008). In 1917, Dominican women organized the first National Women’s Congress and founded a national feminist magazine (Mayes 2008). During this time period, U.S. authorities, many of whom believed that hyper-traditional Dominican values were thwarting the nation’s economic and political development, shoved through a series of reforms (Derby 2009). The military government subsequently pushed for legislation that allowed women to manage their own earnings and set up programs to train women for the workforce (Derby 2009). Although changes to the civil and martial codes during this time period helped women to advance, they also placed Dominican women in negative light. Disavowing women’s advancement became synonymous with disavowing Americanization and U.S. imperialism (Derby 2009).

In the period following American occupation, Dominican feminism shifted away from U.S. progressivism and toward the right. In 1930, activists created the Accion Dominicana Femenista (AFD), a women’s group that brought together feminists from several different ideologies, united by upper-class status and non-political goals such as educational reform, city beautification and women’s suffrage (Mayes 2008). At that time, eventual dictator Rafael Trujillo was campaigning as a presidential candidate. During his campaign he embraced
women’s issues and called the AFD his official women’s group, largely because the organization — and the broader Dominican feminist movement — was comprised of white, affluent women (Mayes 2008). According to Mayes, “By 1942, official feminism became a state project that promoted the white supremacist and modernizing vision of Trujillo and elevated the class and color interests of elite white women (Mayes 2008).” Trujillo’s brand of nationalism incorporated elite women, who were viewed as necessary for maintaining a society controlled by the white upper class. Motherhood was venerated, as exemplified by Trujillo’s creation of the National Office to Protect Maternity as well as a prize for women who raised at least eleven children (Mayes 2008). In 1942, the regime granted women the right to vote, which in hindsight can be seen as a strategic political move to bolster domestic support and to make the Trujillo regime appear modern in the eyes of the international community (Mayes 2008). Dominican Congress also reformed the civil code in 1942 to give women equal access to university education, freedom to choose any career, and civil equality for married women (Mayes 2008). However, despite civil and political reform, women had little power in the regime itself or in the eyes of the dictator. Numerous stories exist of Trujillo kidnapping and raping young women, and his mistresses were well known in Dominican society (Derby 2009).

The influence of the elitist AFD remained strong throughout the Trujillo dictatorship, until his assassination in 1960 and continued into the reign of Trujillista politician Joaquín Balaguer until 1978 (Flora 1984). In her article on Socialist Feminism in the region, Flora explains the eventual rise of a leftist women’s movement in the late 1970s:

“While the parties in power mobilized the bourgeois and some working class and peasant women in support of the status quo by emphasizing their traditional roles, Dominican leftist women fought the government side by side with their male leftist comrades.
Concerned with political change and social justice for the poor, these women suffered the same type of imprisonment that the men did (Flora 1984).”

When leftist opposition parties were allowed to form in 1976, women ironically found themselves left out of the new political movement, and ramped up grassroots organization (Flora 1984). In the late seventies, numerous women’s groups began to mobilize against male chauvinism and engage in consciousness-raising among poor Dominican women and the university community (Flora 1984). The strong grassroots movement of women was characterized by “a high degree of organization and social class diversity (Flora 1984).”

The period of democratization following the Balaguer regime was an important time for Dominican women, characterized by numerous piecemeal victories. The nineties were the first time that women’s issues were incorporated into the post-Trujillo era political parties, and that national politicians began to use gender-inclusive language on the campaign trail (Morgan 2008). A 1992 modification of the labor code outlawed workplace discrimination based on sex. In 1995, the Dominican Republic ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, and in 1997 the penal code was amended to criminalize sexual assault and enact longer prison sentences (OECD). The Dominican Republic’s first gender quota law was passed in 1997 and required that candidate lists include at least 25 percent female candidates. In 2000, this was increased to 33 percent. However, the Dominican quota law only applies to the lower house. Furthermore, no political parties have enacted voluntary quota laws (The Quota Project). Another 1997 law established gender quotas for city council elections and national Chamber of Deputies elections (Morgan 2008).

Yet according to Bogliaccini’s index, Dominican women had not yet achieved full equal rights by 2009 as a result of two remaining obstacles: 1) Married women needed permission
from their husband to enter certain careers, and 2) Certain married women’s assets were managed by the husband (Bogliaccini 2009). In modern times, Dominican women continue to protest for equal pay, policies to reduce violence against women, and abortion rights for cases of rape, incest or when the mother’s life is at stake (BBC 2016).

**Selected Legislative Reforms Between 2000 and 2010:**

In the time frame studied, most of the laws related to women emanating from the Dominican Chamber of Deputies were meaningful (16 laws) rather than marginal (3 laws). One of the most influential was a 2000 modification to the nation’s electoral quota law, which increased the percentage of women required on candidate lists from 25 percent to 33 percent. Another important piece of legislation was Ley 88-03, which was passed in 2003 to provide safe houses and shelters for victims of domestic violence.

**Explaining Legislative changes:**

Compared to the other nations studied for this project, the Dominican Republic’s legislature is highly unproductive, passing very few laws in total each year. As a result, the number of laws related to women’s issues was also low (16 between 2000 and 2010). Moreover, the legislature’s unproductivity skewed the percentage of all laws that were related to women’s issues, thereby making the Dominican Republic an outlier in all the regression models. In reality, the seemingly large spike in laws related to women in 2003 resulted from 4 laws being passed (in contrast to one law in the years before and after). Although the spike is most likely arbitrary, it

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2 The scale for this graph is 30 percent rather than 10 percent, as the legislature’s overall unproductivity skewed the percentage of all laws that were related to women’s issues.
could be attributed to effects following the 2002 parliamentary elections, in which the right-leaning Dominican Liberation Party lost their majority in the legislature.

**Conclusions for The Dominican Republic:**

The Dominican Republic presents an interesting case in female representation, stemming from the women’s movement’s historic ties to the extreme, nationalist dictatorship of Trujillo. Additionally, for the purpose of this project, the nation should be considered an outlier because the legislature’s overall unproductivity, i.e. tendency to pass very few laws in a given year, skewed the percentage of all laws that were related to women’s issues.

Nevertheless, the influence of the left-leaning Dominican Revolutionary Party, which has generally been the most favorable toward women and women’s issues in modern times, should not be discounted as a factor in the advancement of female-centric legislation.
4) The Case of Female Representation in Chile

Country Background and History:

Finally, I will look at two countries that have below average female representation in the Legislature, this first being Chile. Despite being one of the most advanced nations in South America, and the only South American member of the Organisation for Economic Co-operation and Development (OECD), Chile continues to lag behind in terms of female legislators.

Chile is a presidential republic with a multi-party electoral system. The president is elected for 4-year terms, which cannot be consecutive. In 2006, Chile elected its first female president, Michele Bachelet of the Socialist Party, who appointed a cabinet that was 50 percent female (Haas 2010). Between her presidential terms in 2006 and 2014, Bachelet served as the first executive director for the United Nations Entity for Gender Equality and the Empowerment of Women.

Women, Politics, and Political Parties:

The Chilean Congreso Nacional is a bicameral legislature, with a senate comprised of 38 members who are elected by proportional representation to 8-years terms, and a Chamber of Deputies comprised of 120 members who are elected through a system of list proportional representation to 4-year terms (CIA World Factbook). Chile has a robust multi-party system: according to Valenzula (1995), “Since the late nineteenth century, Chile has had a multiparty system, with about five or six major parties and many more (up to about twenty-five) smaller ones.” Typically, since 1990, parties have aligned in the legislature to form two dominant coalitions: the left-leaning Concertación, and the right-leaning Coalition for Change.
In a deviation from the norm, Chile’s Conservative party was the first to adopt women’s rights as part of its platform in 1918. As Lavrin explains, “Conservatives had nothing to lose and much to gain by courting women at a period when the emergence of popular elements in national politics seemed inevitable (Lavrin 1998).” The move to attract women was aided by the Catholic Church’s position in support of increasing women’s political rights (Lavrin 1998). It was not until the mid 1920s that the Radical party also called for women’s civil rights. When women were able to vote in local elections in the 1930s, the female vote favored right-wing parties. As a result, the left-leaning parties mobilized against women’s suffrage — a break from the pattern observed in other Latin American countries at the time.

Despite the women’s suffrage movement’s eventual success in Chile, the effort failed to establish strong ties with any particular political party, thereby diminishing the long-term political prospects of the women’s movement as a whole (Pribble 2006). For example, the Aylwin administration created the National Women’s Service (Servicio Nacional de la Mujer, or SERNAM) in 1991, which is part of the cabinet-level Ministry of Planning and Cooperation. Yet because the women’s movement lacked strong ties to a particular party, SERNAM still faced opposition from both the left and right political coalitions. Thus, SERNAM received less funding, fewer staff members than expected, and was placed within another ministry rather than becoming an independent agency (Dosek 2017).

The first women were elected to Chilean Congress before the Pinochet dictatorship — in the final election before the 1973 coup, 14 women were elected to the chamber of deputies (Dosek 2017). However, after the transition to democracy the number of female legislators was slashed in half. Throughout the nineties, the percentage of women in the lower legislature remained below ten percent. The decline in female representatives seems counterintuitive
because the Chilean women’s movement grew and unified during the dictatorship, in part because they shared the common goal of ousting Pinochet and ending the social, political and economic setbacks created by the dictatorship (Franceschet 2005). However, the decline in women’s representation also coincided with the re-strengthening of parties. The parties attempt to control and reorganize the women’s groups that developed and united autonomously resulted in new divisions (Franceschet 2005). Women’s organizations were suddenly dragged down by partisan conflicts that did not exist before and during the dictatorship (Franceschet 2005). In the post transition era, women also disagreed about how much to engage in formal politics and political parties, which could have led to some of the decline in representation. According to Franceschet, “(Some) women believed that party militancy was key, and that there was no problem with participating in the parties as feminists. Yet other women wanted to avoid politics altogether…For these women, formal politics was an arena irrelevant to their daily problems, largely because partisan actors traditionally ignored (the socio-economic problems they experienced as women) (Franceschet 2005).”

Chile is one of the few South American countries with no national gender quota law. There are voluntary quota policies adopted by political parties. The left-leaning Party for Democracy and Socialist Party both have rules stating that neither gender can be represented on the electoral lists by more than 60 percent. However, these voluntary quotas are not strictly enforced (Ríos Tobar 2008, The Quota Project). Scholars have identified political parties as the greatest barrier to women’s representation in Chile (Franceschet 2005). The parties obstruct women by maintaining a culture of “machista” and male-dominance, by refusing to enact or enforce party quota laws, and by monopolizing the electoral process, thereby “undermining any attempts by women who want to participate in the political process independently of partisan
organizations (Franceschet 2005).” Moreover, political parties face little pressure to take on women’s issues as a result of a weak women’s movement and divisions between female legislators (Franceschet 2005).

History of Women’s Advancement and Legislative Victories:

Historically, Chile has lagged behind in women’s rights advancement. In other Latin American nations, cross-class feminist movements began in the late nineteenth century. However, Chile did not develop a middle-class feminist movement until the 1910s, and lower class feminists remained more concerned about economic issues than issues of civil rights (Lavrin 1998). Early movements to reform the civil code in Chile were conservative and restrained — they championed single women’s equality, but retained a male-dominated power structure in marriage (Lavrin 1998). In the 1920s, the conversation surrounding women’s rights began to shift toward equal civil rights and modernity (Lavrin 1998). The mid-1920s proved to be a turning point in the Chilean women’s rights movement. The country’s most prominent feminist group, *Partido Cívico Femenino*, took a stronger position on civil and political rights, conservative women’s groups demanded a “more active role” for women in society, and the Catholic church backed women’s right to work (Lavrin 1998). In 1925, a shallow reform of the civil code was adopted by the January Junta, which allowed women to enter into any career and to have control over their own earnings, provided that their husband did not object (Lavrin 1998). Activists did not consider the 1925 reform sufficient, and a commission formed at the University of Chile law school to make recommendations for further revisions which included separate property rights for husbands and wives, and shared custody (Lavrin 1998). The revisions were sent to Congress following Arturo Alessandria Palma’s return to the presidency,
and with his backing, they passed unanimously in the Chamber of Deputies without a debate (Lavrin 1998).

Similar to the slow-going movement for civil code reform, the women’s suffrage movement in Chile moved at a glacial pace. According to Pernet, the slow pace of the women’s movement can be attributed to two factors 1) Chilean women were not pressed to demand their rights because their economic and social situations were not dire, and 2) the impact of women’s suffrage was frequently called into question by groups ambivalent toward women’s political rights (Pernet 2000). The path to suffrage took multiple stages and a great deal of political maneuvering from parties attempting to lobby female voters or discourage them entirely. Suffrage was first enacted in local elections in 1934 before being expanded to all elections in 1949 (Lopez 2015). In a deviation from the norm, Chilean women voting in municipal elections in 1935 and 1938 were found to be more conservative than their male counterparts, prompting the left-leaning parties to attempt to block women’s suffrage at the national level (Pernet 2000). Chilean women’s final path to suffrage was aided by an international push. Chilean feminists were heavily engaged on the international and Pan-American levels, with involvement in the Inter-American Commission of Women (IACW) and the Women’s International League for Peace and Freedom. When a national women’s suffrage bill was introduced in 1945, these international organizations, as well as women’s groups in the United States, helped to lobby Chilean congress (Pernet 2000). Even still, the bill was buried until it was finally passed three years later (Pernet 2000).

In modern times, the National Women’s Service has helped pass numerous laws and orders promoting gender equality. However, Chilean women have still struggled to achieve full equality. According to Bogliaccini’s index, Chilean women still faced two hurdles to full
equality as of 2009: 1) Certain married women’s assets were managed by the husband and 2) Mothers did not have equal patria potestad, or custody rights, over children (Bogliaccini 2009). Additionally, divorce remained illegal in Chile until 2004. Moreover, the Chilean welfare state benefits men more than women, and continues to reinforce traditional gender roles. Impoverished men are eligible to receive a family allowance if they have a dependent wife; however, women are only eligible for the entitlement if their husbands are disabled (Pribble 2006). Today, the nation is often considered the most conservative society in South America, in part because of the increased salience of the Catholic Church in the post-dictatorship era. According to Blofield and Haas, in post-Pinochet Chile, “both religious and class-based opposition to reform is strong (Blofield 2005).”

Selected Legislative Reforms Between 2000 and 2010:

During this time, Chile passed many more “meaningful” laws than “marginal” laws. By far the most discussed gender-related law passed during the time period studied was Chile’s 2004 divorce law (Ley 19.947), which was viewed as a step away from the Catholic church and the nation’s conservative history. A sexual education law passed in 2010 was also seen as defiant toward the church — Ley 20.418 declared that all Chileans, especially adolescents, have the right to receive unbiased education regarding contraception, pregnancy, STIs and sexual violence. The law also allowed public and private health centers to distribute emergency contraceptives to both adults and teenagers, without the need for parental consent.

Another important advancement for women included Ley 19.874, which was passed in 2003 to facilitate better investigations of sexual assault crimes. During this time period, Chile also began to incorporate gender-equalizing language or initiatives into seemingly unrelated
bills. For example, Ley 20.433, called the law to “Creation of Citizen Community Broadcasting Services,” includes a provision for groups of women to be granted access to community broadcasting in order to promote their “sexual and reproductive rights.”

Although there were only three gender-related executive orders passed during the time period studied, they too accomplished meaningful advancements in the structure of the government. For example, a 2010 order enacted during the presidency of Sebastian Piñera called for the creation of a presidential advisory committee on “Women, Work and Maternity.”

*Explaining Legislative changes:*

During this time, Chile passed many more “meaningful” laws than “marginal” gender-related laws. The large spike in legislation in 2005 coincides with the final year of the Lagos presidency. The increase in gender-related legislation could be seen as an attempt by the center-left administration to court female voters leading up to an election between two female Presidential candidates. Additionally, the progressive Lagos administration was generally favorable toward women throughout his presidency — Lagos directly led to the political rise of Michelle Bachelet. Lagos appointed Bachelet as Minister of Health in 2000, and later as Minister of Defense, making her the first woman to hold this position in any Latin American nation (Ortiz de Zárate 2017). The next gradual rise in laws related to women’s issues occurred during Bachelet’s first presidency (2006-2010).

Additionally, the National Women’s Service (SERNAM) was active throughout the 2000 to 2010 time period. It is possible that the leadership of Cecilia Pérez Díaz, an independent, during the second half of the Lagos administration allowed SERNAM to avoid engaging in
partisan politics, and allowed the service to accomplish more for women. By contrast, Bachelet appointed a Christian Democrat and a Socialist to lead SERNAM during her administration.

There were only three executive orders related to women’s issues that passed during the time period studied. Although this is too small a number to yield many meaningful conclusions, it should be noted that all three were passed during presidential transitions. Michelle Bachelet assumed the presidency in March 2006. Meanwhile one of the executive orders related to women was passed in the last months of the Lagos administration and another passed in the first months of the Bachelet administration. The last of the executive orders related to women’s issues was passed in the first months of the Piñera administration.

% of Laws Pertaining to Women's Issues
Each Year — Chile

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Conclusions for Chile:

In Chile, the strength of leftist parties that make up the left-leaning *Concertación* coalition, and these parties’ willingness to advance women’s issues, played the largest role in passing female-centric legislation. Despite Chile’s history as both an intensely conservative and Catholic nation, the leftist party coalition was still able to advance meaningful legislation for women. The election of Michelle Bachelet, who could be considered a leftist, pro-feminist president, also aided the passage of legislation related to women’s issues. Overall, party politics as well as the ideology and party affiliation of the president played a larger role in advancing women-centric legislation than descriptive representation of women in the legislature.
5) The Case of Female Representation in Uruguay

Country Background and History:

For the final case study, I will look at female representation in Uruguay. Similar to Chile, Uruguay has historically experienced low female representation in the legislature. In 2000, the nation began with 12.1 percent women in the lower house of the legislature, which at the time was hovering just below the world average of 13.4. However, in the eleven-year period studied in this paper, Uruguay’s percentage of female legislators grew to only 15.2, falling even further behind the world average of 19.1 percent women and the regional average of 22.2 percent women in 2010 ("Women in Parliaments"). In the years following the civil-military dictatorship that ended in 1985, Uruguay has been regarded as a stable democracy. The president is directly elected to a 5-year term, and is eligible for more non-consecutive terms. The president appoints the cabinet, but appointments must be approved by the legislature. Uruguay has never had a female president. Gender quota laws were not introduced in Uruguay until after the time period studied for this project (2014), which likely contributes to the nation’s low percentages of women in the legislature. However, Uruguay is an interesting case for analysis of women in government because despite the nation’s low percentage of women in the legislature, it is generally considered a leader in women’s rights in the region.

Women, Politics, and Political Parties:

The Uruguayan Asamblea General is bicameral, consisting of a 31 seat Chamber of Senators and a 99 seat Chamber of Representatives. Members of both houses are elected by proportional representation for 5-year terms (CIA World Factbook). The first women were elected to Uruguayan congress in 1942 — two senators from the Colorado party, one deputy
from the Colorado party and one deputy from the communist party. The election of these women directly led to the end of the feminist battle for civil code reform, as the female representatives introduced much of the civil code reform legislation (Lavrin 1998).

Since the 1970s, Uruguay has had three dominant, stable political parties: The National Party, a right-wing conservative party; the Colorado Party, a party uniting moderate and liberal groups with a traditionally liberal urban base; and The Broad Front, a coalition of center-left parties including Christian Democrats, socialists, and communists. Prior to the 1970s, the National Party and the Colorado Party dominated politics — the Colorados were the center-left party and moved to their present-day position as a center or center right party during the military dictatorship. Female representatives have been elected from all major parties. In his paper on electoral reform in Uruguay, Cason argues that the once-stable three party system has moved toward a stronger voting bloc on the left (Cason 2002).

Despite party differences, female legislators came together in March 2000 to declare the creation of a bicameral women’s caucus, which they named the Bancada Femenina, or “female bench.” The caucus was originally comprised of eight women from the leftist Broad Front, four women from the liberal Colorado Party and three women from the conservative National Party. The momentum of the women’s caucus stemmed from several female MPs who were reelected in 1999 and had already spent a term in Parliament attempting to promote gender issues, but with no success (Johnson 2016). Although this coalition of women did not support the same political ideologies, they agreed that women’s issues ought to be discussed. As one female representative stated, “We were more interested in ensuring the debate took place than the outcome (Johnson 2016).” To ensure the institutional legitimacy of their informal caucus, the Bancada Femenina was instrumental in passing a law to create a Special Committee on Gender and Equity in March
2000 (Johnson 2016). Between 2000 and 2010, the women’s caucus was able to successfully sponsor 29 bills related to gender issues, frequently partnering with male representatives to overcome their minority status in the legislature (Johnson 2016). In a 2008 survey of gender and parliamentary priorities conducted by the Inter-Parliamentary Union, one male parliamentarian in Uruguay wrote, “As a rule, men and women have the same political outlook and priorities. However, women and men politicians attach priority to different topics (women politicians give priority to subjects more closely related to the women themselves)” (Ballington 2008). The influence of the women’s caucus decreased following the 2009 elections, most likely because none of the original founders remain in the legislature (Johnson 2016). Today, women from all major political parties still engage in dialogue regarding how to increase representation of women in the legislature and their influence in political parties (“Young Uruguayan Women”).

*History of Women’s Advancement and Legislative Victories:*

The Uruguayan women’s movement took root in the early 1900s, coinciding with the nation’s early progression of urban development and secularization (Pousadela 2016). As early as 1914, Uruguayan legislators began to challenge the civil code that heavily restricted the rights of married women and women under the age of eighteen (Lavrin 1998). Colorado representative Héctor Miranda put a bill forth in July 1914 calling for the recognition of women’s civil rights, and more importantly for the Colorado party, women’s political rights. However, Miranda’s death in 1915 essentially killed the bill before it was even discussed (Lavrin 1998). But the fight for women’s advancement continued, first with small victories and eventually with sweeping reforms. In 1932, Uruguay became one of the first Latin American nations to allow all women to vote and to stand for election (Lavrin 1998). By the late 1930s Uruguay was home to a feminist
political party as well as a slew of feminist organizations. In December 1938, the legislature approved a bill that reformed the civil code to allow women to enter any career, administer their own incomes, and above all, allow women who were married, widowed or divorced to have full legal capacity. However, the reform largely left married women with severely limited rights (Lavrin 1998).

The first women were elected to congress in 1942, and female deputy Magdalena Antonelli Moreno of the Colorado party introduced the bill that would end married women’s fight for civil equality (Beck 2011, Lavrin 1998). Uruguay succeeded in fulfilling complete equal civil rights for women in 1946 with the passage of Moreno’s law (Ley 10.783). The law reformed the Uruguayan Civil Code to include sweeping gender equality regulations, largely focused on ending restrictions placed on married women — the law was rooted in the feminist opinions of former president Baltasar Brum and the modern idea of democracy within the family (Lavrin 1998). According to Lavrin’s book on women, feminism and social change in the region, “[The 1946 Uruguayan reform] had behind it the finest philosophical argument for female equality before the law was enhanced by the introduction of the concept of democracy. It came closest to fulfilling the hope of early twentieth century feminists.”

The sexual revolution in the 1960s allowed more women to engage in family planning, and therefore led to increased numbers of women in universities and later, increased numbers of women the workforce (Pousadela 2016). During the authoritarian military dictatorship between 1973 and 1985, new women’s organizations were founded, and were closely intertwined with the larger social movement to end state terrorism and human rights abuses (Pousadela 2016). As a result, the women’s movement grew and diversified in the years following the dictatorship
(Pousadela 2016). However, despite the heavy involvement of women’s groups in bringing the return to democracy, no female legislators were elected in the 1984 election.

In modern times, the Uruguayan women’s movement shifted its focus toward issues of gender equality, representation and issues of reproductive rights in the context of human rights (Pousadela 2016). In these areas, the Uruguayans women’s movement has led successful campaigns. In 2009, Uruguay passed a gender quota rule requiring women to appear in at least one in three slots on each candidate list. However, this rule was not implemented nationally until the 2014 elections. There are gender quotas in place for election in some sub-national departments, and one political party, The Socialist Party of Uruguay, has voluntarily adopted a weak gender quota law. According to Bogliaccini’s index, Uruguay is the only case study country that had no unequal rights provisions remaining as of 2009 (Bogliaccini 2009). In 2012 (outside the scope of this research project), Uruguay legalized abortion despite qualms from both left and right-leaning party leaders (Pousadela 2016), thus ending one of the longstanding battles of the women’s caucus.

Selected Legislative Reforms Between 2000 and 2010

Several laws from the 2000 to 2010 period stand out for their meaningful impacts on the lives of Uruguayan women. The first was a domestic violence law passed in 2002 (Ley N. 17.514), which declared the prevention and eradication of domestic violence of public interest. This was followed by another key law (Ley N. 17.707) in 2003, which was backed by the women’s caucus, providing restraining orders in all domestic violence cases. In 2008, the passage of Ley N. 18.426 called for the promotion of national policies on sexual and reproductive health. This entailed ensuring universal access to safe contraception methods,
promoting maternal health and assistance for pregnant women, and much more. Another related law engineered by the women’s caucus gave all women the right to take the day off work for their annual gynecological exams (Castellenos 2006).

Explaining Legislative Changes:

The increases and decreases in legislation pertaining to women’s issues from year to year do not directly coincide with the percentage of women in the legislature. However, most of the gender legislation can be attributed to the dealings of the women’s caucus, which was formed in 2000 and did not experience a decline in activity until 2009. As previously discussed, the percentage of women in Uruguay’s Asamblea General was too small for female representatives to accomplish much on their own during this time, and much of the women’s caucus legislative success can be attributed to their effective coalitions with male members of the legislature and across party lines. However, it should also be noted that with so few women, female legislators still faced pressures to vote with party rather than the women’s caucus, thereby limiting the ability of the caucus to pass large numbers of women-centric legislation (Barnes 2016). The slight increase in the amount of gender legislation in 2007 and 2008 could be attributed to effects of the upcoming 2009 election — several of the original members of the women’s caucus did not run for reelection, and therefore most likely made a final push to introduce women-centric bills.

The slight increase could also be attributed to the Broad Front (Frente Amplio) gaining power in 2005. The coalition of leftist parties, which has a good record of advancing women’s rights, won 16 out of 30 seats in the senate, 52 out of 99 seats in the chamber of deputies, and the presidency (“Elecciones Nacionales”). The administration of Broad Front socialist Tabaré Vázquez helped promote women in government by appointing women to four out of 13 minister
positions during his 2005 to 2010 administration (Green 2012). What is more, the minister appointments placed women at the head of two traditionally male-dominated departments, the ministry of defense and the ministry of the interior.

Conclusions for Uruguay:

In Uruguay, a strong women’s caucus had the biggest influence on female-centric legislation. The women’s caucus can be seen as an extension of the women’s movement as a whole — female legislators of different parties came together to advance a broad agenda of women’s issues. The women’s movement has helped determine the priorities of feminist organizing, and the women’s caucus has helped translate those priorities into meaningful legislative reform. Overall, the willingness of female legislators to work together proved much more important than the percentage of women in the legislature. Furthermore, the Broad Front coalition of leftist parties also supported the advancement of women-centric legislation. As a result, the Uruguayan legislature was able to pass several important laws related to women’s
issues between 2000 and 2010 despite having one of the region’s smallest percentages of women in the legislature.

Chapter Six: Conclusion

Through a combination of quantitative and qualitative data, I find little concrete support that women’s presence in a legislature alone makes a substantial difference for the passage of meaningful legislation related to women’s issues. Often, the success of female representatives in championing female causes depends on what allies or other institutions, if any, they can rely on for support in the government. Case study analysis leads to the conclusion that other mechanisms — largely leftist political parties, well-supported and progressive government agencies focused on women’s affairs, and women’s movements and caucuses — greatly affect the number of laws that are passed surrounding women’s issues. Moreover, the amount of legislation regarding women’s issues may be greatly influenced by a government’s preoccupation with other issues, such as an economic crisis, by partisan gridlock paralyzing the legislature, or by election campaigns attempting to appeal to female voters.

As previously stated, the largest takeaway from individual case study analysis of the effects of female representation is that no cross-country generalization is possible — the number of laws and executive orders related to women’s issues depends very much on the context of each country during the given year. In Argentina, the nation with the highest female representation, the early adoption of quota laws and the cross-party alliance of women have allowed women to enter the legislature and subsequently work toward advancing women’s rights. However, even with near gender parity in the Argentine legislature, factors unrelated to descriptive representation, such as an economic crisis, could hinder legislation related to
women’s issues, or prompt an increase in easier-to-pass marginal laws. Meanwhile in Uruguay, the nation with the lowest percentage of women in the legislature, a strong women’s caucus and support from the Frente Amplio, a leftist party that consistently pushed for women’s rights, allows women to pass gender-focused laws that are meaningful despite a lack of descriptive representation for women. In Costa Rica and Chile, party politics and the strength of the social democratic, leftist party arguably played the largest role in the advancement of women’s issues. Additionally, as seen in the case of Chile, a pro-feminist female leader most likely led to the increase in laws related to women’s issues. Finally, in the case of the Dominican Republic, an unproductive legislature hinders all political productivity — not just legislation related to women’s issues. Aside from an unproductive legislature, the lack of a women’s caucus may also encumber female legislators’ ability to pass legislation related to women’s issues. Clearly, there is no one mechanism that impacts the amount of legislation passed related to women’s issues. And conversely, simply electing female representatives does not automatically bolster the amount of pro-female laws that are passed. Ultimately, descriptive representation may not be vital for advancing women’s interests through legislation.

Future Research

Considering the lack of data on legislation proposed by female legislators, or on legislation proposed but not passed by the legislature, I cannot prove the following speculations with empirical data. Even still, I speculate that having more women in Latin American legislatures does increase the extent to which women’s issues are brought up or discussed, and that despite the minimal impacts of descriptive representation, there are still links between descriptive and substantive representation.
It is possible that women in legislatures do act as substantive representatives for women, and put pressure on other legislators for more activity surrounding women’s rights and gender equality. However, without a large enough mass of female legislators, most proposals for reform or progress regarding women’s issues do not pass or even receive a vote. What female legislators are able to propose and pass is less significant, symbolic legislation pertaining to women. More in-depth research is needed to determine if female legislators are in fact engaging in “critical acts,” even if their acts are unsuccessful. Further research could be conducted to determine the number of bills that female legislators introduce related to women’s issues, and the number of pro-women bills that fail before reaching a vote. Additionally, further qualitative research could be done to determine the extent to which female legislators feel marginalized within the legislature, or feel they must shy away from focusing their legislative aims solely on women’s issues, as well as the extent to which they feel compelled to substantively represent other women. Overall, more research is required to determine a firm link between descriptive and substantive representation in Latin America.
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