

Feminist Agendas
—
and Democracy
—
in Latin America

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ciones—una década de evolución,” *Latinobarómetro*, Santiago, www.latino-barometro.org.

- 17 Pepe Auth, an analyst linked to the left wing of the Concertación, predicted six months in advance that the coalition would obtain more than 50 percent of the votes in the parliamentary election and a landslide victory over the opposition in the presidential race (Auth 2005).
- 18 By December 2003, for example, 14 percent of those interviewed by Centro de Estudios Públicos (CEP) and registered to vote declared that they would want Bachelet to be the next president of Chile (www.cepchile.cl). She was the first-ranked political leader in the Concertación by far, followed by Soledad Alvear with 10 percent, and the ex-presidents Lagos and Frei with 4 percent and 3 percent, respectively.
- 19 The day after her election, on January 16, 2006, *La nación* (the national newspaper linked to the Concertación) included an article entitled “When Everyone Thought the Concertación Dead, Bachelet Reinvented It.”
- 20 In a survey conducted in April 2006, 88.5 percent of those asked believed that “women contributed a different perspective that was necessary in politics” (SERNAM 2006). There were no significant statistical differences in the responses of women and men.
- 21 This applied to the extreme left wing in particular.
- 22 Lagos received only 45.3 percent of the female vote, while Bachelet obtained 53.5 percent. This difference is even more significant if we consider that more women than men voted in the election and that various studies demonstrate that women are less likely to annul their ballots or abstain from voting. More than one hundred thousand female voters that had supported other candidates in the first round supported Bachelet in the second, as did most of those who had originally voted for the candidate of the alternative left, Tomás Hirsh.
- 23 After Bachelet’s triumph in the second round of voting, thousands of people poured into the streets to celebrate, including many women wearing presidential banners sold in the street to show that the election of Bachelet meant a triumph for all women.
- 24 Unfortunately, after a first year in office, the president conducted a major cabinet change in which four ministers were replaced, including two female ministers then substituted by two older politicians who clearly identified with the more traditional wing of the Concertación.
- 25 This information is derived from phone interviews conducted in June 2006 by FLACSO, Universidad de Chile, and coordinated by the author.
- 26 See the first and second annual presidential addresses to Congress, May 21, 2006, and May 21, 2007 (www.presidencia.cl).

Gender Quotas, Candidate Selection, and Electoral Campaigns

COMPARING ARGENTINA AND BRAZIL

Jutta Marx, Jutta Borner, and Mariana Caminotti

During the 1990s a rising tide of demands and negotiations led, if in part temporarily, to the adoption of gender quotas for legislative candidates in twelve countries in Latin America.¹ In response to the persistence of male domination in politics and the consequent underrepresentation of women, quotas constitute affirmative action measures aimed at overcoming the obstacles women face to the full exercise of their right to hold legislative office, which can be attributed to discrimination against them within political parties and to their cultural and social subordination (Archenti 2002:31). Arguments in favor of quotas are based on a demand for justice, as women comprise more than half of the populations of these countries. But they are also defended on the grounds that giving women access to decision-making bodies will put new issues on the agenda and include questions of specific interest to women (e.g., Valdés et al. 2004:21; Franceschet 2006).

The implementation of these measures has increased the number of women in national legislatures. In 1990 the average percentage of women in lower houses (or in single-house legislatures) in Latin America was less than 9 percent (Barreiro, López, and Soto 2004). Today women occupy nearly 20 percent of the seats, and they hold 14 percent of the seats in the upper houses (authors’ calculation based on data from the Inter-parliamentary Union).

However, the success of quota laws varies significantly from country to country. According to the academic literature, the effectiveness of gender-

quota laws depends on the characteristics of the electoral systems, on the precise wording of the affirmative action laws, and on the existence of penalties for those parties that fail to comply with their legal obligations. From this perspective, various studies suggest that proportional representation systems prove more favorable than mixed or majority (single-member district) systems (e.g., Barreiro, López, and Soto 2004; Jones and Navia 1999; Matland 2004; Rule 1994) and that closed lists (where the party decides who will serve in the legislature by the order in which the candidates appear on the list) are more effective than open lists.² Closed-list systems will prove most effective if the legislation requires placement of women candidates in “winnable” positions, for example, one woman for every two men, to reach the 30 percent quota. This cannot be required in open-list systems.

This essay looks at the experiences of Argentina—a pioneer in the adoption of a legally binding female quota, considered successful internationally—and Brazil, where the achievements have been more modest to date. We begin by summarizing the relevant characteristics of the political institutions and the electoral systems of each country, noting a number of key differences in the quota laws adopted in each case. We compare the success each has had when measured by the number of women elected (although there can be other measures of success). To evaluate how quotas work in practice and how they affect candidate selection by political parties in each country, we compare candidate selection processes in both cases, drawing on interviews we conducted in 2005 with a quarter of the national female legislators in Argentina and Brazil, from across the political spectrum.³ Finally, we look at some of the conditions under which the women we interviewed carried out their electoral campaigns in each country.

Political Institutions and Electoral Systems in Argentina and Brazil ¶

Argentina and Brazil are both federal countries with bicameral legislatures. The Argentine Chamber of Deputies has 257 members elected from 24 electoral districts by means of a closed-list, proportional-representation (PR) system. National deputies serve a four-year term, but elections are staggered so that half of the Chamber is elected every two years. The Senate has 72 legislators, 3 from each district, elected by a system ensuring that the party that wins the majority of votes will have two representatives, and the one that

comes in second will have one. Senators serve a six-year term, and every two years a third of the Senate seats come up for election.

The Federal Chamber of Deputies in Brazil has 513 members, elected for four-year terms from 27 districts by means of an open-list, PR system. Under this system, each party or coalition presents a list of candidates in no hierarchical order. Citizens can decide to vote for a party or a coalition by voting the list as a whole (party vote), or they can vote for individual candidates (preferential vote), which is much more widely used in practice. The total of party and preferential votes determines the number of seats a party or coalition will receive, but who serves is decided on the basis of the preferential vote, so that those who receive the most votes as individuals are elected to fill the seats the party or coalition has won (Nohlen 1998).

The Brazilian Senate has 81 legislators, 3 from each district, elected by a majority system for an eight-year term. As Brazil has adopted gender quotas only for elections that are decided by proportional representation, quotas do not apply to senatorial races.

The Origins and Characteristics of the Argentine Ley de Cupo Femenino ¶

In Argentina, the approval of the Ley de Cupo Femenino (Gender-Quota Law) in 1991 was the culmination of a collective effort by women in political parties, who received the support of some sectors of the feminist movement. During the last few years of the military dictatorship, from 1976 to 1983, women's groups had played very visible roles in the resistance to military rule, particularly the Mothers and Grandmothers of the Plaza de Mayo. Their involvement in the electoral campaign of 1983 contrasted sharply with the low levels of female representation in executive and legislative decision-making positions under the new democratic government. As a result, women activists from the major political parties began to organize and lobby for the adoption of affirmative action measures that would ensure greater female political representation in Congress. This campaign took place in a positive environment, with support offered by international organizations (especially the United Nations [UN]), by the debates occurring in different forums, and by exchanges between Argentine women politicians and women members of European political parties who had experience with gender quotas.

Inspired by European examples, Argentine women politicians initially

suggested that parties should adopt voluntary quotas. However, the unwillingness of the major parties to act made it clear that this strategy would fail. In November 1989, two draft laws were drawn up calling for mandatory quotas, one in each house of Congress, proposing that the National Electoral Law require all parties to include more women on their lists of candidates for the national legislature.

On November 29, 1991, after an intense period of lobbying on the part of women from various parties (who had agreed to unite behind whichever proposal seemed to be advancing most rapidly), with the support of women's organizations and with the decisive intervention of President Carlos Menem, the Senate approved Law 24.012, based on a proposal put forward by Senator Margarita Malharro de Torres of the UCR (Radical Civic Union). As a result, Article 60 of the Electoral Law was reformed to read: "The lists of candidates presented must contain at least 30 percent women and in proportions that will give them the possibility of election. No list will be accepted officially that does not meet these requirements." On March 8, 1993, in response to the concern of women politicians that the rule might be manipulated in ways that would distort its intent, National Executive Decree #379 was issued, specifying that the figure of 30 percent should be interpreted as a minimum (and not an upper limit) to the number of women nominated, that is, at least one woman for every two men on the list. If the party were nominating only two candidates, one had to be a woman.

In the elections held that year, many parties presented lists with 30 percent women candidates but failed to place women high enough on the lists to ensure a real chance of election for at least some of them. Faced with this situation, women politicians, regardless of party affiliation, united to address the issue. Appeals to the courts resulted in a series of contradictory rulings. These were resolved in 1999 by a decision of the Inter-American Commission on Human Rights (IACHR) to mediate on behalf of María Teresa Merciadri de Morini, a member of the moderate (despite its name) UCR (Lázaro and Fraquelli 2003:9; see also Kohen, this volume).

On December 28, 2000, President Fernando De la Rúa (from the centrist UCR-FREPASO Alliance) issued a new regulatory decree (#1246), which is still in force. It stipulates that the electoral quota for women applies to all races for deputies, senators, and National Constituent Assemblies (in the event that they are held) and that the 30 percent quota is a minimum number. A party will be viewed as in compliance with the quota law when women

account for a third of those nominated for seats held by a party that are up for reelection in a given year, taking into account the number of seats formerly held by the party and not the number of candidates the party is currently putting up for election in the district as a whole. A detailed set of instructions specifies how the female quota should be interpreted in ambiguous cases.

The new decree made it clear that there would be sanctions against parties whose lists failed to comply with the law. If an electoral judge thought any of the women candidates had been placed too far down the list, the party would have forty-eight hours to remedy the situation. If the party failed to do so, the Electoral Tribunal itself would decide the female candidate's placement. Once in force, Decree 1246 greatly reduced the likelihood of a political party's noncompliance with the quota law.

Since the quota law first went into effect, there has been a sustained increase in the number of women elected to the national Congress. In 1993 the percentage of women in the lower house increased from 4.3 percent to 13.6 percent, but by 2005 it had increased to 35.8 percent.⁴ All seats were up for election in the upper chamber in 2001, the first direct election of senators under the gender quota law.⁵ The number of women senators increased dramatically from 5.8 percent in 1998 to 37.1 percent in 2001. In the legislative elections of 2003, the number of women senators increased to 43.7 percent, settling at 42.3 percent in 2005.

The Brazilian Quota Law ¶

In contrast to the Argentine case, the Brazilian law was not adopted in response to a collective effort by women in political parties, nor did it involve alliances between women legislators and sectors of the women's movement.

In 1995, the initiative to establish a minimum quota for women candidates was set in motion by then Federal Deputy Marta Suplicy (of the Workers' Party, PT) after she took part in a meeting of Latin American women legislators in São Paulo as part of the preparations for the Fourth UN Conference on Women to be held in Beijing later that year. At that meeting, the Argentine gender quota law was discussed alongside examples of gender quotas adopted elsewhere (Htun and Jones 2002). The draft law proposed by Suplicy (#783/95) was endorsed by more than twenty women legislators from different political parties during a discussion of the legislation for the municipal

TABLE 1. Participation of Women in the Argentine National Congress

CHAMBER OF DEPUTIES		SENATE	
Legislative Session	% Women*	Legislative Session**	% Women*
1983-1985	4.3	1983-1986	6.3
1985-1987	4.3	1986-1989	6.3
1987-1989	4.7	1989-1992	8.3
1989-1991	6.3	1992-1995	4.2
1991-1993	5.4	1995-1998	5.7
		1998-2001	5.8
<i>With the quota law in full force</i>			
1993-1995	13.6		
1995-1997	27.2		
1997-1999	28.4		
1999-2001	27.2		
2001-2003	29.2	2001-2003	37.1
2003-2005	33.9	2003-2005	43.7
2005-2007	35.8	2005-2007	42.3

Source: Table constructed by authors based on the Dirección de Información Parlamentaria del Congreso de la Nación.

* At the beginning of each legislative session.

** Until 2001 Senate terms were for three years; after 2001, terms were set at two years.

elections of 1996. In September an amendment to the draft electoral law, then under discussion, was put forward by Deputies Suplicy and Paulo Bernardo, who proposed a minimum quota of 30 percent women for the lists of candidates (Araújo 1999:5).

Recognizing that the Brazilian electoral system would make it difficult to enforce a quota, and that the dynamics of electoral competition worked against women, the Suplicy/Bernardo proposal included additional measures to support women candidates. These included specifying that the sex of the candidate be identified on candidate lists (as candidates often use nicknames that are not gender-specific); the need for television ads and campaign information to let the public know about the new gender quota law; and funds set aside to support women candidates (Araújo 1999). Despite these efforts, the law approved on September 29, 1995 (#9.100) included only two requirements: that "each party or coalition may present candidates for the Municipal Chambers equal to 120 percent of the number of seats up for

election" (Article 11); and that a minimum of 20 percent of those candidates must be women (paragraph 3).

The law not only failed to incorporate the additional measures intended to compensate for the disadvantages faced by women candidates, it also reduced the gender quota to 20 percent from the original 30 percent suggested. In addition, it allowed parties and coalitions to put forward candidates for 120 percent of the vacancies in the Chamber, not for 100 percent as had formerly been the case. This made it easier for parties to evade the quota requirement and helps explain why gender quotas have had such a modest impact in Brazil. As Suplicy herself recognized, "the law that was passed weakened the chance that the quota would make the parties invest more in the campaigns of women candidates" (see Araújo 1999:116).

The proposal "was manipulated to increase the number of candidates" (qtd. in Araújo 1999:116). As a former legislator, Eva Blay, observed, "the Quota Law passed in the Federal Chamber, after tough negotiations with male politicians, resulted in a serious distortion. To compensate for the 20 percent quota for women, the political parties demanded an increase in the total number of candidates who could be presented" (qtd. in Miguel 2004:59).

Although the initiative had the support of the cross-party women's coalition (*bancada feminina*) in Congress, and though some nongovernmental organizations participated in the public hearings held in the Chamber of Deputies and the Senate, the women's movement did not mobilize around the idea of gender quotas. As Clara Araújo (1999) has pointed out, the issue of gender quotas came up in the June 1995 preparatory meeting for the Beijing conference, which had been organized by the Association of Brazilian Women's Groups (Articulação de Mulheres Brasileiras), but the final document did not even mention quotas. In Blay's view, the lack of a broader debate in society and in the women's movement as the legislation was being drafted reduced the impact of the first quota law. "Unlike issues such as abortion, family planning, violence against women, which were and are still widely discussed in society, in state assemblies and the federal Chamber, the question of quotas was basically restricted to the legislature" (Blay 2002:59-60).

In 1997, a year after the first elections held under the new quota law for municipal elections, a new electoral law (#9.540) was passed. Article 10 allows each party to "nominate candidates for up to 150 percent of all vacant seats in elections for the Chamber of Deputies, the Legislative Chamber, Legislative Assemblies, and Municipal Chamber," adding for clarification (in

paragraph 3) that “of the number of candidates on the list of each party or coalition, a minimum of one third and a maximum of seventy percent must be reserved for candidates of each sex.” In practice, however, the fact that parties “reserve” a certain number of places does not necessarily mean that candidates must be nominated for all the reserved places on party lists.

The current law differs in two important respects from the previous one. Now there is no minimum quota for women, but instead minimum and maximum quotas for candidates of each sex. Although there is no consensus about the effects of “feminine” quotas versus this more “neutral” formulation, the first seems to indicate a clearer desire to redress structural gender imbalances (see Marx, Borner, and Caminotti 2007:302). The new law also extends the quota to include all elections carried out under proportional-representation rules, not just municipal elections. This includes elections to the federal Chamber of Deputies, but not to the Senate. But because parties are now allowed to run candidates for 150 percent of the vacant seats, they have a lot of room to maneuver. As Mala Htun points out, increasing the number of candidates a party or coalition can put forward works as an “escape clause” for parties in Brazil. For example, if a district has ten representatives in the federal Chamber of Deputies, each party can put forward fifteen candidates for those seats. In this case, the quota law would require that each party reserve no fewer than four of those places for either male or female candidates. But if the party does not want to nominate any women, it can put 11 male candidates on the actual ballot without breaking the law (Htun 2003a). In fact, the great majority of parties do not present lists with the maximum number of possible candidates for which they have “reserved” spaces (Samuels 2004), suggesting that most will be easily able to evade the requirement.

For these reasons gender quota laws in Brazil have produced very different results from the Ley de Cupo in Argentina. In 1998, the first year the federal law was in effect, the percentage of women elected to the Chamber of Deputies actually *fell* to 5.4 percent, compared with 6.2 percent in the election held before quotas were imposed. Women made up 8.2 percent of the lower chamber in 2002, but women continue to hold a much smaller percentage of seats in the Brazilian Congress compared to their counterparts in Argentina, and at a level dramatically lower than the minimum percentages (25 percent and 30 percent, respectively) anticipated by the gender quota laws. Thus the Brazilian quota law has features that actually diminish the chances

TABLE 2 Candidates and Elected Legislators for the Brazilian Chamber of Deputies, by Sex (1994–2002)

	1994 (Without a quota)			1998 (Minimum quota = 25%)			2002 (Minimum quota = 30%)		
	Total No.	Women No.	Women %	Total No.	Women No.	Women %	Total No.	Women No.	Women %
CANDIDATES	2,968	184	6.2	3,451	359	10.4	4,210	480	11.4
ELECTED	513	32	6.2	513	29	5.7	513	42	8.2

Source: Based on Luis Felipe Miguel, “Participação eleitoral e gênero no Brasil: As cotas para mulheres e seu impacto,” paper presented at II Congreso Latinoamericano de Ciencia Política (ALACIP), Mexico City, October 2004.

of women’s election. There have been two elections since the law passed, but the percentage of women in the Congress remains low.

The evidence presented so far suggests that the electoral laws of Argentina and Brazil differ substantially in terms of the opportunities they offer to women running for national office. The Argentine system of closed party lists, the placement-mandate requirements of the quota law, and the sanctions provided by its regulatory decree make it possible to elect the number of women anticipated by the law. In contrast, the open-list system in Brazil and the fact that parties are allowed to apply the quota to the number of candidacies they reserve, and not to those they in fact put on the ballot, make it unlikely that parties will significantly change their behavior. The results in terms of the number of women elected to the national legislature in Brazil bear this out.

Women’s Exclusion from the Candidate Selection Processes in Argentina and Brazil ¶

In addition to nominating candidates, parties play a key role in political recruitment. Together, these processes shape the electoral choices available to citizens and set the conditions for those who wish to compete for political office. The selection process determines who will be able to get onto the party lists and therefore have a chance of being elected (Norris 1997).

In both Brazil and Argentina, only political parties and coalitions have the right to put forward candidates for national legislative posts. Parties make

these decisions at the district level (state or provincial), and districts are the starting point for those who wish to begin a political career (Samuels 2004; Ames 2002; Jones 2004). In Argentina, candidacies for the national legislatures are decided at the provincial level and, in practice, each party employs its own selection process ranging from internal elections (primaries) to party conventions or—very often—closed-door negotiations among party leaders. In Brazil, parties can decide how they will select candidates (Law 9.096/95). Most hold party conventions at the state level, and the participants include delegates chosen in local conventions, sitting senators and deputies, and state party leaders.⁶ In practice, the conventions usually ratify the candidates agreed on earlier in negotiations among party leaders (Mainwaring 1999).

In the process of candidate selection, the aspirants' record in party organizations is usually highly valued (Gallagher and Marsh 1988). Formal qualifications, a history of involvement in the party, previous legislative experience, political connections, and name recognition are generally seen as factors that can make a candidate more attractive, although the importance of each factor may differ depending on the country and context (Gallagher and Marsh 1988; Matland 2004).

It is not surprising that—according to the data available for Argentina (2003–5) and Brazil (2003–7)—women parliamentarians in both countries generally have high levels of education and substantial political experience (Marx, Borner, and Caminotti 2007). Almost all the women legislators we interviewed had held legislative, executive, or party office prior to winning a seat in the national Congress. Nevertheless, there are different patterns in each country that are worth noting.

According to our interviewees, the parties constitute the main avenues to political office in Argentina. Argentine parties, like the Justicialist (Peronist) Party, which used to be considered the most important mass party in Latin America (Abal Medina, Suárez Caro, and Nejamkis 2003), and the UCR, which won the presidency in the first election after the democratic transition in 1983, were formed many decades ago, and they have long served as arenas of political socialization.

In Brazil, by contrast, women legislators often developed their participation and leadership skills outside the parties—in social movements, collective associations, and labor unions, a generalization that held even when a legislator had a long history of political affiliation. This is explained by the fact that at least until the rise of the Workers' Party (PT) in the 1980s, politi-

cal parties in Brazil had the reputation of being “weak, lacking in coherence, and institutionally fluid” (Araújo 2004:17), with shallow roots in society. Some of the Brazilian women legislators we interviewed had entered politics as wives of governors and municipal mayors. But for women in the PT and other parties on the left, participation in collective movements offered an important path to formal political participation. For others, particularly those in parties such as the Partido del Frente Liberal (PFL) and the Partido Progresista (PP) on the right, marriage ties were seen as an important means of entry into formal political life.

When we asked Argentine and Brazilian women legislators to speculate about the criteria they thought had motivated their parties to adopt them as candidates, most said that their political experiences in the broadest sense played an important role, suggesting that the selection of women candidates follows an electoral logic similar to that for men. However, what women legislators in both countries said about their experiences suggests that, in practice, there are still many barriers to gender equality. The findings from our interviews are compatible with those of several previous studies (De Luca, Jones, and Tula 2002; Mainwaring 1999; Samuels 2004).

Whatever the different institutional and legal arrangements, and taking into account the practices peculiar to each party, the selection of candidates for high offices is carried out primarily on the basis of decisions made by party elites, usually men. Women legislators frequently reported that they were *invited* to run by the presidents of their party at the state level (usually the governor of the state), by municipal mayors, or by officers and leaders of factions or groups within their party. A close relationship or friendship with party leaders usually made it much more likely that a woman would be chosen to run for office.

Although these mechanisms of recruitment potentially affect aspiring candidates of both sexes, they can be especially problematic for women because their participation in party decision-making circles is generally quite limited. Various women we interviewed put it clearly. To quote one Argentine legislator: “The lists are put together behind closed doors, and men who have a lot of power in the party make the final decision as to who will be a candidate” (A15, P1).⁷ Or, as a Brazilian legislator observes, “The ones who decide are the men. Women work and canvass for votes. This is what really happens. And the women are very grateful when they are asked to participate in the process” (B3, PSDB). The predominantly male-dominated process of

decision making inside the parties does not necessarily imply a deliberate exclusion of women from the electoral process, but it obviously works in ways that discourage greater gender equity in politics. Our interviews show that these views—that men continue to dominate the political process despite increased representation for women—are widely held and point to the importance of candidate selection to explain why quota laws do not necessarily produce the results expected of them.

Views of the Ley de Cupo among Argentine Women Legislators ¶

In Argentina, all the parties have complied with the quota law. The fact that gender quotas are seen as a matter of justice itself marks a considerable success. Nevertheless, given how long it has been since the law came into force, it would be reasonable to expect that women would be fully integrated into the processes of candidate selection. Yet this is not the case.

Although the legitimacy of the law is no longer an issue, conflicts between party women and their male counterparts persist. Some Argentine women have recently played important electoral roles,⁸ but in general the parties tend to view female candidates solely in terms of their gender and not as individuals with particular experiences and capabilities. As one Argentine legislator put it, "In general, the men say, 'this place is for a woman—who shall we nominate?' This is what happens in all the parties" (A3, PJ). Others noted that men see the gender quota as a complicating factor in the often difficult negotiations within and among parties. When a party wants to negotiate a list or enter into an electoral alliance, the tacit but frequently followed rule is that the minority party or group has to nominate a woman: "The one who loses pays with a woman" (A11, UCR). Legislators felt that when "someone has to be taken off a list, the one who is almost always sacrificed is a woman" (A28, PJ).

That women have gained so little power in the selection process after a decade and a half of the quota law raises the question of whether the law is working as intended. Various women legislators felt that the *cupo femenino* was sometimes manipulated to position women who could increase the power of certain male party leaders. Their appraisals seem to confirm that such personalist criteria increase the dependence of women politicians

on male party leaders and make collective action and cooperation among female politicians more difficult (Matland 2004). As one of our interviewees described it, "The impact of the quota law, in the case [of my party] has not generated a women's movement. The men used the quota to give places to some women who were very competent and some who were not, but no group of women legislators can claim any degree of autonomy" (A11, UCR). The apparent absence of concerted efforts to promote the participation of women candidates in any way beyond the strict letter of the law means that women candidates frequently end up competing against each other.

Several legislators felt the minimum quota for women candidates had become a maximum, narrowing their political opportunities and creating competition among potential women candidates. "It is certainly true that the spaces that the men give us are so limited that we end up competing among ourselves, and sometimes this competition may become disloyal, as we think that either another woman will have my space or that I will have hers. This is due to the fact that men give us so little room in a party structure which is still quite *machista*. This is not true just in our party, but in all parties" (A14, UCR).

The career paths and the capabilities of Argentine women politicians often are not sufficient to guarantee that they will be seen as men's equals in the political arena, although they deeply desire to be recognized for their own merits and are often ambivalent about gaining office through an affirmative action law. Quotas can be seen as discriminatory when they single out women as members of a disadvantaged group who have been given special rights, rather than as individuals with their own ideas and skills. This ambivalence may help explain why women legislators tend to regard the quota law as more of a necessary evil than a matter of justice achieved.

Despite these problems, however, the majority of women legislators we interviewed saw the quota law as helpful to becoming candidates and gaining a position within the party in their own case, and they recognized the value of the law for women candidates in general. In their view, the quota law made it possible for many capable women to gain political office who would not otherwise have been elected, and they admitted, as one of them put it, that "if the law were repealed, we would go back to where we were before" (A17, UCR). These women continue to support the law as a means of improving the quality of political and institutional life in Argentina.

Views of the Quota Law among Brazilian Women Legislators 4

In Brazil the implementation of gender quotas has been weakened by a number of adverse factors that hobbled their effectiveness. Since the quota law came into effect, not a single party has respected the legal quotas for women candidates in any election. This is largely due to the specifics of the law itself, as well as to Brazil's electoral system.

Open lists and the individualized nature of Brazilian electoral campaigns explain why several Brazilian women legislators thought that what is significant for potential women candidates in Brazil is not the nomination itself, as is true in Argentina, but having the resources needed to carry out a successful campaign. This makes Brazilian women legislators less worried about the parties' failure to follow the legal requirements for gender quotas and more focused on how to confront the barriers women have to overcome to run successful political campaigns.

This situation is aggravated by the fact that our interviewees felt that no political party in Brazil saw promoting women candidates as a priority. When the time comes to decide who will run, parties almost always choose someone with prior visibility, rather than being concerned about promoting women's leadership. "I don't see any discussion of qualifications. They take people who already have a good record as candidates, and the rest are chosen just to make up the numbers. I am upset that they don't organize the women, because there is no incentive for the woman to decide to run," as one deputy put it (B4, PT).

The difficult context in which gender quotas have been introduced in Brazil makes it hard to mount initiatives to ensure the quota law's enforcement. Judicial permissiveness has weakened its implementation, a major factor in the loss of momentum: "When the parties do not comply, they are not punished; they only have to convince the tribunal that there weren't enough women to fill the 30 percent quota called for by the law" (B2, PC do B). The general perception is that "the law has not been respected." Although some have pushed hard to get women candidates on party lists and to organize training activities for women candidates, most of those we interviewed agreed that they have given up trying to put pressure on their parties to act: "There is no point; there aren't enough women to fill the 30 percent quota" (B6, PSDB).

Personal ambition and the availability of opportunities are generally considered critical issues to someone who is considering running for office (Matland 2004). Potential candidates go through a process of assessing how much public support they will have and how likely it is that they can raise the necessary money for a campaign. Almost all the Brazilian women legislators we interviewed thought that the lack of women candidates was due to the fact that "they don't see any possibilities; they don't put themselves forward because they don't have the support of the party or any financial support from anyone" (B11, PTB).

As a result, fewer than half of the deputies we interviewed thought that the quota law had been important for their candidacy. If the quota law played any role, they believed, it was in terms of some additional help, but not decisive support. Like their Argentine counterparts, the Brazilian women thought that although the law had not been effective for them, it was still important for women candidates as a group. "The system of quotas is important in every party. It hasn't been given priority, but it is significant because it does make it possible for women to compete in the electoral process" (B10, PT).

Women legislators in Brazil think that the gender quota laws have not provided relevant incentives for the systematic incorporation of women. Furthermore, they are aware that the law has created resistance among party leaders. In the words of one deputy, quotas are a nuisance for party leaders, and "if the quota didn't exist, they wouldn't have to worry about looking for women to fill it" (B5, PFL).

Although most of those interviewed felt that their candidacy was due principally to their own efforts and political capital, some said they had been talked into running by particular leaders to fill the quota. In this regard, it is interesting to see how situations that seem similar acquire different significance in the context of the contrasting electoral dynamics in Argentina and Brazil. In Argentina, being placed on a list of candidates so that a party can comply with the *Ley de Cupo* is clearly connected to the likelihood of being elected, depending on how well the party does, as women are put in winnable positions on party lists. In Brazil, however, being included on a party list is likely to be an invitation to work on a campaign that will end up gaining votes for other candidates; it does not imply a real chance of being elected.

Given that the purpose of gender quotas is to address gender inequality in political decision making and to facilitate the systematic access of women to representative institutions, the fact that male party leaders choose women

simply to fill the electoral quota, without any additional efforts to reinforce women's leadership or to nurture women in leadership positions, seems to take us back to the situation that existed before these laws were passed. It is ironic that in Brazil women achieved greater participation in the Senate, where gender quotas do not apply, than in the Chamber of Deputies, where they do. Gender quotas in Brazil are largely symbolic, intended to draw attention to the low numbers of women in the national legislature rather than remedy the situation.

It is thus important to continue to work on the issue of women's political representation. In addition to the measures mentioned earlier, many other bill proposals suggested that parties should reserve 30 percent of party funds, and a similar percentage of campaign funds, to support women's campaigns. A similar percentage of the party's TV and radio advertising should also support women's campaigns. Other suggestions include the public financing of political campaigns and the introduction of closed party lists, the latter as part of a general proposal for political reform.

Electoral Campaigns ¶

In both Argentina and Brazil, women legislators agree that women candidates receive very limited support from political parties and that it is often inferior to that given to men. Nevertheless, the impact of the quota laws in each case, as we have indicated, differs markedly, due in large part to the way the electoral system works.

In Argentina, closed lists mean that candidates do not have to present themselves to the voters as individuals; rather, they are elected because of support for the party's platform and the appeal of its top leaders. The decisive issue is whether a candidate is high enough on a party list to win, which depends on the total support the party or the coalition receives. Once the lists are drawn up, the principal responsibility for electoral success lies with the parties. The lack of financial, advertising, or even verbal support does not reduce the chances of a particular woman being elected, because "the lists do the work" (A18, P1). Electoral campaigns tend to focus on the candidates at the top of the list, and when legislative and executive elections coincide, on the candidates for the presidency or provincial governorships. The support a candidate receives depends mainly on the importance the parties give

to the post at stake or the place of a particular candidate on the list. If less support is given to women candidates, it can be explained by the fact that there are still relatively few women heading party lists or running for executive office.⁹

In Brazil, because campaigns are highly personalized and expensive, the parties' lack of interest in recruiting women and then doing what is needed to give them a chance to win results in a clear disadvantage.¹⁰ The open-list system with preferential voting requires that each candidate campaign as an individual, which makes the resources that a candidate can command a decisive factor. Party resources are scarce in relation to the cost of campaigns, so it is extremely important for candidates to get support from private donors, which works in favor of incumbents. One of the legislators we interviewed thinks that this explains why there are fewer female candidates in Brazil. "A campaign costs a lot, and for this reason many women cannot even consider running for office. If I were to tell you that to be elected a federal deputy you would need a million and a half *reales* [about \$740,000], would you run? My financing comes from my own pocket. If you ask if I am going to stand again, I don't know, because I don't have the money. What I had is gone. It would be totally irresponsible for me to spend what I have left—my life savings. I probably won't run again" (B3, PSDB).

Another noticeable difference between Argentina and Brazil is the importance of support from groups outside the parties. Our Brazilian interviewees emphasized this factor, which further reinforces the individualized nature of Brazilian electoral politics. Support from social movements, unions, and civil-society organizations can compensate for the lack of resources offered by parties and is closely connected to the backgrounds of most of the women we interviewed. By contrast, in Argentina one's chance of winning depends entirely on the parties.

In this context, it is interesting to note the different subjective significance that the women politicians in Argentina and Brazil give to the style of their campaigns. In both countries, women see their campaigns as more frugal than men's. In Argentina, this takes on an ethical significance—women have a "woman's way of doing politics," which is seen as less hierarchical and closer to the people. In the Brazilian case, however, the fact that women spend less on campaigns is seen as a result of women's lack of access to resources, with no moral value at all.

In light of this comparison of the experiences in Argentina and Brazil, we conclude with the following reflections that might help design future strategies to increase women's political representation.

Measures designed to increase women's representation must be formulated with care, and they should include appropriate sanctions to ensure that the rules are taken seriously. Steps taken to monitor whether parties are complying with the law are also critical. The case of Brazil shows clearly that without penalties, the adoption of gender-quota laws in itself does not suffice to increase the opportunities for women to stand for office and win elections.

Further, there is the risk that setting a *minimum* gender quota can easily be interpreted as a *maximum* in practice. It is therefore very important to address the question of what level of women's representation is considered sufficient when quota laws are being formulated and negotiated.

With regard to voting systems with open lists, and in countries like Brazil where public financing of campaigns is very limited and where individuals are largely responsible for funding their own campaigns, the success of quotas will depend on the implementation of supplementary measures to counteract the historic disadvantages of women in the political arena. The lack of such support will effectively discourage women from becoming candidates.

Despite the differences in their situations, women in both Argentina and Brazil remain almost entirely excluded from the selection process. In both cases, political parties continue as largely male-dominated arenas, and women often function as pawns in the negotiations among men. As a consequence, even in Argentina, where the quota law has been in effect for fifteen years and has achieved dramatic quantitative results, it has not succeeded in stimulating substantive changes in parties' candidate selection processes. Male elites maintain a high degree of control, as women can become candidates only if they are chosen by the male decision makers in the parties.

This suggests a deeper problem. There is a gap between the advances women have achieved in increasing their legislative presence and the degree to which they have been integrated into the internal dynamics of their parties and the legislature itself. The Argentine experience underlines the fact that an unforeseen and unintentional effect of the law has been to foster competition among women. The experiences in both Argentina and Brazil

suggest the need to ensure that women are better represented in the parties' decision-making circles as well as on their ballots. At a time when the issues of the "quality of democracy" and the health of legislative bodies in Latin America are a matter of concern, it is useful to ask how the electoral reforms considered in many countries can address those issues, and what impact they will have on the political representation of women.

Notes ❧

- 1 Argentina, Bolivia, Brazil, Costa Rica, Ecuador, Honduras, Mexico, Panama, Paraguay, and Peru all adopted quota laws during the 1990s. Similarly, in 1997 a quota of 30 percent for both houses of the national Congress was approved in Venezuela, but it was declared unconstitutional in 2000. In Colombia, a law adopted in 1999 established a quota of 30 percent for women in both houses of Congress, but it was declared unconstitutional in 2001. A new law, approved in 2002, stipulated a quota of 30 percent for women in high administrative and judicial posts (Quota Project Database 2006).
- 2 But for a critique, see Schmidt and Araújo 2004 comparing how quotas work in Peru and Brazil.
- 3 The interviews were carried out as part of the project Institutional Strengthening in Mercosur: Culture, Politics, Women, and Integration, funded by the Ministry of Foreign Relations of Argentina and administered by the UN Development Program. We designed a questionnaire consisting of sixty questions, most of them open-ended, formulated to reduce as far as possible the risk of shaping respondents' answers. The sample of legislators was drawn from the list of women serving in national congressional offices in February of 2005, maintaining the proportionality of party factions in Congress but also including women representatives from minor parties. Within each party, the choice of women legislators to interview was decided randomly and codes were assigned to assure anonymity. They are referred to by a letter ("A" for Argentina and "B" for Brazil), a number, and their party affiliation when they are cited later in this essay.
- 4 In this case, the only partial advance that women gained in the Chamber of Deputies can be explained by the partial turnover of the lower house, which meant that the Ley de Cupo only applied to half of the total number of seats in the Chamber, and the still common practice of failing to put women candidates in winnable positions on party lists.
- 5 According to the constitutional reform of 1994, which replaced a system of indirect election of senators by the provincial legislatures with direct elections, the 2001 election exceptionally required that all seats be contested.
- 6 Among the parties that select candidates through conventions are the Workers' Party (PT), the Partido do Movimento Democrático (PMDB), the Partido da

Frente Liberal (PFL); the Partido Trabalhista Brasileiro (PTB), the Partido da Socialdemocracia Brasileira (PSDB), the Partido Popular (PP), the Partido Democrático Trabalhista (PDT), and the Partido Comunista do Brasil (PC do B) (Mainwaring 1999; Samuels 2004).

- 7 As noted earlier, interviewees are identified by country (A or B) and party (e.g., PJ as the Justicialist Party).
- 8 In the elections of October 2005, the province of Buenos Aires had two women candidates: Cristina Fernández de Kirchner (wife of the president, Néstor Kirchner, and a nominee of the Front for Victory), and Hilda González de Duhalde (also a wife of a prominent political figure, from the Peronist Party), each heading their respective party's list. As a candidate for deputy, Elisa Carrió headed the list of the ARI party—Afirmación para una República de Iguales—in the City of Buenos Aires, and she won the second highest number of votes in the district.
- 9 For example, in the national elections of 2005, women headed only nine of the fifty-one lists of candidates for the Chamber of Deputies, and only three women headed the sixteen lists of candidates for Senate seats. In 2003–5, none of the parties represented in Congress nominated a woman to fill a governorship.
- 10 The efforts required for the individualized campaigns characteristic of Brazilian politics make their elections among the most expensive in the world (Speck 2004).

Feminist Activism in a Changing Political Context ↯

VENEZUELA

Gioconda Espina

It is very difficult for those who are not in Venezuela to understand that for us the days do not have twenty-four hours, but double or triple that, so that, from one day to the next, things are resolved or come apart, or both at the same time, at such a speed that it seems that more than one day has passed. It was not always like this; before 1998 the days in Venezuela had twenty-four hours as they did in the rest of the world. The pace established by President Hugo Chávez and constantly magnified by the media is responsible for this change. So readers be warned: when this text is published, it will inevitably be out of date. The only thing that the author, a feminist and an activist, can guarantee, is that this essay was finalized fewer than twenty-four hours after the December 2007 referendum in which Chávez's plan to modify several articles of the 1999 Constitution to further concentrate power in his hands lost by 1.4 percent of the votes.

Venezuelan women did not become a movement in 1998. Many began to organize immediately after the death of the former dictator, Juan Vicente Gómez, in 1935. Others became active after the return to democracy in 1958. A great deal has happened in Venezuelan history since then, but at every stage there have been women united as women, despite their political differences, to press for laws that would improve their conditions as mothers and workers and for some feminist goals (such as an end to violence against