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Engineering Quotas in Latin America

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Abstract

Proponents of electoral quota laws suggest that equitable representation will deepen democratization and transform policy outcomes. Eleven Latin American countries have gender quotas, but their efficacy varies: women's parliamentary representation ranges from 35% in Costa Rica to 6% in Honduras. Systematic, cross-national analysis reveals that institutional engineering intersects with gender disadvantages in politics. This interaction creates conditions under which quotas succeed or fail. Long-term effects include whether quotas meaningfully empower female legislators and whether greater gender representation transforms policy outcomes. This paper explores the interaction between institutions and gender, using a case study from Argentina to develop the research agenda.

Engineering Quotas in Latin America

“The path to power is narrow and cluttered with men.”
~ Adolfo Aguilar Zinser¹

Introduction

Since 1990, eleven Latin American countries have transformed their national-level electoral laws to implement gender quotas, stipulating that political parties advance specified percentages of female candidates for national legislative elections. These eleven countries—Costa Rica, Argentina, Mexico, Bolivia, Peru, the Dominican Republic, Panama, Ecuador, Paraguay, Brazil, and Honduras—have improved their worldwide ranking for female representation in parliament; eight countries rank within the top 50% of parliaments worldwide, and two rank within the top 10%.² Nine of the quota-possessing countries have redesigned the initial law at least once, including the quota innovators, Argentina and Costa Rica. The seven countries without quotas also considered or experimented with the mechanisms. Colombia and Venezuela passed but subsequently overturned quota legislation; Uruguay, Guatemala, and El Salvador have debated quotas in the legislature.³ Gender quotas are clearly a phenomenon in Latin America.⁴

This electoral engineering increases the percentage of women elected, an institutional reform proponents believed would deepen democratization and change politics. This paper evaluates gender quotas' inception and efficacy, considering what transformations quotas *intend* to accomplish and which transformations quotas *have the capacity* to accomplish. I present the intuition and hypotheses underpinning a cross-national comparison for Latin America, as well as the qualitative research findings from a fieldwork excursion to Argentina. The overall objective

of my long-term research project is to explain not just how many women win nominations and elections, but *who* wins parliamentary seats, under what circumstances, and with what results.

Analytical Framework

If gender did not matter for entering politics and for attaining office, then political institutions would integrate men and women in proportions roughly equivalent to their population shares. In Latin America, however, women are present in politics less than men. Parliamentary representation for women in Latin America's lower legislative chambers averages 17.3%, over thirty percentage points less than women's share of the population. Female representation varies across non-quota and quota countries, averaging 14.0% in the former and 19.4% in the latter.⁵ As shown in Table 1, female representation within quota countries ranges from 35.0% in Argentina to 6.3% in Honduras. [See Table 1 on Page 57].

These observations offer two points of analytical departure. First, the absence of parity suggests that gender matters for electoral outcomes. Second, the discrepancy in quotas' fulfillment across countries suggests that institutional rules, legal reforms, and political practices influence electoral outcomes. Focusing on the variation among quota-possessing countries offers leverage for assessing the interactive effects of institutions and gender: quota mechanisms surely matter, yet their effectiveness depends on rules and on contexts mediated by longstanding beliefs and behaviors that separate political men from non-political women.

I conceive of gender not as the fixed application of male/female labels, but as a package of sociocultural ideas that guide men's and women's identities, conduct, and preferences. Conceptualizing gender as a contextual variable that exerts conscious and unconscious influence over individual and collective actors reveals clear patterns in men's and women's political participation. Generalized statements in Latin America such as "women are less competitive

than men” and “women care about families and children” are hypothesized to affect the differential integration of men and women into political institutions. The separation of competitive, political men from nurturing, domestic women affects who joins parties, who seeks office, and who makes policy.

Gender quotas have three periods: conception and adoption, implementation, and impact. These periods match the phases of legislative recruitment systems, conceived as a funnel that narrows a broad pool of aspirants into a restricted group of contenders into a select group of members of parliament (MPs). This whittling process is affected by electoral institutions and by party institutions. In the aspirant-to-candidate process, the party selectorate names candidates; in the candidate-to-MP process, the general electorate chooses legislators. These institutions are embedded within sociocultural beliefs and practices about gender, background conditions that shape the legislative recruitment environment within which actors make decisions (Matland and Montgomery 2003). Quotas’ adoption and implementation treats women’s numerical participation in the candidate and election phases. Quotas’ impact addresses how women’s greater quantitative presence leads to qualitative transformations in the legislative phase.

Quotas emerged in response to specific institutional and sociocultural hurdles confronted by female aspirants—mostly party members—during the candidate nomination phase. The first research question, then, asks how gender interacts with institutional variables (electoral rules and party rules) to shape women’s participation in formal politics, women’s receipt of nominations, and women’s admittance to parliament. Regarding implementation, the second research question asks which variables make quotas quantitatively effective: under what conditions do quotas’ specified percentages of female candidates equal the resulting percentage of female MPs? Quotas’ impact, by contrast, examines the legislative behavior of female parliamentarians: does

the increased legislative participation of women have any substantive effect on policy outcomes? On this last point, the dependent variable shifts from being *how many women* to *what type of women* and *what are their capabilities*: if gender differentials unfold in policymaking such that women's presence changes outcomes, then female parliamentarians must conform to certain gender beliefs, possess resources and power within chambers, and undertake legislative activism within these parameters.

Conceptual Issues

Quota proponents relied on normative and empirical propositions about quotas' ability to enhance democratic representation and policy responsiveness. Reformers employed discourses on equality and difference to explicate what quotas "should" accomplish and on what outcomes "should" appear once quotas are installed. Understanding these expectations matters for assessing quotas' effects.

Quotas' conception and adoption coincided with and gained momentum from democratization in Latin America. Reformers concerned with citizens' fair access to opportunity and representation identified women's absence from formal politics as troublesome, and proposed quotas as the solution. In Peru, for example, quotas were viewed as "mechanisms for gaining access solely and exclusively to a given space or office" (Yañez 2003: 3). In this sense, policy entrepreneurs focused on the *intrinsic* value of legislative seats. Advocates targeted the percentage of female bodies in parliament, and sought to increase the female-male chamber ratio. This strategy maps onto Pitkin's (1967) categories of symbolic and descriptive representation, where legislators stand for and speak for constituents who share their ascriptive characteristics.

Adoption arguments also contained implicit hopes regarding the transformative nature of women's representation—the *instrumental* value of seats. The underlying assumption is that

female legislators represent women by not merely standing and speaking, but by *doing*. Schwindt-Bayer and Mishler operationalize this progression from presence to action as “policy responsiveness” (2005: 409): legislators share their constituents’ ascriptive characteristics *and* implement policies consistent with these ascriptions. If Latin American women are, indeed, more emotive and affective, more socially conscious, and more nurturing and welfare-oriented, then female legislators will support measures addressing families, children, education, housing, and healthcare. These differential preferences constitute “women’s interests”—a package that also includes violence against women and reproductive rights (Schwindt-Bayer and Mishler 2005; Chant and Craske 2002). On the one hand, quotas counterbalance perceptions that women possess a feminine sensibility ill-suited for competitive politics. On the other hand, proponents hope that female legislators will use their gendered perspectives to *suavizar* [soothe] politics by reducing ideological conflict, circumscribing corruption, and promoting socially-sensitive policies (cf Young 2000; Lubertino 2003). This infusion of women’s interests and perspectives becomes possible once women constitute a critical mass in legislatures, generally regarded as a 30% threshold (Dahlerup 1988; Staudt 1998; Jaquette 1997). Arguments stating that quotas promote “the effective power of women” are invoking these substantive outcomes.

Quotas thus propose more than the mere redistribution of legislative seats; quotas aim to produce gender-sensitive laws and policies. Electoral engineering in Latin America has mixed institutional variables (electoral rules and political parties’ and chambers’ internal structures) with sociocultural variables (beliefs about women’s capacities and objectives as candidates and as legislators). When seats are valued intrinsically, quotas are institutional rules that trump gender beliefs: parties must demonstrate their elimination of gender bias by guaranteeing equal or near-equal results for male and female contenders (Bacchi 2006). When seats are valued

instrumentally, however, quotas are institutional rules that work with (rather than forcibly change) gender beliefs: more female parliamentarians acting as women will substantively transform political practices and policy outcomes.

These arguments about gender are contradictory and multidirectional. McDonagh (2002) finds that women's representation increases precisely when countries simultaneously value—albeit paradoxically—liberal equality and ascriptive group difference. Liberalism makes women's political participation possible by establishing that all individuals should receive equal opportunities in the public sphere. Ascriptive group difference, by contrast, makes affirmative action possible by (1) revealing that opportunities are *not* equally distributed across social groups and (2) insisting that excluded social groups' viewpoints are necessary to enrich the scope of politics (Mansbridge 2005). Liberal values underpin quotas' intrinsic justification as equalizing parliamentary seat-shares, whereas ascriptive group difference underpins quotas' instrumental justification as transforming policy outcomes. Yet, ascriptive group difference also poses dangers. All actors become constrained by gender beliefs once ascribed male/female differences become constructed as essential, innate, and unchanging: legislative activity, if prescribed by wholly gendered parameters, could bifurcate parliaments into a cadre of maternal females and a cadre of authoritative men. Gender is thus not a fixed variable when considered in relation to women's political participation. Gender is a barrier to overcome numerically and a package of beliefs about femininity to which individual women MPs may or many not conform.

I examine this distinction between intrinsic percentages and instrumental presence as the difference between female candidates' *quantity* and female politicians' *quality and capacities*. Quotas' adoption and conception targets quantity. Quotas' implementation addresses both quantity and quality: the process undertaken by adopting countries to strengthen and enforce the

quota laws demonstrates which reforms genuinely changed political parties' incentives to support female candidacies and which reforms genuinely enabled female politicians to transform policies (if they wished to deploy a gendered sensibility). Women need no special abilities to be bodies in the legislature, but they do need certain resources to act as substantive representatives. Impact therefore distinguishes between conditions for change and actual change, or whether improvements in the quantitative seat-share ratio can generate qualitative transformations in legislators' behavior and policy preferences. Looking ahead, my research from Argentina reveals that institutional rules alone cannot produce this qualitative transformation.

Conception and Adoption in Latin America

Women participate in politics less than men. In Latin America, women accounted for approximately 5% of *diputadas* [deputies] during the 1980s. These averages increased during the 1990s, though growth rates were modest in countries without quotas. In Guatemala, for example, women's parliamentary representation averaged 4.6% from 1980-1990 and 9.3% from 1995-1999.⁶ These data raise three separate questions. First, which variables explain women's absence as the equilibrium, or state-of-the-world? Second, which variables explain *changes* in women's participation over the last quarter century? Third, given this general upward trend, why did some countries adopt quotas?

Two approaches identify reasons for the discrepancies between women's population share and women's parliamentary representation. A theoretical approach combines ideas about institutional "stickiness" with gender discrimination to describe women's absence from institutions as the equilibrium. A statistical approach focuses on levels of supply of and demand for female candidates. Structural variables (including socioeconomic development and sociocultural beliefs) and institutional variables (including electoral rules and political parties'

organizations) are hypothesized to affect the push and the pull dynamics of women's presence in politics. Clear identification of these forces explains variations in the number of female candidates and indicates where change can occur.

From Absence to Exclusion: Equilibriums and Bubbles

Patterns in institutional arrangements and social preferences structure individuals' interactions and behaviors, establishing blueprints for action that become self-enforcing over time (Pierson 2000). In Latin America, the differentiation between men as public breadwinners and women as private homemakers underpins the concentration of political authority in male presidents, ministers, and legislators (Chant and Craske 2003). Mala Htun explains: "People became accustomed to seeing men in power; masculine characteristics and roles became virtues of leadership" (forthcoming). Both men's and women's behavior reinforces the pattern of female political abstention/male political participation: "the former opt out and the latter opt into politics as rational responses to the structure of the gender system" (ibid). These gendered differentiations establish the counters of exclusion, for the masculine power concentration creates high barriers for women who *do* wish to opt into electoral politics. Aspiring female politicians discover themselves in the "out-group" with respect to male politicians as the "in-group" (Niven 1998). Male leaders, in noting that female hopefuls are ascriptively and behaviorally dissimilar from themselves, fail to recognize, support, and cultivate women's potential. Women's membership in the political out-group parallels and reinforces gender beliefs about political men and non-political women.

The concepts of patterns and out-grouping illustrate how women's absence becomes constitutive of politics, defining an equilibrium—a systemic stability—in which men dominate institutions. As rules and practices corresponding to male dominance become entrenched,

women's exclusion evolves into discrimination. Htun further explains that "places where men socialize with one another (poker halls and locker rooms) turned into the sites of political negotiation and pact-making; norms of work accommodated individuals who could delegate child rearing to [female partners] and formal arenas of power (such as Congress) adapted to male needs by installing urinals, weight rooms, spittoons, and pool tables" (forthcoming). Until the Argentine Senate achieved a critical mass of female senators in 2001, for example, administrators never realized that the Congress contained nearly *no* women's bathrooms. More significantly, female newcomers were reportedly unaware that favor-trading occurred not in conference rooms but saloons.⁷ While men's restrooms and saloon bargaining are not designs consciously implemented to harm women, these norms illustrate how gender disadvantages become unintentionally—yet deeply—embedded in institutions. Difficulties for women accrue exponentially: disadvantages in one place (elections) trigger disadvantages in other places (chambers), linking gender discrimination across institutions (Burns 2005: 139). This embeddedness means that institutions are sticky, or resistant to change. Including the female out-group (tipping the equilibrium) requires a comprehensive overhaul of politics.

Stickiness implies that gender disadvantages will persist despite quotas change to one set of institutional rules (candidate nominations). These yield what I conceptualize as a *bubble effect of gender discrimination* in quota-adopting countries. In coca crop eradication, spraying pesticides over the countryside is analogous to chasing bubbles: pop one bubble (or destroy one crop) and another one pops up somewhere else. Similarly, tweaking one aspect of political institutions in order to resolve gender imbalances merely causes the problem of exclusion/discrimination to manifest itself in other aspects of political life. That women use quotas to overcome election barriers and enter the Argentine Senate, only to find themselves

disadvantaged by practices ranging from toilets to nighttime meetings, exemplifies a bubble during quotas' impact phase. The marginalization of women appears as an intractable problem when viewed across the political system as a whole.

I will demonstrate that the bubble effect can be traced within and across quotas' three phases. The discrepancies between numerically successful quotas in Argentina and Costa Rica and largely ineffective quotas in Honduras suggest that early innovators have perfected their legislation over more than 10 years, whereas the late adopters have scant experience implementing their legislation. Early-innovating countries' initial legislation contained numerous loopholes that enabled political parties' noncompliance. Reforms during the implementation phase tightened the laws by pushing the discrimination bubbles out of the candidate selection phase and into the electoral competition and legislative phases. Early innovator's bubbles therefore appear in the gender disadvantages embedded in elections and in parliaments; discrimination manifests in women's lack of campaign funding, greater scrutiny of resumes for legislative assignments, and gender-unfriendly work environments. Late adopters' bubbles, by contrast, manifest in first-round quota laws' loopholes, such as the Honduran requirement that parties need comply only if they express *voluntad política* [political will].⁸ The persistence of bubbles across quota-possessing countries suggests that women's exclusion and discrimination, when examined across political institutions, remains the equilibrium.

In Latin America, political institutions are unintentionally yet intensely biased towards men. Bubbles appear when gender beliefs negatively interact with institutional rules, or when the institutional arrangements do not fully adjust to accommodate female newcomers at given stages of the political process (candidate selection, elections, and legislating). Women are out-grouped as they enter in-groups. This gendered institutional failure shapes the political world.

Explaining Women's Representation

Political parties in Latin America are the gatekeepers to and managers of elected office. All else equal, political parties will resist redistributing resources to out-groups because (1) politicians want to retain power and (2) power-distribution is a zero-sum game (Cox 1997). When choosing legislative contenders, political parties choose those candidates most likely to win seats and to advance the party's agenda in parliaments. Parties are not malevolently misogynistic; rather, parties are rational, strategic actors responding to sociocultural background conditions and institutional constraints. The current literature on women's representation looks to structural (economic and ideological) supply factors and institutional (political) demand factors to explain parties' strategic environments. Structural supply variables determine the number of eligible aspirants and institutional demand variables influence the selection of electoral candidates.

The structural explanation holds that modernization, or the elimination of large socioeconomic disparities in newly democratizing countries, enhances the supply of qualified aspirants. Development weakens traditional gender arrangements: educational and professional opportunities expand while the "backwards" socioeconomic structures that relegated women to household labor disappear (Smith et al 2005). Ending the socioeconomic inequalities believed to oppress women elevates their public standing and equalizes their opportunities for political involvement: "when women approach men in levels of literacy, workforce participation, and university education—and thus become men's equals in the social sphere—they are more likely to be seen as men's equals in the political sphere and therefore their representation will increase" (Matland 2002: 6). Thus, women acquire the qualifications and the resources necessary for

political careers (Blumberg 2004). Development also accelerates cultural change, precipitating societal shifts from traditional values of hierarchy to modern values of self-expression; modern belief systems make women's rights more palatable to populations (Inglehart and Norris 2001; Inglehart et al 2002). Structural improvements empower women in the public sphere, with an added effect of increasing citizens' acceptance of women's roles.

Despite strong correlations between the modernization indicators and the percentages of female MPs, analysts suggest that structural conditions alone cannot explain women's absence from political institutions. Countries' wealth explains a significant 30% of the variance in women's parliamentary representation (Inglehart et al 2002: 325-8). Yet, in modernizing countries, women are concentrated in the low-wage service sector (not the professional sector) and women study traditional female careers (teaching, nursing, social work); these factors can over-estimate women's empowerment (Jaquette 1997; Matland 2002). An elite group of women may attain public visibility and become tokens of their country's modernity, but the majority of women in the population continue to face overwhelming structural hurdles in becoming breadwinners. Norris (2004) and Inglehart et al (2002) further insist that outlying countries—countries' where the number of female MPs is lower than predicted—demand explanation. This counter-pattern shows the infrequent success of female politicians in affluent democracies compared to the greater success of female politicians in non-affluent democracies. In 2006, Nicaragua and Venezuela rank *higher* than the United States and Italy for women's parliamentary representation; Nicaragua, Venezuela, Colombia, and Uruguay all rank higher than Japan.⁹ Yet, of 177 countries, the United States, Japan, and Italy rank 10th, 11th, and 18th for human development respectively, whereas Uruguay, Venezuela, Colombia, and Nicaragua rank

46th, 75th, 69th, and 112th, respectively.¹⁰ According to Norris and Inglehart, these outliers suggest that some force external to modernization excludes women from politics.

Ideology and culture thus enter modernization models as the missing link between socioeconomic development and women's parliamentary representation. Accordingly, religion—used as a proxy for cultural heritage—explains differences within Western Europe (Catholic Italy appears more gender-biased than Protestant Scandinavia) as well as differences between Western Europe and the Middle East (Protestantism permits greater gender equality than Islam). This religious heritage measurement explains 46% of the variance in women's parliamentary representation (Inglehart et al 2002: 325-8). Moreover, the correlation between populations' support for secular ideologies and countries' number of female MPs is a statistically significant .408 (Norris and Inglehart 2001). Cultures permitting women's public activity generate increasing returns: Reynolds (1999), Kenworthy and Malami (1998), Paxton and Kunovich (2003), and Caul (2005) all find that nations' acceptance of female leaders increases each electoral period in which women vote and/or compete for office. Reynolds (1999: 572) suggests that religion establishes the baseline culture, but that modernizing societies *learn* to support women in politics.

An important distinction nonetheless appears: the difference between women's presence in the public realm and women's competition for elected office, or between women's visibility in the aspirant pool and women's admittance to the contenders' circle. How do women become *political leaders* in the short-to-intermediate term? Additional mechanisms must exist that pull women from public to politics. These mechanisms are shaped by the institutional variables: electoral rules and political parties' resultant candidate selection procedures.

The demand-side intuition holds that women, as the political out-group, are higher risk candidates than men. The electoral rules that favor women's representation allow political parties to field greater numbers of candidates: the greater the possible electoral take, the greater the opportunity for female newcomers to attain nominations. First, women receive fewer nominations in winner-take-all plurality districts, particularly single-member districts (SMDs); women receive more nominations in multi-member districts (MMDs), for the parties may field multiple candidates in order to win multiple seats (Matland 2002). Second, proportional representation (PR) systems allow parties to distribute their garnered vote-share, which translates into a certain number of legislative seats, among candidates rank-ordered on a party list. The use of party lists facilitates women's candidacies, as parties may place unfavorable candidates in low-list positions that have small-to-nonexistent possibilities of translating into seat allocations (Jones 1996). Closed-list PR further favors women's nominations over open-list PR. Voters' ability to exercise a preferential vote in open-list systems means that candidates compete *within* their party for voters' favor; intra-party competition disadvantages newcomers and neophytes. Whenever competition is high, female aspirants face greater obstacles to selection; this rule applies to small magnitude districts, inter-party competitions in closed-list PR, and intra-party competition in open-list PR (Norris 2004; Htun and Jones 2002; Matland and Talyor 1997). Competition raises electoral stakes, and out-group contenders pose unacceptable risks.

All Latin American countries use proportional representation to elect their legislatures; Mexico, Bolivia, Venezuela, Peru, Panama, and El Salvador combine PR districts with SMD or MMD plurality districts. Latin American electoral systems should therefore facilitate female newcomers' entrance into electoral competition. Yet, these institutional variables merely create the space or the possibility for women's receipt of nominations. With the notable exceptions of

Colombia (where candidates run independent of party endorsements) and Brazil (where the open-list system and runaway party switching inhibit partisan loyalties), the political party leadership controls candidate selection procedures. Party elites assign candidates to plurality districts, rank order candidates on PR lists, and allocate campaign resources; in primaries, elites often control who votes and for which members (Siavelis and Morgenstern 2004; Matland and Montgomery 2002). In the same way that female aspirants face structural hurdles in becoming viable candidates, the party selectorate faces institutional rules that shape their candidate selection decisions. Norris (2004) describes party bosses' rational choices with "strategic incentive theory": the party selectors are vote-maximizers who choose, within the constraints, those candidates that will win votes and seats. In plurality districts, vote-maximizing means choosing candidates with available financial resources and strong political resumes. In PR districts, this objective elevates well-known male leaders to top list positions. Elites guard the gates to higher office.

What structural variables—supply factors—do determine is whether female aspirants appear as viable contenders when compared to male aspirants. Broad cultural trends (i.e., religious heritages) do not drive these perceptions; rather, *specific gender beliefs* about female leadership determine whether or not party bosses nominate women. Norris and Inglehart (2001) demonstrate that countries' responses to one World Values Survey (WVS) question—"men make better political leaders than women"—explain the largest variance (70%) in women's parliamentary representation. Paxton and Kunovich use this WVS question to demonstrate its effect *not* on female candidates' vote share in general elections, but on female aspirants' procurement of candidacies within parties. Paxton and Kunovich argue that "while parties are reducing or increasing their numbers of female candidates in response to their perceived

acceptability as candidates, women are actually *not* more unacceptable” (2005: 529). The political party “filter point” for women is thus undeniably more judgmental than the general election “filter point”: the nomination state eliminates 99.96% of all eligible people [and] the voters choose from only .04%” (ibid: 509). Similarly, the Inter-Parliamentary Union (IPU) finds that 76% of female officeholders cite discrimination as their greatest barrier, but they attribute this behavior to their colleagues and not to their constituents (IPU 2000: 33). These data highlight how elites’ negative valuation of women’s leadership proves detrimental to female hopefuls.

Evidence from Latin America similarly indicates that mass beliefs about women’s capability diverge from elites’ beliefs about women’s electability. Htun (2002) suggests that Latin Americans support women’s political empowerment, particularly given traditional gender roles emphasizing women’s superior moral and maternal instincts. A 2000 Inter-American Development Bank/Gallup survey in six cities revealed that respondents believed female politicians are stronger than their male counterparts in the following areas: making decisions (85%), behaving honestly (66%), reducing poverty (72%), combating corruption (57%), protecting the environment (64%), managing the economy (59%) and conducting diplomatic relations (53%) (Htun 2002: 3; Peschard 2002: 1). Argentines similarly endorse female politicians’ *sensibilidad* [sensitivity], associating femininity with support for equity, justice, and fairness.¹¹ From the standpoint of the parties, however, the adversarial character of politics makes *sensibilidad* desirable in principle but untenable in practice. First, the IAD/Gallup data show that modest majorities in urban areas believe women outperform men in trustworthiness, economic management, and diplomacy; women remain moderately risky candidates in cities and extremely risky candidates in the countryside. Second, female aspirants might have

opportunities but lack the assets—particularly the financial resources, political connections, party experience, occupational qualifications, and previous legislative experience (at the local level)—that make their national candidacy attractive. These factors systematically disadvantage women.

Confirmation of women's institutional exclusion in Latin America appeared during democratization in the 1980s and 1990s. During the authoritarian era, women used their feminine attributes to legitimize public activity under repressive governments.¹² Women entered the civic realm as nurturers; they denounced militaries' human rights abuses against their husbands and sons, organized as widows to provide community services, and contributed to the protest politics that brought about military regimes' withdrawal (Craske 1999; Waylen 1994; Alvarez 1990; Schirmer 1992). The reinstatement of elections, accompanied by socioeconomic development and the related expansion of women's opportunities, generated an explosion of female political activity: women joined grassroots organizations dedicated to consciousness-raising, technocratic NGOs committed to poverty alleviation, and political parties constituted for contesting democratic offices. Yet, despite these organizations' emphasis on women's mobilization—an enthusiasm in sync with the spirit of democratization—women's officeholding failed to materialize. Women remained in the informal, civic realm where they demanded social or economic redress, or women remained concentrated among the bottom tier of political party activists (Hellman 1995; S. Alvarez 1998; Craske 1999; Waylen 2000). Female party members were more likely to act as auxiliaries—organizing rallies or fundraisers—than become leaders (Piscopo 2002). Women's wings in the political parties became ghettos that trapped women in civic roles (Saint Germain 1994a). This gap between civil activism and electoral competition was shown by the paucity of female candidates.

The failure of parties to nominate women is consistent with an institutional out-group effect: women present as better caretakers than competitors. Friedman recalls that Venezuelan parties “assumed that voters tend to elect those who coincide better with the dominant cultural norms or models of politicians—that is—men” and explains that changes in women’s status or actions “could not overcome this bias” (2002: 253). As Norris explains, rational party selectorates exercise an “automatic default option” of re-selecting incumbents or selecting new candidates that share the social and political characteristics of male MPs (2004: 8).¹³ This male-biased default has persisted in democratizing Latin America despite socioeconomic development and despite women’s entrance into parties. On average, women hold only 10% of party leadership positions (Sacchet 2005: 2); this statistic means that women compose “a growing proportion of the rank and file” while “accounting for only a small proportion of the higher echelons that provide a springboard to higher political office” (Jaquette 1997: 31). Since receiving nominations depends on the aspirant ascending internal hierarchies to *clubes electorales* [electoral clubs] wherein *políticos* [elites] designate *militantes* [militants], this exclusion creates severe handicaps for female hopefuls.¹⁴ Party institutions disappear women during the aspirant-to-candidate phase.

Institutional rules and sociocultural background conditions therefore interact to marginalize women from the legislative recruitment process. That political parties strategically and rationally do not promote women constitutes *the* disappointment of the Latin American women’s movement, for the democratic transitions had raised expectations that activist women would win formal office (Montecinos 1998; Jaquette 2000). Marginal increases in the number of female legislators in the 1990s were highly disproportionate given women’s opportunities and visibility. Women won, for example, only three additional seats in Costa Rica from 1986 to

1995. In other countries, such as Brazil, Guatemala, and El Salvador, women *lost* seats.¹⁵ This disillusionment and frustration led *militantes* and *políticas* to demand quotas.

Why Gatekeeping Parties Adopt Quotas

Given that political parties face disincentives to nominating female candidates, the question now becomes: *why would countries adopt quotas?* Democratization in Latin America allowed for, however paradoxically, both institutional conservatism and institutional innovation (Schmitter 1998). On the one hand, democratization made electoral competition more acute, which then made female newcomers' integration into and ascension within party hierarchies even more difficult. During the 1980s and 1990s, founding elections and turnover elections were high-stakes games, and parties needed to reduce the uncertainty behind electoral outcomes and legislator preferences. Parties reacted to political unpredictability by relying upon politics as usual: the selectorates' default option of selecting old-style militants and loyalists became even more hardwired (Baldez 2004a; Araújo 2003; Waylen 1994). On the other hand, democratization raised normative issues that served as rhetorical weapons against parties' conservatism. Reformers in trend-setting Argentina, Costa Rica, and Mexico, and in trend-following Peru, Ecuador, and Brazil argued that democratic consolidation depended on modern, liberal values. *Políticas* shamed party leaders as perpetrators of backward authoritarianism: Argentine Senator Margarita Malhorro stated that parties "hold women back in the name of old, traditional prejudices more worthy of a feudal era than of modern times" (Towns 2003: 7). Her Peruvian colleague Luz Salgado likewise blamed the *machista* political culture for the fact that women constituted only 4% of *diputadas* for all Peruvian Congresses through 1997 (Towns

2003: 13-14).¹⁶ The stickiness of politics as usual collided with the normative changes demanded by democratization.

In this context, quotas appeared to resolve the tension between rapid contextual changes (democratization) and slow institutional changes (women's continued exclusion). Referring to the marginal increases of female MPs in Peru from 1980 to 1997, *diputada* Martha Hildebrandt stated, "at this pace, it will take almost 54 years for there to be 30 [out of 120] women members of Congress" (Villanueva 2003: 1). *Políticas* such as Malhorro, Salgado, and Hildebrandt were unwilling to wait for when *or if* the equilibrium of male dominance would begin to shift. Quotas therefore possessed an elegant and simplistic appeal, offering a "fast track" to equal representation for new democracies (Dahlerup and Freidenvall 2005). Quotas implement positive discrimination or positive affirmative action policies that can, overnight, compel *clubes electorales* to admit more women. Practically, "quota legislation represents the only method by which to substantially increase the percentage of female legislators in a country in the short to medium term" (Jones 2005: 628). Normatively, quotas "accelerat[e] cultural change" (Lubertino 2003: 2), inducing an "exogenous shock" (Baldez 2006) that synchronizes democratization with modernization.

Democratization thus pressured political parties to shed their "dinosaur image" (Baldez 2004b: 10). In particular, democratization pressured parties to alter their procedures for candidate selection. At this juncture, entrepreneurial or left-leaning parties in nearly all Latin American countries responded by adopting voluntary, internal quotas for leadership positions or candidate nominations. Examples include the left-leaning pro-democracy political party in Mexico in 1993 and the workers' party in Brazil in 1991 (Bruhn 2003; Araújo 2003). For parties ideologically committed to progress and equality, internal quotas match leaders' electoral

strategies: quotas appeal to female electoral bases within and outside the party (Caul 1999; Caul 2001). Party leaders' application of quota statutes nonetheless varied with other strategic considerations, namely electoral rules, competitiveness, and partisan connections. Leaders remained reluctant to apply quotas to SMDs, to the top-ranked positions on the PR lists, to competitive districts, and to female newcomers without professional networks. In Brazil, *políticas* charged elites with capitalizing on public opinion at their expense: brought onto the campaign trail, female candidates served mainly to get-out-the-vote for the male candidates and never received their own campaign resources (Sacchet 2005). Women were relegated to secondary positions in the candidate selection and general election phases.

Voluntary, internal quota statutes were non-binding mechanisms applied only when the cost-benefit analysis of legislative recruitment tipped to favor women's greater political presence. The more relevant question, however, asks why the political parties in eleven Latin American countries voted for quota *laws*. Imposed, external quotas would eliminate strategic flexibility and decrease parties' control over electoral outcomes. Given quota laws' national, universal, and binding effects, why were parties willing to supply these institutional reforms?

Studies identify four explanatory variables, *all* necessary for quotas' adoption: (1) a favorable international climate, as evidenced by the United Nations' emphasis on women's rights; (2) female policy entrepreneurs who provide a cross-partisan, intra-legislative lobby; (3) strong women's movements that supply extra-legislative lobbying; and (4) supportive executives (Stevenson 1999; Bruhn 2003; Jones 1996; Lubertino 2003; Piscopo 2002; García Quesada 2002; Peschard 2002). These variables work within environments encouraging institutional innovation. Araújo and García (2006) argue that Latin America's inchoate democratic institutions were particularly permeable to quotas, for reformers needed to structure the rules of

democratic competition in accordance with liberal values of equality. To achieve national quota laws, international and domestic actors created a constellation of forces that all invoked normative discourses of liberalism and equity at the same moments—those surrounding legislative discussions on women’s rights. Congressmen in Bolivia during the 1997 debates delivered the laws out of their “perceived obligation” to deepen democracy (Costa 2003). Congressmen in Argentina likewise spoke of “paying the quota” with respect to increasing women’s parliamentary representation (Carrío 2002: 4-5). Reforming nomination procedures to redistribute legislative seats became perceived by the parties’ deputies in congress as a necessary and unavoidable cost of democratization.

To this story, I add a crucial, fifth independent variable: the perceived innocuousness of quota laws at their moment of adoption. Legal quotas became palatable to the parties’ male leadership since they served normative objectives while simultaneously being constructed as unwieldy and difficult to enforce in practice (Jaquette 1997). The useful-but-innocuous text of the initial quota laws begins to illustrate my main argument: changing one set of institutional rules cannot produce the far-reaching changes necessary to eliminate the manifestations of gender disadvantage across political institutions. Valuing legislative seats intrinsically—focusing on the symbolic and descriptive aspects of women’s legislative representation—numerically incorporates women into the political in-group without requiring party members to change gender beliefs about and preferences for female candidates.

First, quotas would benefit only those few female politicians who belonged to the political in-group. These women were elites who, while separated by rank and by résumé from the majority of *militantes*, had nonetheless suffered intra-party discrimination in the candidate selection phase. In Mexico, quotas advanced “*las planas mayores*” [the heavy hitters]—those

women substantially advanced and networked within the parties, who sought mechanisms to increase their own access to nominations (Rodríguez 2003: 145). Quota entrepreneurs did mobilize grassroots women and *militantes* to buttress their reform initiatives through demonstrations and petitions, yet quota mechanisms never intended that these out-group members would enter legislatures. In Argentina, *políticas* admitted to self-interestedly desiring that their parties' hierarchies be made more permeable; the Argentine women's movement mobilized to support quotas while knowing that their activist cadres would receive no direct benefits.¹⁷ All party bosses, congresspersons, and advocates thus possessed ex-ante knowledge about which heavyweight females would receive nominations. Given their membership in *clubes electorales*, these included women were unlikely to act against their parties' interests. This result suggests that in-grouped women have limited institutional opportunities for substantive representation. I return to this point in the case study analysis.

Second, and more importantly, the initial quota laws were largely innocuous. Instead of fostering hotbeds of feminist sedition, first-round quotas in trend-setting Costa Rica, Argentina, and Mexico contained extremely weak mechanisms to ensure parties' compliance. Political parties anticipated minimum upset regarding the preferences and loyalty of their chosen candidates *and* minimum costs to ignoring the changed institutional rules.

In Costa Rica and Mexico, quotas began as recommendations relying on *voluntad política* in 1990 and 1996, respectively. The goodwill of parties to implement quotas never materialized (Jones 2004a; Baldez 2004a). In Costa Rica in 1996, politicians voted the quota recommendation into a law "which they thought would be relatively ineffective due to their conscious decision not to include a placement mandate" (Jones 2004a: 1207). In Mexico, the *Instituto Federal Electoral* (IFE) elevated the 30% quota recommendation into law in 2000—

again without a placement mandate. Without a placement mandate, parties could place women anywhere on electoral lists. In Costa Rica, parties clustered women's names in the ornamental (bottom) list positions (Jones 2004a); in Mexico, parties counted *suplentes* [substitutes] as quota-filling nominations and reserved the *proprietario* [primary] slots for men (Bruhn 2003). This shirking behavior violated not the letter, but the spirit, of the quotas as in-grouping mechanisms. Even Argentina's 1991 *Ley de Cupo*, the most stringent among the laws, facilitated parties' shirking in the 1993 elections. Though the law stipulated a one-in-every-three-slots placement mandate, the only agents legally empowered to contest noncompliance were the excluded individuals (Jones 1996: 79-80; Gray 2003: 59-60). Failed aspirants would commit professional and financial suicide by protesting.¹⁸ Moreover, because any challenges would first be heard in the petitioner's home province, sanctions required that all regional judges be apprised of—and be willing to enforce—the law. In the first post-quota elections in Costa Rica, Mexico, and Argentina, no country achieved the specified threshold of female representation (García 2005).

Quotas' conception and adoption constituted a public relations coup, a costless concession by political parties to female voters and democratic advocates. The initial laws were extremely permissive, failing to bind party selectorates into ensuring the candidacy and election of any women, including *políticas*. Permissiveness thus stimulated the bubble effect: the embeddedness of male leadership manifested as parties' outright noncompliance and/or promotion of nonviable female candidates. This innocuousness became the focus of subsequent electoral engineering in quotas' implementation phase.

Phase Two: Implementation and the Bubble Effect

Quota entrepreneurs remained vigilant during post-quota elections. As percentages of female parliamentarians fell short of the desired thresholds, advocates focused on strengthening

quota rules within electoral institutions. Reformers won legal fixes that closed certain loopholes while opening others. Each new loophole is a bubble wherein institutional rules and gender beliefs about non-political women coincide. Women comprise the political out-group, and party organizations implementing quotas consistently look to practice exclusion rather than inclusion. By treating rules and beliefs as inputs, and the number of women elected as outputs, I show that quota reforms shift, but do not eliminate, institutional sites of discrimination against women.

Parties shirk in the trend-setting countries by failing to develop *voluntad política*, by assigning women candidacies in non-electable positions, and by enjoying legal impunity. Similar bubbles appeared in trend-following countries' initial laws. In Panama and Bolivia, where the chambers are elected via closed-list PR districts and SMD plurality districts, the quota applied only to candidate nominations in PR districts (Htun and Jones 2002). The Panamanian quota law further lacked a placement mandate for PR lists and applied only to candidates chosen via primaries; parties may use nominations—their preferred method for maintaining control over aspirants—without filling the quota. The Brazilian story illustrates these loopholes and exploitations most clearly. The 1995 municipal-level quota law of 20% passed with a simultaneous reform enabling parties to nominate 20% more candidates than seats; the 2000 reform raised the national-level quota law to 30% but also permitted parties to present 50% more candidates than seats (Araújo 2003; Krook 2005). This list expansion creates ornamental slots in exact or greater proportion to the quotas. Moreover, if the parties run less than the maximum number of candidates (less than 150%), the lists cannot be subjected to judicial scrutiny; the oversight provision applies only to saturated lists *and* carries no mandatory sanction for faulty lists. These laws, particularly the highly permissive statute in Brazil, illustrate how loopholes are deliberately manufactured as part of quotas' adoption and implementation. This process merely

moves the gender balance across institutions: plurality districts, extra-long lists, and nominations all become new sites where women are excluded.

Second-round quota laws then created new technical ambiguities or legal exceptions that parties exploited. Reforms in Costa Rica (1999-2000) and Mexico (2000 and 2002) concentrated on stipulating lists' ordering of male and female names. Reforms in Argentina clarified the 1-in-3 placement mandate when parties contested one or two seats (raising the mandate to 1-in-2 in these cases). Minimal compliance exemplifies how technicalities permit shirking behavior: parties follow 1-in-3 or 1-in-2 mandates by listing women third or second, respectively (Baldez 2004b: 11; Jones 1996: 88; Piscopo 2006). The number one position, which designates the campaign leader and the congressional delegation leader, is reserved for men. Legal exceptions also appear. In Mexico, the 2002 reform applied the quota to *propietario* (non-substitute) positions but exempted parties if candidates are selected through internal primaries. In the 2003 mid-term elections, the PRI, the PAN, and the PRD all preferred primaries over nominations to select candidates for *diputado*. This particular exemption coincided with primaries' increasing popularity for reasons of democratic transparency and fairness. Lisa Baldez argues that quotas unintentionally tipped Mexican political parties' nomination strategies to primaries, even though internal elections incur costs of weakening party hierarchy and discipline (2004b and 2006).¹⁹ These examples illustrate how parties continuously resist changing the power distribution equilibrium: faced with rigorous quota laws, parties withhold top positions and risk primaries to avoid admitting women into the *clubes electorales*.

Comparisons across Latin America show which reforms during the implementation phase raise the costs of noncompliance such that parties' abandon overt shirking behavior (lacking *voluntad política*) and practice more subtle exclusions (withholding number one positions).

Costa Rica, Mexico, and Argentina outperform other quota-possessing countries because of their strict placement mandates and stringent noncompliance penalties. Reforms in Argentina in 1993 and 2000, in Costa Rica over 1999-2000, and in Mexico in 2002 demanded that parties submit lists to the national electoral tribunals prior to launching campaigns. The *Cámara Nacional Electoral* (CNE) in Argentina and the *Tribunal Supremo Electoral* (TSE) in Costa Rica disqualify noncompliant lists from entering the election in that district. The *Instituto Federal Electoral* (IFE) in Mexico gives the recalcitrant party 72-hours to modify its list.²⁰ The Bolivian quota law also contains a placement mandate and the national electoral tribunal refuses to register noncompliant lists; Bolivia does fulfill its quota in all PR districts, though the ultimate percentage of female MPs falls short of 30% due to the exemption for plurality districts.²¹ By contrast, Peru, the Dominican Republic, and Brazil all undertook reforms that increased their quota percentages *without* appending the additional fixes—placement mandates and/or penalties for noncompliance—that would make second- or third-round quota laws more effective. In the latter countries, quotas remain innocuous public relations measures that affect neither percentages nor procedures. In the former countries, quotas change the percentages of female MPs while permitting parties continued control of candidates' selection and ranking.

The rules shaping the decision context matter. Sociocultural beliefs that either intrinsically or instrumentally value women's greater parliamentary representation also matter. Quota proponents must persuade institutional actors to genuinely, not rhetorically, support female candidates as political leaders and *not* as secondary vote-getters. Willpower, reliant upon gender beliefs that positively value women's participation for reasons of liberal equity and/or ascriptive group difference, can be formulated as a third input in the implementation phase. Willpower can be operationalized as *norm internalization*: whether the norm has a "taken

for granted quality” such that the equilibrium tips and all actors accept the norm (Finnemore and Sikkink 1998). A minimum condition for quotas’ successful implementation is that a coalition of policy actors internalizes the norm of women’s inclusion: without widespread acknowledgement that discrimination against women exists and requires redress, quotas remain marginally effective.²²

This belief change lags in Latin America. Consider the monitoring and enforcing of quotas. In the more institutionalized case of Argentina, the CNE reviews all lists while the executive agency *Consejo Nacional de la Mujer* (CNM) oversees and verifies the CNE’s verdicts. The CNM now possesses legal authority to sue noncompliant parties in the courts; the CNM works in conjunction with female party members and women’s movement activists to scrutinize lists, cross-check the CNE, and initiate lawsuits. Public sector vigilance is high in Argentina (Jones 1996; Jones 1998). Similar scrutiny by a coalition of executive agencies, parliamentary women’s caucuses, parties’ women’s wings, and civil society groups occurs in Costa Rica (Piscopo 2002) and Mexico (Rodríguez 2003). These actors are normatively committed to ensuring quotas’ efficacy, and widespread judicial and executive support indicates a high degree of norm enforcement and agreement in early-adopting countries. The less-institutionalized cases, by contrast, have electoral tribunals and courts unwilling to pay monitoring costs and apply sanctions, as well as moderate-to-weak policy networks unwilling to apply the necessary pressures. In Ecuador, for instance, the 2000 reform included a 1-in-2 placement mandate which the Ecuadorian TSE refused to enforce in the 2002 elections (Araújo and García 2006: 96). Panama, Brazil, the Dominican Republic, and Honduras similarly lack willpower, as relevant political actors neither agree upon nor enforce quota mechanisms.

Peru similarly illustrates a lack of norm internalization. Schmidt (2003a and 2003b) demonstrates that Peruvian voters' unique possession of *two* preferential votes in an open-list PR system actually favors female candidates.²³ A women's movement campaign asking voters to "*dale uno a la mujer*" [give one vote to a woman] increased the number of women elected even though parties failed to fill nomination quotas. The Peruvian *Jurado Nacional de Elecciones* (JNE) has facilitated parties' recalcitrance in three ways. First, the JNE rounds the percentages down rather than up.²⁴ Second, the JNE interprets the quota as applying to either sex; the JNE then denies any petitions alleging female candidates' exclusion by stating that the quota law is not designed to combat discrimination against women. Third, the JNE has counted non-national level positions in national-level elections as filling the quota (Villanueva 2003).²⁵ These bubbles indicate that norm internalization falters not among the general electorate, but among the political elite. The unwillingness of partisan and juridical actors to enforce women's inclusion illustrates which factors enable quotas' efficacious implementation in Latin America: norm development operating in conjunction with supportive policy coalitions (Araújo and García 2006).

Finally, bubbles appear in quotas' application to senate chambers. Parties regard the senate as the more prestigious legislative body, a chamber whose membership should not be manipulated by affirmative action. First-round quota laws in Argentina and Mexico exempted the senates. The quota law in Brazil still exempts the senate. The Dominican Republic rescinded the 33% quota from applying to senate races in 2002.²⁶ More importantly for the bubble effect, however, is how the quota becomes applied to the majoritarian, closed list electoral formula used for senate elections in Argentina, Mexico, and Bolivia. Each district elects two senators from the majority (winning) party and one senator from the minority (runner-

up) party.²⁷ Therefore, parties submit three-person lists, containing two *propietario* candidates and one *suplente*. The district magnitude is, however, two.

In Argentina, according to the 1993 decree, a party contesting two seats must place the female candidate either first or second. When the 2000 decree extended the quota to the senate, the percentage of female senators surpassed 30% in the 2001 elections (A. Alvarez 2005). For the 2004-2005 legislative session, however, only two women headed their parties' list; the remaining 25 held the second position. That female senate candidates are generally ranked second also means that women from the second-place party do not win seats; the minority parties do not have female representatives in the Argentine Senate.²⁸ Blocked from leading campaigns and congressional delegations, women are out-grouped as they are in-grouped. The Mexican IFE's failure to distinguish between *propietario* and *suplente* positions in its 2000 decree similarly marginalized women, as they were listed as third place substitutes on most lists (Bruhn 2003). The 2002 reform in Mexico closed this loophole and applies to the Mexican Senate elections in 2006 (Baldez 2004b). The Mexican law now resembles the Argentine, but I anticipate that Mexican women will similarly receive the second, and not the first, list positions. Bolivia presents the worst case, for the quota law applying to the Bolivian Senate virtually guarantees noncompliance: the 25% quota, coupled with a 1-in-4 placement mandate, essentially allows parties to submit 2-person lists *without any female names* (Costa 2003; Peschard 2002: 5). These failures indicate that rules and unwillingness intersect, assigning women the candidate positions with the least possibilities for political leadership and legislative activity.

Rational choice institutionalism has argued that electoral engineering relies solely on actors' incentives: closing the loopholes while enhancing monitoring and raising sanctions should alone produce efficacious quotas in Latin America. Procedures either increase quotas'

efficacy (when the women's movement monitors the CNE and the CNM in Argentina) or decrease quotas' efficacy (when the electoral tribunal in Ecuador neglects oversight). When efficacy is assessed quantitatively, institutional rules have aligned in Argentina and Costa Rica, and to a lesser extent in Mexico and Bolivia, such that women's representation has achieved the desired threshold. Judicial enforcement further indicates that sufficient numbers of political actors have internalized the norms that women's greater representation matters for deepening democracy and changing culture. Quotas' minimal success in other Latin America countries suggests that poorly institutionalized rules as well as low norm internalization explain the lack of quantitative change.

When quotas' efficacy is assessed qualitatively, however, electoral outcomes must reveal substantive changes as well as numerical changes. In this sense, the power-redistribution intended by quotas must alter not just parties' rule-based incentives regarding the promotion of female candidates, but parties' *beliefs about* women's viability as political leaders. If quotas had changed gender beliefs, two results would appear: quotas would be filled *and* parties would visibly support female politicians. This support would signal an erosion of the *machista* political culture reformers identified as responsible for perpetuating women's exclusion. Even in countries with numerically efficacious quotas, bubbles demonstrate that this erosion—or equilibrium tipping—has yet to occur. Mexican parties favor primaries to exclude women from the candidates' circle. Argentine parties choose men to lead electoral campaigns and legislative delegations. Female newcomers are consistently out-grouped even while joining in-groups.

Argentina: A Case Study

If only the institutional rules matter for these policy outcomes, then Argentina is the best positioned country (a most likely case) to demonstrate that quotas empower women and lead to

qualitative changes. Field research in Argentina focused on the institutional variables and sociocultural beliefs that most affect women's opportunities to (1) achieve elected office, (2) establish respected political careers, and (3) develop legislative expertise and programs. Which types of women receive quota nominations? Does increasing women's representation via quotas change political outcomes? To answer the first question, I treat implementation as the independent variable and the quality of female legislators as the dependent variable. Parties may *choose* how to fill quotas during the implementation phase, and these choices affect the characteristics of *políticas* chosen. To answer the second question, I treat the qualities of female legislators as the independent variable, add party rules and chamber rules as additional independent variables, and look to policy change as the dependent variable. *Do* female legislators possess and behave in accordance with a gendered identity, and *do* gender differentials transform policy outcomes?

In Argentina I conducted 33 semi-structured interviews with current and former *diputadas* and senators as well as interviews with representatives from the CNM, the CNE, the women's movement, and academics in the field of Argentine politics and gender relations.²⁹ I also interviewed *legisladoras* from the legislature of the city of Buenos Aires, which enforces a mandatory 30% quota equivalent to the national-level quota.³⁰ I drew on qualitative data shared by Argentine researcher Analía Alvarez, who conducted a simultaneous investigation. I gathered documentation on the 1991 quota law and its reforms, as well as data on the positions of female legislators in the 2004-2005 Congress. I delineate general findings below.³¹

Adoption

Quotas' conception and adoption in Argentina follows the story sketched earlier. The four independent variables necessary for ensuring the passage of quota laws—a favorable

international climate, a coalition of electoral entrepreneurs, a strong women's movement, and a supportive executive—were present in 1991. As with all countries adopting quota laws, however, the fifth independent variable—quotas' innocuousness—proved most important.

Policy entrepreneurs sought the fast track. Former *políticas* recalled their exclusion from the *clubes electorales* following re-democratization: from 1983 to 1991, women's membership in parties averaged 48% while women's election to the lower chamber averaged 5% (Lubertino 2003; A. Alvarez 2005). Leftist women felt particularly disillusioned, for attaining democratic stability demanded that the left (1) moderate its radical agenda and (2) demonstrate its commitment to tradition by making visible longtime male leaders.³² The 1991 *Ley de Cupo* was conceived by Liliana Gurdulich, senator from the leftist wing of the “populist” majority party of Juan Perón (the *Justicialista*, or PJ, party). Gurdulich worked with Senator Margarita Malhorro, from the minority *Unión Cívica Radical* (UCR) party. Gurdulich and Malhorro were two of six female senators seated in the 1989-1992 Argentine Congress; they formed a two-woman coalition and confronted a potential opposition of 66 male senators.³³ Gurdulich and Torres met secretly to develop the initiative and draft the bill. As news leaked out, Gurdulich's fellow Peronists branded her “crazy” and told her “to be silent” on the issue (Gurdulich 2005). Gurdulich and Torres's commitment demonstrates how political willpower begins to coalesce: both women knew their decisions would cost them their political careers, yet they proceeded.

Malhorro made the official proposal in the Senate, for Gurdulich believed that an endorsement from the conservative party would increase the bill's legitimacy. Anecdotally, Gurdulich stated that her male colleagues in the Senate passed the measure as appeasement, for the men “never really believed” the law would pass the Chamber of Deputies. During the Chamber debates, Gurdulich was instructed by Peronist bosses to “not say a word” (the party

leadership initially attempted to prevent her from even attending). Silencing Gurdulich could not, however, silence all *políticas, militantes*, and activists who began vocalizing support for the quota law. Their coalition grew to include partisans in elected office, social movement activists, and executive branch members. The minister of the interior framed discrimination against women “as cultural” and demanding change (Towns 2003: 45). As elites argued over discrimination and fairness in the chamber, the women’s movement marched outside the Congress and banged pots and pans to signal their approval (Bonder and Nari 1995). Both legislators and activists acknowledge that the Chamber voted to adopt quotas only following President Carlos Menem’s midnight phone call. Menem’s delegate in the Chamber made the critical announcement: the executive wanted the legislation promulgated. A Peronist president, Menem possessed the congressional majority and the quota law passed.

Thus, quota entrepreneurs inside the legislature allied with social movements and executive agents to advance a common goal: increasing the number of women elected to the Congress (Chama 2001). The problem all quota advocates identified and denounced were the barriers to upward mobility in the parties. One former legislator explains the quota as “fighting for the third of seats that belong to us” (A. Alvarez 2005). Likewise, commentators believe Menem’s midnight endorsement originated from his perception that the quota mechanism would increase his support among female members of the Peronist party.³⁴ Proponents certainly paid rhetorical attention to, in the words of deputy Carlos Alvarez, quotas’ potential for ending the “cultural retrocession” in Argentine society (Towns 2003: 45). Proponents also hoped that, in the long run, women’s presence and perspective would enable substantive representation. Nonetheless, these transformations were prospective developments. One interviewee commented that selection based on candidates’ capacities and skills (rather than sex) constituted

a future project (A. Alvarez 2005). These comments suggest that assuring bodies-in-parliament was the immediate, overarching concern of quota entrepreneurs and executive allies.

Following the promulgation of the *Ley de Cupo* in 1991, former legislators and their aides joined with feminist activists to form policy enforcement networks. Members traveled throughout Argentina, speaking with party leaders and judges in all provinces to publicize the *Ley de Cupo* and extract commitments for adherence.³⁵ While these networks undeniably raised the law's media profile, early battles waged over attaining 30% of female names. Parties resisted the target percentage, exploiting loopholes and seeking exemptions. They claimed that capable women existed neither among the leadership nor among the rank-and-file, that no female party members merited leadership positions. The policy enforcement networks responded by working to identify accomplished female partisans in each province and to convince provincial judges that, irrespective of parties' claims about the dearth of females, the quota law must be enforced. Parties responded with another strategy of resistance, one that would significantly affect the legislative phase: promoting party loyalists above all other candidate types.

The Argentine quota would only affect women's numerical representation. Those senators and deputies who supported the measure were branded as subversive and feminist. These women never received re-nominations; Gurdulich was ostracized. Political parties capitulated under citizen pressure and executive support, but they enacted retribution against those who challenged the status quo. Parties then preserved the pre-quota power-distribution by controlling which female aspirants received nominations. In the Peronist party for the 1993 and 1995 elections, the nominees were "chosen because of their unquestioning loyalty to President Carlos Saúl Menem rather than because of their qualifications as candidates" (Jaquette 1997: 34). This observation shows that political parties interpreted first-round quota mechanisms as

procedural nuisances rather than destabilizing forces. Handpicked legislators follow party programs and are unlikely to covertly draft unpopular legislation.

With a law focused on bodies, implementing the grander aspirations of the quota law (cultural change and substantive representation) becomes difficult to engineer. The 2000 reform closed all legal loopholes, making 30% female representation a certainty. Throughout the implementation phase, however, parties demonstrated low norm internalization by choosing poor female candidates. From the standpoint of the political parties, partisan loyalty and discipline are “good” qualities; from the standpoint of reformers hoping for women’s legislative autonomy, however, puppet candidates possess “poor” qualities. Recall that effective power depends on female legislators accruing not just seats, but resources and authority in the policymaking process. The implementation of quotas beneath strategies of resistance hinders female legislators’ influence and this limits quotas’ impact.

Impact I: How Gatekeeping Parties Implement Quotas

Quotas’ effectiveness in advancing women’s substantive representation depends on the gatekeeping powers of Argentina’s political parties. Internal hierarchies and patronage networks determine which women and which men emerge from the rank-and-file to become nominees and/or leaders (de Luca 2002; Jones 2004b). During the nomination phase, parties pursue three strategies that de-legitimize quota mechanisms. First, they rhetorically capitalize on positive and negative imagery of female politicians to argue that women must win on their own merit and *not* on partisan coattails. Second, parties adopting internal primaries claim that elections within the party are more democratic than, and are antithetical to, nomination quotas. Third, parties elevate inexperienced outsiders known as *mujeres de* (literally, wives or lovers) rather than experienced

elites. These maneuvers result in the widespread discrediting of quotas generally and of female politicians particularly.

Imagery of Políticas

The promotion of female candidates is nested within complex, and often contradictory, values about women's leadership in Argentina. Theorists looking to sociocultural beliefs anticipate a positive feedback mechanism between quotas' increased percentages of female MPs and favorable attitudes towards women's representation (Caul 2005; Mansbridge 1999). Indeed, interview respondents in Argentina overwhelmingly described the *ley de cupo's* primary accomplishment as "making visible" [*visibilizar*] women as political actors. Yet, I also noted that Argentines differentiate between the acceptability of women in public life and the acceptability of institutional guarantees that compel women into public life. Quotas can actually create a negative feedback mechanism, where all politically-active women face an additional barrier to acceptance: proving they are deserving of power and are not merely tokens.

On the one hand, the law has created a dispersion or spillover effect wherein authorities in other government branches feel compelled to appoint women. In August 2005, two seats became available on the Supreme Court; editorials in the major newspapers called for President Kirchner to recommend female replacements (which he did). Kirchner also named women as Ministers of the Economy and of Defense in November 2005, an extraordinary elevation of women into the echelons of money and war typically reserved for male politicians in Latin America (Heath et al 2005). Quota proponents have highlighted these nominations as signaling the erosion of gender disadvantages in politics. On the other hand, the ability of prominent women to achieve public office in government branches *without* quotas makes quotas' suspect:

opponents argue that women now achieve political office on their merit, and therefore should run for legislative office on their own merit as well. On this reading, quotas are obsolete.³⁶

Male politicians thus persuasively claim that, since women achieve office without resources to quotas, the mechanisms wrongly force parties to promote undesirable women. The high-profile careers of Senators Cristina Fernandez de Kirchner (wife of President Kirchner) and Hilda “Chiche” Duhalde (wife of ex-president Eduardo Duhalde) are cited as cases in point. Yet, the proofs are inconsistent. First, Sras. Fernandez and Duhalde symbolize the success women achieve without quotas, for neither woman attained her candidacy merely because the Peronists needed to fill the 30% minimum; both women entered the *clubes electorales* through their own grassroots militancy, their own perseverance, and their own skills. Second, and contradictorily, the notoriety that Sras. Fernandez and Duhalde have received through their confrontational behavior—denouncing rivals at political rallies, making policy claims on behalf of their party’s factions—transforms the ladies into *negative tokens*. While Fernandez possessed a well-respected political résumé before her husband’s ascendancy to the presidency, her dual roles as Senator and First Lady generate the widespread perception that she uses her spouse’s position for personal advancement. The visibility and vocality of these female competitors, as well as their transgressions of prescribed gender roles, tarnishes the reputation of all female politicians as shrewish, loudmouthed aggressors within an already-polarized political climate.³⁷ *Políticas* are painted as undeserving and opportunistic copycats of their husbands. A common refrain, which I paraphrase here, says “why elect more women if they behave that horribly?”

Female aspirants do seek merit-based upward mobility in the party. Women enter at the base, as street-level *militantes*. Many interviewees explained that their ability to advance from the rank-and-file into the inner circles depended on currying the favor of *un patrón*, a more

prestigious and authoritative party leader—who is generally male. Women with mentors advance within the party; women not chosen by *un patrón* do not advance. Tula (2005) calls this system *parentesco político*, a political kinship based on relationships between *padrinos* [godfathers] and *jóvenes* [youths]. The patron of the young militant will negotiate with other party bosses for greater authority and privilege to be extended to his protégé. Female interviewees all described that receiving the favors of *un patrón* depends on their unwavering loyalty and tireless dedication to the party's success (by campaigning, by volunteering, by going block-by-block in cities and towns to organize votes). If the aspirant has two resources—personal loyalty networks that guarantee neighborhoods' votes and financial resources to physically transport voters to the polls—then her electoral ambitions may well succeed (cf de Luca 2002). This combination of patronage and resources helps militants advance from the rank-and-file and into the contenders' circles.

Yet, even female *militantes* following the rules confront gender stereotypes. A 33-year-old militant chosen for the 2nd list position in the October 2005 elections offered the following story: “The minute he [my *patrón*] placed me on the list, they [other party members] started saying I slept with him; they forgot I had spent three years organizing in *barrios* for the people's vote.” Her subjection to sexually-charged gossip is not unique. Those most susceptible are young, inexperienced women seeking nominations or serving their first terms in office. While older *políticas* rarely reported being the objects of malicious storytelling, newcomers noted that socializing outside the workplace typically results in rumors of sexual misconduct that undercut the women's professional achievements. Younger *políticas* added that their preference for socializing in business spaces then marginalizes them from political negotiations, for dealing frequently occurs during midnight hours and in nonprofessional settings. Analía Alvarez

reported that male party bosses exploit young women's naiveté (2005).³⁸ The gentlemen either use sexual jesting to foreclose the participation of women in informal spaces or capitalize upon informal gatherings to cement deals, knowing that many female newcomers will not attend.³⁹

These sociocultural beliefs trap female newcomers in a paradox: either they deserve less respect for achieving their partisan and/or legislative position because of a quota, *or* they deserve less respect for relying on sexual relationships—rather than inherent abilities—to ascend power hierarchies. One male politician commented that women needed to cease relying upon the quota, for the quota constituted a male-initiated mechanism that paternalistically helped female aspirants who lacked their own qualifications and merit! These beliefs create bubbles in quotas' implementation phase, limiting women's integration into the *clubes electorales* by undermining counterclaims that women are as capable, as competent, and as qualified for politics as men are. Arguably, quotas cause these negative gender attitudes to become more, not less, entrenched.

Party Primaries

As party elites resisted quotas by favoring loyalty above other officeholding qualifications and by creating gender-biased work environments, they confronted a new threat to the power-distribution status quo. Beginning in 2005, Argentine electoral law mandated that all parties adopt internal, direct primaries for candidate selection. This requirement has reduced party bosses' control of candidate selection by prohibiting strategic choices (use of nominations when hierarchies are unclear or when internal competition is high) and by inhibiting intra-party bargaining. Within parties, competing factions run pre-lists in the primaries; these lists are then integrated as *the* list that parties present to the CNE for national elections.⁴⁰ The quota interacts problematically with the formal primary system (Jones 2004b: 18), reinvigorating a climate of annoyance directed at the women who must comprise 30%. The new primary system shapes

parties' second strategy for resisting and undermining the quota: arguing that the *ley de cupo* constitutes a non-democratic imposition on the otherwise transparent behavior of the party selectorate in choosing candidates.

Primary rules and quota rules create an electoral quagmire. Assume Faction A wins the primary and Faction B places second. Under a standard 2/3, 1/3 majoritarian rule for integrating the factions' pre-lists, the top two winners from Faction A and the top winner from Faction B are placed 1-2-3 on the final list (the pattern repeats each three-name segment). Party factions are not required to follow the quota mandate on their pre-lists (Jones 2004b; Tula 2005).

Interviewees suggested that many faction leaders neither ran pre-lists with female candidates nor ran pre-lists with female candidates ranked according to a 1-in-3 placement mandate. The following problem arises, however, when all primary winners are male: if Mr. Alpha and Mr. Beta are the highest ranked candidates from Faction A, and Mr. Delta is the highest ranked candidate from Faction B, the list presented to the CNE cannot reflect that ordering of Alpha, Beta, and Delta. The 1993 and 2000 quota reforms mandated that position #2 or position #3 must contain a woman's name, depending on whether the district magnitude is 2 seats (or less) or 3 seats (or more), respectively. Thus, in composing the final list, either Beta or Delta will be bumped and replaced with a female candidate; this downgrading decreases the man's probability of receiving a legislative seat. The demotion of male winners forces certain factions or coalition members to accept the lesser-valued female slots, generating frustration and resentment among male aspirants.

Despite the appearance of formality, primaries have not eliminated intra-party bargaining and name juggling. I witnessed that faction bosses modify lists following the primary results, with alterations and substitutions occurring until immediately before the CNE deadline for the

receipt of electoral lists. One *legisladora* described how her candidacy resulted from a midnight phone call from her *patrón*, asking her to accept the number 5 position. Another candidate for *legisladora* also referred to this last-minute name-trading, from which she similarly won her nomination. These post-primary negotiations become scapegoats for the electoral quota, even though the bargains involve trading political favors as well as paying the quota. Quota opponents deploy a persuasive argument (that belies actual practice): the switch to primaries complies with the country's objectives of greater transparency in decision-making, and the quota mechanism is *undemocratic* by discriminating against legitimate winners. Quotas bump the "right" candidates. Quotas reject the "true" electoral preferences expressed by primary voters and compel party leaders to substitute "false" candidates. Stories of midnight phone calls to available female militants suggest that parties are desperately scrambling to locate female substitutes for demoted male winners. This scrounging behavior damages quotas' validity from a public relations standpoint. Party leaders allege that primaries modernize the electoral system while quotas antique the electoral system.

Future research must pay attention to how quota laws affect the formation of lists within parties.⁴¹ On a positive reading, intra-party democracy loosens the authority and hierarchies that make women's advancement from the rank-and-file into the *clubes electorales* difficult.

Women potentially have greater success building positive reputations within the smaller factions than within the larger party. Primaries also reduce female aspirants' dependency on their *patrón* and reliance on rules for ascension based on personal favors and loyalties (Baldez 2006).

Women may thus benefit from primaries. On a negative reading, quotas originated because female elites felt disillusioned by their marginalization following the return to democratic politics. The more intimate, personal connections of factions might heighten competitiveness

among faction members, transforming party primaries into high-stakes power struggles (which previously discriminated against female candidates in the general elections). The disapproving imagery surrounding assertive female actors and the difficulty of securing patronage then suggests that internal primaries will not facilitate the election of female candidates. Aspiring female officeholders face the same institutional barrier as before: gaining access to the list, only now they must access the *pre-list* in the appropriate, non-ornamental position. Primaries thus increase the value attributed to female aspirants who are non-threatening, non-entrepreneurial, and undeniably loyal.

Las Mujeres De Alguien

The battle over list positions culminates in political parties' most active exploitation of the loophole that quotas mandate only quantity. Party leaders deliberately choose "poor" quality female politicians. Male elites essentially fulfill their own prophecies. During the adoption phase, leaders claimed a dearth of qualified female aspirants to avoid filling quotas; during the implementation phase, leaders strategically choose unqualified female candidates for two reasons. First, loyalists without additional legislative skills do not destabilize the power-distribution status quo. Second, when legislators underperform, negative gender beliefs are reified. The presence of passive, incompetent, and unprepared female MPs reinforce beliefs that women are too meek and too gentle for political leadership. This manifestation of gender differentials, one orchestrated by parties' candidate nominations, perpetuates female politicians' marginalization within legislative chambers.

The dominant interpretation of quotas' implementation in Argentina holds that elected women are merely *las mujeres de alguien* [the women of someone]. Parties pay the quota with women dependent on their *patrón* through ties of marriage or kinship. Many female candidates and officeholders are the wives, lovers, daughters, or sisters of powerful male party bosses; the bosses are often former officeholders and their *mujeres* often lack any congressional (or even political) experience. Interviewees referred to this phenomenon by making statements such as “the women keep the seats warm until the men come back” and “the women ask their men how to vote.” One *diputada* suggested that these “silent” and “invisible” women never attend legislative sessions or attend only when voting occurs. Others suggested these phantom legislators vote upon instruction and without any professional engagement in the policy problem. This phenomenon has the following logical implication: women holding elected office in Argentina serve as the non-autonomous mouthpieces of parties' male leaders. Moreover, interviewees intimated that *mujeres de* are rarely reelected; legislative terms become one-shot deals that prevent parliamentarians from accumulating experience and expertise.⁴² Party discipline of female representatives is thus secured by using ties of kinship to ensure loyalty, bonds which also guarantee that female newcomers are more passive and more malleable.

A former minister admitted that the *mujeres de* phenomenon is not accidental. He explained that marital or other kinship ties reduce uncertainty over aspiring legislators' policy preferences, maintaining elites' control over legislator behavior. In the October 2005 elections, the ex-minister led his own political party; he held the first list position, and his wife, now freed to participate in politics “because she had already raised their children,” held the second list position. The ex-minister stated, “We have filled our quota through marriage.”⁴³ The integration of factions' pre-lists also encourages parties' nomination of *mujeres de*. Parties have no legal

obligation to replace demoted male candidates with similarly-ranked females, and may appoint the winners' female relatives. The female relative then becomes a puppet, voting according to her party's (or male relative's) instructions. Selecting *mujeres de* manufactures loyal and disciplined legislators.

This phenomena does not, however, include all female officeholders in Argentina. Academics and politicians widely acknowledge that *diputadas*, *legisladoras*, and senators comprise two distinct groups: a small, elite, and respected circle of legislators with their own political careers and independent voices; and a large, non-elite, and disparaged bulk of *mujeres de* nominated by their parties to fill the quota. The former make strong policy proposals and tend to serve on more prominent commissions; the latter do not speak in political debates and reportedly serve their party's interests. Measuring legislator merit and autonomy is difficult, but useful indicators include: policy portfolios and participation in floor debates (indicative of legislators' status within the chamber), schedules of speaking engagements outside the Congress (indicative of legislators' prominence within the party), and ties to civil society organizations and public interest groups (indicative of legislators' prominence among the electorate). Surveying these indicators and adding interviewees' reporting of noteworthy female politicians has led to this rough estimate: of the 86 women seated in the Chamber of Deputies for the 2004-2005 legislative session, 11 *diputadas* (12%) commanded respect from colleagues and from voters as *políticas* with merit-based achievements and autonomy. This leaves 75 potential *mujeres de*, a majority unlikely to advance substantive representation by articulating or advocating women's interests.

I argued that the quotas initially appeared harmless because they would promote highly-placed *políticas* with partisan ties rather than political outsiders with no experience. The *mujeres*

de muddle this insider/outsider distinction: the wives and sisters and cousins of the male politicians are outsiders when measured by their political résumés, but not when viewed through their political connections. The *mujeres de* actually appear more attractive to party bosses than elite females: the *mujeres de* combine high levels of inexperience and naiveté with equally high levels of familial, partisan, and ideological loyalty. Referring to the nominations lost by female party elites, Gurdulich stated, “we never dreamed the quota would be used in this way.”

Overall, the implementation of quotas shows that party bosses discern and exploit quotas’ limitations. Parties pursue three overlapping tactics of resistance: showing that female candidates nominated via quotas lack merit and capabilities, arguing that quotas violate the party selectorates’ preferences, and promoting *mujeres de* as placeholders rather than officeholders. These evasions reinforce the embeddedness of gender discrimination across political institutions. Female aspirants must prove they are not merely, or are more than, a leaders’ wife or lover; the barriers to entering the *clubes electorales* become exceedingly high, even for professional, competent, and ethical women. Dahlerup summarizes these paradoxes and double standards: “women politicians are accused of lacking knowledge and education but at the same time criticized for only representing a small group of educated elite women; women politicians are accused of being tokens of their clans, families and parties, as if men never are” (2006: 13). Male *militantes* who are unqualified, loyal, highly disciplined, and/or the brothers, cousins, fathers and sons of party bosses often receive nominations and often win legislative seats in Argentina. Yet, these allegations create exponentially more difficulties for female aspirants, candidates, and legislators. Quotas, designed as correctives to gender disadvantages, actually risk subjecting *políticas* to greater scrutiny, higher standards, and more ridicule.

Impact II: Indicators of Substantive Representation

The foregoing analysis suggests the following causal chain. First, parties' strategies in implementing quotas determine the types and the qualities of female candidates that attain parliamentary seats. Measuring female legislators' characteristics can be achieved using female politicians' political genealogies (a measurement of their relationship to their co-partisans) and resumes (a measurement of their independent formation and experience in politics). Second, the characteristics of female legislators determine whether women in parliaments act as substantive representatives, or effect decision-making such that gender interests are present in policy outcomes. Implementation defines impact by connecting the achievement of and maneuverability within elected office to certain candidate characteristics. This sequence leads to two hypotheses.

Hypothesis 1: If political parties in quota-possessing countries operate under closed-list PR or mixed electoral systems—institutions which permit parties to control candidate selection procedures such that legislators' type is predetermined—then gender quotas will have minimal effects on women's substantive representation.

Hypothesis 2: Party rules and chamber rules that marginalize female newcomers further reduce the ability of ambitious or independent female legislators to accumulate effective power and act as substantive representatives of women's interests.

These propositions underline both the importance and the difficulty of constructing valid empowerment indicators for female legislators. Measuring legislator influence poses major challenges: beyond practical questions of data availability, measurements must accurately reflect chambers' decision environments. Institutional rules and gender beliefs interact within the legislative phase (just as they do in the nomination phase). Legislative tasks, from bill initiations to committee assignments, are seized by or are allocated to legislators for myriad reasons relating

to any combination of personal preference, individual ambition and accomplishment, and partisan objectives.⁴⁴ Sociocultural beliefs cross-cut these reasons. A legislator promulgating soup kitchens, for instance, might intrinsically value community service or might instrumentally appeal to impoverished constituents; she might also speak and act maternally and/or represent a leftist party supportive of welfare initiatives. Many Argentines believe that female politicians do wish to promote more socially-sensitive policies, more conciliatory dialogue, more honesty and more transparency. Nonetheless, *políticas* become forced to “behave like men” in order to survive the cutthroat world of politics (A. Alvarez 2005). On the other hand, *políticas* marked as feminine, weak, silly, sexually deviant, incompetent, or a *mujer de* cannot accrue the respect and the resources necessary for developing individualized policy portfolios. Taking legislative tasks as indicators of women’s empowerment or women’s substantive representation therefore requires discerning which (if any) gendered behaviors and preferences these tasks reflect.

Scholars have explored three variables to measure women’s empowerment in legislatures. These are the following: women’s ability to take policy positions independent of their party’s approval or disapproval (Archenti 2005); their sponsoring of and voting for gender-oriented and/or welfare-oriented bills (Jones 1997); and their seats on first-tier and second-tier congressional committees (i.e., foreign affairs versus housing) (Heath et al 2005). Recall that numerically efficacious quotas make Argentina the case most likely to demonstrate these substantive transformations to women’s representation.

The legislative group that structures all parliamentary business in the National Congress and the Legislature of Buenos Aires is the party *bloque* [bloc], composed of all legislators belonging to the party. The bloc leader states the party’s position on each item of proposed legislation; though intra-bloc negotiation occurs, the bloc leader’s pronouncement determines the

party's ultimate position. In the 2004-2005 Chamber of Deputies, no *diputada* headed the medium-sized or largest blocs (5 delegations ranging from 10 to 129 members). Three women headed smaller parties' blocs (8 delegations ranging from 2-9 members). Three women defected from their parties and formed *bloques unipersonales* [one-member blocs].⁴⁵ One *diputada* reported that her defection from the Peronists, triggered by her opposition to military amnesty laws, imploded her future career as a partisan: when she departed from the legislature in 2005, the Peronist leadership denied her requests for other appointments (for which she had the appropriate resume). Another vocal *diputada* who fights to legalize abortion—a highly controversial proposition—also forms her own bloc. These observations support the conventional wisdom that female legislators receive greater autonomy when acting within smaller parties or when acting independent of large parties.

Given the high level of party discipline in Argentina, *diputadas* (and *diputados*) adhere to party programs (Jones 2004b; Mainwaring and Scully 1995). This factor makes indicators of policy positions—either formal pronouncements or formal votes—a statistic more reflective of the *bloque's* programmatic agenda rather than the legislators' personal opinions.⁴⁶ Looking to female legislators' policy pronouncements, then, reflects not if *diputadas* support women's issues, but if they endorse parties' policy goals. Chant and Craske argue that female legislators “make the majority of women-focused legislative proposals” (2003: 41).⁴⁷ Yet, many interviewees described an unwritten procedural rule in the Argentine Congress: female deputies always propose bills pertaining to non-discrimination, human rights, culture, or social welfare issues. The *bloque* leadership generally designates bill development and bill initiation assignments in women's interest areas to female members—irrespective of individual legislators' preferred policy areas. This informal practice signals an unspoken, implicit conformance to

gender norms, and thus poorly signals legislators' personal opinions. These measures show that embedded gender beliefs affect both male and female MPs' behavior. Observationally, female legislators do support a range of gender-related issues, but this data cannot definitively reveal whether such preferences are *innate* to female representatives.

A second proposed indicator examines whether or not female legislators form a coherent bloc to pressure parties on matters of gender-sensitive or welfare-oriented policies. Given that a cross-partisan alliance of women was critical in securing quotas' passage, conventional wisdom holds that female legislators exert policy power when networked through intra-parliamentary women's forums, committees, or caucuses (Rodríguez 2003; Peschard 2002). The distinction between choice and compulsion again becomes important: do female representatives choose these policy orientations because they genuinely support the outcomes (as some interviewees claimed) or do these representatives feel compelled by *bloque* leadership to choose these policy orientations despite preferring projects elsewhere (as other interviewees claimed)? More importantly, gender does not convey an automatic consensus on questions of abortion, family violence, social rights, and the welfare state; partisan ideologies also conflict on these issues and female legislators are likely to follow party platforms on divisive or controversial matters. As Htun explains, quotas enable women to hold seats while remaining agnostic about policy agendas, for quotas highlight women's presence while collapsing their voices back into parties and legislatures (2004: 450-1). Female legislators express no innate, shared gender allegiance. They cannot act as a bloc without a unifying vision and without autonomy to act upon that vision.

These observations support Hypothesis 2: increasing women's seat-share ratio serves limited instrumental ends. The exceptions in Argentina are three: when female *diputadas* allied

(without success) to press for extending quotas to internal party primaries, when they sought quotas for labor unions, and when female senators secured the passage of the sexual health bill in 2002. The last example best illustrates a substantive policy outcome of the type envisioned by quota entrepreneurs. The sexual health bill (which creates a national program within the Ministry of Health to promote safe sexual practices) had passed the Chamber of Deputies, but routinely failed in the Argentine Senate—until female representation achieved critical mass, jumping from 1.4% in 1998 to 34.7% in 2001 (A. Alvarez 2005). One verifiable example does not, however, constitute a pattern. The other examples—the cross-partisan alliances that sought additional quota mechanisms—suggest that female legislators unite only to preserve or to increase their own seat-shares within political institutions. Instances of policy responsiveness (women acting as women for women) are rare in the Argentine Congress. Party discipline, ideological diversity, and professional self-interest have greater influence over female legislators' behavior than shared gender and shared social positioning.

Lastly, committee seats are often used as indicators of female empowerment, measuring higher legislative power as a function *diputados'* assignments to hard, first-tier committees (generally classified as committees pertaining to international and national security, economy and finance, justice, and parliamentary procedures). Women's assignments to soft, second-tier committees (generally classified as committees pertaining to social welfare issues, such as housing, culture, and youth) indicate that female legislators are ghettoized in less-prestigious committees (Rodríguez 2003; Carrío 2002; Archenti 2005). Committee seats are sites of disadvantage, bubbles that appear during quotas' impact phase.

While certainly accurate, this observation simplifies the complex interaction of gender beliefs with institutional rules. Committee assignments, like policy statements, reflect either

choice based on personal beliefs or compulsion based on ascribed gender difference. In Argentina, committee assignments are distributed within *bloques* according to legislators' standing within the delegation. Thus, women nominated to fill the quota and women without prior experience cannot reasonably request seats on the first-tier committees; these seats are reserved for bloc leaders, men with longstanding authority and stronger resumes. Bloc leaders further assume that women, being more maternal and more moral, will prefer the softer committees. Women must present their credentials when requesting all committee assignments, and given that *diputadas* are more likely to possess degrees in education, psychology, or social work (Archenti 2005), bloc leaders again perceive women as capable solely for soft commissions. Moreover, many female interviewees felt their credentials and their experiences were subjected to greater scrutiny than those résumés presented by their male colleagues. One *legisladora* commented, "A man asks for the seat and he gets it regardless of whether or not he's done that work before; a woman asks for the seat and she has to prove why she should have it." Committee assignments are thus problematic indicators of female empowerment for two reasons: (1) legislators receive committee seats based on seniority, professional development, and on ascribed gender differences and (2) women's resumes must be extraordinarily impressive to win first-tier assignments. Even qualified women are out-grouped to social and cultural committees.

These gender disadvantages imply that female MPs have low rates of legislative success in Argentina. Calvo and Alemán reason that *diputadas* in quota-possessing countries will (1) experience a discrimination backlash from "old-boys partisan networks" and (2) develop bills in policy areas to which most men remain indifferent; they hypothesize that, as a result, women's legislative success is likely to suffer (2005: 19). Calvo and Alemán do find that gender is negatively and significantly related to legislative success in the Argentine Chamber of Deputies,

but this finding becomes insignificant once controlling for male and female legislators' tenure and prestige within chambers. Yet, my research shows that being female corresponds with being a freshman legislator, being seated on a less influential committee, and being responsible for softer legislation. Female MPs *do* face greater institutional hurdles. An anti-quota backlash is manifest in chambers' discriminatory bubbles.

Substantive change therefore depends on *well-qualified* female MPs acting with a *stereotype-free* legislative environment that offers actors a *level playing field*. Women in parliaments are presumed to represent the social rather than the political; gender postures are imposed on both men and women. Mansbridge suggests that acting as a group “accentuates or reifies group differences, reactivating stereotypes that both women and men rely upon” (2005: 632). Female MPs' maneuverability is circumscribed by institutional cultures of disadvantage and discrimination: negative imagery and beliefs surrounding these newcomers justifies party leaderships' withholding of legislative opportunities and success. Female legislators lack the forums and the spaces to make requests, pronouncements, and proposals that deviate from gendered expectations. Substantive change derives from quotas only if female legislators can either capitalize on or deconstruct gender belief, if they can willingly choose to assume or to not assume ascriptive postures of caring and conciliation. As of now, this ability does not exist.

Conclusion

Women's absence from the centers of political power remains the equilibrium in Latin America. Recall that bubbles evidence how gender disadvantages are embedded within and linked across the political system. As the fast track leading to women's equal representation, quotas *punctuated*—rather than tipped—the numerical equilibrium. Quotas do raise women's legislative seat-share faster over time: from 1995 to 2004, quota-possessing countries in Latin

America experienced an average increase of 9.5%, whereas non-quota countries experienced an average increase of 2.75% (García 2005: 5).⁴⁸ Yet, quotas' neither punctuated nor tipped the qualitative equilibrium: men in political in-groups do not redistribute power to women in political out-groups. Quotas' effectiveness depends on percentage increases *and* "the degree to which a particular culture at a particular moment in history can accept them [quotas] as legitimate" (Mansbridge 2005: 629). Quotas in Latin America attempted to overcome or erase cultural biases; beliefs and practices are sticky, however, and new norms are not internalized in the short- or intermediate-terms. Rather, the gap between numerical and substantive change creates bubbles of gender discrimination, backlashes that inhibit *políticas*' genuine empowerment. Political parties' resistance indicates that, proclamations celebrating gender equity notwithstanding, gender disadvantages remain entrenched. In the words of Louise Vincent, quotas "change the way things look without changing the way things are" (2004: 71).

Quota laws thus prefigure neither polemical policies (quotas entail no programmatic commitments to divisive gender issues, such as abortion) nor polemical practices (quotas will not propel masses of radical activists into positions of power). When loyalists fill quotas, male and female parliamentarians will not significantly vary in their portfolios or their behavior. When female newcomers are out-grouped, gender disadvantages create perceptions that female legislators are weak representatives. Beliefs about women's superior moral and maternal capacities underpin female legislators' receipt of softer legislative tasks. Examining substantive policy outcomes as the dependent variable, with female legislator characteristics as an independent variable, might therefore yield no results. Female politicians might be more conciliatory and less corrupt, more socially conscious and more welfare-oriented. Female politicians might possess and act on differential policy preferences. The ascension of loyalists,

combined with ascribed group difference in the distribution of legislative tasks, nonetheless confounds evaluations of whether or not substantive representation unfolds in the policymaking process. Observationally, female MPs differ from male MPs, but whether or not these differences are innate or imposed remains unclear. What is clear, however, is that female legislators do not receive fair and equal treatment in the legislative phase.

This pessimistic interpretation ultimately calls enthusiastic celebrations over female legislators' critical mass—the attainment of 30% representation—into question. The instrumental goals of women's greater political presence are theoretically attractive yet practically unfeasible. On the other hand, quotas seem unlikely to disappear from the political landscape in Latin America. The newly-elected executive in Chile has made passing quota legislation a “high priority” in her administration.⁴⁹ Grumblings in Argentina over quotas' problematic interaction with party primaries and unattractive elevation of *mujeres de* have not generated wholesale campaigns to repeal the laws. Argentine *políticas* and their Latin American colleagues instead have begun pushing for parity representation, or raising quotas to 50%. Once women accrue some political authority, they will resist attempts to revoke these opportunities; rather, they will seek to guard and to expand their power (cf Caul 2001 and 2005). Quotas seem entrenched as institutional rules, though without accompanying norm internalization.

To explore this conclusion, future research should attend to the opinions and the strategies of male party members as well as to the voting behavior of men and women in the general electorate. Understanding the calculations of male elites and male rank-and-file might reveal whether or not men's gender beliefs are changing over time. Younger men might adapt more rapidly to women's presence than older men; as new generations enter Latin America's democratic institutions, gender disadvantages might slowly disappear. Moreover, if male and

female voters in the general electorate enthusiastically support women under certain circumstances, political parties might relax their resistance to integrating women into the *clubes electorales*. The differing leadership styles of *políticos* and *políticas* might offer leverage on these questions: are there electoral moments when maternal women, aggressive women, or authoritative men have greater appeal? Or, are there leadership postures that break down these gender binaries, postures which may be adopted by either sex? A deeper understanding of *when* party members, political elites, and citizen voters support female politicians, and for what reasons, will clarify how women's presence can transform politics in the long-term. Quotas' impact will ultimately reveal whether or not such transformations are even possible.

Table 1: Quotas' Adoption and Implementation in Latin America

Country	quota	initial law	reforms	election	seat ratio	%	seat ratio	%
Costa Rica	40%	1990	1996; 1999	2006	20/57	35.1%		
Argentina	30%	1991	1993; 2000 ^a	2005	90/257	35%	30/72	41.7%
Mexico^h	30%	1996	2002	2003	112/500	22.6%	20/128	15.6% ^b
Nicaragua	no			2001	20/92	21.7%		
Bolivia	30% ^{c,d}	1997		2005	22/130	16.9%	1/27	3.7%
Peru	30%	1997 (25%)	2000	2006	35/120	29.2%		
Venezuela	30%	1997	repealed 2000	2005	29/167	17.4%		
Dom. Rep.	33%	1997 (25%)	2000	2002	26/150	17.3%	2/32	6.3% ^g
Panama	30%	1997		2004	13/78	16.7%		
El Salvador	no			2006	14/84	16.7%		
Ecuador	35% ^c	1997 (20%)	2000 (30%)	2002	16/100	16%		
Uruguay	no			2004	12/99	12.1%	3/31	9.7%
Colombia^h	no ^f	1998	repealed 2001	2002	20/165	12.2%	9/102	8.8%
Paraguay	20%	1996		2003	8/80	10%	4/45	8.9%
Chile	no			2005	12/120	10%	2/48	4.2%
Brazil	30%	1995 (20%) ^{e,g}	1997 (25%); 2000	2002	42/513	8.2%	10/81	12.4%
Guatemala	no			2003	13/158	8.2%		
Honduras	30%	2000	2004	2005	8/128	6.3%		

* When possible, data reflects electoral results and not seat-share changes that occur during the legislative term.*

^a 1991 and 1993 applied to Chamber; Senate mandated by decree in 2000

^b 2000 election; quota in effect 2006

^c increase 5% each election until 50%

^d 25% quota in Senate

^e 1995 national law applied to municipalities only; expanded to regional and national parliaments in 1997

^f 2000 (30%) quota in appointed, administrative national (executive) posts; no parliamentary quota

^g no quota in the Brazilian Senate.

^h 2006 electoral data for Mexico and for Colombia not available as of June 2006

List of Abbreviations and Spanish terms

CNE = *Cámara Nacional Electoral* – National Electoral Chamber [Argentina]

CNM = *Consejo Nacional de la Mujer* – National Council on Women [Argentina]

IAD = Inter-American Development Bank

IFE = *Instituto Federal Electoral* – Federal Electoral Institute [Mexico]

IPU = Inter-Parliamentary Union

JNE = *Jurado Nacional de Elecciones* – National Judging Board of Elections [Peru]

MP = member of parliament

MMD = multi-member district

PJ = *Partido Justicialista* –The Peronist Party [Argentina]

PR = proportional representation

SMD = single-member district

TSE = *Tribunal Suprema Electoral* – Supreme Electoral Tribunal
[Ecuador and Costa Rica]

UCR = *Unión Cívica Radical* – Radical Civil Union Party [Argentina]

bloque [delegation or bloc in congress]

clubes electorales [electoral clubs]

diputadas or *diputados* [deputies in the lower-chamber]

militantes [party militant]

mujer de [women of]

políticas or *políticos* [politicians, generally elites within political parties]

voluntad política [political will or political willpower]

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Endnotes

¹ Author's Interview. March 2005. University of California, San Diego. Adolfo Aguilar Zinser served in the Mexican Chamber of Deputies from 1994-1997, in the Mexican Senate from 1997 to 2000, and as Mexico's permanent representative to the United Nations from 2002-2003.

² The Inter-Parliamentary Union maintains a database of women's representation in parliaments worldwide: <http://www.iup.org> (accessed December 2005 and April 2006). Latin American countries in the top 50% worldwide are the following: Costa Rica, Argentina, Mexico, Peru, the Dominican Republic, Panama, Ecuador, and Bolivia. The two Latin American countries within the top 10% are Costa Rica and Argentina. My calculations.

³ Uruguay debated quota legislation beginning in 1988, Chile in the early 1990s (Araújo and García 2006: 90-1).

⁴ Drawn from the following sources: Chant and Craske (2003), Luciak (2001), Htun (2003), Jones (2004a), as well as the International Institute for Democracy and Electoral Assistance (IDEA) (www.quotaproject.org).

⁵ My calculation using lower-chamber statistics from Table 1.

⁶ Thank you to Michelle Saint Germain at California State University, Long Beach, for the data on Central America.

⁷ From my fieldwork in Argentina.

⁸ The text of the Honduran law concludes that in provinces where “*no se haya expresado voluntad y participación, no serán aplicables las presentes disposiciones.*” Translated, the dictum reads that the “present instructions [those of the 30% quota] are not applicable where there is no expressed will or participation” See Honduras (2000).

⁹ <http://www.ipu.org/wmn-e/classif.htm>. Based on current electoral results (as of June 2006), excepting Colombia and Mexico. For Colombia, I use 2002 electoral results. For Mexico, I use the 2003 electoral results.

¹⁰ The Human Development Index is “a composite index measuring average achievement in three basic dimensions of human development: a long and healthy life, knowledge and a decent standard of living.” See <http://hdr.undp.org/statistics/data/indicators.cfm?x=15&y=1&z=1> (accessed June 2006)

¹¹ From my fieldwork interviews.

¹² The classic example being the *Madres* of the Plaza de Mayo in Argentina.

¹³ From Chapter 8 of Norris' book *Electoral Engineering*. Download the chapter online at <http://www.ksghome.harvard.edu/~pnorris/ACROBAT/Institutions/Chapter%208.pdf> (Accessed June 2005).

¹⁴ These networks have been documented in Peru (Yañez 2003), Mexico (Rodríguez 2003), Costa Rica (Piscopo 2002), Argentina (Carrío 2003; Jones 2004b), Uruguay (Morales 2004), and Chile (Navia 2004; Hinojosa 2006).

¹⁵ See note 6. For data on Brazil, see Araújo (2003).

¹⁶ I calculated 4% from the statistic presented by Salgado that, of a total of 2031 parliamentarians through 1997, 84 were female (Towns 2003).

¹⁷ From my fieldwork interviews.

¹⁸ In fact, the *Cámara Nacional Electoral's* initial interpretation was even more stringent. Petitions, the courts argued, can only be submitted by affected persons. Female politicians seeking to protest their exclusion from party lists would first have to prove that they were an affected party, which essentially would mean proving that they *would have been the candidate*. Legal action against political parties for shirking was difficult from 1993-1995. In 1995, the CNE changed its ruling to allow third-party suits against political parties for noncompliance. NGOs and government agencies could appeal to the CNE on the basis of the list not having filled the quota; this procedure eliminated the need for individual women to prove that they would have been candidates. (My interview with member of the CNE in August 2005).

¹⁹ Note the contrast between the Panamanian and the Mexican loopholes: the Panama quota applies only for internal primaries, and the Mexican quota applies only for nominations. For more discussions over when and how political parties in Latin America prefer nominations to primaries, see de Luca et al (2002), Taylor (2000), Langston (2001; 2004), and Navia (2004).

²⁰ For Argentina, conclusion is from my fieldwork. For Mexico, see <http://www.quotaproject.org/displayCountry.cfm?CountryCode=MX>; for Costa Rica, see <http://www.quotaproject.org/displayCountry.cfm?CountryCode=CR> (accessed April 2006).

²¹ Calculations based on author's data.

²² See Stevenson (1999) for her argument that change depends upon coalitions coalescing around policy problems.

²³ Reynolds (1999) suggests that, in developed countries, voters will choose female candidates in open-list elections.

²⁴ For example: in a 5-seat district, 30% equals 1.5. Whereas the CNE in Argentina rounds up to a minimum number of two female candidates, the JNE rounds down to a minimum of one candidate of either sex.

²⁵ For example: a party fielding a female candidate for mayor could count her candidacy toward the quota for national-level legislators.

²⁶ For Paraguay, see <http://www.quotaproject.org/displayCountry.cfm?CountryCode=PY>; for the Dominican Republic, see <http://www.quotaproject.org/displayCountry.cfm?CountryCode=DO> (accessed April 2006).

²⁷ The majoritarian list formula applies to all districts in Argentina and Bolivia. The Mexican Senate elects 96 seats via majoritarian list and 32 seats via closed list PR in a single, nationwide district.

²⁸ One of the two list heads was Cristina Fernandez de Kirchner, wife of the Argentine President Nestor Kirchner. Three of the female senators (not counted above) held the first *suplente* position, indicating that they attained the seat following a resignation from the *propietario*. The 2004-2005 legislative session had 30 female senators in total: 2 in the first list position, 25 in the second list position, and 3 in the first list position as *suplentes*. My calculations; data available in the Legislative Directory for the 2004-2005 Argentine Congress. Downloadable in pdf at <http://www.cippec.org/espanol/biblioteca/> (accessed August 2005).

²⁹ In order to protect interviewees' privacy, I do not reveal their names without their permission.

³⁰ The City of Buenos Aires exercises legal and juridical autonomy over the capital district. The city of Buenos Aires holds over 30% of the population of Argentina.

³¹ In keeping with local terminology, I refer to the National Congress representatives as *diputadas* or senators, and Buenos Aires legislature representatives as *legisladoras*. When I use legislature, legislator, or congress without capital letters, I am referring to a parliamentary body or a representative agent in general.

³² Thank you to Donna Guy for emphasizing the conservatism of the left in Argentina during the mid-to-late 1980s.

³³ There were 72 senators seated in the 1989-1993 Argentine Congress; six were women (A. Alvarez 2005).

³⁴ Thank you to Susan Franceschet for this comment.

³⁵ See Chama (2001). Monica Chama led the women's communication and information networks that traveled throughout Argentina publicizing the *Ley de Cupos*.

³⁶ Analía Alvarez confirmed this finding in separate qualitative interviews with different respondents.

³⁷ I do not intend to suggest that Cristina Fernandez de Kirchner and Hilda Duhalde lack enthusiastic supporters; each women's leadership of their factions within the Peronist party is supported by many partisans loyal to Nestor Kirchner (the *kirchneristas*) and Eduardo Duhalde (the *duhaldistas*), respectively. Nonetheless, their notoriety as political spouses and as politicians makes both women targets for praise and blame among the media and among the Peronists' intra-partisan and extra-partisan opponents.

³⁸ In Spanish, "los hombres se aprovechan de la situación de las diputadas jóvenes" (A. Alvarez 2005).

³⁹ One *legisladora* believed she used her youth to her advantage, that by appearing as the younger friend or goddaughter of her older colleagues she could access their ranks as their protégé. She believed her youth made her someone whom party bosses wanted to nurture and to help, and she used their paternalistic feelings to her advantage; she gained admittance to meetings and negotiations that she would be otherwise unable to attend.

⁴⁰ The City of Buenos Aires follows an analogous system.

⁴¹ Whereas the 2005 internal, direct primary law intends to enhance electoral transparency, parties remain reluctant to discuss the bargaining among factions that occurs before and after primaries.

⁴² For a cross-national discussion of women's incumbency and the effect of term limits, see Schwindt-Bayer (2005).

⁴³ In Spanish, "Ya cumplimos el cupo a través del matrimonio."

⁴⁴ See, for example, Taylor-Robinson and David (2002) and Heath et al (2005).

⁴⁵ Data available in the Legislative Directory for the 2004-2005 Argentine Congress.

⁴⁶ Roll call data is not recorded for the Argentine Congress. Individual deputies and senators may choose to document their votes. Such collections are neither systematized across the Congress nor mandated by law.

⁴⁷ Chant and Craske draw from Htun and Jones' (2002) study on quotas in Latin America.

⁴⁸ García reports that non-quota countries increased women's representation from 4.1% from 1995 to 2004; this figure includes Cuba, however. Dropping Cuba from the calculation yields 2.75%.

⁴⁹ FLACSO Chile: <http://www.flacso.cl/flacso/main.php?page=noticia&code=1184> (accessed July 2006).

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