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Beyond the Ley de Cupos: The Variation in Gender Empowerment between Argentina and Chile

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Beyond the Ley de Cupos: The Variation in Gender Empowerment between Argentina and Chile

Abstract
This thesis identifies the variance in gender empowerment between Argentina and Chile, two countries that share countless parallels in histories, cultural norms, and political achievements. Using women's formal legislative representation as a gauge for gender empowerment, this comparative study uses a most-similar-systems design to investigate and generate a hypothesis of the factors that contribute to Chilean women's lack of empowerment, contrasting with the mechanisms by which Argentine women have achieved empowerment.

Both Catholic nations of the Southern Cone re-democratized following military regimes, currently enjoy female heads of state and possess similar cultural phenomena where motherhood has defined women's social and political roles for decades. Nevertheless, Argentina and Chile remain starkly dissimilar in the scope of women's legislative presence.

Chile's open-list electoral system that exposes women to rampant machísmo and the conservative influence from the Church that encourages women to embrace their primary role as mothers are two significant factors that prevent women's legislative representation and thereby empowerment. Contrarily, Argentina possesses one of the leading levels of gender empowerment in the world. At first glance, one may attribute the variance to the Ley de Cupos, the quota law requiring parties to enlist a critical mass of women candidates. While the Ley is certainly necessary to promote gender equity, it remains insufficient. The historical precedence of women in politics as well as an electoral system conducive to the quota's progression allow Argentine women to achieve a greater level of political empowerment than do women in Chile, further evidenced by the Argentine success over similar laws in other Latin American countries.

Keywords
Women in Politics, Argentina, Chile, Quotas, Ley de Cupos, Michelle Bachelet, Cristina Kirchner, Social Sciences, Political Scienc, Rudra Sil, Sil, Rudra

Disciplines
Comparative Politics

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BEYOND THE *LEY DE CUPOS*

The Variation in Gender Empowerment between Argentina and Chile

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Senior Thesis in Political Science

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I. INTRODUCTION

"There is no tool for development more effective than the empowerment of women."

-Kofi Annan, Former Secretary General of the United Nations, to the Commission on the Status of Women in Beijing, 2005[1]

The keystone to advancing a country's human development lies in enabling women to enhance their own political and socioeconomic standing by facilitating their full participation within society. The empowerment of women is both a cause and consequence of human development; women assuming more powerful decision-making roles can increase a country's human development as well as create a system better suited to further empower women. Thus, it is a mystery why, in middle and highly developed countries of the 21st Century, women are continually disadvantaged in political and economic spheres.

This comparative study will explore women's political empowerment in Argentina and Chile, two nations with strikingly similar histories, cultural traditions, and levels of human development. Despite the countless parallels especially with respect to women's movements, very few women are found within the Chilean parliament, as opposed to Argentina, which boasts one of the world's highest proportions of female parliamentarians. This study investigates and generates a hypothesis of the factors that may contribute to Chilean women's lack of empowerment contrasting with the mechanisms by which Argentine women have achieved empowerment.

The United Nations Development Programme (UNDP) issues the annual *Human Development Report* to shift the focus of development to people and their means, choices and freedoms, rather than assessing international development at its face value in income levels. In

[1]United Nations Press release. 28 Feb. 2005.

order to describe the status of women globally, these human development reports aggregate select measurements to create composite gender related indicators. The Argentine-Chilean puzzle arose from an analysis of two of these aggregates, the Gender Development Index (GDI) and the Gender Empowerment Measure (GEM). The GDI reflects the Human Development Index (HDI) discounted for gender inequality. Its five components are: female and male life expectancy, adult literacy in individuals 15 years and older, the combined gross enrollment rate for primary, secondary and tertiary education, estimated earned income, and the share of females to males in the population.[2] According to the UNDP, the GDI does not suffice as a measure of gender inequality; it only mark down a country's human development based on the inequalities that persist between genders, whether that is toward men or women.[3] Furthermore, given that the GDI does not specify women's capability deprivation, the UNDP created the Gender Empowerment Measure (GEM), which is an assessment of economic and political agency for women. The GEM is an aggregate measure of the proportion of seats held in parliament by women, female legislators, senior officials and managers, female professional and technical workers, as well as women's estimated earned income and their share of the population.

More so than the GDI, the GEM possesses inherent limitations. No quantitative measure can ever be a comprehensive gauge of women's development or empowerment, especially when it assesses women globally who are subject to different customs and cultural norms in different economic and social contexts. Moreover, the GEM focuses heavily on upper-level spheres of influence, such as elected positions and the presence of female senior officials.

Nevertheless, by utilizing these measures, the GEM goes beyond the GDI by assessing the power women hold in decision-making as well as their access to such positions. The GEM

[2] United Nations Development Programme. Human Development Report 2007/2008. New York: UNDP, 2008.
[3] UNDP 2007/8.

therefore appropriately evaluates capabilities given the extent and availability of basic human rights. As development scholar Amartya Sen suggests, treating poverty as a deprivation of capabilities rather than a scarcity of income will help one to better understand and remedy the blight of destitution.[4] Likewise, understanding that women's capabilities and faculty, rather than sheer human development, should assess women's global standing may bring light to the hindrances to economic and political mobility for women.

Acknowledging that much of the GEM's components arise from accessibility of quantitative information, the UNDP indicates that they tend to use data that is comparable in concept and definition across countries; however, much of the data, especially from Sub-Saharan Africa, is missing.[5]

The UNDP ranks countries according to their composite indicator values. One would expect countries' trends and ranks not to differ greatly between the GDI and GEM. It seems natural that women assume decision-making roles only when countries achieve the basics in human development. However, while most countries maintain similar levels between their GEM and GDI ranks, select countries had significant gaps between their indicators. Surprisingly, countries with similar GDI ranks often differed starkly in their GEM rankings. Calculating the difference between these two aggregates reveals the divergence between human development and empowerment (Table 1.1).

Argentina and Chile present interesting phenomena: Argentina ranks 43 places higher than Chile in the GEM index (17 vs. 60), although both are roughly comparable on the GDI scale (36 and 40, respectively). Argentina's GEM rank is in fact 19 places higher than its GDI rank, while Chile's is 20 places lower. This poses an intriguing question, as two countries from the

[4] Amartya Sen. *Development as Freedom*. Oxford: Oxford UP, 1999.
[5] Amie Gaye, Personal Interview. UNDP. 12/11/2008.

same region take opposite paths from gender development to gender empowerment, with Argentina possessing one of the leading levels of gender empowerment in the world.

TABLE 1.1: GAP BETWEEN GENDER DEVELOPMENT AND GENDER EMPOWERMENT IN SELECT COUNTRIES

COUNTRY	GDI	GEM	GAP
Ethiopia	148	72	76
Honduras	100	47	53
Peru	75	32	43
Pakistan	124	82	42
Philippines	76	45	31
Cuba	49	26	23
Argentina	**36**	**17**	**19**
China	72	57	15
Germany	20	9	11
Norway	3	1	2
United States	16	15	1
Spain	12	12	0
Thailand	70	73	-3
United Kingdom	10	14	-4
Iran (Islamic Republic of)	83	87	-4
Canada	4	10	-6
Brazil	59	70	-11
Turkey	78	90	-12
Russian Federation	58	71	-13
Oman	66	80	-14
Switzerland	9	27	-18
Chile	**40**	**60**	**-20**
Japan	13	54	-41

Source: UNDP, *Human Development Report*, 2007/8

Table 1.2 gives the breakdown of the GEM and its individual components. Given the itemized indicators within the GEM, it is evident that women's political presence within national parliaments is the most significant contributor to the variation between Argentine and Chilean GEM—by 2007, only 12.7 percent of seats in the Chilean parliament were held by women, strongly dominated by the 36.8 percent of seats held by women in Argentina.

TABLE 1.2: COMPONENTS OF THE GEM & GDI	ARGENTINA	CHILE
GENDER EMPOWERMENT MEASURE (GEM)		
Seats in parliament (% held by women)	**36.8**	**12.7**
Legislators, senior officials and managers (% female), 1999-2005	33	25
Professional and technical workers (% female), 1994-2005	53	52
Ratio of estimated female to male earned income	0.54	0.40
GENDER DEVELOPMENT INDEX (GDI)		
Life expectancy at birth, female (years), 2005	78.6	81.3
Life expectancy at birth, male (years), 2005	71.1	75.3
Adult literacy rate, female (% aged 15 and older), 2005	97.2	95.6
Adult literacy rate, male (% aged 15 and older), 2005	97.2	95.8
Combined gross enrolment ratio for primary, secondary and tertiary education, female (%), 2005	94	82
Combined gross enrolment ratio for primary, secondary and tertiary education, male (%), 2005	86	84
Estimated earned income, female (PPP US$), 2005	10,063	6,871
Estimated earned income, male (PPP US$), 2005	18,686	17,293
Source: UNDP, *Human Development Report*, 2007/8		

This vast difference in women's legislative presence corroborates a significant empowerment gap between Chile and Argentina. Writes author Nikki Craske, "Women must have the same rights as men—their views are just as important."[6] In democratic societies, women deserve access to commensurate participation within legislatures, indicating their ability to shape pertinent legislation that affects themselves as well as fellow female citizens. The lack of access to decision-making faculties that affect women's bodies and livelihoods signifies a continual discrimination against their natural right to the pursuit of happiness. Moreover, it is imperative for governments to engage a critical mass of decision-making women in order to fairly and effectively promote and prioritize women's issues. Employing men in parliament who are sympathetic to women's causes is not sufficient; governments must maintain a diversity of opinion through gender differences on legislative matters in order to uphold gender equity and egalitarianism within a democratic society.

[6] Nikki Craske. *Women & Politics in Latin America*. Vol. 1. New Brunswick: Rutgers UP, 1999, p 25.

This hypothesis-generating comparative study explains the Argentine-Chilean variation in women's legislative presence based on a most-similar-systems design. Both Catholic nations of the Southern Cone re-democratized following a military regime, currently enjoy female heads of state and possess similar cultural phenomena where motherhood has defined women's social and political roles for decades. Nevertheless, Argentina and Chile remain starkly dissimilar in the scope of women's legislative presence. This thesis will argue that the variation between degrees of gender empowerment is derived from more than the *Ley de Cupos,* the Argentine quota law that ensures a minimum level of women's representation. While the law is necessary to promote gender equity, it is not sufficient: the historical precedence of women in politics as well as an electoral system conducive to the quota's progression allow Argentine women to achieve a greater level of political empowerment than do women in Chile.

Section Two of this thesis will discuss the many similarities Argentina and Chile share to make them excellent cases for a most-similar-systems comparison, expounding on the achievements women have made through the campaigns to achieve suffrage, mobilized motherhood in protesting human rights violations of the 1970-80s military dictatorships, and the phenomenon of *machísmo* amidst a close Church-State relationship. Having progressed with such similarity, there are traceable factors that ultimately constitute the Argentine-Chilean empowerment gap.

In Section Three, this thesis will identify the empowerment gap, surmising reasons why Chile lags in political representation and thereby gender empowerment: the lack of strategic demands sought out by women during the re-democratic transition despite the establishment of an executive women's agency, SERNAM; the reallocation of power from grassroots movements to political parties; the open-list electoral system that exposes politically aspirant women to the

inherent sexual biases of the electorate; and, the depth of influence the Roman Catholic Church wields in encouraging women to remain close to their households to preserve the family unit. This paper will then pinpoint the benefits of the Argentine quota law in ensuring a critical mass of women are represented within the legislature, highlighting how the law, while artfully worded and novel at the time of its implementation, truly benefited from strict enforcement, closed-list system, precedence of women active in formal politics, and general political secularism in comparison to Chile. Finally, this section will discuss the debate of quotas, arguing that they are imperative to support gender equity within politics if the ultimate democratic goal is to promote true egalitarianism.

Finally, in Section Four this thesis will offer suggestions in for Chile as well as other developing countries struggling to empower women by increasing their legislative presence, thus promoting a more comprehensive democracy committed to gender equity. In a society where egalitarianism is vital in order to maintain a vibrant democracy committed to upholding natural rights, the governments ought to strive for equal representation. Writes Anders Johnson, the Secretary General of the Inter-Parliamentary Union, "Parliaments cannot consider themselves inclusive until they can boast the full participation of women."[7] Governments must address the discriminatory factors that consistently exclude women from politics and find a way to combat them, especially if they are to uphold a sound democracy.

[7] Inter-Parliamentary Union. "Men and Women in Politics: Democracy Still in the Making (A World Comparative Study)." Geneva, Switzerland: Inter-Parliamentary Union, 1997, iii.

II. HISTORICAL PARALLELS BETWEEN TWO MOST-SIMILAR SYSTEMS

"The first objective of a feminine movement which wants to do good for women, which doesn't aspire to change them into men, must be the home." –Eva Peron [8]

This section will contend for comparability between Argentina and Chile, providing historical background into the initial impetus for women's empowerment in both countries of the Southern Cone. Argentina and Chile pose as both plausible and useful cases candidates for a comparative study in women's political participation and parliamentary presence given the host of similarities the two countries share in histories, governments, and cultural influences. Despite these parallels, the levels of political participation and representation of women in Argentina and Chile are starkly disparate. Throughout the 20th Century, Argentina and Chile achieved noteworthy milestones for women. Nevertheless, as this thesis will explain in Section Three, these significant movements did *not* create a correspondence between the levels of female representation within Argentine and Chilean legislatures. Argentina's movements possessed a long-term bearing on female representation while Chile failed to follow through from movement to political representation. Thus, the similarities shared by the two countries enable one to then discover the specific mechanisms and causes for divergent outcomes in women's empowerment.

While Argentina, according to the UNDP, outperforms Chile in its empowerment of women, both countries have had extensive histories of robust women's movements. The establishment of conferences dedicated to women's issues, the rise of the educated and working woman amongst a strongly Catholic culture that restricted women to their chief duty, motherhood, and the movement to grant women suffrage were key in creating a precedent for

[8] Quoted in S. Bianchi (1993) p 228. Translated by N. Craske 1999, p 81.

women's widespread mobilization.[9] The military dictatorships that temporarily ousted Chilean and Argentine democracy in the 1970s and 80s instigated unprecedented activism against human rights abuses. Women were instrumental in these movements and in the overthrow of the dictatorships. Regardless, the valence given to the family unit in Latin American culture, as exemplified by Eva Perón toward Argentina at the beginning of this section, led women to be confined to their primary roles within the household amidst strong *machísmo*.

A. The Initial Stages of Women's Movements

Women's issues have always held pertinence within the Southern Cone. In 1910, the first international feminine congress was held in Buenos Aires.[10] While the conference overlooked suffrage or formal political roles for women altogether, it highlighted health and childrearing concerns relevant to women, such as disease prevention, childcare and schooling, child mortality, and maternal care. Moreover, it emphasized the approval of female physicians, thus promoting ideals of women's employment and higher education. Some argue that the inability to follow through with further conferences rendered the initial meeting a failure.[11] However, this significant step for Latin American women propelled more individuals toward advocating for women's rights in multiple arenas. It represented a small step, propagating women's higher education and the rise of women within professions.[12]

The first major, successful mobilization of women within Argentina and Chile was the movement for suffrage. Following several decades of lobbying for full citizenship, Argentine and

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[9] Francesca Miller. *Latin American Women and the Search for Social Justice*. Hanover: University Press of New England, 1991, p 187-88.
[10] Asunción Lavrin. "International Feminisms: Latin American Alternatives." Gender & History. 10 (1998): 512.
[11] Corinne A. Pernet. "Chilean Feminists, the International Women's Movement, and Suffrage, 1915-1950." The Pacific Historical Review 69 (2000): 665-667.
[12] ibid.

Chilean women finally gained the right to vote and compete in national elections in 1947 and 1949, respectively.[13] In both countries, women lobbied for their rights by assembling masses of women who sought to achieve equality and achieve their political, social, and economic rights while holding on firmly to their duties as mothers. The suffrage movements were noteworthy and characterized much of women's future political roles. Initially, however, suffrage was not an issue of importance; women were more concerned with social and economic needs than political power.[14] Subsequently, after the end of World War I and the advent of women's suffrage in many other countries, Latin American women began to focus more on their political demands.[15]

Feminism was hardly synonymous amongst women's movements in Argentina and Chile; in fact, there was widespread disagreement over how exactly to implement the vote, or even whether suffrage was an important tool for empowerment. In both countries, women anti-suffragists opposed ardent suffragettes who were careful not to christen themselves "feminists."[16] Thus, the term feminist as is used in current vernacular was antithetical to the feminist movement of the mid 1900s, as some saw enfranchisement as an initiative to further separate the sexes.[17] Chilean feminist Amanda Labarca, having observed English-speaking feminists in the United States in the early 1900s, initially decried suffrage as a means of promoting individualism and destroying the natural family unit. Instead, her "feminist" goal would be to promote progress and peace within Chile, not destroy it with women's ability to vote.[18]

In Argentina, anti-suffragists suggested that women achieved their full entitlement of citizenship by teaching their children to love their motherland and to be good citizens under the

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[13] Leslie Bethell. *Latin America: Politics and Society Since 1930*. Cambridge: Cambridge UP, 1998. p 39.
[14] F. Miller 1991, p 86.
[15] C. Pernet 2000, p 664 – 666.
[16] Marifran Carlson, *Feminismo!* Chicago: Academy Chicago, 1988, p 183-187.
[17] Pernet 2000 & Asunción Lavrin. *Women, Feminism, and Social Change in Argentina, Chile, and Uruguay (1890-1940)*. Lincoln: University of Nebraska Press, 1995, p 266-268.
[18] A. Lavrin 1995, p 268.

law.[19] Others, like Julieta Lanteri, equated the inability to vote to the denial of full adulthood for women.[20] In both countries, suffragists mobilized for decades but met resistance until the 1940s in achieving a decree granting full suffrage. Ultimately, women in the Southern Cone formed a strong history of mobilizing for political purposes, which would prove useful in activism against the military dictatorships that ruled Argentina and Chile toward the end of the twentieth century.

The actual achievement of suffrage characterized much of women's future roles in the respective countries. During the 1940s in Argentina, as Juan Domingo Perón was rising to power, he recognized that women, who then constituted one-fourth of the Argentine labor force, could tilt the political balance in his favor.[21] Prior to the Peróns, the Supreme Court in Argentina found that the Constitution did not in fact deny women the right to vote. Despite this monumental achievement for women, no legal action was taken in Congress.[22] So, when in 1945 Perón asked President Edelmiro Farrell for a presidential decree granting female suffrage, many feminist leaders were enraged, seeing it only as an attempt to tilt the party balance in Perón's favor, afraid that the decree, if granted, would be quickly overturned. Some women's activists saw Peronism as an impediment to true women's suffrage, which they believed should only be achieved through popular will.[23]

Once Perón was elected, he solidified his support by leveraging his wife, Eva Perón, who became a symbol of women's rights in his regime. With his political support, the women's suffrage bill was passed in Congress. The key was Eva's approach; she attempted to merge the traditionally held responsibilities for women with their desire to embrace true civic

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[19] A. Lavrin 1995, p 268 & Michelle D. Bonner, *Sustaining Human Rights: Women and Argentine Human Rights Organizations*. College Park: The Pennsylvania State University Press, 2007 p 54.
[20] F. Miller 1991, p 86.
[21] M. Bonner 2007, p 51-55.
[22] M. Carlson 1988, p 180.
[23] ibid., p 187.

responsibility. Ironically, the "feminists" had thus lost their battle with the advent of a Peronist suffrage law.[24]

Juan and Eva Perón symbolized the struggles of the working class, and by granting women the right to vote, they gave women a significant tool to better their own lives. According to Carlson, it was not until the Perón administration that working class women began to visualize better educational opportunities and economic security for themselves and their daughters.[25]

While the Perón administration made monumental changes in the lives of women, suffrage was first granted as a means to balance power in Perón's favor. Moreover, women were enfranchised under the conditions that the vote equipped them with the ability to further their roles as mothers and wives within Argentina. They were informed that their political roles were primarily as mothers, and the framework of their national cooperation was as defenders of family and public morality.[26] While Eva did not single-handedly instigate the suffrage movement, her symbolic reframing of the political movement as an extension of a spiritual motherhood bore relevance at the tail end of the century, when women developed the notion of "militant motherhood" and later attempted to gain presence within the Argentine legislature.[27] A final point to note was the influx of women into the Argentine congress during Eva's ascent to the national arena, the precedence of which helped propel more women to the Chamber of Deputies in the 1990s.

In Chile, women mobilized similarly and fought a long battle for suffrage but were only successful in 1949. In 1884, a group of Chilean women registered to vote, arguing that the Chilean Constitution did not explicitly deny them suffrage. The government promptly amended

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[24] ibid., p 188.
[25] ibid., p 190.
[26] M. Bonner 2007, p 55-59.
[27] M. Bonner 2007, p 55 & N. Craske 1999, p 58.

the Constitution to specify voting rights for adult men. Women were denied political rights, and their citizenship was confined to their roles as subordinate to men.[28] Nevertheless, political parties began to create channels for women's mobilization and social movements; women in Chile formed many feminist organizations that demanded better privileges and rights. Still, the roles women held within these parties and organizations were limited and gave women no formal decision-making powers.[29]

Finally, masses of women rallied together to form feminist parties, such as the Chilean Women's Proemancipation Movement (Movimiento Pro-Emancipación de Mujeres de Chile, MEMCH) and the Chilean Federation of Feminine Institutions (Federación Chilena de Instituciones Femeninas, FECHIF). Amanda Labarca later encouraged women to lobby for a qualified enfranchisement; she disavowed voting solely as a means of promoting individuality and wanted to reconcile society's prioritization of motherhood with the rising female desire for political rights.[30] These activists were most successful by bridging both traditional and radical views of feminism, encouraging women to lobby for their political rights. According to Franceschet, some activists persuaded women to mobilize as mothers, while others, mainly female workers, saw themselves as performing the same tasks as men and were therefore deserving of equal political rights.[31] Women were given the right to vote in municipal elections in 1934 as a trial method; in 1948, they were extended full voting privileges as well as the right to be elected. The mass mobilization of women and the successes of MEMCH and FECHIF helped women cross massive political boundaries. Thus, the precedence of women's political movements in both Argentina and Chile lead one to believe that women would begin to adopt a

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[28]Susan Franceschet. *Women And Politics In Chile*. New York: Lynne Rienner, 2005, p 41.
[29] Simon Collier and William F. Sater. *A History of Chile, 1802-2002*. 2nd ed. Cambridge: Cambridge UP, 2004, p 287.
[30] C. Pernet 2000, p 668.
[31] S. Franceschet 2005, p 42.

significant presence within the political arena—in Argentina, this materialized; Chile still has progress to make.

B. Inseparable: Church & State

The strong presence of the Catholic Church within Argentina and Chile is undeniable. Since the commencement of colonization, Catholicism has been, as Elizabeth Jelin writes, the "basic normative parameter" in Latin America.[32] In the 19th Century, both Chile and Argentina passed civil codes that officially entrenched patriarchy, with husbands possessing legal control over their wives and daughters, and with women deprived of full citizenship. While this only denotes the law and not the actual practices in many families, the prevalence of Catholic norms within the law continues even now. Moreover, Catholicism has a strong influence over legal and social practices under the law. For example, Argentine women were only granted equal property rights in 1968.[33] Chileans were only legally allowed to divorce in 2004, thanks to support from the Christian Democratic Party but despite strong opposition from the Church.[34] Abortion is currently banned in both countries; illegal abortions are a significant source of female mortality.[35] In addition, as Franceschet indicates, there exists a strong conservatism from the Church within Chilean media, in particular.[36]

The foundation of women's movements in Latin America is the convergence of women's political roles with their conventional, primary roles as mothers, a role that, given the Church's

[32] Elizabeth Jelin. "Gender and the Family in Public Policy: A Comparative View of Argentina and Sweden." Global Perspectives on Gender Equality. New York: Routledge, 2008, p 40.
[33] E. Jelin 2008, p 68.
[34] BBC, "Chile introduces right to divorce." 18 Nov 2004.
[35] E. Jelin 2008, p 43.
[36] Susan Franceschet. "Women in Politics in Post-Transitional Democracies." International Feminist Journal of Politics 3 (2001): p 225.

influence, naturally became ingrained within Latin American culture.[37] Thus in both countries, the Church played a key role in framing women's political roles. The Peróns did not detach their promotion of motherhood from the Church's advocacy. "Each woman," Eva proclaimed, "must understand that in our land it is an obligation to provide healthy children and raise virtuous men who know to sacrifice themselves [for] the nation."[38] Women's roles as defenders of family morality were thus explicitly vocalized. In Chile, right-leaning parties appealed to women by encouraging them to extend their natural inclination to administer municipalities like they do their homes.[39]

C. Mobilized, Militant Motherhood

The Argentine military under Jorge Videla ruled from 1976 to its defeat in 1983, and in Chile, General Augusto Pinochet overthrew the Socialist President Salvador Allende in 1973 until he was forced to abdicate in 1990.[40] Both authoritarian regimes employed terrorist practices, slaughtering dissenters while justifying actions under the doctrine of protecting national security. Casualties mounted, not including the thousands imprisoned. The historical framework for women's political participation was through their representation of the family. Therefore, women linked the military's massive human rights violations to immorality and argued that women would be unable to remain patriotic mothers if they were required to accept crimes committed by the *juntas*.[41] Fortunately, activism under the authoritarian regime was not

[37] C. Pernet 2000, p 668.
[38] Quoted in M. Bonner 2007, p 54.
[39] S. Franceschet 2005, p 88.
[40] Simon and Collier 2004, p 219 & Lewis, Daniel K. The History of Argentina. Westport, CT: Greenwood P, 2001, p 109.
[41] M. Bonner 2007, p 16.

seen as threatening, as it was informal and non-political. Women simply organized under the pretense of being mothers

While this notion of a gendered citizenship confined women to specific roles within politics, potentially impeding their assent to the national political arena with more prominent positions, women soon became "militant mothers" in a "mobilized motherhood," rallying together to protest the many crimes committed by the military dictatorships and therefore propelling themselves to the forefront of politics in both Argentina and Chile.[42]

Societal relations in Latin America were deeply grounded within the patriarchal family unit, the subordination women held as a cultural norm.[43] Thus, the women's movements against the dictatorships that ruled both nations between 1973 to 1990 in Chile and 1976 to 1983 in Argentina were immensely successful as they capitalized on women's primary responsibility: motherhood. Craske highlights that Latin American women identify caring and nurturing as innate characteristics that catalyzed their commitment to such movements.[44]

During the terror of General Videla's military *junta* in Argentina, the government imprisoned and executed all dissenters, whom they defined as "subversives" or "terrorists."[45] Thousands of Argentine citizens mysteriously "disappeared", many of whom were fifteen years of age or younger. Three percent of those who disappeared were pregnant women who gave birth in prison; these babies and children whose parents were identified as dissenters were illegally adopted by families connected to the *junta*.[46] These acts prompted massive human rights movements in what is now referred to as the *Guerra Sucia* (Dirty War). The *Madres de la Plaza*

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[42] M. Bonner 2007, p163.
[43] Elizabeth Jelin, ed. *Women and Social Change in Latin America.* London: United Nations Research Institute for Social Development, 1991, p 4.
[44] N. Craske 1999, p 2.
[45] M. Bonner 2007, p 65.
[46] ibid., 66.

de Mayo formed in 1977, early on in the dictatorship, protested weekly in the Plaza de Mayo, carrying images and signs intended to locate their missing children.[47] In a similarly brutal authoritarian regime, General Augusto Pinochet sanctioned the imprisonment and torture of Chilean subversives. In fact, Argentines suspected to be terrorists seeking refuge in Chile were sought out and imprisoned, and the same happened for Chile within Argentina.[48] Women in Chile also assembled as mothers, highlighting their differences in gender ideology as a justification for protest.[49]

Organizations such as the *Madres* in Argentina, the most famous and well-organized of the many women's groups formed at the time, or the *Centros de Madres* in Chile, decried the mass incarcerations, executions and disappearances of children under a regime that again equated women's citizenship and patriotism to their defense of the national family.[50] In fact, as defenders of family values and with a strong interpersonal network, the *Madres* have persevered as a fervent organization for the last three decades. They continue to lobby for women's rights and are fortunate to have the support of the many female politicians in the Argentine parliament.

The movements were powerful because they cut across class boundaries, radically changing the cultural norms of women being passive in politics yet capitalizing upon women's primary roles as mothers.[51] Neither was it a movement of the upper class, without power in numbers, nor was it a movement of the lower class, unable to create legitimacy. Women were thus able to use concrete sexual divisions in both labor and political roles to their advantage, discarding age-old subordination and confinement of women to the household, and became

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[47] ibid., p 70.
[48] ibid, p 162.
[49] S. Franceschet 2005, p 89.
[50] M. Bonner 2007, p 67.
[51] E. Jelin 2008, p 4 & Georgina Waylen. "Women and Democratization: Conceptualizing Gender Relations in Transition Politics." World Politics 46 (1994): p 329.

militant mothers demanding the military dictatorships to end their ruthless crimes. As Georgina Waylen writes, "By justifying the protection of human rights in the need to protect the family, women are politicizing the definition of the family."[52]

Women pulled themselves to the forefront of politics both *despite of* and *due to* the brutality of authoritarian regimes. The Winter 1980 issue of *Fem,* a Latin American magazine dedicated to women, describes the significant achievement of women in these movements against the regimes:

> 'In Argentina women confront the dictatorship from inside the prisons, or as mothers of prisoners and the disappeared; in Chile they organize to denounce repression, to open up ways of action and to oppose themselves to the model of femininity promoted by the Pinochet regime' which exalted sex differences as delineations of social roles.[53]

However, while Argentine human rights organizations and the women who developed them continue their efforts, the Chilean counterparts mostly dissolved with the end of the dictatorship, which yielded many consequences for the future of political women in the respective countries.[54]

D. *Machísmo* vs. *Marianismo*

Furthering the gender conceptions of selfless motherhood and domesticity as the ingrained mantra for all women is the complementary notion of the "macho" male; while *machísmo* may reflect an aggrandized representation of the Latin American man, its inherent underpinnings extend to the political atmosphere, often preventing women from assuming a politically macho position.[55]

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[52] G. Waylen 1994, p 331.
[53] Quoted in F. Miller 1991, p 205.
[54] M. Bonner 2007, p 123.
[55] N. Craske 1999, p 10.

Craske underlines aggressiveness, fearless honor, arrogance, and male-to-female sexual aggression as some key facets of *machísmo*. It manifests into cultural norms and practices including "excessive drinking, domestic violence, insistence on a large family to indicate virility, and the demand that wife stay at home to concentrated on family life and be a 'good woman.'"[56] This gender stereotype often characterizes women as "unproductive" when they leave the household to generate income or participate in social movements.[57]

Undoubtedly, *machísmo* reflects a setback from women attempting to formalize as well as pursue political roles that thrust them out of the private sphere into the public realm. The female corollary, *marianismo,* reflects the historical desire to conform to the ideals of the Virgin Mary.[58] According to Craske, while women rarely assume this idealized version of the mother, political discussions about women and even women's own self-reflections echo the notion of *marianismo,* creating inherent boundaries for appropriate behavior.

As mentioned above, motherhood framed women's collective action in many parts of Latin America. Thus, while male politicians are a cultural norm, politics for a woman is regarded as secondary to her household role; moreover, a woman's inherent consciousness as a mother is expected to extend to political pursuit.[59] The *Madres de la Plaza de Mayo* saw their movement to protest as mothers as superior to politics; from Eva Perón to the overthrow of dictatorships, motherhood remained as a starting point for much of women's political participation in the 20th Century.[60]

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[56] Craske 1999, p 11
[57] ibid.
[58] ibid., p 12.
[59] ibid., p 16.
[60] ibid.

E. Breaking *Macho* Glass Ceilings: Kirchner & Bachelet

Argentina and Chile both currently enjoy the reign of female presidents, a feat that most countries have yet to accomplish. Both women were the first in their countries to be democratically elected to the highest political office. President Cristina Fernandez de Kirchner of Argentina is the wife of former President Néstor Kirchner; elected in 2007, and her role as First Lady almost certainly played a role in her ascendance to Senator from Buenos Aires and then President.[61] The *mujeres de* phenomenon, which literally translates to "women of," describes the likelihood that prominent political women will be the wives or daughters of popular male politicians.[62] However, in Chile, Socialist President Michele Bachelet, a divorcée who is both a former exile and political prisoner, arose to power through her role in President Lagos' cabinet as the first female defense minister.[63] Scholars highlight Bachelet's win as the breaking of a barrier wherein legacy was the only path to political prominence.[64]

Thus, despite the legitimization of political participation through *marianismo* and even the popular ascent of a woman to the presidency, why is it that women encounter difficulties in engendering a critical mass within parliaments? The next section will explore the triumph over such impediments in Argentina, attempting to trace where Chile fell behind.

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[61]Jimmy Langman, et. al. "Latina Liftoff: From Tijuana to Tierra del Fuego, Women are Raising their Political Profile and Breaking New Ground." Newsweek 22 Aug. 2005. & Caistor-Arendar, Ana. "Cristina Kirchner's Moment." OpenDemocracy.net. 14 Dec. 2007.
[62] S. Franceschet 2005, p 88.
[63] Daniela Estrada. "ELECTIONS--CHILE: Still Far from Gender Equality." Inter Press Service 21 Oct. 2008. 15 Mar. 2009.
[64] Jane S. Jensen, Women Political Leaders: Breaking the Highest Glass Ceiling. p 224.

TABLE 2.1: MOST-SIMILAR SYSTEMS	**ARGENTINA**	**CHILE**
Religious Influence	Catholic Church	
Year suffrage movement granted women right to vote & compete in elections	1947	1949
Historical Framework for Political Participation	Motherhood	
Prominent Women's Human Rights Organization during Dictatorship	*Madres de la Plaza de Mayo*	*Centros de Madres*
Cultural Precedent	*Machísmo*	
Current President (democratically elected women)	Cristina Fernandez de Kirchner	Michele Bachelet

III. IDENTIFYING THE VARIATION IN GENDER EMPOWERMENT

"It is not sufficient to have a democratic system, or even a democratic tradition, to guarantee better opportunities for women." –Jaqueline Peschard, International IDEA[65]

Despite the aforementioned parallels between Argentina and Chile, making them apposite for a most-similar-systems case study, women's representation within the legislative branches are starkly disparate between the two countries, reflecting a sizeable gap in measures of formal empowerment, as indicated by the UNDP's Gender Empowerment Measure. While Chilean women hold merely 12.7 percent of seats within the legislature, Argentine women surpass most of the world's countries with women holding 39.6 percent of the seats within the national legislature, and have sustained this achievement for over a decade.[66] A woman currently occupies the highest political office in each country; in spite of this, without any quota legislation, Chile suffers in providing women access to legislative seats. In contrast, Argentines are not only able to meet their quota for critical masses of female candidates, but they surpass the quota with well over one-third of the seats successfully won by women in both the Chamber of Deputies and the Senate. Argentina stands as a remarkable success story due to gender-based quota legislation, yet its triumph reflects more than the quota law itself.

This section will first explore the re-democratization processes in Argentina and Chile; the particular transitions from military regime in each country framed women's future roles within the democracies. Then, the section will expound on the four main causes that hinder Chilean women from achieving significant representation within parliament contrary to the three

[65] Jacqueline Peschard. "The Quota System in Latin America: General Overview." The Implementation of Quotas: Latin American Experiences. Lima: International IDEA, 2003, p 24.
[66] Inter-Parliamentary Union, 2009.

central factors that allowed Argentines to r avoid these setbacks and develop into a global role model of women's political empowerment.

In Chile, major contributors to the disparity in women's representation in government include: the lack of strategic organization through the transition from military regime back to democracy when the political party structure prevailed, the Catholic Church's conservatism that contributes to sexualized differences in formal politics, the Chilean electoral system, as well as the lack of a national representative quota. The empowerment variation between the two countries emerged because of many facets of Argentine politics: the electoral system of closed-list proportional representation supports otherwise marginalized candidates; successful strategizing by women's activists during the re-democratization process resulted a in a unique and well-maintained quota system, which in turn further sustained the Peronist precedents of women active in formal politics. These causes have generated an arena where women in prominent political roles have become a natural occurrence. Thus, the legislative presence enjoyed by Argentine women is one of the foremost examples of women's empowerment worldwide.

As mentioned in Section Two, the atrocities committed by the respective military dictatorships were innumerable. In Argentina, incarcerated women were forced to give up their children, even those born in prison, prompting the massive human rights movements and organizations that developed as a result. The foundation of such movements in both countries came from women assuming their natural roles as mothers, yet in this case, within the public light. Their ability to advocate for themselves while partaking in a radical overthrow was exceptional; women's groups were crucial to overthrow and successfully assumed the political

limelight to advance their cause. The mass mobilization, however, did not translate into similarly prominent political roles for women following the reinstatement of democracy.

The stark change between women's political involvement within the *junta* and in the democracy bears great relevance—Chilean women mostly retreated back into their traditional family-centric roles, whereas Argentine women capitalized upon the precedent they had set to then ascend to greater power nationally. Much of the analysis of the empowerment gap between Argentina and Chile revolves around the terms of transition with respect to gender interests, as women's actions in both countries greatly reflected the future framework of women's formal political representation.

A. Chilean Shortcomings in Bolstering Women's Legislative Presence

i. Formal Demands Made in Transition Were Inadequate

The formal political arena in Chile is where women have made the least progress. They developed robust and publicly visible movements prior to the democratic transition and they were able to establish El Servicio Nacional de la Mujer, or the National Women's Service (SERNAM), a department specifically for women that continues to advocate for their interests today. However, women did not attempt to make political demands for formal representation, extending their ascent to the forefront of politics during the *junta,* the first hindrance in creating a critical mass of women within the legislature. Once women's interests were granted, their movements were pushed aside; subsequently, they demobilized.

SERNAM could have played a key role in advocating for gender equality within the legislature, as one of its chief goals is to increase women's formal political representation, but it

faltered in this respect.[67] Created both to introduce gender-specific legislation and to bridge the gap between informal female activism and policy, SERNAM was established both from societal demand and to uphold the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). As translated by Georgina Waylen, SERNAM's mission is to "'collaborate with the executive in the design and coordination of public policies which put an end to the levels of discrimination which affect women in the family, social, economic, political and cultural arenas.'"[68]At its inception, SERNAM faced strong opposition from the both the political right and the Catholic Church; nevertheless, its formation and connection to the presidential cabinet reflected a significant step in Chile toward incorporating women and promoting equality.[69]

While the establishment of the ministry may have suggested the advent of gender equity, SERNAM's institutional limits and ideological restrictions have rendered it ineffective thus far in creating a critical mass of women within the Chilean legislature. To placate the considerable opposition to its creation, SERNAM was also charged with protecting the Chilean family unit. Thus, when formed, SERNAM developed "a potentially irresolvable tension at its core: to pursue women's equality while strengthening the traditional family."[70] SERNAM acknowledges that the Chilean norm is to associate *men* with politics and women with the private sector, which therefore excludes them from politics.

Chilean women tend to select themselves out of formal politics and instead insert themselves into community spheres, given that the underpinnings of gender ideology and what is "expected" of women promote local over formal involvement in Chile. Thus, SERNAM needed

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[67] Andrea Arango." SERNAM and the Underrepresentation of Women in Chile." Women's Studies Series. 08 May 2008. Council on Hemispheric Affairs.
[68] G. Waylen 1994, p 331.
[69] ibid.
[70] S. Franceschet 2005, p 119.

to strike a balance between women as mothers, women as local activists, and women in prominent political roles.[71] As indicated by Lisa Baldez, the post-transition government feared the strength of women's organizational power and sought to exert a sense of control by channeling yet diluting their interests through SERNAM.[72]

Hence, even though Chilean women succeeded in creating a national ministry that oversaw women's interests, they fell short of making specific demands for national representation quotas. As politician Adriana Muñoz stated at the time, "We didn't have a strategy for power."[73] At a crucial time when the government was making radical changes, women, with SERNAM's assistance, had the potential to demand that they be included in political processes but did not take full advantage of this opportunity. Many scholars argue that despite SERNAM's status as an executive agency, the establishment of an institution was seen as the culmination of women's interests, and that the state in Chile has shown little progress in promoting gender equity in spite of its executive capacity to do so.[74]

In recent months, SERNAM has begun to advocate for a formal quota; although this dream has yet to be realized, the campaign for this form of affirmative action is monumental and will be discussed later in this section.

ii. Prevalence of Political Parties above Women's Movements

Women crafted an exceptional protest against Pinochet's dictatorial regime, unbeknownst to Chilean politics thus far. Nonetheless, while women amassed power during the overthrow, once democracy prevailed, parties, rather than non-governmental organizations, human rights

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[71] S. Francescet 2005, p 120.
[72] A. Arango 2008 & Baldez, Lisa. "Coalition Politics and the Limits of State Feminism in Chile." Women & Politics 22 (2001), p 8.
[73] S. Franceschet 2000, p 212.
[74] L. Baldez 2001, p 7.

organizations or civil society, became the main force; thus, women were pushed aside. In Chile, this change crippled women's formal representation, as the "locus of power had shifted back to the formal political sphere."[75] The barriers to political involvement that women deconstructed through their informal activism now began to rematerialize.

The first hindrance to Chilean women rested in the strength of party politics and its inadvertent exclusion of women. The political party system in Chile is so deep-rooted that it controls most access to decision making. The Chilean party system, according to Franceschet, is known for its longevity and relative stability.[76] The Concertación, a coalition of all the left-leaning parties, has governed since the end of Pinochet's rule in 1989. It is primarily composed of the Party for Democracy (*Partido por la Democracia,* PPD), Christian Democrats (*Partido Demócrata Cristiano*, DC), and the Socialist Party (*Partido Socialista*, PS), with a small showing from the Radical Party (*Partido Radical*, PR). The Concertación is opposed by the center-right coalition of the Nation Renovation party (*Renovación Nacional*, RN) and the Independent Democratic Union (*Unión Democrática Independeinte,* UDI). While the ideological alignment in Chile is equally distributed between the left, center, and right leaning parties, each can be strictly categorized according to its particular ideology.[77] The significance of the party structure is that the focus of political power lies within the parties and their independent administration, rather than shared with civil society.

According to representatives from SERNAM, Chilean men are reluctant to seek out women as candidates for elections in fear of giving them formal political power—promoting

[75] S. Franceschet 2000, p 209.
[76] ibid.
[77] Fiona Macaulay. *Gender Politics in Brazil and Chile.* 1st ed. New York: Palgrave Macmillan, 2006, p 102-3.

women politicians is seen as displacing male political aspirants.[78] Consequently, political parties, the proprietors of power, are reluctant to make amends to their candidate recruitment structures unless they envision concrete benefits. [79] Since the late 1980s and early 1990s, the PPD, DC, and PS have upheld internal quotas within the party; that is, they require a certain percentage of positions within the parties to be given to women.[80] As these positions are appointed within the party and do not apply to candidate selection, women are often relegated to positions with little decision-making capacity. Thus, while the internal quotas represent a significant step toward effectively empowering women in politics, it still creates a political power differential between genders.

Given the Concertación's incumbency over the last two decades, the nature of the coalition government further depicts the role of parties in disabling women's interests. As stated previously, SERNAM is an executive agency; thus, the ruling party or director dictates much of its ideology and agenda. Therefore, the strongest party within the Concertación, the DC, has exerted much of its conservative ideology, effectively limiting SERNAM's reach.[81] All things considered, the parties treat politics as a zero-sum game wherein an additional woman politician signifies the loss of a male politician. Parties thus possess little initiative to actively and creatively seek out women as candidates.

iii. Chilean Electoral System Possesses Inherent Limitations

While Chile boasts a well-functioning democracy, its electoral system remains hostile to the mass entrance and inclusion of women. Chile employs a form of proportional representation

[78] As quoted in Franceschet 2000, p 225.
[79] ibid.
[80] J. Peschard 2003, 24 & Georgina Waylen. "Gender and Democratic Politics: A Comparative Analysis of Consolidation in Argentina and Chile." Journal of Latin American Studies 32 (2000): 766.
[81] L. Baldez 2001, p 6-7.

referred to as the binomial majoritarian system. Both Chile's open-list electoral system and Argentina's closed-list practice utilize the D'Hondt statistical method for allocating seats proportionate to the votes won by each party.

a. Binomial Majoritarian System

In Chile, for each of the two-member districts, parties present their lists of candidates, and voters are allowed to choose among the candidates and cast their preference between contenders. The most popular candidate on the list with the highest plurality of votes is awarded the district's first seat. Then, the list's total vote count is halved; if that number exceeds the votes amassed by list with the next highest vote count, the original party wins the second seat, as well. Otherwise, the second seat is awarded to the most popular candidate on the second most popular list.[82]

By fostering coalition building, the Chilean electoral system was designed to break the even divisions between the political left, center, and right. However, in order to fill both seats, a party must receive a minimum of 67 percent of the vote, thus over-representing the second-place winner. In Chile's case, this is the political right.

b. Drawbacks for Women

Unfortunately, Chile's electoral system cultivates structural disincentives for women. In order to best ensure 67 percent of the vote in an open-list system where citizens choose among candidates, as opposed to choosing parties' closed lists, parties tend to select contenders whom they believe will be the most likely to win the highest plurality of votes. Thus, in a culture where

[82] Franceschet 2005, p 87 & F. Macaulay 2006, p 111 & Tricia Gray "Electoral Gender Quotas: Lessons from Argentina and Chile." Bulletin of Latin American Research 22 (2003).

the political system is perceived to be male-dominated and most appropriate for men, Chilean political parties tend to choose an overwhelming majority of male candidates.[83]

To compete as an effective candidate, women must amass immense financial resources. However, political parties, who believe women will have a lesser likelihood of winning votes, rarely support women financially. Most women in Chile align with the left, where public financing would be most beneficial, but public funding for election campaigns does not exist in Chile. Right-leaning parties generally have numerous business links and have better funding networks. Furthermore, because women lack the funds to contend in competitive districts, they are placed within smaller municipalities where they are sure to win, costing the party the least amount of money. Consequently, this system still marginalizes women from increasing their numbers in representation, especially with respect to larger, more influential districts. In Chile, demands for women are not being advanced as much, given the cost associated with running a candidate with a lesser probability of winning. The relative risk of nominating a woman within a party is so great that they prefer to run all male lists.[84]

One widely cited case depicting this occurrence is of Maria Antonieta Saa, a popular Chilean mayor. Despite being well liked within her constituency, she was denied candidacy for a congressional seat in Conchalí, the very district she had previously governed, because several men wanted to compete for the spot as well. There was an outpour of condemnation from feminists and female citizens; thus, the party later reversed its decision.[85] This case exemplifies the reluctance of parties to nominate women, despite popularity and viability as candidates.

Without an amended system that allows for affirmative action to correct persistent barriers in Chile, the adverse cycle will endure—if women are denied the chance to run for

[83] F. Macaulay 2006, p 112.
[84] S. Franceschet 2000, p 227.
[85] S. Franceschet 2000 & F. Macaulay 2006, p 112.

election, they will never be able to amass support and provide paths for other women to enjoy similar privileges in the future. While the left-leaning parties of the Concertación employ internal quotas, parties of the right strictly oppose any affirmative action measures.[86]

iii. Conservative Culture is Averse to Women in Politics

The most significant impediment to Chilean women's legislative presence has been the conception of gender and the barriers created as a result of the widespread disassociation of women with politics, despite Chile's strong democratic tradition. There exists an inherent sexualized difference in public roles between men and women that is ingrained within the culture, extending into the political arena.

The incontrovertible need to preserve the family unit in conjunction with rampant *machísmo* fosters an unwelcoming environment for women to increase their formal presence within politics. Julieta Kirkwood, a prominent Chilean researcher who examined women's political representation both during and after Pinochet's regime, writes, "Women in Chile are pushed way farther toward the family nuclear unit" than in other Latin American countries.[87] Thus, in a male-dominated sphere where politics is synonymous with *machismo*, women were reluctant to extend their political activism as mothers into the formal arena. Esther Del Campo emphasizes how women are forced to make political roles compatible with their other jobs and family functions due to limited remuneration in certain political roles, facing limitations from their own families toward political involvement.[88]

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[86] F. Macaulay 2006, p 108.
[87] J Julieta. "Women and Politics in Chile." International Social Science Journal 35 (1983): p 625-37.
[88] Esther Del Campo. "Women and Politics in Latin America: Perspectives and Limits of the Institutional Aspects of Women's Political Representation." Social Forces 83 (2005): p 1697-725.

As it is regarded in most Latin American cultures, Maxine Molyneux's definition of gender ideology describes quintessential Chilean women and how their roles are either private or social. [89] Women are much more inclined in Chile to contribute to activities that are considered non-political in nature, such as community activism.[90] Moreover, one of the main reasons women were reluctant to formalize their political demands for inclusion was in fear of further entrenching the sexualized, gender-stereotypical public roles they held.[91]

Male politicians have historically resisted open arms to women attempting to gain political power. Intentionally, male politicians would exclude women "by neglecting to support their advance in political leadership," and unintentionally, "by sustaining practices and modes of behavior that are commonly associated with men."[92] Moreover, the culture of politics within Santiago, the capitol, or Valparaiso, where Congress is located, is adverse to women who want to retain a significant presence within their families. Franceschet explains that many Chilean women are averse to late nights spent drinking over political discussions; men's reluctance to hold meetings over the lunch-hour presents a cultural phenomenon that remains unfavorable to women's need to preserve their motherhood while simultaneously managing political roles.[93]

The Catholic Church holds a close relationship with the state in Chile, wielding significant political and ideological authority over citizens. The clout held by the Church is undeniably the primary source of the conservatism within Chile.[94] While this influence is best seen through women's lack of reproductive and sexual rights in both Chile and Argentina, the impact reaches into to the political sphere in Chile, where women's abilities to exercise the

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[89] Molyneux, Maxine. "Mobilization Without Emancipation? Women's Interests, the State, and Revolution." Feminist Studies 11 (1985): 227-54.
[90] ibid.
[91] S. Franceschet 2000, p 224.
[92] L. Baldez, 2001, p 5.
[93] S. Franceschet 2005, p 90.
[94] Newsweek, "Latina Liftoff" & Franceschet 2005, p 91.

extent of their citizenship are limited. Additionally, the Church's emphasis on self-sacrificing motherhood and female domesticity entrenches this sexual division of labor. Moreover, the Church was instrumental in condemning human rights violations during the dictatorship, thus garnering wide credibility and authority from the potentially adverse, left-leaning parties.

One startling manifestation of the gendered citizenship is the existence of separate ballot boxes for both men and women in Chile. This segregation serves to assess the unique voting trends of women, including their ideological orientations and the effect women have over the balance of power.[95] Creating such an emphasis on the male-female voter dichotomy may not be the most productive step toward increasing women's political influence; highlighting disparities between male and female voting trends is inevitable, but this practice institutionalizes their differences. Moreover, this evidently carries into the elementary difficulties women have in being added to parties and coalitions' candidate tickets.

With *machísmo* permeating throughout Chilean politics, and under the watchful, influential eye of the Church, women are dissuaded from entering formal politics because of the intricacies inherent to merging motherhood with politics, interlacing private roles with public in an unfavorable environment, and are ultimately denied political empowerment.

B. Argentine Success in Women's Empowerment

The variation between Argentina and Chile's rankings in women's empowerment stems largely, but not exclusively, from the Argentine quota law of 1991. What has allowed Argentines to surpass the quota's minimum requirements is: first, women's ability to demand such a law at the outset of re-democratization; secondly, the Argentine electoral system which allows the quota optimal success; and finally, the role the parties have played in preserving women in

[95] F. Macaulay 2006, p 104.

politics while promoting secular ideals in the political arena.[96]

i. Strategic Demands Made During Transition

Following the defeat of General Jorge Videla's military government in 1983, Argentina swiftly returned to civilian rule. In the federal republic with a strong presidential system and a bicameral legislature, hardly any women were elected in 1983, but this was soon to change. Argentine women who had been active in protesting the authoritarian regimes began lobbying for formal representation and rights.[97] The *Madres* movement in Argentina was one of the most successful and well known, and many argue that their influence persisted throughout the transition. Writes Asunción Lavrin, "[*Madres*] gave motherhood and family the political strength that was the dream of early twentieth-century Latin American feminists."[98] Like in Chile, women began to demand that their interests and issues be spoken for by a government agency; soon after, the *Consejo Nacional de la Mujer* (National Women's Service) was established in the early 1990s. Charged with implementing the UN CEDAW, the *Consejo* was created by presidential decree as part of that particular administration under Menem and continues to exist today.[99]

The key aspect of the Argentine women's movement following re-democratization, and what remains a fundamental achievement for Argentine women, was their strategic request for formal political representation through the implementation of national legislative quota. In contrast to Chile's democratic transition, Argentine women across the political spectrum, both in civil society and in the *Consejo*, tactically collaborated in order to make formal political demands for women. Women from both the Peronist Party, the Partido Justicialista (PJ) and from

[96] G. Waylen 2000, p 768 & T. Gray 2003, p 56.
[97] G. Waylen 1994, p 335.
[98] 1998, p 525.
[99] G. Waylen 2000, p 770.

the opposing Union Cívica Radical (UCR), Argentina's two longest-standing parties, were instrumental in gathering support both within and outside of political parties. According to Waylen, "Feminists involved in the campaign have argued that a deliberate part of the strategy was to stress that quotas would help to make Argentina a modern and fully democratic society," therefore aptly utilizing consolidation and the democratic process to female activists' own advantage.[100]

In conjunction with the re-democratization process, women argued for equal access to decision-making as a means of reinstating a modern democracy, thus re-establishing global, external legitimacy. [101] Women's rights, they contended, were critical to this process. Worldwide, quotas were only seriously considered as viable options for promoting women's empowerment after the UN's Beijing Conference in 1995; Argentina, incidentally, featured a full-fledged quota law even before the conference.[102]

ii. Passage of the Ley de Cupos

Women became increasingly cognizant of their right to legislative presence, demanding the right to political empowerment. In 1991, the Argentine's groundbreaking *Ley de Cupos* (Law of Quotas) passed for the Chamber of Deputies (lower house), despite fierce resistance from conservatives as well as male politicians.

The law had two mandatory stipulations: first, parties were required to include a minimum of 30 percent of women on their lists. Secondly, these women were not to be placed solely within figurehead, ornamental party posts but in winnable positions on the closed lists.

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[100] ibid., p 776.
[101] Clara Araujo, and Ana Isabel Garcia. "The Experience and the Impact of Quotas in Latin America." Women, Quotas and Politics. New York: Routledge, 2006, p 87.
[102] C. Araujo & A. Garcia 2006, p 89.

This was a revolutionary step for women in Argentina and was the first national quota legislation to be passed in Latin America. With final support from President Menem, a prominent member of the Peronist Party who helped overcome the powerful opposition from male legislators within the Chamber of Deputies, women's demands for formal political representation were at last legalized.[103] In the election of 1991, before the *Ley* was implemented, only 6 out of 130 (4.6 percent) of those elected to the Chamber of Deputies were women. In 1993, 27 out of 127 (21.3%) women were elected to the Chamber.[104] In fact, in 1993, Argentina became the first country in the world to utilize gender quotas in a national election.[105]

a. Development of Quota

Why did this revolutionary legislation materialize in Argentina but not in Chile? Primarily, quotas were not unprecedented in Argentina. In fact, when Eva Perón played a significant role within the first Peronist government, unofficial quotas existed within the PJ, largely due to her influence.[106] The significance of Eva Perón in the mid twentieth century must not go unnoticed in the push for and implementation of the 1991 quota law. During the 1950s, she came to symbolize women's suffrage, even though the majority of the suffrage movement had mobilized before her actual ascent into national politics. Nevertheless, she rallied masses of women who may not have otherwise involved themselves in politics, and her efforts to bring together newly enfranchised women to support Juan Perón was immensely successful at the time, proving true when he won by a landslide in the next election. With women's newfound empowerment, this informal quota law caused a subsequent influx of women into politics; in

[103] Mark P. Jones. "Increasing Women's Representation Via Gender Quotas: The Argentine Ley de Cupos." Women & Politics 16 (1996): p 75.
[104] ibid.
[105] Mark P. Jones. "Gender Quotas, Electoral Laws, and the Election of Women Evidence From the Latin American Vanguard." Comparative Political Studies 42 (2009): p 56-81.
[106] G. Waylen 2000, p 769.

effect, the number of women in the Argentine congress reached nearly 25 percent.[107] On the other hand, in the mid 1990s in Chile, feminists from the Concertación, mainly the PS and PPD, discussed a quota law but highlighted the negatives, viewing such legislation as a ceiling that would prevent more women from entering rather than a boost for women to enter. This ultimately prevented any formal quota law from being implemented in Chile.[108]

b. Initial obstacles to the Ley

At first, following the *Ley de Cupos'* passing, parties disregarded the quota law and conducted their candidate recruitment and placement in blatant non-compliance with the law. However, the *Consejo* began challenging political parties with lawsuits; soon, greater numbers of women became elected as parties began to actively recruit women and regard women's political representation of superior importance.[109] The law stipulates that party lists that do not comply with the requirements will be rejected, so the *Consejo*, with support from women spanning the political spectrum, facilitated the law's subsequent enforcement. Despite strict adherence to the laws, parties still assigned women to inferior positions. However, with time, adaptation, and firm enforcement, the quota law has become more effective and useful.

iii. Electoral System Conducive to Quota's Success

Argentina's electoral system employs a closed-list proportional representation (PR) method, which has proven to be optimal in seeing the quotas stipulations to fruition. The system is much more conducive to positive discrimination measures.

The type of party list, open or closed, is key in determining the effectiveness of a quota

[107] F. Miller 1991, p 123.
[108] S. Franceschet 2005, p 94.
[109] Gray 2003, p 61.

law.[110] In the Argentine system, parties select candidates to occupy their respective party lists, and voters select the lists, without the ability to modify parties' ranking of candidates. In Chile, voters cast their ballot for the candidates, allowing inherent sexism to act as an unbreakable barrier for women. Alternatively, in the Argentine closed-list system, the parties win seats based on proportions and the particular allocations calculated through the PR system.[111] It is therefore within the parties' interest to seek out viable female candidates.

The *Ley de Cupos* applies only to elections in the Chamber of Deputies and not in the Senate. These elections occur every two years, with members elected for four-year terms, and each of Argentina's 24 districts elect anywhere from two to 35 deputies. Accordingly, if the UCR were to win two seats, for example, the top two candidates on their list would be awarded those seats. This is where the clause in the *Ley de Cupos* about placing women in winnable positions bears relevance—with a closed list, women are better promoted as viable candidates on parties' lists. Moreover, the existence of multi-member elections in Argentine districts contributes to increasing women's representation—women are at a greater disadvantage in elections of just one candidate, as sexism may trump party politics in voters' biases.[112]

In 2000, the Argentine Congress extended the quota legislation to the Senate. The new law stipulated that not only would Senators now be elected directly, but also parties must ensure that women constitute at least 30 percent of the parties' lists for Senatorial candidacies, including in reelections.[113] In the Senate, with the closed list and the minimum requirement for 30 percent

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[110] Mala N. Htun and Mark P. Jones. "Engendering the Right to Participate in Decision-making: Electoral Quotas and Women's Leadership in Latin America." Gender and the Politics of Rights and Democracy in Latin America. 1st ed. New York: Palgrave, 2002, p 32-56.
[111] ibid.
[112] M. Jones 2009, p 57-58.
[113] Araujo and García 2006, p 94.

of the candidates to be women, at least 33 percent of the legislators will be women.[114] Each district votes on three candidates; at the very minimum, the second-place winner in the majority party must be a woman. In winner-take-all races, parties are less willing to risk losing that single position on a woman candidate; thus, not only are women better protected against the perceived zero-sum game of a woman candidate replacing a male one, but also PR systems are better suited to promote and sustain women's formal political representation.[115]

iv. The Ley's Numerical Success

Women, in passage of the *Ley,* hoped to bolster women's legislative presence within the Chamber of Deputies, and as indicated in Table 3.1, the quota was highly successful doing so. In 1993, the first election following the law, parties were non-compliant with the law's requirements, but soon after its widespread enforcement, the *Ley* bore fruit. Beginning in 2001, women's actual representation in the Chamber *exceeded* the requirements of the party lists (30 percent minimum) with women representing 30.7 of the seats. Currently, Argentine women boast a resounding 40 percent of seats within the Chamber of Deputies, indicating great success over the years.

Furthermore, following the Senatorial quota law in 2000, women's representation in the Senate increased dramatically in the subsequent election (Figure 3.2). With the law, 24 women were elected to the Senate, as opposed to a mere four beforehand. Now, women take up well over one-third of the seats (the minimum that the quota law would ensure, according to Htun and Jones) in the Senate, signifying that current representation in both houses surpasses the quota.

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[114] ibid.
[115] Kristen Sample. "Parties have to be more creative in identifying women candidates." 17 Apr. 2008. Latinamerica Press. 2 Mar. 2009.

TABLE 3.1	CHAMBER OF DEPUTIES (LOWER HOUSE)			
COUNTRY	ELECTION	SEATS	WOMEN	% WOMEN
ARGENTINA	1983	254	11	4.3
	1991	259	13	5.0
	*1993	257	42	16.3
	1995	257	65	25.3
	1997	257	71	27.6
	1999	257	72	28.0
	2001	257	79	30.7
	2005	257	90	35.0
	2007	255	102	**40.0**
CHILE	1989	120	7	5.8
	1993	120	9	7.5
	1997	120	13	10.8
	2001	120	15	12.5
	2005	120	18	**15.0**

Source: Inter-Parliamentary Union, 2009
* First election following quota law

TABLE 3.2	SENATE (UPPER HOUSE)			
COUNTRY	ELECTION	SEATS	WOMEN	% WOMEN
ARGENTINA	1983	46	3	6.5
	1995	72	4	5.6
	1998	72	4	5.6
	*2001	72	24	33.3
	2005	72	30	41.7
	2007	72	28	**38.9**
CHILE	1989	47	3	6.4
	1993	46	3	6.5
	1997	46	2	4.3
	2001	49	2	4.1
	2005	38	2	**5.3**

Source: Inter-Parliamentary Union, 2009
* First election following quota law

a. Argentine Achievement in Comparison to Chile

The gap between the two countries' GEM rankings speaks volumes as evidenced by the gap in women's presence in the two parliaments. Currently, between the Argentine and Chilean Chambers of Deputies, there exists a 25 percent gap in women's representation. Albeit the Argentine Chamber is twice as large as its Chilean counterpart, both countries began with around the same proportions of women when the countries re-democratized. The gap in senatorial representation is especially startling: while Argentina currently enjoys 28 female senators (constituting 38.9 percent of the Senate), Chile has two (5.3 percent). This is a manifestation of the rampant *machísmo* and conservatism in Chilean culture that promotes women's local and informal involvement over political careers, as well as the open-list PR system that disadvantages women. According to the Inter-Parliamentary Union, Chile currently ranks 79th in the world in women's parliamentary presence, while Argentina ranks sixth. This phenomenon goes alongside the wide gap between the two countries' GEM rankings (17th for Argentina, 60th for Chile). The stark Argentine-Chilean variation reflects resounding differences in more than legislation and system of elections. The two-decade concerted commitment to promoting women's political empowerment in Argentina, in contrast to Chilean oversight of women's disempowerment, suggests a cultural variation with immense historical precedent.

b. Cultural Dynamics Causing the Argentine-Chilean Variation

Analyzing interrupted time series data among countries that have adopted similar legislation, Jones underscores that simply adopting national quotas does not necessarily enhance the representative presence of women; increasing women's legislative presence requires a system conducive to its implementation and parties committed to its success.[116] The Peronist Party enjoyed an influx of women once they became enfranchised in the mid 20th Century; this

[116] M. Jones 2009, p 57.

precedent of female legislators has been integral to the modern day Argentine commitment to empowering women. The quota laws in Argentina have seen exceptional accomplishment in a nation so tied to the Catholic Church and in a region where women's legislative presence has historically been muffled. Despite the Church's influence in laws regarding a woman's reproductive freedom, for example, the secular nature of the main Argentine political parties contributes to a culture better suited to increase women's presence within legislatures. Moreover, the symbol of Eva Perón and her encouragement of women to be politically active is invaluable. "Women of my generation owe her a debt," says current President Kirchner. "When we came of age during the dark [military] dictatorship of the 1970s, we had her example of passion and combativeness to get us through."[117] Kirchner evoked the image of Eva in her inaugural address, aptly linking the strong icon of feminism to Argentine nationalism.

A hypothesis for why this imagery is efficacious in Argentina is the secularism of the Argentine Peronists and the Radicals, while the Christian Democratic Party, contrarily, plays a large role in Chilean national politics.[118] The Church indeed possesses considerable influence over Argentine society. In the 1970s the constitution required the President to be Catholic. However, the Church's alignment with Videla's military junta resulted in its loss of political legitimacy in the eyes of Argentine citizens, while in Chile, the Church publicly denounced the many human rights violations committed during Pinochet's dictatorship, only furthering its political legitimacy in Chile. The lack of "generational [and] institutional connections of the Church to major labor, student, and professional associations" as opposed to "embedded networks that connected activists to the Chilean Church" created a more secular gender ideology

[117] Newsweek, "Latina Liftoff."
[118] Mara Loveman. "High-Risk Collective Action: Defending Human Rights in Chile, Uruguay, and Argentina." American Journal of Sociology 104 (1998): p 478.

in Argentina with respect to the formal political sphere.[119] This secularism of the Argentine political party has played a role in stimulating women's activism to increase their presence within both the Argentine Senate and Chamber of Deputies, meeting and exceeding the quota's minimum requirements.

c. Positive Externalities from the Quota

With the placement mandate, or a requirement to place women in candidacies with winnable probabilities, enforced by the *Consejo* in a closed-list PR system and with a Peronist precedent, the quota has now translated into better representation by and for women. One of the greatest benefits of the *Ley de Cupos* is its contagious effect throughout political agencies and departments; the concept of positive promotion to combat persistent, discriminative barriers to women developed elsewhere within Argentina, such as in provincial elections, where gender quotas have been instituted for the elections of provincial legislators and municipal councilors.[120] Furthermore, the prioritizing of women's empowerment and equal incorporation demonstrates the need for parties and voters to re-evaluate their candidate preferences in order to sustain an egalitarian democracy. Thanks to the *Ley,* "the issue of affirmative action and use of gender quotas to achieve greater gender equality have become increasingly salient throughout Argentina."[121] Soon after the quota law was passed, bills were presented for measures to promote the critical mass of women in labor unions, the Judicial Branch, and professional associations.[122]

Nearly ten years following the *Ley,* María José Lubertino evaluated the results of the Argentine quotas, concluding that Argentina enjoyed a unique success with the affirmative measures. As mentioned, the implementation of provincial quotas is seen as a significant

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[119] ibid., p 508.
[120] M. Jones 1996, 89 & Gray 2003, p 76.
[121] Jones 1996 p 89.
[122] ibid. p 90.

success; in addition, Lubertino argues that the success of the quota can be seen by the increase in laws about violence and reproductive health, contending that these would not have been addressed or passed without the catalytic power of women parliamentarians.[123]

With the international agreements such as the UN Convention to Eliminate all Discrimination Against Women and in 1995 the Beijing Platform for Action, global norms regarding the equal treatment and participation of women began to spread, including the understanding that women deserve to take action in decision-making.[124] Moreover, with the triumph of the *Ley* in achieving its goal of increasing the proportion of women in the legislature, Argentina became a role model for other Latin American countries to adopt similar quota legislation.[125] The convention proliferated a general understanding within Latin America that quotas were an appropriate measure to correct the generalized exclusion of women in politics as well as promote women's presence within parliaments. [126] Argentina still stands out as an exceptional success even when compared to the other Latin American countries' similar implementations of affirmative action. First, Argentina's initial jump in representation reflects the strength of the electoral system. This sudden increase in representation was seen in both 1993 and in 2001 following the passage of quota laws in the Chamber and the Senate, respectively. This change in proportion of women legislators before and after the initial law was significantly higher in Argentina compared to the rest of Latin America. Moreover, Argentina continues to be the standout paradigm as it boasts women's representation in both houses of parliament above the quota's requirements. The only other Latin American country to do this is Peru within its Chamber of Deputies, where the

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[123] María J. Lubertino. "Pioneering Quotas: The Argentine Experience and Beyond." The Implementation of Quotas: Latin American Experiences. Lima: International IDEA, 2003, 32. s
[124] Htun and Jones, 2002, 32-33 & J Peschard 2003, 21.
[125] Araujo and Garcia 2006, 90.
[126] IDEA, International. The Implementation of Quotas Latin American Experiences (International IDEA Quota Reports series). New York: International Idea, 2004, 3.

TABLE 3.3A: WOMEN'S REPRESENTATION IN LATIN AMERICAN LOWER HOUSES (CHAMBER OF DEPUTIES)

COUNTRY	MIN. QUOTA	HOUSE	WOMEN BEFORE LAW (%)	WOMEN AFTER LAW (%)	CHANGE IN % POINTS	MOST RECENT ELECTION	CURRENT WOMEN LEGISLATORS (%)	CURRENT GEM RANK
ARGENTINA	30 %	Chamber	6	28	22	2007	40.0	17
ARGENTINA	30 %	Senate	6	33	27	2007	38.9	17
BOLIVIA	30 %	Chamber	11	12	1	2005	16.9	67
BOLIVIA	25 %	Senate	4	4	0	2005	3.7	67
BRAZIL	30 %	Chamber	7	6	-1	2006	9.0	70
BRAZIL	30 %	Senate	7	12	5	2006	12.3	70
COSTA RICA	40 %	Chamber	14	19	5	2006	36.8	24
DOMINICAN REPUBLIC	25 %	Chamber	12	16	5	2006	19.7	53
ECUADOR	30 %	Chamber	4	17	13	2008	27.6	43
MÉXICO	30 %	Chamber	14	17	3	2006	23.2	46
MÉXICO	30 %	Senate	13	15	2	2006	18.0	46
PANAMA	30 %	Chamber	8	11	3	2004	16.7	49
PARAGUAY	20 %	Chamber	3	3	0	2008	12.5	78
PARAGUAY	20 %	Senate	11	20	9	2008	15.6	78
PERU	25 %	Chamber	11	18	7	2006	29.2	32

Sources: International IDEA, Htun and Jones 2002, IPU, UNDP

TABLE 3.3B: WOMEN'S REPRESENTATION IN LATIN AMERICAN LOWER HOUSES (CHAMBER OF DEPUTIES)

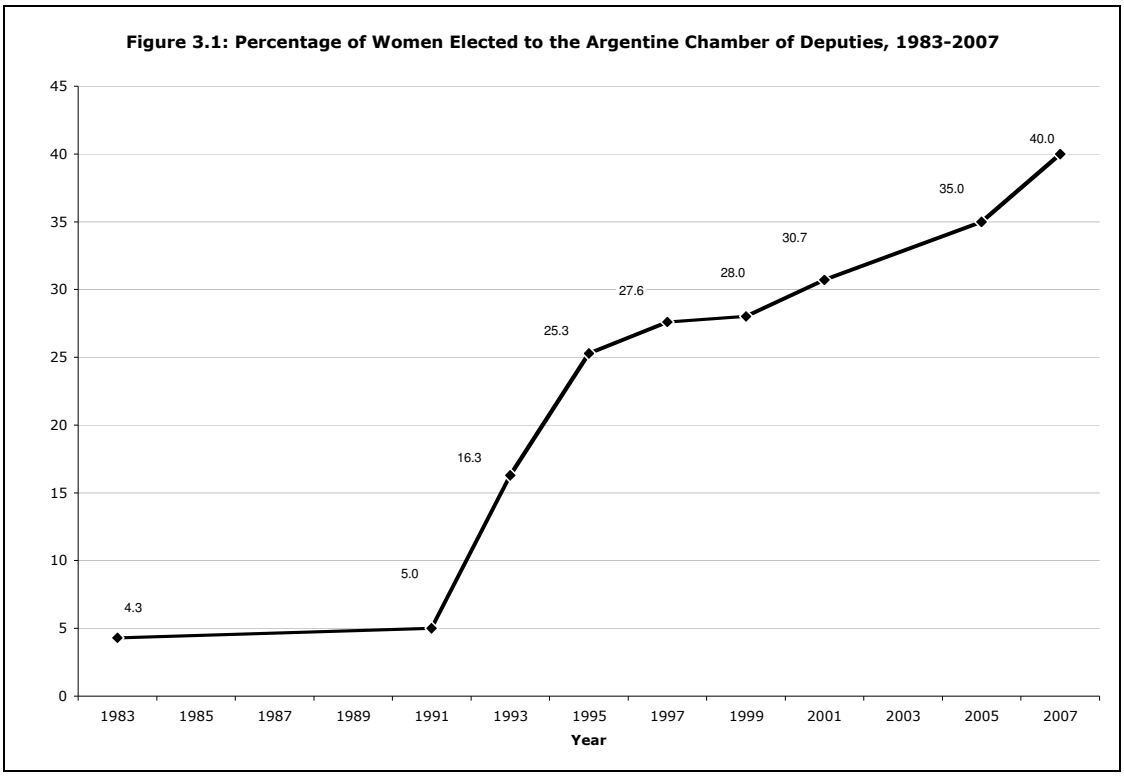
COUNTRY*	MINIMUM QUOTA BY FIRST LAW (%)	YEAR OF FIRST REFORM	CHANGE IN % REPRESENTATION OF WOMEN AFTER ELECTION WITH QUOTA	CLOSED OR OPEN LIST	PLACEMENT MANDATE?
ARGENTINA	30	1991	22	Closed	Yes
BOLIVIA	30	1997	1	Closed	Yes
BRAZIL	30	1997	-1	Open	No
COSTA RICA	40	1997	19	Closed	No
DOMINICAN REPUBLIC	25	1997	4	Closed	No
ECUADOR	20	1997	3	Open	Yes
MÉXICO	30	1996	3	Closed	No
PANAMA	30	1997	3	Open	No
PARAGUAY	20	1996	0	Closed	Yes
PERU	25	1997	7	Open	No
AVERAGE	**28**		**6.1**		

Sources: International IDEA, Htun and Jones 2002, Inter-Parliamentary Union

*Venezuela and Colombia are not included: Venezuelan quotas were rescinded; Colombian quotas refer to only administrative positions.

minimum quota requirement is 25 percent, and with a minimum quota of 40 percent, Costa Rica comes very close.

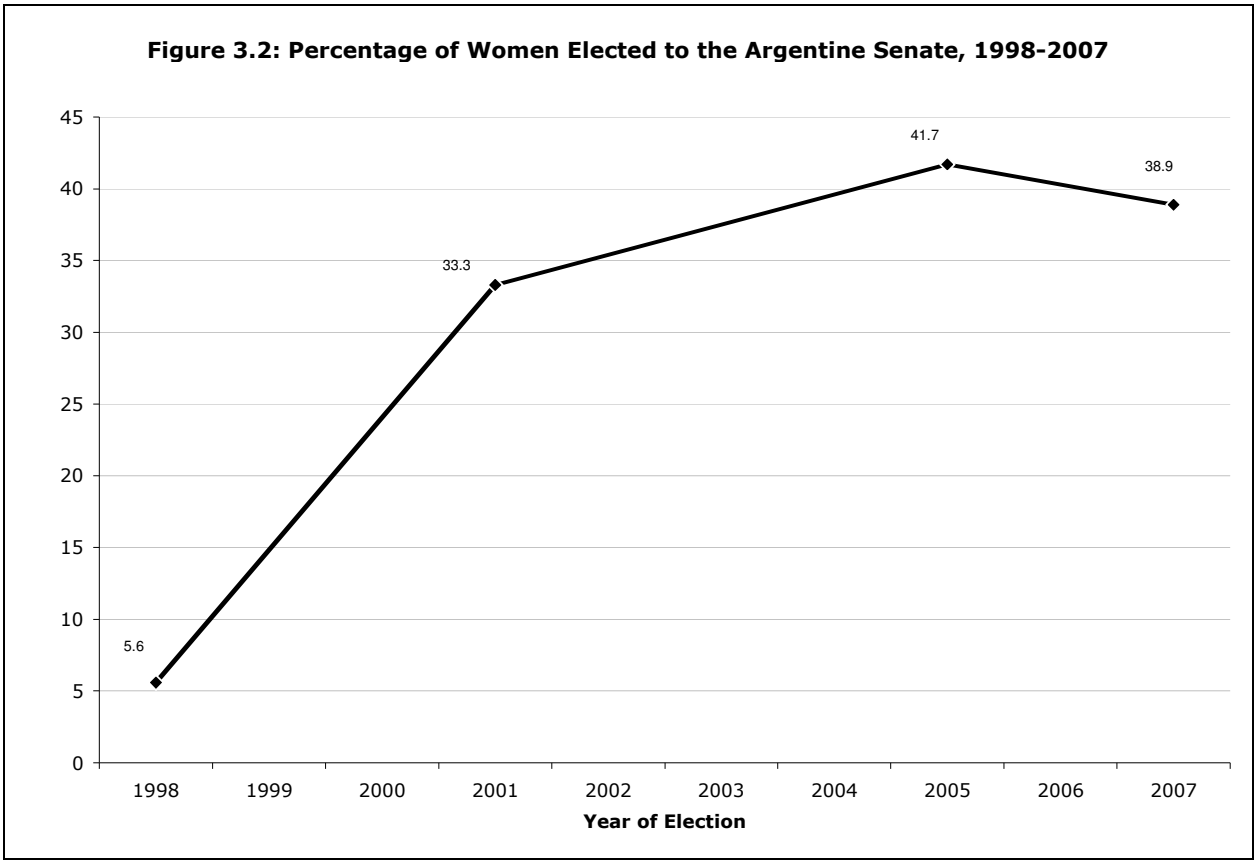
When analyzing Table 3.3b, one will notice that the existence of a placement mandate and a closed-list, as aforementioned, did facilitate the *Ley's* success.[127] When comparing Argentina's national quota legislation to that of similar legislation in other countries such as Brazil, one sees that Argentina has been immensely successful with the closed-list PR system. Brazil employs an open-list system, which allows voters to pick and choose from the candidate lists, therefore not ensuring that more women ascend to office.[128] Even now, Brazil fails in substantially raising women's presence within either branch, with only 9 and 12.3 percent of seats occupied by women in the lower and upper houses, respectively.



[127] Jones 1996, p 83.
[128] Gray 2003, p 56.

Additionally, as evidenced by the many countries such as Costa Rica or Paraguay that have quotas but not the same success as Argentina has had in surpassing its minimum requirements, a long democratic tradition alone is not be sufficient for gender equity.[129]

Most other Latin American countries have faltered in achieving the same success in gender empowerment, even when adopting closed lists, placement mandates, or both. Thus, it is evident that the existence of just a quota law is necessary and useful but certainly not sufficient in increasing women's legislative presence. Argentina's ability to increase women's legislative presence within both the Chamber of Deputies and the Senate is certainly unique; the proportions increased drastically following the laws and continued to increase over the years.[*]



[129] J. Peschard 2003, p 24.

[*] Note: The quota law in the Chamber of Deputies passed in 1991, and the quota law in the Senate passed in 2000. Beginning in the election of 2001, Senators were elected directly.

D. Democratic Implications of Affirmative Action

i. Quotas Promote Egalitarianism within Democratic Society

As a method of intervention into the male dominance of laissez-faire politics, quotas, when strategically implemented, can succeed in attracting and promoting female politicians. However, such affirmative action, let alone the passing of national legislation, provokes vehement debate both in support of and against the measures for a plethora of reasons, on grounds of principle as well as practice. Quotas have been proposed as a means of positive promotion of women into roles that can enhance their influence in decision-making roles. Nationally legislated quotas serve to empower women to have more control over the decisions that affect their own lives; by constituting a bigger proportion of the legislatures, women are in a better position to represent and advocate for women.

Craske underscores the quota's transitional role as a measure to even out the representational gender gap; by including measures to ensure a critical mass of women, the quota serves to introduce "social and domestic perspectives on policy development."[130] Once women's legislative presence becomes commonplace and women are free to exercise the reach of their citizenship, quotas will no longer be a necessary means of affirmative action. Quotas also promote ideals of equality between genders as well as affirmative action as a means of ensuring that equality within society.

Granted, women who assume power may be no more committed to improving women's lives than any other politician. However, it is imperative that both genders be equally as empowered *to* contribute to societal welfare if the greater goal is a democratic, egalitarian society.

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[130] N. Craske 1999, 71.

ii. Debate around Quotas' Utility

The resistance to quota legislation is sizeable; opponents, including many women, argue that quotas elevate unqualified women while discriminating against men. [131] Some contend that competent women will rise to power naturally but may otherwise be stigmatized against for assuming the position with help of the quota. Moreover, they highlight legal loopholes within the quota system, given that women could be consistently placed at the lower ranks on parties' lists to barely fulfill quotas and act in a minimalist manner.[132]

Conversely, there are three main types of arguments advocating for the quotas: normative, consequentialist, and symbolic arguments.[133] Normative arguments speak of the need for fairness and equality within all spheres of society, especially with respect to decision-making positions. Quotas guarantee women's presence in decision-making roles. Consequentialist theory contends that women will alter policy recommendations to better correspond with women's interests. Finally, as indicated by the 'contagion' effect of the *Ley de Cupos*, a quota will symbolize the importance of gender equality, educating society about the democratic need to facilitate equal participation of men and women.[134]

"Quotas help make culture more egalitarian and democratic," agree Htun and Jones.[135] The true implementation of the quota begins with short-term correction to redress the many years of inequality that transpired. In the long-term, the quota requires a shift of cultural conscience toward the recognition of women's equal right to empowerment. The introduction of quotas forces male politicians to reflect on the right of women to share that political platform. This

[131] IPS. "05/02/2001." Inter Press Service 05 Feb. 2001 & M. Jones 1996, p 90.
[132] ibid.
[133] Htun & Jones 2002, p 34-36.
[134] ibid.
[135] ibid., p 50.

requires the understanding that true citizenship for women is being allowed to exercise her freedoms without gender being a persistent hurdle.

iii. Necessities for Quotas to Succeed

What proponents of the quota often miss is the careful implementation required for the quota to be effective. A justification for executing affirmative action laws is the promise of increasing women's legislative presence and better promotion of women's interests. Without this, the quota may seem superfluous, as it is unable to achieve its goals. Drude Dahlerup reflects that it is fundamentally political parties that serve as the gatekeepers to a more egalitarian parliament, more so than the voters; thus, the Argentine mandate that political parties adhere to the minimum quota stipulations for their lists has been successful because it corresponds directly to political parties, the catalytic agents.[136]

Most importantly, women must identify greater access to and roles within legislative decision-making for quotas to be instrumental for commensurate empowerment. Craske argues that there is no formula for mass empowerment, but instituting efficacious quotas for the incorporation of women into decision-making roles is a viable step that, when implemented under the right electoral system, can reveal resounding effects.[137]

In addition to quotas, "parties have to be more creative in identifying women candidates," says political scientist Kristen Sample.[138] She underscores the need for parties to work with the electorate in identifying prominent female community leaders. According to a study done by the Inter-Parliamentary Union, some major Argentine parties, including the PJ, have conducted

[136] D. Dahlerup 2003, p 15.
[137] N. Craske 1999, p 24.
[138] K. Sample 2008.

media and mass information campaigns that specifically target women to raise awareness about the importance of political involvement.[139]

Argentina's quota law, albeit revolutionary, possesses important implications for the women it affects. Given that parties that may not otherwise voluntarily seek out women as candidates and are now required by law to do so, their recruitment practices must be scrutinized. Writes Elisa Maria Carrio, "Even today, the macho leadership keeps talking about 'paying the quota' and trying, if they can, to get docile and obedient women elected to those posts."[140] The quota attempts to eliminate persistent, discriminative barriers for women, but if women, once empowered with a critical legislative presence, are denied the freedom to introduce legislative proposals as they so desire because of *macho* male leadership, then the affirmative action measures can create further problems for women.

The vast networks of political women in Argentina tend to appreciate the effect of women within the Argentine legislature. In analyzing the effects of the quota, Franceschet and Piscopo interviewed several female politicians who spoke very highly of the quota's many positive externalities. "Whether by culture, biology, or education," argued Matilda Quarracino, "women are more sensitive to the real needs, daily and concrete, of the people."[141] They write, "Among the female legislators interviewed, we found widespread agreement that the quota law facilitated the proliferation of women's themes on the legislative agenda."[142]

The quota law was implemented to boost women's access to and involvement in decision-making; it inherently also addresses the need to combat inequality while promoting women's voices in all spheres of Argentine life. Thus, the 'contagion' effect of the *Ley de Cupos*

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[139] IPU 1997, p 31.
[140] IDEA 2003.
[141] Susan Franceschet and Jennifer M. Piscopo. "Gender Quotas and Women's Substantive Representation: Lessons from Argentina." Politics & Gender 4 (2008): p 393-425.
[142] ibid., p 409.

will have true bearing once it extends to ensuring that women are granted justice in the workplace, with their bodies, within their relationships, and throughout their lives.

Women leaders are seen as better equipped to represent and advocate for the interests of women citizens; only with a critical mass, it is aptly argued, can they effectively and adequately present controversial issues that are pertinent to women.[143]

FIGURE 3.4: IDENTIFYING THE VARIANCE	
CHILEAN SHORTCOMINGS	**ARGENTINE SUCCESSES**
No formal representational demands for women made during transition	Strategic demands prompted the *Ley de Cupos*
No quota law	Representation surpasses quota law's requirements
Open-list majoritarianism disadvantages women	Closed-list PR supports women candidates
Church-influenced conservatism discourages women in formal politics	Peronist precedent encourages women in formal politics; Church influence is moderate compared to Chile

[143] Htun and Jones 2002, p 34.

IV. LESSONS FOR CHILE AND THE DEVELOPING WORLD

"Women's rights are human rights." – Beijing Platform for Action, 1995

Gaining access to decision-making power in Latin America has been a central objective of women's movements; this dream has been realized and even surpassed in Argentina. The Argentine case poses implications and policy prescriptions for Chile and the developing world for ways in which to address women's empowerment and their overall access to decision-making roles specifically through increasing representation and presence in parliaments.

The Argentine case is unique in that the *Ley* has had many years to develop and expand to the Senate; the long Peronist legacy established a precedent of women, contributing to a culture where women in politics is an accepted norm. On the contrary, many nations, such as Chile, have cultures that preclude the incorporation of female decision-makers. Thus, instituting positive measures that mimic the success of Argentina can help, but it is certainly not sufficient to ensure an increase in empowerment.

Instituting national quotas is a form of positive discrimination. In order to promote feminist perspectives within politics, Lovenduski highlights three strategies: equality rhetoric, positive action, and positive discrimination.[144] These are methods that nations struggling to empower women politically can adopt in order to further feminist understanding. The first involves the ideals of gender equity promoted through public debate, party discourse, and international platforms for action such as Beijing's Fourth World Conference on Women in 1995. Feminist rhetoric is important to promote dialogue and understanding, but it does not make actual claims and requirements, and the ideals are lost within the rhetoric.

[144] Joni Lovenduski. *Feminizing Politics*. Cambridge: Polity Press, 2005, p 90.

The second strategy reflects positive action, which sets goals and attempts to remove discrimination against women. This includes signing international treaties such as the UN CEDAW or reserving seats for women. As Lovenduski points out, equality promotion is directed at the supply of women who are potential representatives to facilitate their entry into formal politics.[145] Reserving women seats without democratic elections circumvents true egalitarianism by precluding competition and allowing the fewest possible seats to act as a ceiling for women's political participation.

Quotas fulfill the third strategy: positive discrimination. Such equality guarantees reflect the demand for a critical mass of both genders within prominent, decision-making roles.[146] The interlacing of all three strategies is imperative. For the quotas to be successful, the rhetoric of gender equity must be embraced by a handful of women who seek to benefit from quotas that promote their legislative presence.

During the Fifty-Third Session on the Status of Women, the United Nations Development Fund indicated that even within countries that have quotas, it may take up to two decades for women to truly catch up.[147] Effectively empowering women requires radical social, political, and economic change; however, incorporating women into political dialogue and the legislative process is an imperative and far less radical tool in the process.

Chile is not entirely ailing in its effort to empower and uphold women's rights. In the past year, SERNAM has lobbied for legislation rewarding political parties that adhere to a 30 percent quota, nominating greater numbers of women to legislative candidacies. "'I had high hopes' that the quota bill introduced a year ago in parliament would be passed before the Oct. 26 [2008]

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[145] ibid, p 91.
[146] ibid.
[147] United Nations Economic and Social Council. "Despite a record year globally for women decision makers in public sector, road was long to achieve parity with men, Women's Commission told." ReliefWeb 6 Mar. 2009.

municipal elections, said SERNAM Minister Laura Albornoz."[148] However, in the male-dominated legislature, the bill has yet to be debated. With what Albornoz refers to a "male chauvinist culture," the bill lacks a sense of urgency in relation to many other pieces of legislation.[149]

Socialist President Bachelet has endeavored to promote gender equality by using her administration as an example. A significant number of laws pertinent to women passed during Bachelet's tenure, including legislation regarding pensions for women, maternity benefits, and domestic violence.[150] Moreover, Bachelet appointed women to half of her cabinet posts as her initial assault on inequality.[151] However, the inability to pass quota legislation is highlighted by SERNAM as one of the biggest failures in promoting women's formal political empowerment.[152] This is largely because "'parliamentarians will have to vote on a bill which would result in some of them having to leave,' says Albornoz" of male incumbents.[153]

The Chilean legislature should promptly adopt a quota law with similar stipulations to the *Ley de Cupos* as an instrument to advance women's empowerment. Yet, achieving success akin to Argentina's requires significant restructuring of competitive electoral politics in Chile. The point cannot be stressed enough: Argentina poses a unique phenomenon where human development and gender related development is necessary and helpful but certainly not sufficient for widespread empowerment, and Chile, with commensurate gender related development, is a clear example of this insufficiency. With electoral politics featuring parties' open lists, there is no insurance that women will actually become elected. Furthermore, meeting and exceeding

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[148] Quoted by the Inter Press Service, 10/22/2008.
[149] ibid.
[150] IPS, 3/6/2009.
[151] Ross, Jen. "Chile Kick-Starts Debate on Gender Quotas." Women's eNews 16 Feb. 2007.
[152] ibid.
[153] ibid.

these quota requirements requires a general cultural shift from overbearing *machísmo* to acceptance of women in the political sphere.

Additionally, with the increase of women's "descriptive representation", or their physical presence in politics, the mandate to pursue gender-specific legislation often furthers the entrenched sexualized roles men and women play in Latin America.[154] With the Argentine quota law, women were given the authorization to pursue pertinent legislation; in fact, a strong argument in the advocacy for the *Ley de Cupos* was the need for women's legislative presence to fully promote and protect women's interests, given the historical marginalization of women. Franceschet and Piscopo argue that sex-differentiations do indeed emerge in what bills female legislators in Argentina introduce.[155]

Thus, Chile as well as other developing countries seeking to promote women toward formal politics must take a multifaceted approach that engages more than a quota law, reaping benefits greater than more women in numbers.

[154] Franceschet & Piscopo 2008, p 398.
[155] ibid.

V. CONCLUSION

When Argentina passed the *Ley de Cupos* in 1991, becoming the first country to establish such affirmative action by law, little did the administration of President Menem know how successful the law would become. Within two decades, the *Ley* has ushered in more than a minimum quota of women's voices and influences into national decision-making initiatives. Now, women within both houses of Argentine parliament constitute the sixth highest proportion of women parliamentarians in the world.[156]

Juxtaposing two most-similar systems, this thesis hypothesized the variance between Argentine and Chilean GEM as well as legislative presence as a result of Chilean shortcomings as well as Argentine successes. Comparing Argentina and Chile reveals that a strong democratic system with histories of effective women's movements, as they both share, will not automatically propel women to the forefront of politics. Moreover, comparing Argentina's quota law to similar laws in other Latin American countries reveals that instituting a quota system is necessary but certainly not sufficient, as no other democratic, Latin American country possessing legislation akin to the Argentine quota law has experienced similar degrees of gender empowerment to Argentina.

If democracy entailed living in a society wherein we held no influence over the decisions affecting us, no control over our livelihoods, and little support within government for our needs, then there would be no need for women to engage a critical mass within the legislature. However, preserving the vibrancy of democracy in Argentina and Chile requires commensurate political participation of women in order to maintain egalitarianism. Moreover, it is imperative that women themselves desire decision-making faculties, and it is imperative that they identify

[156] IPU 2009.

legislative incorporation as a tool for their own political empowerment.

SERNAM must continue to advocate for quota legislation, not allowing the majority of male politicians to crush any hopes Chilean women have of modernizing the *macho* legislature. Still, given the example of Argentina, SERNAM must do more than instigate affirmative action. The agency should ensure that political parties embrace and comply with such legislation, that women are not relegated to inferior candidacies with little probability of triumph, and that women feel empowered to legislate on behalf of fellow Chilean citizens.

Presidents Kirchner and Bachelet have broken the ceiling of *machismo,* signifying to politically aspirant women that the reach of their citizenship does not confine them to their households, but is instead a well-lit pathway to empowerment.

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