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2011

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UNIVERSITY OF CALIFORNIA, SAN DIEGO

Do Women Represent Women? Gender and Policy in Argentina and Mexico

A Dissertation submitted in partial satisfaction of the  
Requirements for the Degree of Doctor of Philosophy

in

Political Science

by

Jennifer M. Piscopo

Committee in charge:

Professor Peter H. Smith, Chair  
Professor Scott W. Desposato  
Professor Christine Hünefeldt  
Professor Sebastian Saiegh  
Professor Carlos Waisman

2011

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Chair

University of California, San Diego

2011

## DEDICATION

*For Dad.*

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## LIST OF ABBREVIATIONS

**CEAMEG:** Centro de Estudios para el Adelanto de las Mujeres y la Equidad de Género  
– Center for the Study of Women’s Advancement and Gender Equity (Mexico)

**CEDAW:** United Nations Convention on the Elimination of all Forms of Discrimination  
against Women

**CEDES:** Centro del Estudios de Estado y Sociedad – Center for the Study of State and  
Society (Argentina)

**CEG:** Comisión de Equidad y Género – Commission on Equity and Gender (Mexico)

**CISCSA:** Centro de Intercambio y Servicios Cono Sur Argentina – Center of  
Interchange and Services in the Southern Cone (Argentina)

**CLADEM:** Comité de América Latina y el Caribe para la Defensa de los Derechos de la  
Mujer – The Latin American and Caribbean Committee for the Defense of Women’s  
Rights

**CNM:** Consejo Nacional de la Mujer – National Women’s Council (Argentina)

**CoNDeRs:** Consorcio Nacional por los Derechos Reproductivos y Sexuales – National  
Consortium for Reproductive and Sexual Rights (Argentina)

**CONEVAL:** Consejo Nacional de Evaluación de la Política de Desarrollo Social –  
National Council for the Evaluation of Social Development Policies (Mexico)

**ELA:** Equipo Latinoamericano de Género y Justicia – Latin American Team for Gender  
and Justice (Argentina)

**FEIM:** Fundación para Estudio e Investigación de la Mujer – Foundation for Women’s  
Studies and Research (Argentina)

**FPV:** Frente Para la Victoria – Victory Front, a wing of the Peronist Party (Argentina)

**IFE:** Instituto Federal Electoral – Federal Election Institute (Mexico)

**ILO:** International Labor Organization

**IMEFs:** Instancias de Mujeres en las Entidades Federativas – State Level Institutes for Women (Mexico)

**INDESOL:** Instituto Nacional de Desarrollo Social – National Institute for Social Development (Mexico)

**InMujeres:** Instituto Nacional de la Mujer – National Institute for Women (Mexico)

**IUD:** Intrauterine Device

**NGO:** Non-governmental Organization

**MSAL:** Ministerio de Salud – Ministry of Health (Argentina)

**OAS:** Organization of American States

**PAIMEF:** Programa de Apoyo a las Instancias de Mujeres en las Entidades Federativas – Program to Support the State Level Institutes for Women (Mexico)

**PAN:** Partido Acción Nacional – National Action Party (Mexico)

**PJ:** Partido Justicialista – Justicialist Party, also referred to as Peronists (Argentina)

**PR:** Proportional Representation

**PRD:** Partido de la Revolución Democrática – Democratic Revolution Party (Mexico)

**PRI:** Partido Revolucionario Institucional – Institutional Revolutionary Party (Mexico)

**PSSyPR:** Programa de Salud Sexual y Procreación Responsable – Program for Sexual Health and Responsible Procreation (Argentina)

**SEDESOL:** Secretaría de Desarrollo Social – Secretary of Social Development (Mexico)

**SMD:** Single Member District

**UCR:** Unión Cívica Radical – Radical Civic Union Party (Argentina)

**UN:** United Nations

**UNDP:** United Nations Development Program

**UNIFEM:** United Nations Entity for Gender Equality and the Empowerment of Women

**VAW:** Violence against Women

**WSR:** Women's Substantive Representation

**WVS:** World Values Survey

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## ACKNOWLEDGEMENTS

I would like to thank my committee chair, Peter H. Smith, for his unerring guidance and tireless support. I also thank my committee members, Sebastian Saiegh, Scott Desposato, Carlos Waisman, and Christine Hünefeldt for their feedback, ideas, and encouragement. I would also like to recognize the support of other faculty at the University of California, San Diego, including Marisa Abrajano and Alberto Díaz-Cayeros. Numerous other scholars offered mentorship and friendship along the way, and I warmly thank Amy Atchison, Caroline Beer, Merike Blofield, Rachel Brickner, Jordi Díez, María Escobar-Lemmon, Susan Franceschet, Imke Harbers, Magda Hinojosa, Mala Htun, Mona Lena Krook, Joy Langston, Rainbow Murray, Michelle Taylor-Robinson, and Shannon Drysdale Walsh for their advice and encouragement.

Many scholars, political leaders, and community figures assisted my fieldwork in Argentina and Mexico, and I am grateful for those who generously helped me establish contacts, navigate bureaucracies, and find information. In Argentina, I would like to recognize Mariana Caminotti, Gustavo Curi, Carlos Gervasoni, Karen Quiroga, and Ana Laura Rodríguez Gustá. In Mexico, I extend thanks to Lluviarely Gómez. I also thank Caroline Beer, Ernesto Calvo, and James McGuire for sharing their data.

This dissertation was supported by funding from the Center for Iberian and Latin American Studies and the Institute for International, Comparative, and Area Studies at the University of California, San Diego, as well as by funding from the Carrie Chapman Catt Center for Women and Politics at Iowa State University and the Graduate Fellowships and Scholarships at Wellesley College. I conducted portions of the research



and writing while a Pre-doctoral Visiting Fellow at the Center for U.S.-Mexican Studies at the University of California, San Diego.

The variables used to control for legislators' university education in Chapter Three appear in a paper submitted for publication: Franceschet, Susan, and Jennifer M. Piscopo, "Gendered Paths to Elected Office? Women in Argentina's National Congress." I was the primary architect of the dataset for this paper.

The Argentine case study in Chapter 5 is currently being prepared for publication: Franceschet, Susan, and Jennifer M. Piscopo, "Advancing Reproductive Rights in Federal and Unitary States in Latin America." I was the primary researcher on the Argentine case, which is one of two cases presented in the paper.

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ABSTRACT OF THE DISSERTATION

Do Women Represent Women? Gender and Policy in Argentina and Mexico.

by

Jennifer M. Piscopo

Doctor of Philosophy in Political Science

University of California, San Diego, 2011

Professor Peter H. Smith, Chair

This work examines the link between descriptive representation and substantive representation: do female legislators, in sharing a common gender identity, promote public policies that improve women's rights and citizens' wellbeing? Mexico and Argentina are ideal case studies. Both countries have gender quota laws, compelling political parties to nominate thirty percent women to closed candidate lists. The countries vary, however, on the proportions of female legislators elected and on institutional support for gender policy. Mexico under-fills its quota, but formalizes women's representation through a Bicameral Commission on Equity and Gender. Argentina, by

contrast, over-fills its quota, but lacks those institutional mechanisms that legitimate the development of gender policy.

I use quantitative and qualitative data to compare female legislators' and male legislators' interventions throughout the policy process. This data includes an original dataset of bill introduction and bill passage, debate transcripts and policy proposals, over 50 interviews with male and female legislators in both countries, and case studies of successful reforms. I consider constituent demands, as expressed through public opinion, and whether these demands link to legislators' agenda setting initiatives. Next, I determine the frequency of bill introduction across policy areas, and compare this statistic to the frequency of legislative success. Finally, I analyze the implementation of successful policies, to evaluate whether or not material benefits reach female constituents.

This dissertation is located at the intersection of the comparative politics literature on legislatures and policymaking, on the one hand, and women and politics, on the other. I find that female legislators, more than male legislators, advocate for policies dealing with health, minority rights, and women's rights; I further find that the vast majority of female legislators adopt progressive positions on women's roles and opportunities. Most importantly, I conclude that legislative institutions and practices—namely gender commissions and women's caucuses—contribute significantly to whether or not the substantive representation of women unfolds.

# INTRODUCTION

Women worldwide have recently gained unprecedented access to legislative office. Observers often suggest these advances matter not only for ending discrimination, but also for promoting public policies that improve society. For instance, speaking in Los Angeles in April 2007, Sandra Herrera, a leading activist in Mexico's conservative party, the *Partido Acción Nacional* (PAN), explained that male politicians are "more insensitive to the realities of malnutrition, domestic violence, and the abandonment of children."<sup>1</sup> In Argentina, female legislators likewise believe that "Women are more interested than men in health, poverty, disability and the elderly," and "Women will bring domestic violence, sex trafficking, and abortion to the table when men will not."<sup>2</sup> Such comments resonate because observers, voters, and the legislators themselves believe that women will change policies, typically in the direction of social welfare and gender rights. This "consequentialist" reasoning for electing women holds that female citizens have distinct "women's interests," and that female leaders will advocate for these interests in a practice termed "women's substantive representation."

The dissertation explores women's interests and women's representation in order to enhance understandings about how political identities are constructed, deployed, and reshaped during the policymaking process. The recent, worldwide adoption of gender quota laws—mechanisms which compel political parties to nominate specified percentages of women to office—has directed scholars' attention to a classic debate within political science: does changing representatives transform what is represented? Gender quotas are frequently adopted in newly democratizing and post-conflict countries, often producing an overnight transformation in the distribution of political power. Why do seemingly "macho" societies—such as Argentina and Mexico—choose to promote

women's participation and rights? If more women are elected to legislatures, do these female newcomers represent the interests of female constituents? In other words, do female legislators support policies that benefit women in society, and do male legislators change their preferences and behavior in response? Answering these questions about women's substantive representation speaks to research on the causes and consequences of electoral reform, the strength of legislative institutions, and the scope and impact of public policies.

The dissertation begins by establishing the rationale for choosing Argentina and Mexico. Both federal systems have 30 percent quota laws, high degrees of electoral competition, disciplined political parties, and relatively autonomous legislatures. The countries vary, however, on three factors that affect women's substantive representation. First, Argentina over-fills its quota while Mexico under-fills its quota, making the mechanism stronger in Argentina than in Mexico. Second, Mexican political parties are more ideologically and programmatically coherent than those in Argentina, which differentially affects legislators' incentives and strategies. Third, institutional support for gender policy appears only in Mexico, where a Commission on Equity and Gender with lawmaking and veto power occupies a central place in the policymaking process. Chapter One of the dissertation explores these factors in detail.

The empirical chapters of the dissertation trace female legislators' impact during four moments of the policymaking process: identifying demands, setting agendas, changing statutes, and implementing policies. Chapter Two, entitled "What Women Want: Sex Differences and Public Opinion," tackles the polemical question of "women's interests," that is, whether female constituents indeed advance specific, unique demands.

I use quantitative data from the World Values Survey to show that female citizens are more likely than male citizens to support policies associated with social justice and humanitarian objectives. Moreover, female survey respondents assess modern gender roles more positively than male survey respondents, and women's civil society groups likewise seek the rights associated with these roles.

Chapter Three, "Setting Agendas: The Content of Bill Introduction in Argentina and Mexico," moves from constituent demands to legislators' preferences. I use an original, longitudinal dataset to show that female legislators' agenda setting activity largely corresponds to the sex differences in public opinion. Additionally, the data show that male legislators *do* undertake women's substantive representation, though they focus on women's interests less frequently than their female colleagues. Most notably, I demonstrate that male legislators represent women's interests by focusing not on policies that promote equal rights, but on programs that encourage motherhood and protect children.

Chapter Four, "Representation, the Legislative Process, and Statute Change," examines whether women's agendas succeed or fail. This chapter uses qualitative interview data and an original, quantitative dataset on bill passage. I provide a detailed account of female legislators' thoughts about women's substantive representation, and I explore female and male legislators' understanding of the policymaking process. I then explain policy outcomes for general legislation and for women's legislation. To do so, I consider the following factors: the nature of the committee system, the lobbying strategies adopted by female legislators, and the extent of majority party support for gender policy. Greater cross-party collaboration among women in Mexico, as well as the



presence of a legislative commission on equity and gender, explains the higher proportion of rights-focused legislation in Mexico in comparison to Argentina.

Finally, Chapter Five, entitled “Federalism, the Policymaking Process, and Implementation,” explores the material consequences of electing women to the legislature. Many scholars have viewed statutory transformation as the endpoint of women’s substantive representation. Yet, in newly democratizing countries where institutions are inchoate and weak, policy changes may fail to bring tangible benefits to their beneficiaries. Further, federal arrangements make subnational governments responsible for policy implementation; decentralization has the ability to neutralize policy advances made at the federal level. In this chapter, I use case studies of sexual health reforms in Argentina and domestic violence reforms in Mexico to explain how federal arrangements, subnational governments, and national and subnational executive officials mediate the material impact of women’s representation.

In sum, the dissertation makes an original contribution by including male legislators in the analysis, examining outcomes throughout the policymaking process, and including program delivery as one measure of interest representation. I show that electing women will have substantive and positive effects on governments’ equality policies. Yet, the specific policy gains vary between Argentina and Mexico. These differences highlight how personal motivations, legislative institutions and the strategies they produce, and executive branch actions condition the causal relationship between women’s representation and policy results.

## Notes

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<sup>1</sup> <http://www.international.ucla.edu/article.asp?parentid=68463>.

<sup>2</sup> Author's interviews, conducted in Buenos Aires, Argentina, from February-August 2009.

## **CHAPTER 1**

### **STUDYING WOMEN'S REPRESENTATION IN ARGENTINA AND MEXICO**

## 1.1. Overview

This dissertation uses two Latin American cases to ask whether female representatives indeed advance women's interests, a process referred to in the literature as *women's substantive representation*. Testing for women's substantive representation (WSR) not only addresses claims about the policy effects of promoting more women to public office; it considers how legislators advocate for constituents' demands, how identity influences interest articulation, and whether policies substantively benefit societal groups. This analysis becomes particularly urgent in newly democratizing regions, such as Latin America, where constituents frequently demand that governments reflect diversity and improve the wellbeing of marginalized groups.

The cases, Argentina and Mexico, present three factors identified in the literature as critical for women's substantive representation: gender quota laws, organized parties, and legislative commissions on women. The electoral codes for both countries include gender quotas, which mandate that political parties nominate 30 percent of women to candidate lists. Due to the interaction between the quota requirement and the electoral system, however, Mexico under-fills the quota while Argentina over-fills the quota: as of December 2009, the Mexican Congress was comprised of 23 percent women, compared to 39 percent in Argentina. Women's greater numbers in Argentina implies, according to the consequentialist reasoning, that female legislators in Argentina will have greater policy impacts than their counterparts in Mexico. Yet, the Mexican case—which enters into the dissertation as a “companion” or “shadow” case—reveals an interesting twist. Argentine political parties are highly disciplined and do not incorporate women's rights into their platforms, and the Argentine legislature's commission on women also deals

with family, youth, and children. Mexico, by contrast, has political parties whose statutes formally commit to gender equity, as well as a Bicameral Commission on Equity and Gender with significant legislative powers.

The central argument of the dissertation is that women's representation depends not merely on female leaders' presence, but on the institutional arrangements that enable or constrain female leaders' *effectiveness*. Electoral laws, political parties, and legislative institutions can have rules and procedures—such as quotas, platforms and commissions—that are “gender friendly.” When gender friendly institutions are present, female legislators are more effective at representing women, and governments will promote and install successful rights and welfare policies.

The dissertation evaluates female leaders' effectiveness at women's representation in three innovative ways. First, I consider that representation unfolds during the policymaking process. I examine four dependent variables, outcomes which occur at distinct policymaking moments: identifying constituent demands, changing the agenda, passing statutes, and implementing policies. This approach expands existing studies' exclusive focus on single policymaking moments. Second, and related, by including policy implementation, I show that the representation of women's interests occurs not just in the national legislature, but in the federal executive and in subfederal governments: ensuring policy delivery is the primary means through which constituents benefit substantively, and not merely symbolically, from women's presence in legislatures. Third, I consider the preferences of male legislators, the effects of female legislators as a group, and the importance of individual women's leadership. I argue that policy entrepreneurs matter as much for interest representation as the percentages of

representatives. The study spans a decade, from 1999-2009. Overall, I demonstrate *when, how, and why* the substantive representation of women unfolds.

## **1.2. The Existing Literature**

The dissertation is centered within two streams of research in comparative politics: gender and politics, on the one hand, and legislative institutions, on the other. As such, the dissertation speaks to theoretical concerns about the ability of gender identity to predict the values and behavior of elected officials. While the literature on descriptive and substantive representation has widely accepted the conceptualization of women and other minorities as distinct identity groups, disagreement remains over which motivations and outcomes “count” as group representation. In other words, despite the theoretical grounding of group representation in arguments based on justice and fairness, debates still unfold on whether gender or other aspects of group identity can causally influence legislative outcomes.

### 1.2.1. Gender as a Factor in the Social Sciences

Social scientists disagree about the validity of gender for predicting behavior, particularly in politics. Rational choice scholars, for instance, will assert that self-promotion and self-preservation best predict politicians’ actions; since self-interest is an overriding and all-encompassing consideration, neither emotion nor identity drives choices. Yet other scholars believe that politicians’ goals can be based on sentiment. Feminists argue that gender role socialization has encouraged (or even programmed) women to see themselves as “selves in relation” or selves in situations of mutual dependence, whereas men are trained to see themselves as atomistic individuals who

exist independently and in competition. For instance, scholars such as Sara Ruddick (1995) see women as approaching reform through a “nurturing” lens rather than a self-interest lens. While others have criticized these feminist scholars for overstating their case about the primordial nature of women’s selfless instinct, these arguments usefully highlight how contexts and culture shape what self-interest may mean for men and women. Politicians are motivated by considerations that range from pure self-promotion to authentic selflessness, and gender role socialization may affect where an individual politician places herself on this continuum. The question is the *extent to which* gender—alongside strategic considerations—motivates male and female politicians’ actions. One goal of the dissertation is to gain leverage on gender as an explanatory variable for politicians’ behavior.

Acknowledging that gender role socialization has a significant impact on men’s and women’s behavior also speaks to the debate on “women’s interests.” Conventional social science wisdom holds that women are closely connected to domestic matters. Women’s traditional role as domestic reproducers, as opposed to economic producers, has created both their psychological orientation as “selves in relation” as well as their social position as caretakers of children, families, the elderly, the sick, and the disadvantaged. Thus, as Sapiro argues in her hallmark essay, women—as selves in relation—have “special topics” of concern. This list includes marriage, sexuality, reproduction, family stability, religiosity, and violence (1981). Sapiro further argues that women and men will hold different perspectives on the same issue. For instance, men during wartime focus on military victories and defeats, while women become concerned about community upheaval and increased violence. Young (2000) refines Sapiro’s claim,

explaining that women's societal position facilitates the development of women's perspectives. Here, Young accounts both for women's association with domesticity as well as their experience of belonging to a marginalized group: women's greater understanding of both caretaking and discrimination contributes to their greater likelihood to hold socially-conscious perspectives when compared to men. Philips (1995) and Mansbridge (1999) agree that shared experiences of socialization and marginalization mark women as a group with distinct interests that—while subject to debate and contestation—can nonetheless be represented in politics.

Conceiving of women as a discrete group with specific interests does, however, raise concerns about a dangerous reduction of gender identity to primordial or “essential” ideas of femaleness. In Latin America, Elsa Chaney (1979) famously asserted that female politicians universally follow traditional gender roles: they become “super-mothers” who prioritize caretaking, moderation, morality, honesty, peacefulness, and homemaking. Yet many have argued that the “super-mother” approach is too essentialist, both in Latin America and elsewhere (i.e., Craske 1999). Indeed, ideology, race, ethnicity, class, religion, and untold other characteristics foster more diversity than commonality among female politicians. The important message is that researchers cannot conflate biology with identity.

At the same time, however, aggregate trends can be noted in the identities, preferences, and behaviors of women without claiming that *all* women are essentially alike in their understanding of “being female.” For instance, Piscopo (2011) demonstrates that female legislators can agree on sexual health reform, even if some women defend contraception as necessary for women's individual autonomy while others



see family planning as essential for making women good mothers. The dissertation's second goal is to capture the effects of gender at the aggregate level—that is, which shared interests do *some*, or *many*, female politicians have, and what policy effects does this convergence have?

### 1.2.2. Evidence for Women's Interests and Substantive Representation

The debate over group interests is most commonly framed in terms of “descriptive representation” and “substantive representation.” Following the rubric of Hanna Pitkin (1967), descriptive representation refers to when legislators share ascriptive similarities with population subgroups. Substantive representation refers to when legislators take policy actions that benefit these subgroups.

In Pitkin's language, descriptive representatives “stand for” their subgroups, “mirroring” their characteristics. Further, subgroups should be represented in the legislature in proportion to their distribution in the population; accurate descriptive representation comes to symbolize the fairness and legitimacy of a political system. Schwindt-Bayer and Mishler (2005) therefore conceptualize descriptive representation as the “compositional similarity” of the legislature compared to the constituent population, and operationalize the descriptive representation of women as the percent of women seated in the legislature. This choice reflects the mainstream treatment of descriptive representation as the *numbers* of certain kinds of individuals seated in the legislature. (Note that Pitkin's work refers generally to representative institutions, a formulation which can, in principle, apply to other government organs.)

Conceptualizing and operationalizing substantive representation proves more problematic. Pitkin envisioned that substantive representation means “acting for” subgroups, and the most common assumption has been that descriptive representatives are also substantive representatives. The theoretical link between the descriptive and substantive representation of women thus depends on accepting the claim—defended in the previous section—that women have distinct motivations, perspectives, and interests.

One venue in which group interests appear in politics is social movements. In Latin America and elsewhere, women’s and feminist movements have focused on political issues such as equal rights to vote, work, and participate in public life, and social issues such as housing, sanitation, family and child welfare, community safety, nonviolence and peace, and reproductive health (Hellman 1995; Álvarez 1998). While women’s and feminists movements do not necessarily capture the preferences of *all* female citizens, these movements do mobilize significant constituencies in the quest to place certain demands on the political agenda. Likewise, such issues are recognized by male and female citizens as falling within women’s domains: respondents polled in six Latin American capitals believe that women excel at reducing poverty (62 percent), promoting education (72 percent) and protecting the environment (64 percent) (Htun 2002: 3). Note that these women are believed to hold these interests irrespective of their location on the political spectrum. Latin American women may be more conservative when compared to men (Norris and Inglehart 2001; Desposato and Norrander 2009), but rightists as well as leftists still believe women are somehow “better” at addressing social questions. While systematic studies of male and female voters in Latin America are few,

available evidence suggests that women's interests are identifiable among activists and among citizens.

These interests are also identifiable at the elite level, showing that female leaders do undertake women's substantive representation. A hallmark study by Jones (1997) shows that female legislators in Argentina and the United States more frequently introduce bills that favor women's rights, children, and families. Taylor-Robinson and Heath (2003) follow Jones in using bill introduction to operationalize women's representation; they find that female legislators in Honduras also favor women's rights, though no difference exists between women's and men's likelihood to favor children and families. More recently, Schwindt-Bayer (2006) uses data from Argentina, Colombia, and Costa Rica to show that female legislators favor women's rights, children, and families. Additional studies from Latin America show Argentine female legislators' greater activity on questions of violence against women, sexual harassment, affirmative action, and reproductive rights (Franceschet and Piscopo 2008), as well as Mexican female legislators' greater concern with domestic violence and equality policy (Beer 2008).

Comparative studies further reveal the policy concentrations of female legislators. Scandinavian female politicians are more likely than men to prioritize maintaining the welfare state, protecting the environment, and promoting gender equality (Raaum 2005). Evidence from Canada and New Zealand shows that, as women gain more access to parliaments, they become more active on policy questions of child care, parental leave, pay equity, and domestic violence (Trimble 1997; Grey 2002; Sawer 2004). Likewise, in Russia, female members of the Dumas vote in favor of legislation on

women, children, and families more than male legislators (Schevchenko 2002). At the state level in the United States, Rehavi (2007) observes that female legislators favor health spending, family leave, and breast cancer research, but dislike spending on prisons, and Cowell-Meyers and Langbein (2009) find that women's descriptive representation in legislatures leads to higher welfare transfers to single mothers and fewer restrictions on abortion services. At the federal level, female Members of Congress (MCs) are more concerned with women's health than male MCs (Swers 2002). In both the U.S. and Australia, female representatives are more likely than male legislators to reference ethnics, morality, marginalized social groups, and women's stories in floor debates (Tamerius 1995; Broughton and Palmieri 1999). Female MPs in Belgium are more active on questions of women's rights than male MPs (Celis 2006).

In general, issues such as family leave, environmental protection, breast cancer, and pay equity are salient concerns in developed welfare states. In India, where the infrastructure and the economy are less-developed, women's interests address basic needs: rural women are responsible for water portage, and female (but not male) mayors respond by distributing public goods such as pumps (Chattopadhyay and Duflo 2004). In countries where customary laws or religious doctrines have influenced civil statutes, female legislators have demanded the equal treatment of the sexes. For instance, female politicians in Rwanda overturned restrictions on women's property ownership (Devlin and Elgie 2008), and women MPs in Turkey argued for nondiscriminatory divorce and adultery laws (Ayata and Tütüncü 2008). Finally, specific policy crises can affect the shape of women's interests, as in Africa, where women's legislative presence has

generated public health policies more sensitive to the feminization of HIV transmission (Bauer and Britton 2006).

A common pattern thus appears wherein female legislators in the developed and developing world are more likely than male legislators to address children and families, gender equality, violence against women, welfare, and sexual health and reproductive rights. The specific content of these issues, however, varies according to countries' level of economic development, degree of democratization, and extent of preexisting gender equality. These divergences highlight how women's representation may depend not on an "essentialist" vision wherein women's identities and preferences are equivalent across time and space, but on contextual factors such as domestic institutions, policy norms, and issue salience. Further, while scholars now express skepticism over the notion of "critical mass"—that is, the idea that a 30 percent threshold of women's descriptive representation is necessary for substantive representation—many researchers still assert that women's interest representation requires *some* presence of women in the legislature (Jaquette 1997; Childs and Krook 2006a; Childs and Krook 2008; Dahlerup 2006b).

### 1.2.3. Research on Women and Politics in Latin America

A separate research strand on women and Latin American politics has looked not at legislative actors and women's representation, but at civil society advocates and state capacity for reform (Htun 2003). Blofield and Haas (2005, 2011) have signaled that the important independent variable is not the quantity of women in the legislature, but the variation within women's rights proposals. Gender policies differ according to whether the proposal threatens existing gender roles, requires economic redistribution, and/or

provokes ecclesiastical opposition. Htun and Weldon (2010) present a similar schema, as shown in Table 1.1. They divide policies based on whether they target women's gender roles or socioeconomic status, and whether they are doctrinal (religious or moral) or non-doctrinal in nature. This typology captures what Htun and Weldon (2010) call the "issue distinctiveness" of gender policy, which combines with unique features of the national political context (i.e., degree of democratization) to determine who fights for policies, and which policies win.

In Latin America, those actors fighting for gender policy are women's agencies and women's movements. The state feminism literature (Mazur and McBride 2010) has focused on the policymaking role of executive bureaucracies, as opposed to national legislatures. State women's agencies can become spaces wherein public officials—known as "femocrats"—can influence the content of policies as well as deliver programs. Research on Chile and Argentina has demonstrated how the efficacy of women's policy machineries depends on their institutional status and the ideological orientation of their directorates (Waylen 2000; Franceschet 2010). Importantly, Laurel Weldon has found that women's policy agencies and women's movements, when combined, "give women a stronger voice in the policymaking process than does women's representation in the legislature" (2002: 1154).

Yet characterizations of the contemporary "women's movement" in Latin America remain contentious. On the one hand, transnational activist networks have been critical for setting norms and influencing laws, particularly in the area of gender-based violence (Friedman 2009). On the other hand, Jaquette argues that broad-based social movements among women, so critical during the democratic transitions in Central

America and the Southern Cone, are “no longer significant actors” (2009: 6). Latin American women’s movements have fractured, dividing between feminists focused on securing bodily autonomy and sexual rights and women focused on securing state support for their traditional roles. In Argentina, for instance, women activists have drawn on “motherhood’s militant side,” demanding benefits (such as sanitation) not as rights, but as goods essential for raising stable families (Eltantawy 2008).

For this reason, instead of a unified women’s movement that articulates a far-ranging platform, many scholars speak of “issue networks,” meaning advocates who come together in support of specific, statutory changes (i.e., Htun 2003). As Jaquette notes, “progress on women’s issues has depended on the concerted actions of a few” (2009: 6), namely women’s groups, feminist bureaucrats, and women in political parties and the legislature.

The emphasis on individual actors connects to the literature on women’s substantive representation. This literature has recently also moved away from theorizing an automatic connection between the numbers of women and the outcome of legislation. Scholars now focus not on “critical mass” but on “critical acts” (Dahlerup 1988; Dahlerup 2006). This shift means paying more attention to female legislators’ policy entrepreneurship. Krook and Childs (2006, 2008) define “critical actors” as follows: “Male or female, these legislators can be identified as those who initiate policy proposals on their own and often – but not necessarily – embolden others to take steps to promote policies for women, regardless of the number of female representatives present in a particular institution” (2008: 734). Critical actors are thus more motivated than their peers to represent women, as well as more willing to “set in motion a momentum for

policy reform.” Such advocates may also “provok[e] a backlash among those opposed to fundamental reform” (2006: 528). In general, policy gains for women in Latin America depend on myriad contingent factors, most notably issue type and leaders’ ability to mobilize supporters and resources.

#### 1.2.4. Explaining and Measuring Women’s Substantive Representation

As this brief overview shows, scholars have sought to (1) identify aggregate trends in women’s legislative representation and (2) explain the adoption of individual policies by focusing on the conjunctural relationships between issue type, critical actors, and state capacity. Yet, why do female legislators choose to focus on many or any gender policies? Rational choice scholars remain unsatisfied with the theoretical premise of women as a distinct group with distinct preferences, because this construction cannot explain why some politicians—and not others—become critical actors.

For Chattopadhyay and Duflo (2004), the causal mechanism is constituent lobbies: because Indian women feel more comfortable contacting female mayors, new constituent preferences are unveiled when women hold local office. The female mayors are not acting on shared understandings of women’s identities as homemakers; rather, the mayors are rationally responding to constituent preferences. Nonetheless, the Chattopadhyay and Duflo study suggests that women perceive other women as more able than men to grasp their needs. This finding appears in studies of other descriptive groups: for instance, Gay (2002) shows that African-Americans in the United States will contact black representatives *outside* their district rather than white representatives from their home district. Given the sacrosanct relationship in U.S. politics between voters and



their local representatives, this finding underscores how identity can generate alternative connections between constituents and legislators.

In addition to constituent contact, other scholars identify legislators' specialization as the causal mechanism linking descriptive and substantive representation. Schwindt-Bayer (2006) and Taylor-Robinson and Heath (2003) explain that female legislators in Latin America are concentrated on the legislative committees that correlate with the “soft” policy areas typically associated with women's interests—children, families, education, culture, housing, and welfare. Here, female legislators' specializations and female legislators' preferences are mismatched. Taylor-Robinson and Heath perceive that women are shunted to these committees more frequently than they volunteer for them. Gender role socialization therefore determines the policy areas in which female legislators work— but does not necessarily mean that, free from constraints imposed by constituents or party bosses, female legislators will voluntarily choose such “feminine” concentrations.

Other scholars focus on political parties as the determinant of female legislators' preferences. Htun and Powers use survey data from Brazil (2006) to argue that left-leaning parties promote feminine or feminist agendas more frequently than left-leaning women, meaning that parties' ideology trumps legislators' gender identity. Reingold and Harrell (2010) report similar findings from the United States, though Carroll (2001) adds that conservative women are still more progressive than conservative men.<sup>1</sup> Other scholars echo Carroll's finding: for instance, Shogan (2001) shows that female Democratic MCs focus more on women's social position, and that female Republican MCs focus more on women's economic position, but that female MCs from both parties

advocate for women's equity more than men. Celis (2006) reports that female MPs in Belgium universally support women's rights, though conservative MPs are more likely to argue that women are natural mothers and liberal MPs are more likely to argue that women bear individual rights. These examples suggest that women can converge on shared policy goals despite left-right ideological disparities.

Geisler (2000) and Vincent (2004), both analyzing the South African case, develop a nuanced argument that focuses on legislative cultures rather than constituents, committees, and parties. They argue that women across the political spectrum will want to advocate for women but be prohibited from doing so. As with the marginalization of female legislators to less prestigious committees, entrenched gender bias in the legislature trumps parties' ideologies and legislators' intentions. Geisler describes the legislative environment as "patriarchal" and "cabalistic" (2000). She argues that female legislators are effectively silenced: they cannot address policy issues that are overtly feminist, as these issues are regarded as irrelevant and divisive. Larson (forthcoming) reports that female MPs supporting women's rights measures in Afghanistan were verbally assaulted and, in one harrowing instance, threatened with firearms. Using interviews from Argentina, Franceschet and Piscopo (2008) similarly explain that male-dominated legislatures may not embrace feminist arguments: for instance, female legislators advocating too ardently for expanded equality measures (e.g., higher quotas) are dismissed as "crazy" or "not serious."

These observations suggest that policy outcomes depend not merely on politicians' gender interests, but on parties' and legislatures' rules and cultures. Duerst-Lahti succinctly explains that female legislators are not equal players in the policymaking

process (2005). Across cases, female lawmakers receive less-prominent committee assignments, hold fewer leadership positions, are interrupted more frequently in debates, and find their qualifications subject to greater doubt and scrutiny (Kathlene 1994; Hawkesworth 2003; Archenti and Johnson 2006; Franceschet and Piscopo 2008; Childs and Krook forthcoming). Female legislators often face lower success rates in bringing their bills to floor votes, given their junior ranks and the decreased priority accorded to “soft” policy areas (Alemán and Calvo 2006). Women, as newcomers to politics, have less seniority, less authority, and less bargaining power.

Moreover, beyond identifying the mechanisms through which female legislators act for women, the empirical link between descriptive and substantive representation also depends how substantive representation is measured. The studies cited above all examine various outcomes. The most popular operationalization of substantive representation has been bill introduction (Thomas 1994; Taylor-Robinson and Heath 2003; Bratton and Ray 2005; Swers 2005; Schwindt-Bayer 2006), though scholars have also used campaign promises, public goods investments, committee hearings, questions posed to expert witnesses or cabinet ministers, participation in floor debates, and roll call votes (Tamerius 1995; Schevchenko 2002; Towns 2003; Chattopadhyay and Duflo 2004; Childs 2004a; Bird 2005; Dolan 2005; Celis 2006; Catalano 2009; Holli and Saari 2009; Murray 2011).

What counts as substantive representation? Legislators frequently introduce bills that never leave committees or that fail in plenary votes, and questions posed to committee witnesses may have minimal impact on either policy proposals or policy success. On the one hand, simply raising questions about women’s place in society can be important: in Afghanistan, for instance, women’s longstanding treatment as second-

class citizens means that simply placing women's rights on the agenda is groundbreaking. On the other hand, female legislators are often regarded as ineffectual when they fail to achieve reforms that tangibly benefit female constituents. Just talking about pay equity, from this perspective, is insufficient to bring material changes to women's lives.

### **1.3. Approach and Contributions**

To resolve this dilemma, each chapter of the dissertation addresses different measurements of substantive representation while following some common themes. First, the dissertation addresses debates about essentialism, motivation, and causal mechanisms by comparing the preferences and behaviors of all legislators. The dissertation proposes that interests are shaped through gender role socialization and then mediated by political variables and institutional rules—including party identification, legislative specialization, committee structures, and bill approval processes. This premise is similar to that of Alcántara Sáez, who argues that “politicians matter” (2008). Focusing on politicians includes a focus on institutions—“political actions are influenced by institutional frameworks”—but also a focus on the backgrounds of politicians. Alcántara continues, “Politicians have families, social and cultural origins, and they are marked by socialization processes that influence their ideas. In turn, the ideas of politicians are important to understand their strategic behavior and, in the end, the outcome of the political game” (2008: 2). In other words, by analyzing legislators as individuals, who act as groups, and who follow institutional rules, political outcomes become interpreted as depending on both individuals and institutions.

Second, the dissertation neither pre-selects women's interests nor screens solely for feminist interests. Many studies have selected on the dependent variable. Schevchenko (2002), for example, looked exclusively at Russian legislators' roll-call votes on bills that addressed the welfare state, domestic caretaking, pornography, and the environment. Methodological choices such as these, while grounded in theories of the social construction of gender, cannot explain how female and male legislators compare when advocating for policies that do *not* implicate women. Further, many scholars hold an explicit or implicit normative bias in favor of progressive women's issues. For example, Franceschet and Piscopo (2008) counted those proposals that expanded access to reproductive health services; they discarded proposals that prohibited reproductive choice. While feminist scholars may be reluctant to include retrograde policies under the rubric of WSR, the fact remains that conservative female politicians *do* influence women's rights and wellbeing, often in response to demands made by conservative female voters. Celis, Childs, Kantola, and Krook argue for studying "who acts for women's substantive representation" as well as "how is women's substantive representation expressed" (2008). This question can be nuanced further, by asking about the *direction* of this action: does the expression of WSR reflect the liberalization of women's opportunities or the reification of traditional gender roles?

Third, the dissertation explicitly compares women and men. Other studies—particularly those relying on qualitative interviews, such as Devlin and Elgie's pioneering work on Rwanda (2008)—have examined the activities of only women legislators. As with selecting on the dependent variable, artificially restricting the independent variable means an inability to truly claim that female legislators' activities differ from those of

men, or that male legislators rarely (or never) represent women. The dissertation thus analyzes how male and female legislators act on the universe of policy proposals introduced in Argentina, and how male and female representatives compare in the advocacy of both progressive and conservative gender roles in Argentina and Mexico.

Fourth, the dissertation argues *that policymaking processes play a crucial role in shaping the outcomes associated with women's substantive representation*. For this reason, the dissertation examines four dependent variables in order to not conflate outcomes. Myriad actions undertaken by legislators thus “count” as substantive representation, but are weighted differently depending on their timing within the policymaking process and ability to bring about concrete reforms.

The four dependent variables—constituent demands, legislative agendas, statute change, and policy implementation—are discussed in successive chapters of the dissertation. Looking at constituent demands provides external validity, illuminating that “women’s interests” indeed exist such that legislators can identify and represent these interests in congress. Looking to agenda setting—who brings which policy proposals to the floor—illustrates which interests female legislators and male legislators incorporate into the political discussion. Looking to statute change—who passes which bills—shows whether female legislators transform laws and policies in the direction of welfare and rights. Looking to implementation asks whether the national presence of women can be linked to tangible changes in rights enjoyment at the subnational level. This focus on the policymaking dynamics within the congress (agendas and outcomes) and across government branches and levels (implementation) helps pinpoint when, as well as how and why, the substantive representation of women occurs, and with what effects.

The approach's most innovative feature is Chapter Five, which includes implementation as one test of female legislators' impact on rights and wellbeing. First, after proposals become laws, legislators typically oversee the executive branch's implementation of and compliance with the guidelines specified in the statutes. Such oversight allows legislators to send signals to constituents and bureaucrats about which reforms they consider important, and signaling counts as "acting for" women. Second, traditional studies of women's substantive representation treat achievement of the reform as the end goal: statute change is presumably sufficient for female constituents to benefit from female legislators' actions. Yet in young democracies, where institutions are inchoate and weak, executives and bureaucrats may ignore reforms enacted by the congress. This problem becomes exacerbated in federal systems, where implementation further depends on the willingness of subnational officials. This chapter departs from the WSR literature's tendency to treat congress as isolated from other government branches and other governance levels, while speaking to female politicians' ability to affect their countries' material, and therefore long-term, welfare.

#### **1.4. Region and Country Selection**

In the early 1990s, Scandinavia and Latin America led the globe in terms of women's representation in cabinets and legislatures. Whereas Scandinavia's promotion of women in public life dates back to the 1950s (Dahlerup and Freidenvall 2005), opportunities for women in Latin America have unfolded in the last quarter of the 20<sup>th</sup> century, in the context of the region's democratization. Yet setbacks have accompanied success. Despite the recent, dramatic surge of female presidents, many female politicians

remain marginalized from the top legislative and cabinet positions unless their access is guaranteed by legally-mandated quotas or equality-minded executives. Further, women's attainment of elected and unelected office has not correlated with dramatic improvements to citizens' rights and wellbeing, nor has women's presence overturned persistent cultural beliefs about female domesticity and male leadership. These features provide a compelling rationale for studying women's substantive representation in the region.

#### 1.4.1. Cultural Legacies and Non-Democratic Histories

Contrary to theoretical expectations about the relationship between progressive ideology and women's advancement, most Latin American women received voting rights (and other civil rights) beneath conservative regimes (Stoner 1987; Craske 1999; Htun 2003). While the timing and reasons vary from country to country, women's suffrage was achieved during the mid 1900s, as part of the modernizing projects undertaken by male leaders. Presidents in Argentina, Mexico, and elsewhere believed that female voters would support their regimes which, while "progressive" in the sense of expanding political rights and developing social programs, were "conservative" in their treatment of women as wives and mothers (Craske 1999).

As Kampwirth notes, the mid-century creation of political, educational, and employment opportunities for women was justified "in terms of an essentialist notion of women's roles" (2010: 4). Women were treated less like full political subjects, and more like welfare state clients. In Mexico, for instance, women received public benefits that reinforced their roles in the reproductive economy: clientelist presidents helped peasant women organize food cooperatives and childcare leagues (Olcott 2010). Feminist



movements throughout the 1900s simultaneously upheld and subverted traditional visions of women roles, as Molyneux explains:

Demands for [women's] citizenship were often played out through idealized representations of motherhood and wifely duty.... However, feminists extended the meaning of these terms: the home as women's sphere of interest and competence was resignified to embrace the neighborhood and municipal issues... The 'sacred qualities' of motherhood could be deployed in the service of society. (2001: 169)

Thus, as documented by Stoner (1987), both feminist and conservative women participated in Latin American countries' projects of social reform, which included expanding the welfare state, forming labor unions, and promoting public hygiene.

Essentialist notions of "women's interests" therefore remain an indelible part of Latin America's cultural fabric and political history. The twin of the cult of motherhood—termed *marianismo* by Evelyn Stevens in a famous 1973 essay—is *machismo*. The term refers to the emblematic behaviors of masculinity in Latin America, including men's sexual prowess, control over women and the family, and physical dominance. While *machismo* assumes an essential male subject as much as *marianismo* assumes an essential female one, Chant and Craske argue that these cultural beliefs about men's and women's appropriate roles cannot be discarded:

To deny the existence of a cult of exaggerated masculinity in Latin America would be inappropriate, when there is so much evidence of male domination and/or mistreatment of women, and where women and men in everyday life refer to *machismo* as denoting particular modes of male behavior. (2003: 16)

Thus, while archaic in many ways, understandings of the selfless mother and the virile man continue to exist in public imaginaries and, as such, influence the terms under which women become incorporated into political venues.

These cultural legacies became particularly important during democratization. Countries in the Southern Cone transitioned from military dictatorships beginning in the 1970s, whereas countries in Central America transitioned from civil wars in the 1980s. More, recently, Mexico transitioned from being a one-party state beneath the PRI [The *Partido Revolucionario Institucional* or Institutional Revolutionary Party]. The literature on women's roles during non-democratic regimes, and on their participation in the transitions is vast (see, for instance, Waylen 1994; Jaquette 1994; Craske 1999; Jaquette and Wolchik 1988; González and Kampwirth 2001; Franceschet and Macdonald 2004). Researchers do, however, agree on several points.

First, as Craske succinctly summarizes, “The military governments of the 1970s closed traditional political spaces and created the catalyst for new forms of political activity where women were key participants” (1999: 5). While some women actively supported authoritarian governments (Power 2002), many more found their voices in opposing these regimes. The most famous example is the *Madres* [Mothers] of the *Plaza de Mayo* in Argentina, who marched in the *plaza* [square] outside the presidential palace to protest the disappearance of their children by the 1976-1983 dictatorship (Bouvard 1994; Navarro 2001). These newfound activists shamed the military generals for harming Argentina's youth. As Waylen notes, the military government, which had celebrated Argentine mothers as guardians of the nation, could hardly persecute them for fulfilling these roles by searching for their missing children (1994: 338).

Second, in protesting military dictatorships in South America—and in participating in revolutionary or peace movements in Central America—Latin American women gained newfound power and became part of second wave feminism. Women

used their traditional roles to justify their mobilization, but many came to also demand individual rights and privileges. In another classic example, Chilean women protesting the 1973-1990 dictatorship of Augusto Pinochet demanded “Democracy in the country and in the home” (Noonan 1995; Franceschet 2005). Across the region, women’s political organizing took place outside traditional institutions, both because electoral spaces remained closed to citizens and because activists remained suspicious of leaders’ motives. As Lamas, Martínez, Tarres, and Tuñón (1995) argue in the Mexican case, the PRI remained hostile to feminism’s transformative challenge to societal order, and feminists remained wary of the PRI’s cooptation of social movements.

The 1980s represented a pivotal period for Latin American women, as democratization extended new opportunities for mobilization and struggle. The return of electoral democracy (or the breakdown of the one-party system, as in Mexico), also prompted female activists to reconsider their opposition to traditional political spaces. As legislatures and executives once again became legitimate mediators of societal conflict, women sought power in these spaces.

#### 1.4.2. Democratization, Participation, and Electoral Quotas

Today, Argentina and Mexico rank among the top countries in the world for the number of women seated in the legislature. Their prominence is due principally to the adoption of legislative gender quotas in the 1990s. Now in place in over 100 countries worldwide, gender quotas—either at the party or legislative level—constitute the most widespread electoral reform of the 20<sup>th</sup> century (Krook 2009). In Latin America, gender

quotas have principally been adopted via legislative statute, making the provisions binding on all parties competing in the election.

The main impetus for quotas was women's marginalization within political parties in the region's initial democratic elections. Then—and now—women comprised 50 percent of the political parties' *militante* base, but only 10 percent of the leadership positions (Sacchet 2005). Many female activists perceived unfair treatment: they had brought down dictators, fought civil wars, and marched for peace, and they believed they had earned a place at the democratic table. Yet the reestablishment of political parties and electoral competition meant “business as usual,” which did not include women. Female militants blamed party bosses for withholding nominations and for pushing them outside these newly-legitimated echelons of power. Female leaders consequently converged on the idea of quotas, a policy discussed at the United Nations' World Conferences on Women in 1975, 1980, 1985, and 1995. In every country of the region, demands for electoral quota laws accelerated, buttressed by claims about the importance of equity and justice in democracy. Female policy entrepreneurs in eleven Latin American countries eventually persuaded male elites to approve the measures—or risk a public relations disaster that could undermine democratic legitimacy.

The 1990s and 2000s thus constituted a period of quota implementation and quota strengthening in Latin America. Many of the initial quota laws were quite weak, allowing politicians to claim support for women's rights without being bound by the requirement to nominate women. In principle, quota laws meshed with the region's proportional representation electoral system, as placing a specified percentage of women's names on candidate lists appeared fairly straightforward. In practice, however,

the initial quota regulations did not specify where on the candidate lists women's names had to appear, thus allowing political parties to place female contenders in the lowest, unelectable positions. The initial laws also failed to stipulate sanctions for noncompliance, or were non-binding recommendations to political parties, or contained additional loopholes (such as allowing parties to field more candidates than seats or exempting parties if candidates were selected via internal primaries). Once the first quota laws were passed, however, they created an entrenched constituency: female politicians who expected to benefit from the mechanisms by holding legislative office. These women, as they were gradually elected in greater numbers, then demanded that quota laws be strengthened. In many countries, reforms to quota laws were passed by multi-partisan congressional coalitions, and included placement mandates requiring female candidates to appear in electable positions, as well as compliance requirements that forbid parties to enter elections unless they filled the quota.

Given the ultimate adoption, implementation, and strengthening of quota laws in nearly two-thirds of Latin America, Figure 1.1 shows the growth of women's presence in congress throughout the region. The darkly-shaded bar shows the average percentage of women in either the lower or unicameral house of congress for all 18 countries in the region. The lightly-shaded and the medium-shaped bars capture the average percentage for the 11 countries with a quota and the 7 countries without a quota, respectively. In terms of electing women to office, those countries with quota laws—Argentina, Bolivia, Brazil, Costa Rica, the Dominican Republic, Ecuador, Mexico, Panama, Paraguay, Peru, and Honduras—clearly outpace those countries without such a mandate. This increase appears most notable by 2009, by which point many quota-adopters had strengthened the

mechanisms considerably. By this time, countries with strong quotas, such as Argentina, Costa Rica, and Ecuador, were electing between 32 to 38 percent women, and countries with weak quotas, such as Paraguay and Brazil, were electing between 8 and 12 percent women. In those countries without a quota, where women's descriptive representation hovered around 15 percent as of 2009, female party members and activists continue to demand the measures. The Uruguayan congress recently succumbed to sustained demands from female legislators, approving a quota that will apply for the first time in the 2012 elections.

In sum, democratizing states, and the male elites who governed them, became persuaded to adopt these measures by female policy entrepreneurs. These advocates capitalized on favorable contextual factors: (1) the opportunities for reform created during democratization's moments of institutional flux; (2) heightened electoral competition; (3) discourses about the centrality of rights and participation to democracy; and (4) international attention to equality as evidence of modernity (Htun and Jones 2002; Piscopo 2006).

Beyond quotas, the past decades have shown other gains for women's political participation in Latin America. In some countries, women have reached the highest echelons of power. Chile in 2005, Argentina in 2007, and Brazil and Costa Rica in 2010 elected female presidents, and current presidential races in Peru and Guatemala feature credible female candidates. Women hold cabinet posts throughout the region. Nicaragua and Chile (which do not have gender quotas) and Ecuador and Bolivia (which do have gender quotas) boast "parity cabinets," wherein 50 percent of the ministerial portfolios are held by women. Colombia has no legislative quota, but does employ a 30 percent

quota for women as ministers, sub-ministers, and public employees. In all these countries, female cabinet ministers have headed the traditionally masculine posts of economy, justice, and defense. In the region as a whole, women comprised 10 percent of ministers in South America and 16 percent of ministers in Mexico and Central America in 2000; these figures had increased to 22 percent and 21 percent, respectively, in 2010 (Htun and Piscopo 2010). One effect of electoral quotas has been to shine the spotlight on questions of fairness, justice, and equity in the distribution of political power, and the principle of affirmative action has either implicitly or explicitly diffused to other government branches.

Nonetheless, women's political participation lags in contexts where explicit commitments to their inclusion have *not* been made. Countries without quotas do less well at electing women to legislatures, and all countries generally fail to promote women's representation outside of legislatures and executives. In Latin America, only subnational units in Argentina and Mexico apply quotas for local elections. In the subnational executive branches, Argentina elected its first female governor in 2007, and Mexico and Brazil have elected very few women governors; across Latin America, women comprise less than 10 percent of mayors as of 2010 (Htun and Piscopo 2010). Gender identity surfaces as both an asset and a barrier at the local level: "On the one hand, women are expected to be more efficient and honest than their male counterparts; on the other, they are expected to behave according to society's stereotypes of women. They must demonstrate not only their public administration skills, but also their qualities as a good mother or wife" (Massolo 2007: 67). Thus, the "consequentialist" argument for electing also women appears at the local level, where women lack the resources to

compete effectively against men in what may be macho, authoritarian, and traditional enclaves.

Tension also exists between countries' adoption of legal and institutional mechanisms to address gender equality and the actual effectiveness of such measures. All Latin American countries have women's ministries or women's executive agencies, whose missions include "improving gender equality to strengthen democracy" and "promoting public policies with a gender perspective."<sup>2</sup> Women's agencies vary in strength as well as depth; some agencies have no budgets, and others address women's interests within the context of children and family but not through a rubric of rights (Baldez 2001; Beall 1998; Franceschet 2010). The majority of the countries have implemented laws to guarantee equality between men and women, to end discrimination in places such as the workplace and universities, and to protect women from gender-based violence. Yet, as with the women's agencies, the quality of the laws varies, and many norms are poorly implemented, obstructed by the courts, and unknown to the female citizens who could use them to seek redress. Civil society groups thus remain as critical monitors and advocates for deeper reform and extended statute change. Women's groups from across the region participate in the United Nations system (which includes attending World Conferences on Women and issuing reports to UN bodies that monitor women's rights); these groups also participate in global forums for non-governmental organizations as well as regional *encuentros feministas* [feminist encounters] that bring together female activists and female legislators (Álvarez 1998).

On balance, democratization has witnessed sustained and notable advances in Latin American women's ability to participate in politics as elected officials, government



appointees, and movement leaders. The need for progress remains, but Latin America's advances have received widespread accolades from the international development community and academic experts. These advances have brought to the forefront the association of women's political participation with large scale improvements in gender and social equality. Such "consequentialist" expectations notwithstanding, Latin American governments still cannot guarantee minimum levels of housing, sanitation, healthcare, education, and employment (Smith 2005). This observation poses a regional puzzle: why has the entrance of women not brought about the anticipated gains in welfare and rights? This puzzle underscores the need to unpack the when and how of women's substantive representation.

#### 1.4.3. Argentina as the Primary Case

Within Latin America, Argentina is well positioned to answer the question of how female legislators affect policymaking. Argentina currently leads the region in terms of women's descriptive representation, becoming the first Latin American country—and the first country in the world—to adopt a mandatory quota law in 1991.<sup>3</sup> Argentina has also distinguished itself historically: an organized women's movement demanded the vote beginning in the 1800s (Stoner 1987), though suffrage was not extended until 1947, under the leadership of President Juan Perón and his wife Evita. The ability of the Peronists, with Eva Perón as the quintessential feminine figurehead, to mobilize Argentine women remains undeniable and well-documented (see, for instance, Feijoó and Nari 1996 and Grammatico 2010). Indeed, 16 women and 25 women held seats in the Chamber of Deputies and the Senate in the 1950s, respectively (Molinelli 1991: 29).

These numbers dropped off once Perón disappeared from power, however, and would not return until the adoption of the quota in 1991.

The 1991 *Ley de Cupos* [Quota Law] mandated that political parties nominate 30 percent women to fill candidate lists for national elections, which are conducted exclusively via closed-list proportional representation. The quota law was first applied to the mid-term elections for the Chamber of Deputies in 1993, when half of the lower house was renewed. Reforms to the *Ley de Cupos* during the early 1990s clarified that a woman's name must appear in every third slot on a candidate list and stipulated that parties failing to comply with this placement mandate cannot enter the election. In 2005, a second quota reform explained that, if parties are contesting two or fewer seats, or if parties (or a coalition of parties) are entering the election for the first time, a woman's name must appear in every second slot on the list, raising the quota to a *de facto* 50 percent in these instances.

As Table 1.2 shows, Argentina's strong quota law has increased women's legislative presence substantially. In the Chamber of Deputies, women held 12 percent of the seats in 1993, but gained 27.2 percent of the seats by 1995, by which point both halves of the Congress had renewed. By 2009, women had gained 38.5 percent of the legislative seats, a threefold increase from 1993. The quota applied to the Senate in 2001, and women's presence jumped from 4 percent in 1995 to 43 percent in 2007, falling slightly back to 35 percent in 2009.

The strong quota in Argentina has legitimized women as political leaders. Post-quota, women attained ministerial positions (including the typically "masculine" posts of economy and defense) and, in October 2007, Peronist Cristina Fernández de Kirchner

won the presidency. Given the rate of descriptive representation in Argentina, the country appears as a *most likely* case for the implementation of policies consistent with women's interests.

A surface analysis, however, shows that female legislators have not brought about wholesale policy changes to welfare and rights. Notable successes to expand access to sexual health and family planning services appear alongside failures to pass a general equality law and criminalize sexual harassment. Argentina is the only Latin American country without an equal opportunity plan. Women's increased numerical representation appears to coexist with middling policy change, again highlighting the need to explore the causal link between descriptive and substantive representation throughout the policymaking process.

While the historical importance of the quota law characterizes Argentina as a most likely case, other features suggest Argentina is the least likely place to find evidence of female legislators' policy entrepreneurship. First, Argentine political parties are known for high levels of internal discipline. Legislators' political futures depend on maintaining the favor of party bosses, who practice rotation in office: re-nomination and reelection rates for the congress are approximately 20 percent (Jones, Saiegh, Spiller, and Tommasi 2002; Alemán, Calvo, Jones, and Kaplan 2009). Party bosses decide whether legislators move from lesser prestige posts as deputies or senators to higher prestige positions in the provincial executives (Jones 2002). Career-maximizing politicians want plum, subnational ministerial portfolios; control of ministries such as public works, employment, economy, development, urbanization, social security, and pensions give politicians, and thus the party, access to clientelistic resources. This

practice has led Argentine legislators to be termed “professional politicians but amateur legislators” (Jones, Saiegh, Spiller, and Tommasi 2002; Jones and Hwang 2005).

Second, competition for lucrative post-legislative appointments is combined with the absence of women’s rights agendas from the mainstream party platforms. Argentina thus appears as one case where scholars would not expect sustained legislative activism on women’s interests. Indeed, those female legislators in Argentina who have shown ardent interest in women’s rights infrequently obtain prestigious provincial appointments. Further, the Argentine legislature lacks those institutions which would facilitate a wide-ranging women’s legislative agenda: the legislative commission addressing women’s interests is framed in relation to women’s domestic roles (The Commission on Women, Family, Children, and Youth) and female legislators’ efforts to form a women’s caucus have faltered (as discussed in Chapter Four).

In sum, the Argentine case identifies three independent variables that can affect whether female legislators take action that benefit female constituents. First, following the standard hypotheses in the literature on gender and politics, women’s total numbers affect the likelihood that substantive representation occurs. This possibility corresponds to the notion that more descriptive representation produces more substantive representation. As depicted in Figure 1.2, raising the percentage of women in the legislature—especially under a strong, effective quota—should increase substantive representation. While the relationship is depicted as linear, it could also be curvilinear, perhaps increasingly rapidly at the outset and then tapering off over time. In either scenario, the presence of a quota law means that Argentina’s electoral institutions are “gender friendly.”

Second, and by contrast, high party discipline and post-legislative career considerations may make some, many, or all women reluctant to advance women's interests. Third, the absence of legislative institutions that address women's interests may also mitigate the positive relationship predicted by greater descriptive representation. In these scenarios, neither parties nor legislatures are particularly "gender friendly." The strong quota, however, could either temper or exacerbate these trends. On the one hand, quotas could generate a "mandate effect" that would incentivize female legislators to represent women even if the parties appeared lukewarm or hostile to such actions (Franceschet and Piscopo 2008). On the other hand, complacency towards women's advancement in society, or the sense that the gender quota had resolved all problems associated with women's marginalization, could make female legislators uninterested or unwilling to act on behalf of women. One aim of selecting Argentina is to untangle the effects of these variables throughout the policymaking process.

#### 1.4.4. Mexico as the Shadow Case

The dissertation develops Argentina as a primary case, but incorporates Mexico as a companion or shadow case. The inclusion of Mexico gives leverage on the three independent variables of interest: women's descriptive representation as affected by quota laws, party structures, and legislative institutions. Mexico adopted a 30 percent quota for legislative office nearly a decade after Argentina, leading to a notable increase in women's representation (though one that is less dramatic than in Argentina). I argue that Mexico presents a compelling comparison given the manner in which a weak quota

combines with a strong institutional commitment to women's substantive representation found within the parties and the legislature.

To claim that Mexico's political institutions support women appears paradoxical given the under-filling of the 30 percent quota. This failure to meet the quota requirements occurs for two reasons. First, Mexico employs a mixed electoral system for the Chamber of Deputies: 300 *diputados* [deputies] are chosen via plurality rule in single-member districts (SMD), and 200 *diputados* are chosen via closed-list proportional representation (PR) in five 40-member districts. The quota applies to both the plurality and the PR competitions, but parties cannot engineer female candidates' success in the plurality races. (Parties even deliberately shirk the quota in the SMD races by knowingly running female candidates in unwinnable districts.)

Second, and more seriously, the various quota reforms in Mexico have created loopholes for parties' noncompliance. In Mexico, the quota was adopted in 1996 as a "suggestion" for political parties, and reformed in 2002 as a mandatory requirement. This reform also exempted political parties selecting candidates via internal primaries from meeting the quota. The Mexican *Instituto Federal Electoral* [Federal Electoral Institute, or IFE] has categorized primaries rather broadly, as well as failed to verify parties' claims that primaries have occurred; this lack of oversight has permitted political parties to obtain numerous exemptions for fulfilling the quota (Huerta and Magar 2006: 15). Lisa Baldez (2008) has identified the Mexican parties' new switch to primaries as one "unintended consequence" of the quota law. The 2008 quota reforms, which raised the mandatory percentage from 30 to 40 percent, preserved this loophole. Finally, political parties from across the ideological spectrum in Mexico continue to resist the quota by

nominating women who, after their election, step aside to allow their male *suplente* (substitute) to take office. In the recent 2009 elections, for instance, a total of 9 female candidates—known pejoratively as “Las Juanas”—renounced their seats for their male substitutes.

As a result, women’s gains in the Mexican Congress have been less notable than in Argentina, but their presence has increased from 17.4 percent in 1997 to 28.2 percent in 2009. Table 1.3 documents the increase in women’s representation in the Mexican Congress. Neither evasions nor loopholes have prominently featured into the Argentine quota, contributing to the consistent gap in women’s representation between the two countries, as shown in Figure 1.3.

The very precariousness of women’s election in Mexico has led to organized, inter-party coalitions of women demanding greater commitments to and advances in gender equity. Under pressure from their female members, Mexico’s three major parties apply internal quotas for their nominations. Indeed, many of these internal quotas pre-date the national quota laws of 2000 and 2002, and it was women from within the political parties who demanded quota laws from the Congress. The left-wing PRD [*Partido de la Revolución Democrática*, or Party of the Democratic Revolution], long the vanguard of Mexican women’s advancement in political leadership, currently applies an internal quota of 50 percent (above the national 30 percent minimum). The PRI applies an internal quota of 30 percent (equal to the national minimum). Even the conservative PAN [*Partido Acción Nacional*, or National Action Party], initially opposed to quotas, ruled in 2000 that each pair of candidates (primary and substitute) must contain one woman (Hinojosa 2008). Moreover, PRI women have two intra-party groups committed

to the advancement of women, the *Congreso de Mujeres por El Cambio* [Congress of Women for Change] and the *Congreso para la Integración de la Mujer* [Congress for Women's Integration]. The statutes of the PAN, the PRI, and the PRD all formally commit to gender equity and the advancement of women's interests, declarations which are absent in their Argentine counterparts.

Moreover, Mexican women, once elected to Congress, constitute a formidable women's caucus. Female legislators from across Mexico's parties convene at the beginning of each legislative session; working together, they set priorities, develop strategies, and work towards shared objectives (as discussed in Chapters Three and Four). This convergence is facilitated by the Congress's *Comisión de Equidad y Género* [Commission on Equity and Gender, or CEG]. Created in 1998, the committee now enjoys full, permanent status in the lower and upper houses. The CEG has a broader mandate and more power than its Argentine counterpart. Not only does the Mexican commission introduce and/or evaluate all bills that implicate women, women's interests, and women's rights, but the commission enjoys *dictamen* [review] power over *any* bills introduced into the Mexican Congress. Most notably, this power allows female legislators to introduce revisions to policy initiatives that might not initially appear to implicate women's interests, a practice referred to in the international development literature as the gold standard of "gender mainstreaming."

In addition, the Mexican Congress houses the *Centro de Estudios para el Adelanto de las Mujeres y la Equidad de Género* [Center for the Study of Women's Advancement and Gender Equity, or CEAMEG]. This non-partisan research center has two functions: (1) advising any legislator on how to design a proposal that protects



women's rights and/or advances equity and (2) cataloging and reporting statistics related to women's descriptive and substantive representation in the Mexican Congress. No comparable legislative institution exists in Argentina.

The Mexican case thus offers an interesting contrast to the Argentine case: a weaker quota, party structures with active women's groups and commitments to electing women, and legislative institutions authorizing gender and equity as considerations during policymaking. Moreover, Argentina and Mexico are comparable in terms of party discipline. Mexican parties are tightly organized and hierarchical, with party leaders holding significant authority and controlling considerable resources. As in Argentina, Mexican legislators do not view the federal congress as the capstone position of their career; while holding congressional office is important for politicians' resumes, reelection is prohibited by law, and Mexican legislators also depend on party bosses for appointments to high prestige posts in subnational governments or in parties' steering committees (Langston 2010). This dependence increases party discipline.

In Mexico as in Argentina, being a party insider is extremely important for career-maximizing politicians; in contrast to Argentina, however, women's caucuses and women's committees might offer Mexican *diputadas* [female deputies] formal and informal opportunities to undertake women's substantive representation. Ambition and acting for women may not be as opposed in Mexico as they are in Argentina. Overall, as shown in Table 1.4, the "gender friendliness" of Mexico's institutions is the inverse of that found in Argentina. (Appendix 1.1 presents the comparison of the principal case of Argentina and the shadow case of Mexico in more detail, including comparisons on the control variables.)

### 1.5. Overview of Hypotheses, Methods, and Research Design

Recall that most Latin American countries, including Argentina and Mexico, implemented a variety of women's rights and social reforms during the 1990s and 2000s. I anticipate that the Argentina and Mexico comparison will illuminate not simply why such reforms were implemented, but why the timing, scope, and depth of these reforms varied across countries. I propose that outcomes depend not simply on the descriptive representation of women in the legislature, but on the commitments that parties and congresses make to incorporating women's interests—however defined—into the policymaking process. In other words, these factors condition the *types* of women-oriented outcomes that legislators achieve at each policymaking moment. The key hypothesis for the dissertation is as follows:

The successful advancement of women's substantive representation is contingent on “gender friendly” institutions.

There are two parts of the core hypothesis that require further definition. First, I conceptualize “gender friendly” institutions based on the contrast shown by Argentina and Mexico. Electoral rules, party organizations and practices, and legislative commissions can be “gender-friendly” by making concerns about women's representation and women's interests explicit. Gender quotas accomplish this goal, though the Argentine quota is more successful than the Mexican one in terms of nominating and electing women. In Mexico, by contrast, both parties and the congress have incorporated women's and gender issues into their structures. In general, I expect that the gender friendliness of institutions will produce variation on each dependent

variable measured in the dissertation: identifying women's interests, setting agendas, changing statutes, and implementing policies.

Second, "successful" has both empirical and normative implications, particularly given scholars' disagreement over which actions count as substantive representation, and how such actions should be weighed. The dissertation's strategy of examining four policymaking moments permits "success" to be redefined relative to each dependent variable. Thus, what success means will change, and each chapter delineates specific hypotheses related to the policymaking moment addressed. Each chapter deals primarily with Argentina, and concludes with a comparative reflection on Mexico, specifically whether and how outcomes derived from Mexico's gender-friendly institutions cause the hypotheses to be accepted, nuanced, or retracted.

To undertake this comprehensive study, I use a multi-method approach. In each case, I draw on data from the Chamber of Deputies; thus, in the dissertation "legislator" refers to lower house deputies.<sup>4</sup> I use bill introduction and bill passage data to document underlying trends in descriptive and substantive representation in Argentina and Mexico. The extended quantitative models cover Argentina for the 1999-2009 period and Mexico for the 1997-2009 period. Other measures are cross-sectional and qualitative: I use interviews, case studies, and debate transcripts to focus on the dynamics, norms, and rules of congresses elected in both countries from 1999-2009. The data has been gathered over an extensive period of fieldwork, including three trips to Argentina (2005, 2007, and 2009), and one trip to Mexico (2009). Below, I provide an overview of how each methodological choice contributes to the evidence and insights of the dissertation.

A more detailed discussion of the data and methods used for each dependent variable appears in each chapter.

### 1.5.1. Quantitative Models

I use quantitative methods to study three of the four dependent variables: interests, agendas, and statutes. To identify women's interests in Chapter Two, I use public opinion data from the World Values Survey data from 1999 (both countries) and from 2005 (Mexico) and 2006 (Argentina). I also incorporate an analysis of election polls conducted in Argentina.

To assess agenda setting and statute change in Chapters Three and Four, respectively, I use data on congressional activity from Argentina. I have constructed an original, longitudinal dataset, which documents policy reforms in Argentina from 1999-2009. This dataset includes bills introduced and passed in all policy areas, as well as the characteristics of all legislators who authored or coauthored the measures (including legislators' sex, party membership, party rank, committee assignments, home province, and educational background). The model allows for probability analyses, namely probit models, that show the likelihood of initiatives falling into certain policy categories, given legislators' sex (the primary independent variable of interest) and other characteristics of the proposal (such as legislators' party identification). The purpose is to uncover patterns in women's preferences, particularly the greater likelihood for proposals in certain policy areas (e.g., sex trafficking) to be introduced and supported by female versus male legislators. While information about bill introduction and bill passage exists prior to 1999, data for the control variables (legislators' provinces, ranks, and specializations) is

not available until 1999. For Mexico, I offer a comparison dataset for the 1997-2009 period, drawing on data from CEAMEG that details the introduction and passage of women's interests bills.

### 1.5.2. Qualitative Interviews

The quantitative analyses, showing the rate and content of women's interests bills introduced and passed from 1999-2009, have significant limitations. These models show what happens when—that is, which reforms are advocated and which reforms succeed. Yet the models do not show why legislators choose to support women's interests versus other proposals. The models treat legislators' biological sex—being a man or being a woman—as the independent variable. Since biology is not gender, only qualitative analyses can reveal how legislators' gender role socialization and gender identity play a role—if at all—in their decisions to act on behalf of women. Why do some legislators identify women's interests as important? Why do some legislators advocate for women's or gender issues, even if such advocacy destabilizes their standing within political parties? Only legislators' personal explanations can move analyses of women's representation from quantitative models showing correlation to process tracing models showing causation.

The analysis of the dependent variable in all four chapters thus relies heavily on qualitative interviews, conducted in two waves in Argentina (2005 and 2009), and one wave in Mexico (2009).<sup>5</sup> My interviewees included male and female legislators from all the major parties in Argentina, and female legislators from the PRD, PAN, and PRI in Mexico.<sup>6</sup> My sample also includes legislators and ex-legislators, thus incorporating

deputies seated in different congressional periods. This latter feature adds further validity to the findings, as legislators' answers with regards to descriptive and substantive representation were relatively stable across congressional sessions. (In other words, they show that women's substantive representation unfolded throughout the period of study, rather than idiosyncratically occurring in one congressional period.) In addition to legislators, I interviewed party leaders, policy advisors (known as *asesores* in Argentina), federal and provincial ministers, women's groups and women's movements activists, and academics. In sum, I have 74 interviews (including 33 with legislators) from the principal case of Argentina, and 20 interviews (including 15 with legislators) from the shadow case of Mexico. Appendix 1.2 details the composition of my interview samples in both countries.

The interviews were semi-structured, in that I asked subjects open-ended questions that covered predetermined topics but allowed room for extemporizing. Questions covered the following matters: patterns of women's group mobilization; whether and how legislators maintained contact with civil society and women's group leaders; legislators' motivations for choosing to specialize in, and develop proposals around, certain policy areas; legislators' reasons for authoring, coauthoring, and/or voting favorably for specific initiatives dealing with women's issues, including interests conceptualized as both feminine and feminist (or legislators' reasons for *not* supporting such measures); and legislators' perceptions of the reforms necessary to advance rights and wellbeing in their districts. Moreover, questions encouraged interviewees to discuss their perceptions of women's membership, behavior, and activity in political parties and congressional chambers. I asked questions about female legislators' reputations and about

politicians' perceptions of the quota; I also asked legislators which political actors prioritize women's interests and which political actors do not. I further inquired about any difficulties associated with discussing gender issues, namely how such matters were perceived. Finally, I prompted interviewees to discuss the relationship between women's substantive representation and policy implementation, asking legislators about their oversight activities and asking executive branch officials about their efforts to ensure program delivery.

### 1.5.3. Qualitative Case Studies

To develop the causal, process tracing evidence further, the dissertation also contains a case study of one gender reform for each country. The case studies—of reproductive rights in Argentina and violence against women in Mexico—show how one instance of women's substantive representation unfolds during the phases of constituent mobilization, congressional agenda setting and statute change, and new program creation. By including a case study alongside a large-n quantitative model and qualitative interviews, the evidence in the dissertation telescopes from the aggregate picture of legislative activity in women's interests areas to an in-depth portrait of how specific gender reforms are achieved and carried out.

The case study of selected reforms also structures the research design for the dependent variable on policy implementation. The frequency at which legislators issue projects of declaration and resolution with respect to reproductive rights in Argentina provides one indicator of women's substantive representation, in that legislators are signaling their continued attention to these reforms. Yet, this measure does not capture

*whether constituents benefit from the reforms*, a key question in assessing the effectiveness of female legislators at representing women.

To answer this question, I examine the implementation of the 2002 and 2005 sexual health laws in the Argentine provinces, and compare these reforms to the anti-violence against women programs implemented in the Mexican states since 2006. These policies were chosen for their relative salience in each country. In Argentina, the sexual health reforms enjoyed near unanimous support among female legislators. Authorizing a universal family planning program that distributed free contraceptive information and devices allied female politicians on the left and the right, as all female legislators agreed that widespread contraceptive access was critical for reducing unwanted pregnancies, ensuring family stability, and promoting women's decision-making autonomy (Piscopo 2011). In Mexico, the shocking femicides perpetrated in Ciudad Juárez (Nathan 1999) placed violence against women on the policy agenda by the mid-1990s. Investigating, prosecuting, and ending the Juárez murders, as well as reforming Mexico's draconian penal statutes on sex crimes, became a priority for female citizens and legislators (Stevenson 1999; Weissman 2005; Olivera 2006). These reforms both fit within a women's interests coding of policy.

Further, the laws mandated changes within provincial health ministries (in the case of Argentina) and state level women's policy agencies (in the case of Mexico). The extent to which Argentina's and Mexico's subnational governments follow national directives speaks to whether or not female citizens experience direct benefits when laws change. Argentina and Mexico are both federal systems, and the policy implementation



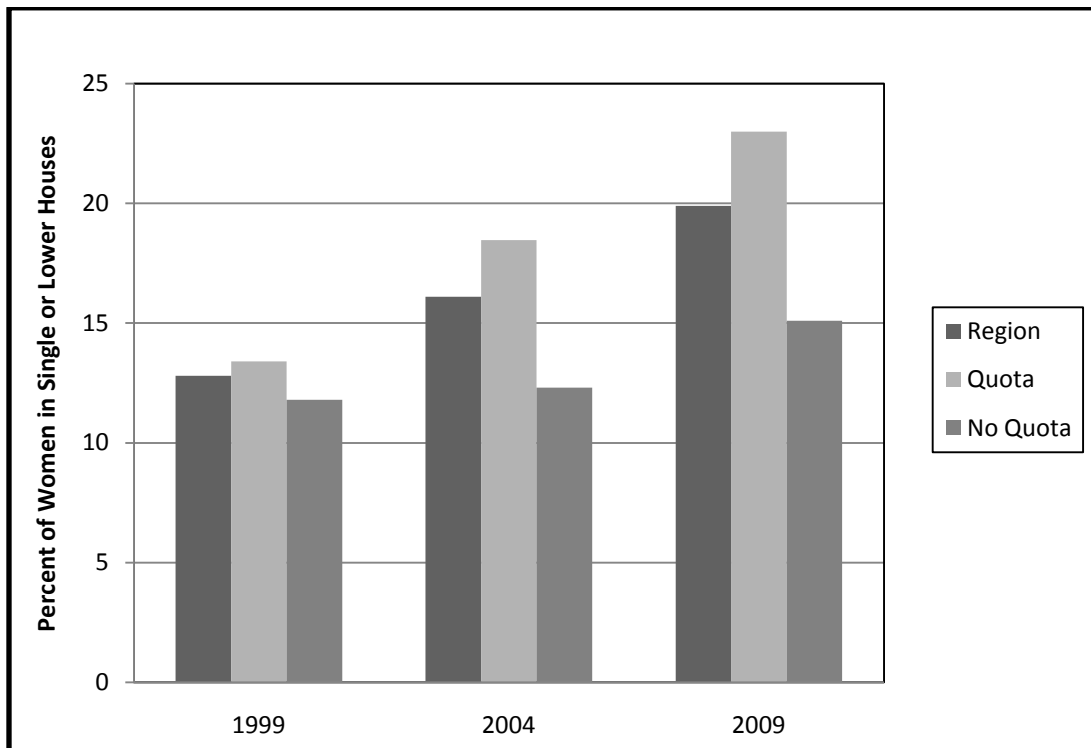
case study addresses whether federalism advantages or disadvantages women's enjoyment of their rights.

## **1.6. Conclusion**

The dissertation tests the expectations resulting from women's legislative presence by considering how different threshold percentages—produced in Mexico and Argentina through gender quotas—interact with those institutions governing the policymaking process. Further, the dissertation looks for evidence of women's representation at each policymaking moment, explaining how the results at one moment have independent consequences and consequences for the next moment. Previous studies have sought women's difference by measuring disparate outcomes (including attitudes, committee seats, bill introduction, plenary speeches, budget amendments, and roll call votes). While these measures frequently show that female legislators favor different policies, they also raise the question of how much normative and empirical weight should be assigned to such differences. Tracing female leaders' interventions throughout policymaking shows more clearly when differences appear, and what impact differences have for constituents over time.

My approach allows for clear predictions about the impact that women make once elected to higher office. I expand the sample size of earlier studies of women's representation, including male and female legislators. I also expand the dependent variable, focusing on (1) how women's interests emerge; (2) how politicians set the agendas on these issues; (3) how statute change evolves; and (4) how federalism and subnational variation affect policy implementation. The longitudinal tests from Argentina

reveal the effects of legislators' identities and backgrounds on the outcomes of agenda setting and policy success. The qualitative interviews and case study data offer better leverage on defining the causal relationship between legislators' gender identity, their preferences, and their desire to advocate for certain policy outcomes. Overall, the dissertation shows if, where, and how the presence of women generates policy shifts in the direction of rights and wellbeing.



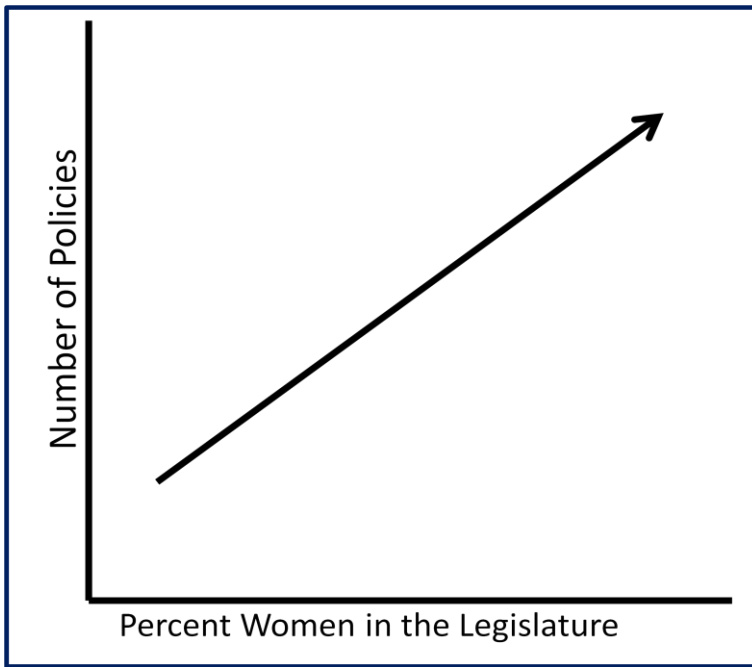
**Figure 1.1.** Women's Descriptive Representation in Latin American Legislatures, 1999-2009. Source: The Inter-Parliamentary Union.

**Table 1.1.** Typology of Gender Equality Policies in Latin America.  
Source: Htun and Weldon (2010).

Gender Status / Doctrinal (Example: contraception legality)	Gender Status /Non- Doctrinal (Example: gender quotas)
Class Based / Doctrinal (Example: contraception funding)	Class Based / Non-Doctrinal (Example: Parental Leave)

**Table 1.2.** Percentage of Women in the Argentine Congress Before and After the 1991 Quota Law. Source: Marx, Bonner, and Caminotti (2007).

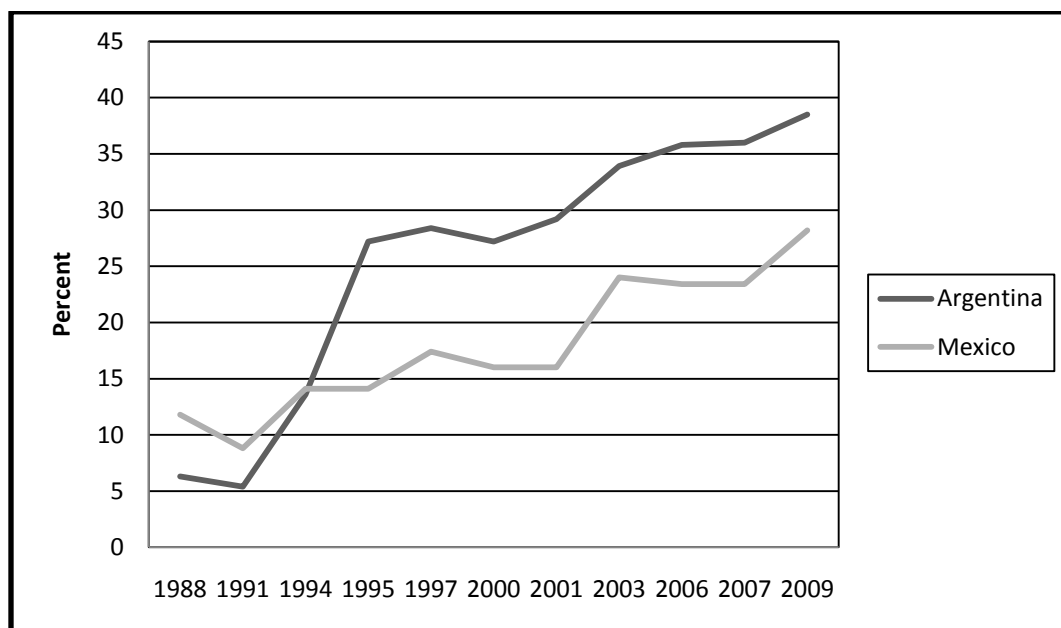
Election Year	Chamber of Deputies	Election Year	Senate
1989	6.3	1989	8.3
1991	5.4	1992	4.2
1993	13.6		
1995	27.2	1995	5.8
1997	28.4	1998	5.8
1999	27.2		
2001	29.2	2001	37.1
2003	33.9	2003	43.7
2005	35.8	2005	42.3
2007	36	2007	43
2009	38.5	2009	35.2



**Figure 1.2.** The Relationship between Descriptive and Substantive Representation

**Table 1.3.** Percentage of Women in the Mexican Congress. Source: CEAMEG.

Election Year	Chamber of Deputies	Election Year	Senate
1988	11.8	1988	11
1991	8.8	1991	5
1994	14.1	1994	11
1997	17.4	1997	8
2000	16.0	2000	31
2003	24.0		
2006	23.4	2006	20
2009	28.2		



**Figure 1.3.** Women's Presence in the Lower Houses of Argentina and Mexico. Author's elaboration based on data from Marx, Bonner, and Caminotti (2007) for Argentina and from CEAMEG in Mexico.



**Table 1.4.** Comparing Argentina and Mexico on the Independent Variables.

Institutions	Argentina	Mexico
Quota Nature	Strong (high descriptive representation)	Weak (low descriptive representation)
Parties' Statutes or Goals	Neutral	Legislative Commitment to Women's Rights
Legislative Commission	Women, Family, Youth, and Children	Equity and Gender

**Appendix 1.1.** Extended Case Comparison for Argentina and Mexico

Institutions	Argentina	Mexico
Year of 30% Quota	1991 (passed) 1993 (implemented)	2000 (voluntary) 2002 (obligatory at 30%) 2008 (obligatory at 40%)
Federation	Yes	Yes
Electoral System (Chamber of Deputies)	Closed-List PR	Mixed (60% SMD; 40% Closed-List PR)
Electoral System (Senate)	List Majoritarian	List Majoritarian
Effective Number of Parties	2.7	3
Party Discipline	High	High
Reelection	Low (18-20 percent)	No immediate
Candidate selection is by...	Party Leaders	Party Leaders
Legislators respond to...	Parties	Parties
Legislative careers depend on...	Party Leaders	Party Leaders

## Appendix 1.2. Interview Data.

**Table 1.2.1.** Argentine Interviewees by Type. Interviews Conducted in 2005, 2007, and 2009.

Type	Men	Women	Total
Legislators	5	28	33
<i>Asesores</i> [Policy Advisors]	6	2	8
Federal Executives	1	3	4
Provincial Officials	0	15	15
Activists and Journalists	0	14	14
Total	12	62	74

**Table 1.2.2.** Party Membership of Argentine Legislators Interviewed in 2005 and 2009.

Party	Count
Partido Justicialista (PJ) or PJ-Frente para la Victoria	7
PJ dissident (2009 only)	2
Unión Cívica Radical (UCR)	4
Socialist	3
ARI or Coalición Cívica (2009 only)	8
Small, right-leaning	4
Small, left-leaning	5
Total	33

**Table 1.2.3.** Mexican Interviewees by Type. Interviews Conducted in 2009.

Type	Men	Women	Total
Legislators	0	15	15
Party Leaders	4	1	5
Total	4	16	20

**Table 1.2.4.** Party Membership of Mexican Legislators Interviewed in 2009.

Party	Count
Partido Acción Nacional (PAN)	4
Partido Revolucionario Institucional (PRI)	5
Partido de la Revolución Democrática (PRD)	6
Total	15

## Notes

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<sup>1</sup> Frederick (2009) asserts that the recent polarization in the U.S. Congress has reduced this tendency. He argues that Republican women elected to the 108<sup>th</sup> and 109<sup>th</sup> Congresses lean to the extreme right, even compared to Republican men.

<sup>2</sup> Objectives of the Argentine National Council for Women: <http://www.cnm.gov.ar/>.

<sup>3</sup> For a discussion of the diffusion of gender quotas worldwide, see Dahlerup (2006) and Krook (2009).

<sup>4</sup> A future study would also use data from each country's Senate.

<sup>5</sup> The vast majority of interviews with legislators were conducted in 2009. Unless otherwise noted, all interviews cited were conducted in 2009.

<sup>6</sup> In Mexico, I made contacts with female legislators through party bosses. Once party bosses learned of the topic of my research, they were reluctant to help me contact male legislators, even though I explained that my sample needed to include both women and men. In Argentina, where I contacted legislators myself—and did not rely on party gatekeepers—I had better success at recruiting male legislators to serve as interview subjects.

## **CHAPTER 2**

### **WHAT WOMEN WANT: SEX DIFFERENCES AND PUBLIC OPINION**

## 2.1. Introduction

In 2006, Argentine women's organizations in Buenos Aires and Córdoba convened a conference entitled "*Ciudades que Deseamos*" [Cities We Desire].<sup>1</sup> Workshops, sponsored by the United Nations' Fund for Women (UNIFEM), taught female participants strategies for confronting domestic violence in their homes and neighborhoods; the interventions took a holistic approach, proposing that curbing violence against women protects not merely the physical integrity of women, but the health and safety of the community. Indeed, international and domestic activists routinely signal gender violence and citizen security as concerns held by Argentine women, alongside access to employment, sexual health, the decriminalization of abortion, and the wellbeing of children and minorities. This package of demands is conceptualized as "women's interests"—a set of policy concerns which, according to conventional wisdom, are addressed not simply by nongovernmental women's organizations, but by female legislators.

This chapter sets the stage for the dissertation by addressing the criticism that "women's interests" presumes an *a priori*, or essentialist, women's identity. The idea that women (as some universal category) care about gender violence, citizen security, reproductive rights, children, and the disadvantaged is based on assumptions about female domesticity and caretaking. On the one hand, assuming that female legislators will automatically represent these interests assumes, in the first place, that all women possess these concerns simply because they are women. On the other hand, the mobilization of international and domestic women's groups shows that women do converge on certain policy demands. In the specific case of *Ciudades que Deseamos*,

women have united to eliminate violence from their communities; in the general case of the United Nations' four World Conferences on Women, women have agreed on shared principles and strategies for combating gender inequality in the domestic, professional, and political spheres of their respective countries. This convergence occurs despite women's racial, ethnic, linguistic, religious, ideological, geographical, and class differences. One way of resolving the tension between "women's interests" and "women's differences" is acknowledging that, while women share broad policy concerns and identify common policy problems, the solutions will vary according to domestic contexts and ideological beliefs.

What matters for analyzing whether female legislators undertake WSR is an understanding of female constituents' policy demands in specific cases. This chapter analyzes public opinion data and women's activism to establish that understanding for the Argentine and Mexican cases. Identifying "what women want" accomplishes two objectives: (1) it gives credence to the polemical claim that women's interests exist as distinct from men's interests, and so establishes external validity for the study women's substantive representation; and (2) it demonstrates that women can hold common values and share common concerns, though this consensus will not necessarily dictate coordination on the policy responses. Indeed, it will be female legislators, in the agenda setting and statute change phases of the representative process, who will negotiate responses to constituents' problems and priorities. Understanding "what women want" further shows whether female legislators—as democratically elected representatives—respond to public opinion. The study of how female legislators represent women's interests must therefore begin with female citizens' opinions and activities.



## 2.2. Methodology

This chapter examines political and social differences between men and women: *what do women want?* The analysis begins with the theoretical prediction outlined in the introduction: women feel strongly about those policy areas connected to (a) their social roles as wives and mothers and (b) their equal rights as citizens. Broadly defined, women's interests address questions of wellbeing and rights.

I analyze public opinion along two dimensions where gender theory predicts differences between men and women: political attitudes and societal values. For Argentina and Mexico, political attitudes emerge from questions on the World Values Survey (WVS), conducted in Argentina in 1999 and 2006 and in Mexico in 2005. I also include the 1999 Romer election poll from Argentina. Questions from these sources asked respondents about their country's goals and priorities, their confidence in institutions, and their modes of political participation and civic engagement.<sup>2</sup> Societal values emerge from questions asked by the WVS about women's workforce participation, family responsibilities, and reproductive morals. Direct comparisons between 1999 and 2005/2006 are not always possible, as the WVS did not ask the exact same questions in the two survey waves. Fortunately, the WVS asked some—but not all—the same questions in Argentina and Mexico during the 2006 and 2005 waves. (Other survey data for Latin America could not be used: the Americas Barometer does not include Argentina, and, at the time of writing this chapter, Latinobarómetro data was not available at the University of California, San Diego.)

The WVS data is analyzed using simple male-female cross-tabulations, with a Pearson chi-squared test for statistical significance between the differences in the

proportions of male respondents and the proportions of female respondents. The Romer election poll is analyzed using regression. I also draw on survey results published by non-governmental organizations, particularly to develop the analysis of men's and women's societal values.

This data reveals very general trends in male and female citizens' preferences for my period of study, 1999 to 2009. Importantly, the analysis shows *sex* differences, meaning percentage agreements of disagreements among male and female respondents; the sex differences are presented without controlling for respondents' demographics profiles (which would be ideal and should be undertaken in future studies). Further, WVS questions are designed to gauge citizens' level of modernity and not to evaluate their opinions on policy issue. I exploit those few questions that do ask respondents about their political priorities, and I draw inferences from a range of questions that ask respondents about their civic participation and political activity as well as beliefs about ideal family structures. The WVS data thus offer a limited and indirect measure of women's preferences. To bolster the conclusions, I draw on qualitative background material to connect sex differences to gender role socialization and women's activism in Argentina and Mexico. This rough sketch of "what women want" sets the stage for the empirical analysis that follows in Chapters Three and Four of the dissertation.

This chapter proceeds as follows: first, I discuss differences in political attitudes concerning men's and women's priorities, confidence, participation, and engagement in Argentina. Second, I present differences in men's and women's societal values, meaning beliefs about Argentine women's roles and opportunities in society. This section is subdivided into values about paid and unpaid labor and values about reproduction,

contraception, and abortion. Third, I contrast the Argentine analysis with 2005 WVS data from Mexico. Throughout, I incorporate stories about women's activism to explain patterns in the data.

### **2.3. Women and Political Attitudes in Argentina**

The analysis begins with broad political attitudes and telescopes to specific priorities and activities. Figure 2.1 shows Argentines' self-placement on a standard, 10-point left-right ideological scale, where one represents leaning fully left and 10 represents leaning fully right. Argentines generally lean slightly right, but men and women track very closely. While women appear more right-leaning than men at the middle, middle-right, and far-right of the spectrum (points 5, 6, and 10), a result corresponding to conventional wisdom about Argentine women, the overall difference between men and women (the space between the two lines) is not statistically significant. This finding suggests that simple left-right ideological divergence cannot explain sex differences in political attitudes.

To narrow the analysis, I examined several WVS questions dealing with men's and women's ranking of Argentina's priorities among a determined series of options. Table 2.1 reports those 1999 questions that sought to elicit respondents' priorities by asking them to choose among the economy, security, citizen participation, civic pride, and freedom/rights. In the first question, women preferred economic growth less frequently than men, preferred security about the same as men, and preferred citizen participation and national beautification *more* than men. Likewise, in the second and third questions, women continued to prefer rights-oriented goals more than men (21.3

percent of women versus 16.9 percent of men chose “progress towards a more humane society” over other alternatives); women also continued to support economic growth less than men (54 percent of men versus 50.7 percent of women chose “a stable economy” over other alternatives). Unlike in the first question, however, these differences were not statistically significant. Two additional questions on foreign aid and economic versus environmental protection also showed little divergence between men and women: both men and women favor less foreign aid (77.7 percent of men and 79.5 percent of women) and split on privileging the economy or the environment (46 percent of men and 44.3 percent of women favor the environment, and 38 percent of men and women favor the economy). The data thus suggest that women diverge slightly from men only in placing a higher priority on civic pride and citizen participation, and in favoring community wellbeing (“humane society”).<sup>3</sup>

Data from the 2006 WVS again shows that women prioritize citizen participation and wellbeing (see Appendix 2.1). In the first question, Argentine women continued to favor economic growth less frequently than men. Women also increased their preference for civic participation when compared to 1999, with 28.1 percent of women versus 22.1 percent of men favoring “people have more say in politics.” Female respondents also switched to favoring national beautification less than men, a factor partially explained by their migration to supporting “giving people more say.” In the second question, women also favored “fighting rising prices” and “giving people more say” more than men and “freedom of speech” and “maintaining order in the nation” less than men (differences statistically significant at the 1 percent level). In choosing among these four alternatives—preserving order, encouraging participation, fighting inflation, and ensuring

freedom—female respondents gave primacy to those which had immediate impact on civic wellbeing.

Another question on political priorities presents a notable, and related, difference: women are much more skeptical than men when asked whether Argentina sufficiently respects human rights. As shown in Table 2.1, in 1999, only 2.6 percent of women, compared to 7 percent of men, believed their country demonstrated “a lot of respect for individual human rights” and 82.6 percent of women, compared to 73.2 percent of men, believed the country demonstrated “not much respect” or “no respect at all” (significant at the 1 percent level). This trend appeared again in 2006 (see Appendix 2.1), where women continued to evince greater criticism about respect for individual rights: more women believed there “is not much respect” (48.4 percent of women versus 45.9 percent of men) and “no respect at all” (15.2 percent of women versus 12.7 percent of men). However, these results were less statistically robust than the 1999 results, perhaps due to the fact that the 2006 variant of the question deemphasized the government’s respect for individual rights and asked about respect more generally.

Nonetheless, the finding that Argentine women express greater doubt about rights’ protections is substantively meaningful. The history of women’s activism in Argentina supports the claim that Argentine women prioritize human rights. The contemporary women’s movement began during Argentina’s 1976-1983 dictatorship, with the *Madres* [mothers] and the *Abuelas* [grandmothers] of the *Plaza de Mayo*. The *Madres* and the *Abuelas* still march today, but have evolved into international human rights organizations which, in addition to searching for the disappeared, demand equal rights for women, children, and the rural and working poor. The premise of the *Madres*,

*Abuelas*, and other human rights organizations is social justice for marginalized and dispossessed groups. The association in Argentina between women's interests, social justice, and human rights remains very strong. Indeed, it is hard to ask anyone about the women's movement in Argentina without being referred to its antecedents in the human rights activism of the *Madres* and the *Abuelas*.

A more robust demonstration of Argentine women's prioritization of wellbeing and human rights comes from an analysis of a 1999 pre-election survey conducted by the Argentine polling firm Graciela C. Romer & Associates. I analyzed a question where 1,412 adults from 15 urban areas in Argentina were asked to offer the country's gravest problem (top political priority) and their own gravest problem (largest personal concern). The respondents offered 18 different answers, which I grouped into two categories consisting of "social problems" (including healthcare, poverty, education, human rights, and quality of life) and "economic problems" (including inflation, tax evasion, tariffs, and pension funds).<sup>4</sup> The categorical dependent variable is whether respondents expressed concern for social problems (coded as 1) versus economic problems (coded as 0). The principal independent variable of interest is sex, coded as 0 for men and 1 for female. I included controls for age, household income (a proxy for socioeconomic status), and zone (whether the respondent lived inside or outside of Greater Buenos Aires). Age and household income are categorical variables, with higher values reflecting higher age and economic brackets; zone is a dummy variable, where 1 indicates residence in Greater Buenos Aires.<sup>5</sup>

Table 2.2 shows probit regression results for the independent variable (sex) and the controls (age, household income, and zone) on the choice of either social or economic

problems. For the country's gravest problem, the regression coefficient on female of .073 means that women are 7.3 percent more likely than men to name a social, rather than an economic problem; this result is statistically significant at the 1 percent level. For the gravest personal problem, the regression coefficient on female of .057 means that women are 5.7 percent more likely to offer a social, rather than an economic, problem; this result is statistically significant at the 5 percent level. In other words, controlling for other variables, moving from male to female respondents raises the likelihood that a social issue is chosen by 7.3 percent for the country's problems and 5.6 percent for the respondent's problems. These percentages appear small, but public opinion data rarely show dramatic percentage gaps on even the most polarizing questions. These differentials therefore support insights gleaned from the World Values Survey: when selecting from among predetermined alternatives, Argentine women prioritize social problems.

Moving from priorities to activities will reveal how Argentine women and men translate their preferences into action. I begin with 1999 World Values Survey data on confidence in political and social institutions. Figure 2.2 tests for differences between men's and women's optimism (expressed as having "a great deal" or "quite a lot" of confidence) and skepticism (expressed as having "not very much" or "none at all" confidence) in social and political institutions. Men and women trend in the same direction, expressing skepticism on all institutions save the Church, for which both men and women trend optimistic. Yet, for all institutions save the Church, women express much greater skepticism than men. Women expressed much more doubt than men about the armed forces (79.3 percent of women expressed little or no confidence, versus 66.5

percent of men) and the police (79.7 percent of women expressed little or confidence, versus 71.3 percent of men). Women also doubted lawmaking bodies and interest groups more than men: 90.6 percent of women versus 86.6 percent of men doubted the legislature; 82.5 percent of women versus 77.4 percent of men doubted the government; and 89 percent of women versus 87.1 percent of men doubted the labor unions. The data suggest that women mistrust traditional political institutions.

This proposition gains credence by further analyzing the confidence data for the Church and the women's movement. Sixty three percent of women believe in the Church (versus 56 percent of men), and 37 percent of women doubt the Church (versus 44 percent of men). Argentine women are, overall, more deeply religious than men. Indeed, other WVS data show that women attend Church more frequently than men.<sup>6</sup> Women, according to the WVS, also believe more strongly that the Church provides guidance for moral problems and social problems, responding more affirmatively than men in both 1999 and 2006 when asked about the Church's ability to lead in these two areas. For instance, in 2006, 44 percent of women compared to 34.2 percent of men believed the Church could solve social problems (though this response was down slightly from 1999, when 52 percent of women responded affirmatively compared to 48 percent of men).<sup>7</sup> The Church did lose credibility in Argentina in the early 2000s, due largely to high-profile sex abuse scandals; nonetheless, women continue to perceive the Church as providing a site for social and moral problem solving.

The Church represents only one civil society alternative to traditional political institutions. Argentine women may be skeptical of the women's movement, but, by 2006, they were less skeptical than men. In a shift from 1999, 54.3 percent of women are



skeptical of the women's movement compared to 67.6 percent of men. In other words, 45.6 percent of women regard the movement favorably, compared to 32.4 percent of men (a difference which is statistically significant at the 1 percent level). Female respondents' optimistic valuation of the women's movement in 2006 constituted an increase of more than ten percentage points from 1999. Moreover, after the Church, Argentine women are most positive about the women's movement. Argentine women in fact regard the women's movement more favorably than any political institution: in 2006, 45.6 percent of women rated the women's movement favorably, compared to the 31.8 percent for the armed forces, 23 percent for the police, 37.4 percent for the government, and 8.1 percent for the labor unions.

The women's movement has largely developed and worked outside political institutions, a fact which accounts for its favorable rating when compared to governments, security forces, and labor unions. By marching in the Plaza de Mayo during the 1970s and the 1980s, *Las Madres* and *Las Abuelas* demanded the return of the disappeared outside the highly circumscribed channels of citizen-government communication allowed by the military junta. Following the economic crisis of 2001, female protestors in Argentina have engaged in *cacerolazos*, marches wherein lower- and middle-class housewives bang pots and pans; the cacophonous noise expresses the distressed caused by vanishing household incomes, contracting public services, and diminishing employment opportunities. The *cacerolazos* are deliberately disruptive and disconcerting, showing women's desire to shame and confront the government (Eltantawy 2008). Finally, the recent publicity surrounding the trafficking of women and girls in Argentina has prompted women to organize marches and demonstrations

throughout the country; in Córdoba, marches held in April of 2009 were accompanied by women's groups covering the walls of the city with graffiti, painting slogans which said "without male clients, there are no female victims."<sup>8</sup> Other disruptive acts undertaken by Argentine women's NGOs have included banging pots and pans outside the homes of police officers who refuse to arrest domestic violence offenders, and taking over soccer pitches in communities where the fields are traditionally places of men's recreation.<sup>9</sup>

The confidence data on the women's movement therefore have several interpretations. On the one hand, female respondents regard the women's movement quite highly when compared to traditional political institutions. This regard signals Argentine women's preferences for acting outside existing structures, in order to make the existing structures work. The increase in optimism from 1999 to 2006 may further be attributed to the greater mobilization of women since 2001.

On the other hand, the data indicate that more than 50 percent of female respondents have *no* confidence in the movement. This finding has two explanations. First, Jaquette (2009) argues that cohesive "women's movements" have disbanded following democratization, and that movements have replaced by networks: organized cadres of women who, like the pot-banging housewives, make specific demands in specific moments of time. Second, and related, the "women's movement" implies "feminism," which carries—for some—the connotation of a Western-style individualism that is antithetical to many women's self-perception as mothers and community members. In this sense, the positive evaluation of the Argentine women's movement, as shown in the WVS data, may be artificially deflated: had female respondents been asked about

women's organizations or women's networks, rather than women's movements, confidence ratings may have been higher.

The argument that "traditional politics" is not the venue most favored by non-elite women reappears in WVS responses to questions that measure political interest. The 1999 WVS contained three items about paying attention to politics: questions asked respondents how interested they were in politics, how often they followed politics in the news, and how often they discussed politics with friends (Appendix 2.1). While women and men again trend in the same direction, women manifest greater disinterest than men: 52.5 percent of women (versus 46.1 percent of men) find politics not appealing, and 29.5 percent of women (versus 35.1 percent of men) find politics somewhat appealing. This gap reappears in data on following politics in the news: 14.5 percent of women (versus 10.9 percent of men) never follow politics in the news, and 16.5 percent of women (versus 14 percent of men) follow politics infrequently. Surprisingly, despite men's and women's claims to be disinterested in politics (only 6.5 percent of men and 5.8 percent of women are "very interested" in politics), most men and women follow politics in the news daily (50 percent of men and 45.7 percent of women).

Note, however, that women still respond less enthusiastically about their interest and their news attention. The strongest difference appears in how often men and women discuss politics with friends. Fifty three percent of women (versus 44 percent of men) responded "never" and only 17 percent of women (versus 20.5 percent of men) responded "frequently," differences which are significant at the 1 percent level. This divergence may result from conceptualizing community affairs as social welfare as separate from

typical politics—where typical politics involves the daily happenings in the government and financial sectors.

Data on political action also focus on traditional forms of activism. The 1999 WVS survey included four questions seeking to characterize political participation: questions asked whether respondents would attend a lawful demonstration, join an unofficial strike, support a boycott, or occupy buildings and factories (Appendix 2.1). Women and men again trend in the same direction, but women express greater unwillingness than men in all four categories. Argentines appear more predisposed to favor lawful demonstrations and strikes, though women slightly less so than men: 65.6 percent of women (versus 61.8 percent of men) would never attend legal protests, and 85.5 percent of women (versus 83.2 percent of men) would not strike without permission (these findings are not statistically significant). Argentines express greater dislike for boycotts and property takeovers: 93.1 percent of women (versus 88.2 percent of men) would never participate in a boycott, and 91 percent of women (versus 86.9 percent of men) would never occupy buildings of factories (these findings are significant at the 5 percent level). That women dislike these activities more than men is consistent with viewing strikes, protests, and property takeovers as conventional, masculine forms of political participation.

However, these conclusions should not be overdrawn. Focusing on women's lower participation rates compared to men obscures instances where they *do* participate. In 1999, women reported joining protests (12.7 percent), striking unofficially (4.3 percent) and taking over buildings and factories (1.3 percent).

Women in Argentina have joined the *piquetero* movement, a nation-wide social movement which emerged among the homeless, the desperately poor, and the underemployed in the mid-1990s. To make their plight visible, the poor launch widespread demonstrations that shutdown transportation networks, block access to economic centers, and occupy public buildings. Journalist Marie Trigona estimates that 65 percent of the *piqueteros* are women, participating both as demonstration leaders and as community coordinators.<sup>10</sup> Female *piqueteras* formed organizations such as *Mujeres Agropecuarias en Luchas* [Agricultural Women in Struggle] to protest the forced sale of family farms. Yet, Borland and Sutton note that women “are ignored” in many reports of the *piqueteros*: “much of the work on the recent mobilization barely mentions women’s resistance, using the generic masculine to refer to both men and women activists (e.g., *piqueteros*), which tends to make women invisible and implicitly suggests that activists are men” (2007: 703). This invisibility has psychological implications for Argentine women: not only are *piqueteras*’ accomplishments elided, but non-*piqueteras* cannot envision themselves as undertaking such activism. As Borland and Sutton explain, “although many *piqueteras* were in road blockages, some wearing masks, many critics of the movement consistently portrayed its members as dangerous men” (709). Female sympathizers will thus resist joining an ostensibly masculine movement.

The WVS data also end at 1999, before Argentina’s 2001 economic crisis further energized the lower class *piqueteros* as well as mobilized the middle- and middle-upper classes in *carcerolazos*. Indeed, in the 2006 WVS (Table 2.3), nearly 58 percent of women (as well as 58 percent of men) either had, or were willing to, participate in peaceful demonstrations. When the question was rephrased to ask men and women about

their most recent political action, more women than men reported having attended a demonstration (19 percent versus 17 percent). Women in 2006 were also more likely to have joined boycotts (3 percent versus 2 percent) as well as signed petitions (27.8 percent versus 25.4 percent). While none of the differences between men's and women's actions were statistically significant, the data nonetheless show a marked increase in women's protest activity from 1999 to 2006.

Qualitative evidence also demonstrates that women's participation in extra-legal or extra-institutional activities has increased throughout the 2000s. For instance, the *piqueteros'* recent strategies include occupying factories, expelling the owners and transforming the enterprises into worker-owned collectives. Women have assumed leadership roles in these new cooperatives.<sup>11</sup> The *piqueteros* have also formed social service networks in their *barrios* [neighborhoods], wherein female activists direct food kitchens, clothing sales, and health clinics (Borland and Sutton 2006; Sutton 2007). Likewise, their female compatriots in the *carcerolazos* have formed *asambleas barriales* [neighborhood assemblies] as alternatives to municipal government: these assemblies undertake tasks ranging from food drives to distributing lists of job openings, organizing artistic shows, and supporting the *piqueteros* (Briones and Mendoza 2003). In these movements, employment becomes a social problem, as lack of work aggravates poverty and accelerates family disintegration. Most importantly, the *piqueteros* and the *asambleas barriales* refuse to become incorporated (or co-opted) into traditional politics; they eschew political parties, labor unions, and direct engagement with elected representatives. The assemblies "consider themselves sovereign and independent of any other higher-level organization" (Briones and Mendoza 2003). This anti-poverty

activism of non-elite women is thus consistent with preferring to act outside traditional institutions as well as with prioritizing wellbeing.

Furthermore, World Values Survey questions on civil society engagement, meaning associations and membership in community organizations, show an increase in women's activism. Figure 2.3 depicts men's and women's 1999 WVS responses about belonging to specific types of civic organizations. These findings are both statistically significant and substantively meaningful.

In every category save ecology/animal rights, women manifest higher civic engagement than men. Women's heavy involvement in religious organizations supports the earlier data on Argentine women's greater religiosity. Female respondents are also most active in community groups addressing social problems. In 1999, whereas only 1.2 percent of women admitted to participating in a boycott, and 1.3 percent of women admitted to occupying a factory (see Appendix 2.1), 4.5 percent of women belonged to community groups organized around poverty and equality (including employment, housing, and racial and ethnic rights). An additional 3.6 percent of women belonged to community groups organized around health. These patterns further indicate how the prioritization of social problems leads women to engage their communities—and therefore to undertake political activism—through avenues outside of governments, legislatures, and labor unions.

The 2006 WVS survey on community engagement shows a continuation and deepening of the 1999 trends. Men report more active participation in environmental groups (0.9 percent of women are active environmental advocates, compared to 2.5 percent of men), and women report greater active participation in church groups (20.6

percent of women compared to 13.1 percent of men) and charitable/humanitarian organizations (7.5 percent of women compared to 3 percent of men). The increased proportions of women's participation compared to 1999 underscore the emerging picture that Argentine women's activism increased steadily during the 2000s. Indeed, several female legislators highlighted the importance of the 2001-2002 economic crisis in mobilizing women in their districts.<sup>12</sup>

Rounding out the image of Argentine's women's greater commitment to communities' wellbeing, a 2006 WVS question asked respondents to compare themselves to a hypothetical person who valued "helping others nearby." Seventy percent of female respondents believed this person was much like them and 25.5 percent believed this person was somewhat like them. Male respondents were more cautious, with only 61.9 percent of men believing this person was much like them and 32.2 percent believe this person was somewhat like them. In this question, the word "nearby" is critical to understanding the difference in men's and women's responses: the question asks not about helping an abstract stranger, but about helping a friend or neighbor. Female respondents, with their greater presence in charitable and humanitarian organizations, are revealing their self-image as community helpers.

Finally, women in Argentina have no doubt that they can effectively exercise leadership and express their concerns. The 1999 and 2006 World Values Survey asked respondents whether "men make better political leaders than women." As shown in Figure 2.4, women overwhelmingly reject this statement. In 1999, 73 percent of women disagreed or disagreed strongly compared to 60.6 percent of men; if women did agree, they agreed at rates less than men (39.4 percent of men agreed or agreed strongly, versus



26.3 percent of women). These differences are statistically significant at the 1 percent level. The pattern is the same for 2006: 24.8 percent of women strongly disagree, and 52.1 percent of women disagree, compared to 11.8 percent and 45.6 percent of men, respectively; these differences are again statistically significant at the 1 percent level. The stark disparity in these responses shows that men remain more attached to traditional gender roles and stereotypes.

Related, a 2006 survey of 1600 women in four metropolitan areas by the *Equipo Latinoamericano de Justicia y Género* [Latin American Team for Justice and Gender, or ELA] indicated that 70 percent of respondents believed female leaders represented the population better than male leaders (ELA 2006: 68). These respondents were, however, doubtful that women could become leaders, with 48 percent believing that women have fewer opportunities than men and 14 percent believing that women have no opportunities (ELA 2006: 64). This ELA finding is supported by a 2006 WVS question, which asked respondents whether a university education was more important for a boy than for a girl. As shown in Figure 2.5, men were more conservative, agreeing more frequently than women that girls did not need a university education. Women are often not encouraged to begin educational or career pathways that culminate in leadership positions within traditional institutions, structural factors which led to the electoral quota law and the quota law for labor union directorates (the latter passed in 2003).

Overall, the World Values Survey data shows important convergences and divergences in men's and women's political attitudes. Men and women trend in the same direction: they lean to the right; place similar weight on economic growth, foreign aid, and the environment; express little confidence in traditional institutions; intermittently

follow politics; and participate occasionally in strikes, boycotts, and lawful demonstrations. Differences appear in that women—more than men—eschew conventional politics and act outside traditional institutions. Argentine women also rank economic growth as less important than civic participation and group wellbeing; they trust security forces and government structures less than men; and they participate in community organizations and public protests centered around poverty, underemployment, social services, housing, healthcare, and equality. Their attitudes favor those rights which promote community wellbeing. The ELA team found, for instance, that 58 percent of women ranked gender equality as a top priority alongside unemployment, education, and health (2006: 78). As demonstrated in the Romer & Associates data, Argentine women prioritize social problems for their country and for their personal lives.

#### **2.4. Societal Values in Argentina**

The public opinion data on women's societal values reinforces the conclusion that Argentine women respond more dynamically and flexibly to the social realm than men. The term "societal values" captures men's and women's beliefs about gender roles in Argentina: how men and women should behave, which life pursuits men and women ought to undertake, and which choices men and women ought to have. First, Argentine women generally feel more strongly than men that women can join the workforce while still nurturing their family life. These trends show that, as with the WVS questions about political leadership and universal education, female citizens in Argentina favor greater flexibility in women's traditional roles. Second, Argentine women and men support expanded access to contraception and the partial or whole decriminalization of abortion.

These values about family, work, and reproduction show attitudinal shifts favoring greater choices for women, a pattern reflected in the bill introduction data presented in Chapter Three.

The drive to expand women's choices thus appears across all areas of women's activism. Though the *piqueteros* and *cacerolazos* are often regarded as apart from feminism, these distinctions—though meaningful to participants—are theoretically artificial. First, any civic engagement designed to improve women's quality of life invokes the feminist principal of *reinvidicación* [a reassertion of autonomy, dignity, and rights]. Second, women's membership in organizations ranging from the *Madres* of the Plaza de Mayo to the *asambleas barriales* has generated an understanding that sexism places upon women the burden of unpaid housework while subjecting them to men's violence and control (Borland and Sutton 2007; Frey and Crivelli 2007). The critique of the gendered division of labor unites all civil society organizations formed by and oriented toward women. In Argentina, these organizations seek empowerment (leadership of women within their communities), equality (workforce opportunities, equity, and legal protections), and healthcare (expanded maternal health and anti-violence services). These goals are reflected in public opinion data that show greater support for changing gender roles.

#### 2.4.1. Values about Work, Children, and Families

In 1999, World Values Survey questions relating to women's workforce opportunities, parenting, and childrearing responsibilities show that women do not view employment as antithetical to successfully fulfilling their roles as wives and mothers. As

shown in Figure 2.6, the first question explored women's identities, proposing "a woman needs children to be fulfilled." Women disbelieved this statement more than men: 44.2 percent of women disagreed (versus 43.9 percent of men), and 55.8 percent of women agreed (versus 56.1 percent of men). The next questions targeted women's identities as mothers versus their identities as workers, stating "a job is great but being a housewife is just as fulfilling" and "working mothers can be as close to children as stay-at-home mothers." For question two, on whether housewifery fulfilled women as much as employment, women disagreed more strenuously: 27.9 percent of women disagreed or disagreed strongly, compared to 21.3 percent of men. Women also agreed less than men, with 72.1 percent of women concurring compared to 78.7 percent of men (the divergence was significant at the 5 percent level). For question three, women agreed more frequently than men that working women could remain close to their children: 80.5 percent of women agreed or agreed strongly, versus 70.1 percent of men (a difference significant at the 1 percent level).

These findings show that domesticity still exerts a strong pull on Argentine women, but that many women also prefer the workforce. In these instances, women believe they do not need children for fulfillment, or women seek both children and employment. The trend continued in 2006 (Appendix 2.1). While both women and men continued to agree that "being a housewife is just as fulfilling," women still agreed less than men (62.5 percent versus 70.3 percent) and disagreed more than men (37.5 percent versus 29.7 percent). Women's disagreement also became more strenuous in 2006, perhaps because the 2001 economic crisis catapulted women into the workforce. This

change not only gave many previous homemakers a chance to earn wages; it also brought greater visibility to women's new roles.

These data underscore the proposition that, as women join the workforce, their autonomy increases. The World Bank reports that, when a woman works outside the home, "she takes care of the household expenses with what she earns, and she decides many more things" (Narayan, Chambers, Shah, and Petesch 2000: 119). The ELA survey likewise found that 64 percent of working women concurred that "work is one way to disconnect from children and family chores" and 91 percent of working women believed that "employment gives freedom to women" (2006: 37). Even non-working women agreed, with 70 percent endorsing employment as a respite from family demands, and 85 percent supporting employment as liberty for women. Undeniably, workforce participation gives women more control over their expenditures, their choices, and their time.

This autonomy gain does not mean, however, that all Argentine women receive positive financial and psychological returns from work. Researchers place the wage gap in Argentina as high as 30 percent, with men earning more.<sup>13</sup> Ortega explains that Argentine companies practice wage and hiring discrimination: employers pay women less, and female homemakers are not perceived to need jobs with the same urgency as male breadwinners (2006). A 2006 WVS question supports Ortega's findings, proposing that "when jobs are scarce, men should have more right to a job than woman." Though male and female respondents both disagreed, men were less likely to disagree than women (52.6 percent compared to 66.6 percent), and more likely to agree (32.1 percent compared to 23.7 percent), differences which were highly statistically significant (see

Appendix 2.1). The default assumption is that men *need* the work in order to support their families, whereas women's work provides supplementary support to families' income, and can be sacrificed during hard times.

Another default assumption is that men make better business leaders than women. As shown in Figure 2.7, a 2006 WVS question asked whether "men make better business executive than women." As with the similar question on political leadership, men endorsed this position more ardently than women: 66.9 percent of men disagreed or disagreed strongly, compared to an overwhelming 82.2 percent of women, a statistically robust difference. Again, men appear more resistant to abandoning gendered ideals about women as dependent and private (domestic) beings, and men as independent and public (economic) beings.

Related, Ortega also finds that women are more likely than men to be unemployed, particularly when they have children (2006). These statistics are corroborated by an Argentine NGO, *Centro de Intercambio y Servicios Cono Sur Argentina* [Center of Argentine and Southern Cone Interchanges and Service]. CISCISA's recent study showed women's labor market participation declining as their number of young children rises: single women participate at 68.6 percent, women with one child at 59.9 percent, women with two children at 51.1 percent, and women with three children or more at 37.3 percent (Martínez 2007: 21). ELA likewise found that pregnancy, children, or other family responsibilities explained 38 percent of women's departures from the workforce (2006: 33). Additionally, the problem of women's double day persists. Women perform 85 to 90 percent of all household tasks (Martínez 2007: 22); for instance, only 11 percent of men clean the house and merely 16 percent of men

wash clothes (ELA 2006: 47). The dual burden of women's paid labor and unpaid housework, as well as widespread discrimination, explains why women's organizations from CISCOSA to the *asambleas barriales* have made gender equity in the family a principal focus. For instance, a recent campaign undertaken by the *Fundación para Estudio e Investigación de la Mujer* [Foundation for Women's Studies and Investigation, or FEIM] features yellow traffic signs that say "men at work" and show black silhouettes of men changing diapers and reading to girls.

Additional questions from the 1999 World Values Survey further target men's and women's values about work. One question asked whether women and men should contribute equally to household incomes. Women "agreed" or "agreed strongly" more frequently than men (94 percent of women versus 86.1 percent), and "disagreed" or "disagreed strongly" less frequently than men (5.6 percent of women less than 13.9 percent of men). Whether for economic necessity, psychological benefit, or both, Argentine women prefer to financially support their families. For a second question, respondents considered whether "it's a problem if women have more income than their husbands." Here, men actually agreed less and disagreed *more*. For instance, 61.9 percent of men disagreed that women's higher income caused friction, versus 50.5 percent of women; more women than men agreed that earning more money posed difficulties for relationships (49.4 percent versus 38.1 percent).

However, this question asked about the reality of women out-earning men, not whether women out-earning men created problems. Women's greater likelihood to respond affirmatively that "it's a problem if women have more income than their husbands" can be interpreted as their greater understanding that, indeed, women's higher

wages cause problems. Women's higher earning capacity both increases women's decision-making abilities within the home, as well as challenges men's identities as breadwinners; this shift in gender relations can sometimes cause resentment and frustration among more *machista* men.<sup>14</sup> An Argentine women's professional association, *Mujeres de Empresa* [Women of Business], reported that women out-earning more than men confront resistance from their romantic partners.<sup>15</sup> This WVS question thus distinguishes between women as secondary and primary contributors to family income: employment may contribute to women's financial and psychological autonomy, but surpassing men's earning potential—becoming fully independent—may not be favorably regarded.

These conservative trends notwithstanding, societal values favor expanded economic opportunities for women in Argentina; this trend correlates with societal values favoring flexible family arrangements. As shown above, almost half of Argentine women believe they do *not* need children for fulfillment. Attitudes about whether Argentine women can have children alone have also liberalized. In response to two 1999 WVS questions about women as single parents, women more than men approved of female-headed households (Table 2.4). Men disagreed more strenuously than women on whether “a woman may choose to have children when not in a relationship with a man”: 32.6 percent of men disapproved, whereas 28.2 percent of women disapproved, and 57.8 percent of men approved compared to 64.5 percent of women. Men also agreed more emphatically that “children need homes with a father and a mother to grow up happy”: 93.7 percent of men agreed compared to 89.1 percent of women, and 6.3 percent of men disagreed compared to 10.9 percent of women. In 2006, men continued to express



greater disapproval for woman as single parents, disagreeing 33.4 percent of the time (compared to women, who disagreed 24.2 percent of the time). Women not only expressed greater agreement with women as single parents—69.6 percent of women agreed compared to 58.2 percent of men—but they agreed in greater percentages than in 1999. These divergences, showing women’s greater acceptance of alternative family arrangements, were all statistically significant. Support for women’s autonomy is increasing in Argentina, particularly among women themselves.

#### 2.4.2. Values about Reproduction, Contraception, and Abortion

This flexibility of family arrangements connects to women’s reproductive autonomy, with public opinion data showing that men and women, and especially women, favor expanded reproductive rights. Here, I analyze data from several sources: a series of reproductive rights surveys conducted by Argentine public health specialist Monica Petracci, under the auspices of the *Centro de Estudios de Estado y Sociedad* [Center for Study of State and Society, or CEDES], and the 2006 ELA survey. While the Petracci surveys regrettably did not disaggregate the results by sex, the ELA survey illuminates that women surveyed separately trend the same as men and women surveyed together. Specifically, within the policy area of reproductive rights, women demand access to contraception and the liberalization of abortion.

In 2003, two years after female activists and female legislators labored to pass a comprehensive sexual health reform that mandated free access to family planning services, Petracci’s team asked 303 residents of Greater Buenos Aires about the values enshrined in the legislation (discussed in Chapter Five). Ninety-six percent of male and

female respondents agreed that “men and women ought to access contraceptive methods in pharmacies and health centers”; 2 percent disagreed and 2 percent responded “neutral” or refused to state. Ninety-six percent of respondents also expressed disagreement with an Argentine judge who attempted to pass an injunction blocking the program; again, 2 percent disagreed and 2 percent were neutral/refused to state (Petracci 2003).

These percentages have remained stable across time, with follow-up surveys reporting that respondents affirmed that “men and women have the right to freely decide when to have children” 94 percent of the time in 2004 and 96 percent of the time in 2006 (Petracci 2007b). In a separate 2006 survey, conducted in Buenos Aires and three other metropolitan areas, respondents agreed with the “free decision” of “how many children to have and when to have them” 95 percent of the time; eighty six percent also supported tubal ligations for women and 79 percent supported vasectomies for men. Seventy-eight of respondents supporting reproductive choice also identified as Catholic (Petracci 2007a). Moreover, 99 percent of respondents in the 2003 survey supported the goal of the sexual health reforms, defined as “enabling women to make decisions about their sexual and reproductive lives” (Petracci 2003).

The strong level of public consensus on reproductive choice is also reflected in women’s activism. A consortium of more than 400 local, provincial, and national women’s organizations have formed CoNDeRs, the *Consortio Nacional de Derechos Sexuales y Reproductivos* [National Consortium for Sexual Health and Reproductive Rights]. CoNDeRs provides its constituent organizations with the materials necessary to monitor their localities and demand that provincial officials be held accountable for providing family planning services (discussed in Chapter Five). The narrowness of

CoNDeRs' objectives—to monitor and enforce the sexual health program—reinforces Jaquette's characterization (2009) of the contemporary activist landscape as one populated by issue networks rather than women's movements.

The related policy problem around which Argentine women are mobilized is the liberalization of abortion. Women I interviewed throughout 2005, 2007, and 2009 highlighted the decriminalization of abortion as a feminist priority. Abortion is currently illegal in Argentina save for two circumstances: when a mentally incapacitated woman has been raped, and when the woman's life or health is in danger. In practice, however, many judges refuse to grant permission in even these circumstances, interpreting the "life or health" clause extremely narrowly. High-profile cases wherein pregnant women have been denied life-saving abortions, and subsequently died, have shaped the dual focus of the movement for legal abortion: (1) guaranteeing women's rights to abortions that are non-punishable under Argentina's current penal code and (2) decriminalizing abortion in all circumstances. The legalization movement has used marches and demonstrations, teach-ins, lobbying of legislators, and media exposure.

Public opinion is broadly favorable to these aims (Pettracci 2007a). In the 2006 CEDES survey of four Argentine cities, 70 percent of respondents "believed the Catholic Church ought to be more flexible about abortion." In addition, a vast majority of Argentines support abortion's legality under the current law: when a mentally-ill woman is raped (88 percent), when the woman's life is in danger (83 percent), when the woman's health is in danger (83 percent). The vast majority also agree with abortion in cases not specified by the law, including when a young woman has been raped (83 percent), any

woman has been raped (83 percent), the fetus will be born with a birth defect (83 percent), and the woman's *mental* health is in danger (70 percent).

ELA posed the same series of questions to the women surveyed in 2006. Among the 1600 respondents, 1250—78 percent—favored the partial or whole decriminalization of abortion, particularly in cases of rape, the woman's health, and illness or defect of the fetus (ELA 2006: 105-106). Of these respondents, 91 percent believed that abortion in Argentina should be freely available (ELA 2006: 110). Seventy-two percent also identified as Catholic (ELA 2006: 108), a percentage similar to those Catholics supporting contraception and family planning in the CEDES surveys. Overall, ELA concludes that those women favoring the partial or whole decriminalization of abortion were most likely to be agnostic, educated, have a part- or full-time job, reside in Buenos Aires, and be younger than 60 (ELA 2006: 110).

The data also show Argentines' increasing acceptance of abortion in those circumstances beyond rape and the health or life of the mother and fetus. In three survey years—2003, 2004, and 2006—Petracci's team from CEDES asked 300 respondents in Buenos Aires whether they favored abortion in the following "non-therapeutic" cases: when the woman and her family lacked the economic resources to care for a child; when the woman did not wish to have children at this moment in her life; and when the woman became pregnant through the failure of contraception (interpreted as the woman used contraception, but the contraception failed). Figure 2.8 demonstrates that public support for abortion decriminalization in these non-therapeutic instances is much lower than the support for abortion decriminalization in instances of rape and health, below 50 percent in all cases. Nonetheless, the favorability of all three non-therapeutic instances has

increased over time (Pettracci 2007b). This trend suggests that many in Argentina are expressing increasingly liberal positions over time.

## **2.5. Contrasts to Public Opinion in Mexico**

While not all women will experience their gender identity in the same way, there are significant trends among Argentine women. Female survey respondents worry about unemployment, poverty, health, the sexual division of labor, and reproductive rights. They prefer religious organizations, civic groups, and grassroots initiatives to political parties and government institutions; they support flexible family arrangements and women's employment. These preferences, which match the broad categorization of women's interests as wellbeing and rights, also appear in the Mexican case.

### **2.5.1. Women and Political Attitudes in Mexico**

As in Argentina, there is no statistically significant difference between men's and women's self-placement on the standard 10-point ideological scale. As depicted in Figure 2.9, men and women track closely together, placing most of their allegiance at the left, center, and right ends of the political spectrum. This graph reflects the strength of Mexico's three major political parties, with the PRD capturing the left, the PRI constituting a catch-all party that typically leans left or hovers around the center, and the PAN capturing the right. This ideological distribution stands in contrast to that of Argentina, where voters' allegiance—as well as parties—clusters around the center. Nonetheless, in both countries, sex differences in political attitudes cannot be reduced to partisan ideology.

Moving from ideology to priorities does, however, show significant and substantive differences in men's and women's political attitudes. In Mexico, when respondents were asked to choose their country's most important objectives from a predetermined list of alternatives (Table 2.5), women favored "making cities and the countryside more beautiful" and "giving people more say" more than economic growth; women also chose "progress towards a more humane society" and "the fight against crime" as more important than a stable economy. As in Argentina, Mexican women appear more concerned with rights and well-being (i.e., civic participation and delinquency) than the economy. Also notable are the differences in Mexican men's and women's choices for the "most serious problem facing the country." Here, Mexican women selected "people living in poverty and need" *less* than men (55.7 percent versus 50.5 percent), in seeming contradiction of the hypothesis about women's greater orientation to the social realm. In fact, female respondents simply chose other social problems as more pressing, especially when compared to men: women named "poor sanitation and infectious diseases" more frequently than men (6.7 percent compared to 4.9 percent) as well as "environmental pollution" (11.7 percent versus 10.3 percent). Most importantly, women more than men chose "discrimination against women and girls" as the country's most serious problem (17.1 percent compared to 11.5 percent).

Additional evidence from Mexico supports the conclusion that female respondents consider social goals and priorities more than men (Appendix 2.1). While the ideological scale showed no significant difference in men's and women's self-placement, several 2005 WVS questions did find Mexican women titling to the left. When asked whether income distributions should be more equal, or whether larger

incomes were necessary for individual incentives, women responded more favorably to income equality than men: 32.2 percent of women (versus 27.8 percent of men) endorsed greater income equality, with only 48.7 percent for women (versus 55.8 percent of men) believing higher incomes drove incentives. Likewise, women believed more strongly than men that competition harmed society (18.2 percent of women compared 14.4 percent of men); that the government rather than private corporations should own property (46.5 percent of women compared to 38.3 percent of men); and that the government rather than individuals) should take responsibility for well-being (43.7 percent of women compared to 36.5 percent of men). These findings, all statistically significant, show men and women trend in the same direction: Mexicans are generally comfortable with income disparities and marketplace competition, divided on the question of government versus individual responsibility for wellbeing, and more positive about government ownership of property. Nonetheless, within these trends, women lean more to the left, expressing greater support for economic equality and social safety nets.

This finding is further supported by World Value Survey data that reveals Mexican women to be more tolerant of disadvantaged, minority, or different individuals. While the sample size was small, for every group save homosexuals, Mexican women express greater tolerance than Mexican men.<sup>16</sup> In fact, women's acceptance of heavy drinkers, cohabitating partners, people with AIDS, and people from different religious or linguistic backgrounds outstrips that of men by nine to sixteen percentage points.

Mexican women also resemble their Argentine counterparts when other trends in political attitudes are considered. First, despite expressing clear preferences for social concerns, Mexican women's levels of political interest are as low as in Argentina. The

majority of women and the majority of men are “not very” or “not at all” interested in politics, with women manifesting more disinterest than men: 69.4 percent of women compared to 63.2 percent of men. Second, Mexican women, like Argentine women, are much more skeptical of traditional political institutions than men: 76.7 percent of women, and 75.4 percent of men, doubt the political parties; 76.9 percent of women, and 71.9 percent of men, doubt the legislature; and 58 percent of women, and 52.5 percent of men, doubt the government. These findings vary in statistical significance (see Appendix 2.1), but collectively reflect Mexican citizens’ general—and Mexican women’s specific—political disillusionment (Zetterberg 2008b). Indeed, patterns of disenchantment have been noted not simply for Argentina and Mexico, but for Latin America as a whole (Lagos 2003).

Third, Argentine women and Mexican women are both more religious than men. Mexican women express overwhelming confidence in the Church, with 86.1 percent of female respondents regarding the Church optimistically compared to 66.1 percent of men. Women in Mexico also self-identify “as a religious person” more frequently than men (80 percent versus 70 percent), and this sex difference is statistically significant at the 1 percent. Also significant at this level is women’s belief that the Church gives answers to moral problems, with 58.7 percent of women answering affirmatively compared to 51.8 percent of men. For social problems, both men and women look to the Church less, but again, women still answer more positively than men: 49.5 percent of women and 43.6 percent of men believe the Church gives answers to social problems. Fourth, as in Argentina, Mexican women are more active than men in civic groups organized around religion and charitable or humanitarian concerns. Mexican men (like Argentine men) are



active in environmental organizations more than women, whereas Mexican women (like Argentine women) participate most in groups organized around moral and social well-being.

Where Argentine women diverge from Mexican women is in their political attitudes regarding the women's movement. In Argentina in 2006, only 45 percent of female citizens expressed confidence in the women's movement; in Mexico in 2005, 65 percent of female citizens expressed confidence in the women's movement (see Appendix 2.1). One explanation for this finding—presented in Chapter Three—is that the women's movement in Mexico has resisted fragmentation. Throughout the 1990s, the Mexican women's movement focused on consensus building, coordinating on policy agendas that were broadly shared and setting aside demands that were contentious. As Tarrés explains, women's organizations “decided to maintain an equilibrium between what was politically correct and what was possible” (2006:216). This coordination means that women demand policies that advance equity and fairness, rather than policies that dramatically transform gender roles (such as abortion liberalization) or require class realignments (as in the *piqueteros*).

Importantly, the women's movement in Mexico has supported electoral quotas, the struggle for which has unfolded during the past decade. Figure 2.10 shows that Mexican women—like their Argentine counterparts—firmly believe that women are as competent as men in serving as political leader. Nearly 60 percent of male and female WVS survey respondents disagreed that “men make better political leaders than women,” though women again expressed disagreement more strenuously than men.

### 2.5.2. Women and Social Attitudes in Mexico

Mexican women's attitudes toward work, family, and children also display balance between demands for equity and preserving traditional roles (Appendix 2.1). As we have seen, significant percentages of Mexican women identify discrimination against women and girls as one of the country's top priorities. Yet, Mexican women identify equal rights between women and men as an essential characteristic of democracy *less* frequently than men (though the gap is very small). Mexican women are also *less* likely than men to believe that "marriage is an outdated institution": in response to this question on the 2005 WVS survey, 73.6 percent of Mexican women tended to disagree, compared to 69.1 percent of Mexican men.

In general, Mexican women seem more ambivalent than their Argentine counterparts about the benefits of paid employment versus unpaid childrearing. Mexican women and men largely approve of women choosing to have children on their own, with no noticeable difference in the proportions of male and female respondents (60.7 percent and 60.9 percent). In seeming contradiction, both sexes largely agree that "a child needs a home with a mother and a father," though Mexican women agree less strongly than Mexican men (80.5 percent of women compared to 87.4 percent of men). Further, more women than men "strongly agree" or "agree" that "having a career is great but being a housewife is just as fulfilling" (77 percent of women compared to 70.2 percent of Mexican men). Both gaps are large and statistically significant. Mexican women thus approve of women's choices to have children without male partners, but also favor dual-parent, heterosexual households. Unlike women in Argentina, Mexican women remain

conflicted about alternative family formations, and may even trend more conservative than Mexican men on these issues.

Should they choose to pursue education and careers, however, Mexican women believe themselves suited for the task. As shown in Table 2.6, when asked whether they agreed or disagreed with the statement, “when jobs are scarce, men have more right to jobs than women,” female respondents in Mexico disagreed at 70.8 percent, compared to male respondents, who disagreed at 64 percent (statistically significant at the 5 percent level). Female respondents also objected more strenuously that “men make better business executives than women,” with 80.5 percent of women disagreeing or disagreeing strongly, compared to 74.2 percent of men (statistically significant at the 1 percent level). Finally, Mexican women also protest more vigorously than men when asked if a university education is more important for a boy than a girl: 76.2 percent of women, and 73.8 percent of men, disagree or disagree strongly.

These findings suggest that Mexican women share similar political attitudes to Argentine women, namely in their prioritization of social policies (i.e., civic participation) and social justice (i.e., greater income inequality and less individual competition for success). Yet, Mexican women appear more ambivalent than Argentine women in choosing between “traditional” and “modern” gender roles: while the acceptance of women’s education, leadership, and careerism is widespread, this acceptance coexists with strong, positive feelings about motherhood and homemaking. The public opinion data analyzed here thus coincides with other scholars’ discussion of the greater conservatism of Mexican women, as well as the widespread appeal of the PAN among many Mexican women. Indeed, a female legislator from the PAN described

her responsibility as “representing the interests of all those women who choose to stay at home and be housewives because that’s what they want.”<sup>17</sup> This statement foreshadows a discussion in the next chapter, which shows how female politicians in Mexico have set aside radical demands and focused instead on equity and non-discrimination.

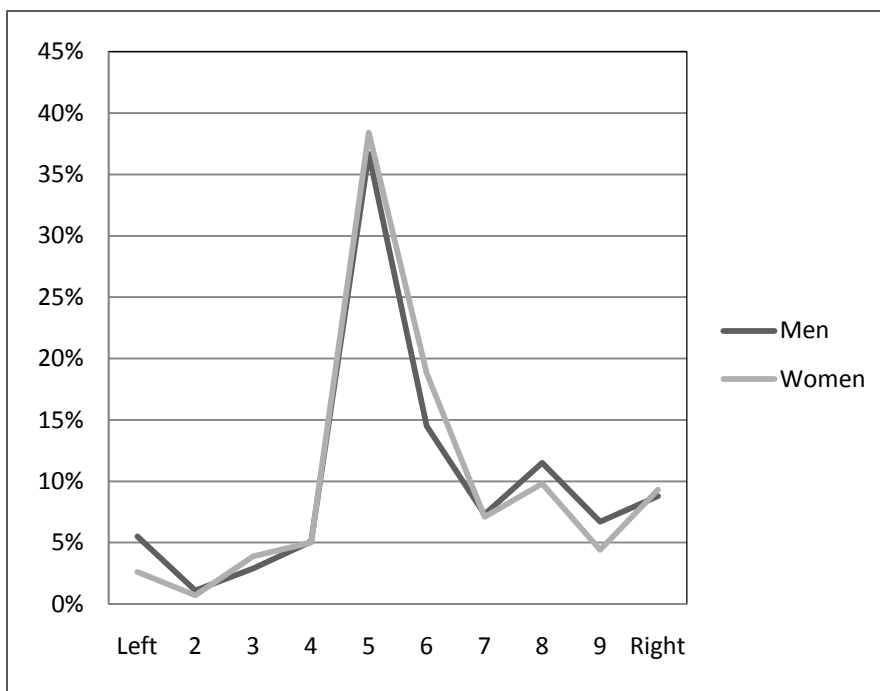
## **2.6. Conclusion**

This chapter motivates the question of whether female legislators substantively represent women by first establishing that female citizens indeed have separate policy interests when compared to male citizens. While the data report only percentage differences in men’s and women’s responses to World Values Surveys administered in Argentina and in Mexico, some conclusions are apparent. These findings are summarized in Table 2.7.

First, in the vast majority of questions analyzed here, men and women trend together: there are no dramatic sex differences in partisan ideology, political interest, confidence in institutions, and social values. Within this trend, however, some subtle differences in men’s and women’s political attitudes and societal values do appear. Female survey respondents are more likely than male survey respondents to select social issues—such as healthcare and poverty—as pressing national or private concerns; they support civic organizations and the Church slightly more than men; and they express strong resistance to suggestions that men are better suited for political leadership, economic success, and university training. Second, WVS survey data from Mexico and Argentina presents similar results, with the exception that Mexican women express greater ambivalence about liberalizing trends in family formation than their Argentine

counterparts. Yet this ambivalence does not mean that Mexican women would restrict women's opportunities: like their Argentine counterparts, Mexican women support professional and political opportunities for women.

The next chapters explore how these public opinion trends translate into legislative activity. To build this bridge, it is worth reflecting that many female officeholders whom I interviewed in 2005 and 2009 saw a connection between witnessing social suffering and choosing a political vocation. Female legislators in Argentina reported running for office because the *cacerolazos* showed them how poor women desperately needed access to food and medicine, or because they were longtime activists in the human rights movement that fought against the dictatorship. Female legislators in Mexico reflected on the need to create equal opportunities for men and women in their *barrios* or districts.<sup>18</sup> These reasons represent many women's desire to solve social problems.



**Figure 2.1.** Sex Differences in Self-placement on a Left-Right Ideological Scale, Argentina. 1999 World Values Survey.

**Table 2.1.** Sex Differences in Political Priorities, Argentina. 1999 World Values Survey.

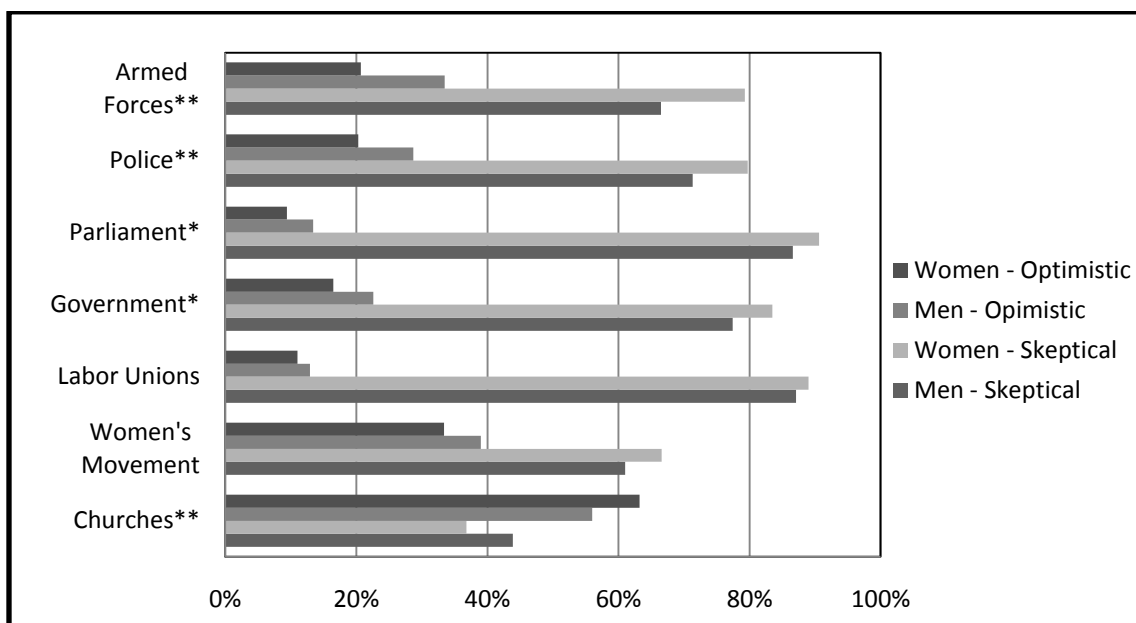
<b>1. Which should be the country's top priority?</b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup></b>
High economic growth	56.6% (332)	49.7% (333)	7.28 Pr = 0.063 Sig at <10%
People have more say in politics	29.0% (170)	33.2% (222)	
Strong defense forces	8.6% (50)	9% (60)	
Making landscape beautiful	5.7% (33)	8.1% (54)	
Total	100% (586)	100% (670)	
<b>2. Which is the most important goal?</b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
A stable economy	54% (318)	50.7% (339)	3.87 Pr = 0.276 Not Significant
The fight against crime	21.2% (125)	19.9% (142)	
Amore humane society	16.9% (100)	21.3% (142)	
Ideas count more than money	7.9% (47)	8.1% (54)	
Total	100% (589)	100% (669)	
<b>3. Which is the most important goal for the nation?</b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Maintaining order in the nation	35% (207)	32% (214)	2.86 Pr = 0.414 Not Significant
Giving people more say	30.9% (183)	29.6% (198)	
Fighting rising prices	16% (95)	19% (127)	
Protecting freedom of speech	18.1% (107)	19.4% (130)	
Total	100% (591)	100% (670)	
<b>4. We should give economic aid to poor countries.</b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
More than we do now.	4.3% (23)	2.9% (17)	2.02 Pr=0.364 Not Significant
About the same as we do now.	17.8% (95)	17.6% (106)	
Less than we do now.	77.7% (410)	79.5% (479)	
Total	100% (528)	100% (602)	
<b>5. Strengthen our economy or protect our environment?</b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Environment	46% (255)	44.3% (275)	0.596 Pr=0.742 Not Significant
Economic Growth & Jobs	38.1% (211)	38.2% (237)	
Other answer	15.8% (88)	17.4% (108)	
Total	100% (553)	100% (620)	
<b>6. Our country respects individual human rights.</b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
A lot of respect	7% (41)	2.6% (17)	21.911 Pr=0.000 Sig at < 1%
Some respect	19.8% (116)	14.7% (96)	
Not much respect	51.3% (302)	55.3% (362)	
No respect at all	21.9% (129)	27.3% (179)	
Total	100% (588)	100% (653)	

**Table 2.2.** The Likelihood to Prioritize Social Problems, Argentina.

Source: 1999 Romer & Associates Public Opinion Survey. \*\* Indicates statistical significance at the 1 percent level; \* indicates statistical significance at the 5 percent level. Robust z-statistics are in parentheses.

	Country (Social)	Personal (Social)
Female	.073 (2.73)**	.057 (2.08)*
Age Range	.013 (1.25)	-.003 (0.29)
Household Income	.025 (4.13)**	.030 (5.00)**
Residency in Greater Buenos Aires	-.0593 (2.11)*	-.0001 (0.01)
Pseudo R <sup>2</sup>	0.0192	.0185
Observations	1263	1203



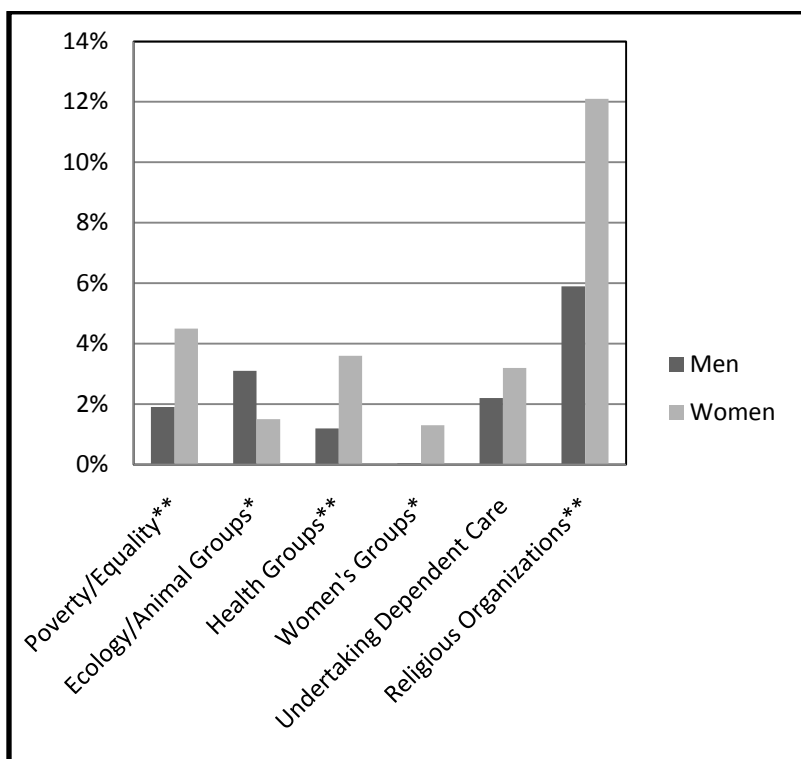


**Figure 2.2.** Confidence in Political and Social Institutions, Argentina. 1999 World Values Survey. \*\* Indicates statistical significance at the 1% level; \* indicates statistical significance at the 10% level.

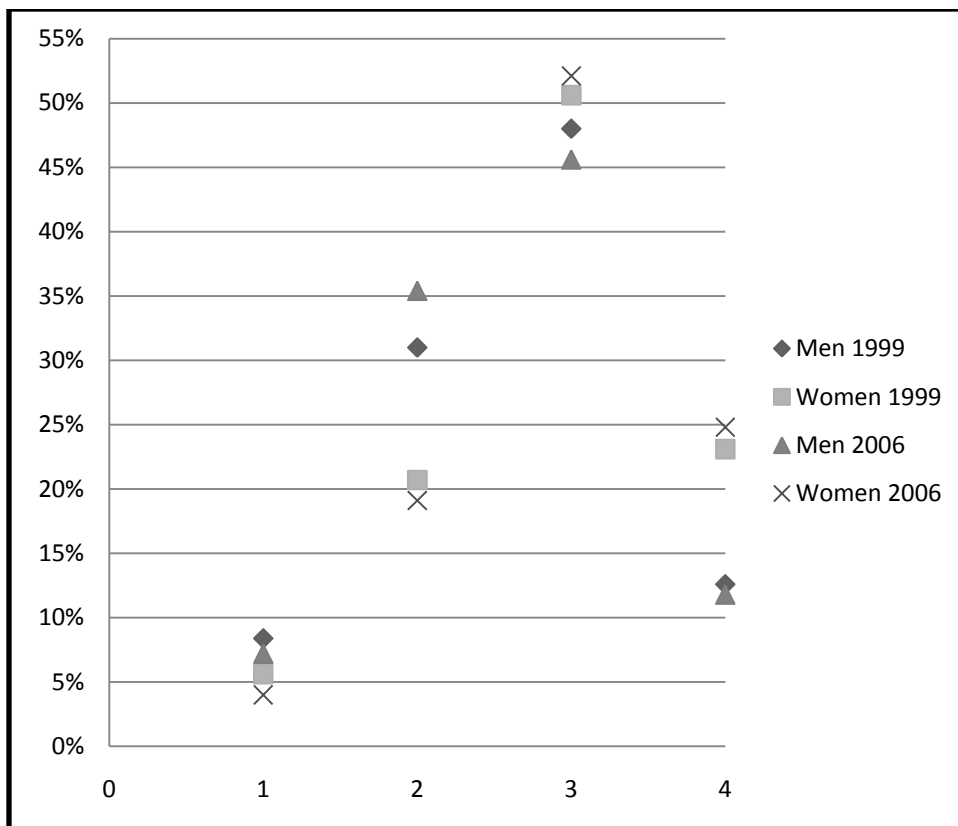
**Table 2.3.** Sex Differences in Political Participation, Argentina. 2006 World Values Survey

<i>Would you take the following action?</i>			
<i>Signing a petition?</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Have done	25.7% (111)	29.4% (142)	1.595 Pr=0.451 Not significant
Might do	39.6% (170)	38.9% (188)	
Would never do	34.5% (148)	31.7% (153)	
Total	100% (429)	100% (483)	
<i>Joining a boycott?</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Have done	2.9% (13)	3.2% (15)	8.183 Pr=0.017 Not significant
Might do	18.9% (82)	12.1% (57)	
Would never do	78.2% (338)	84.7% (400)	
Total	100% (433)	100% (472)	
<i>Attending a <u>lawful</u> demonstration?</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Have done	16.9% (74)	18% (88)	0.1845 Pr=.912 Not significant
Might do	40.5% (178)	39.9% (196)	
Would never do	42.6% (187)	42.1% (207)	
Total	100% (439)	100% (491)	

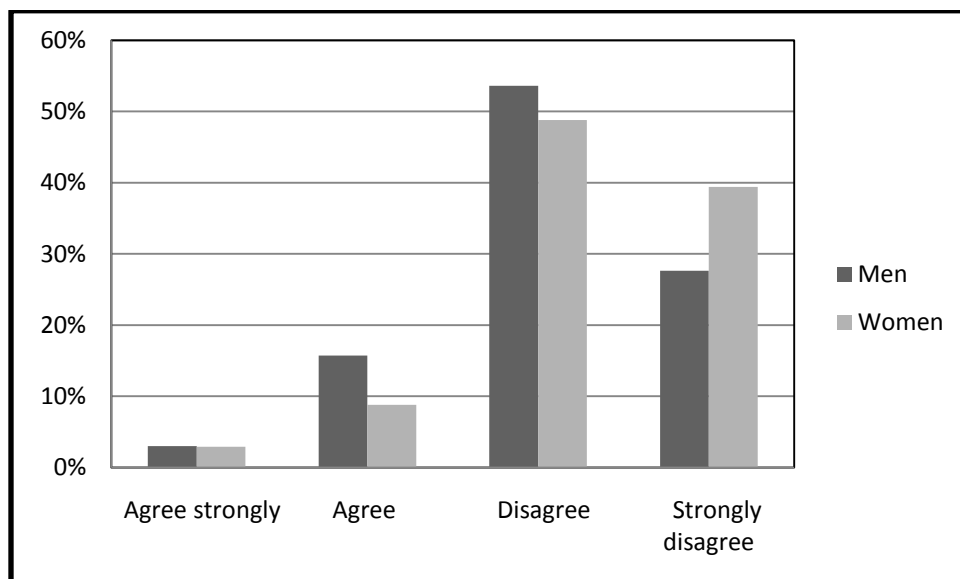
<i>Of your most recent political actions, what have you done?</i>			
<i>Signed a petition?</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Have done	25.4% (119)	27.8% (142)	0.6637 Pr=0.413 Not significant
Have not done	74.6% (348)	72.2% (369)	
Total	100% (467)	100% (511)	
<i>Joined a boycott?</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Have done	2.3% (11)	3% (15)	0.3105 Pr=0.577 Not significant
Have not done	97.7% (454)	97.3% (495)	
Total	100% (465)	100% (510)	
<i>Attended a <u>lawful</u> demonstration?</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Have done	17% (79)	19% (97)	0.605 Pr=0.437 Not significant
Have not done	83% (384)	81% (414)	
Total	100% (463)	100% (511)	



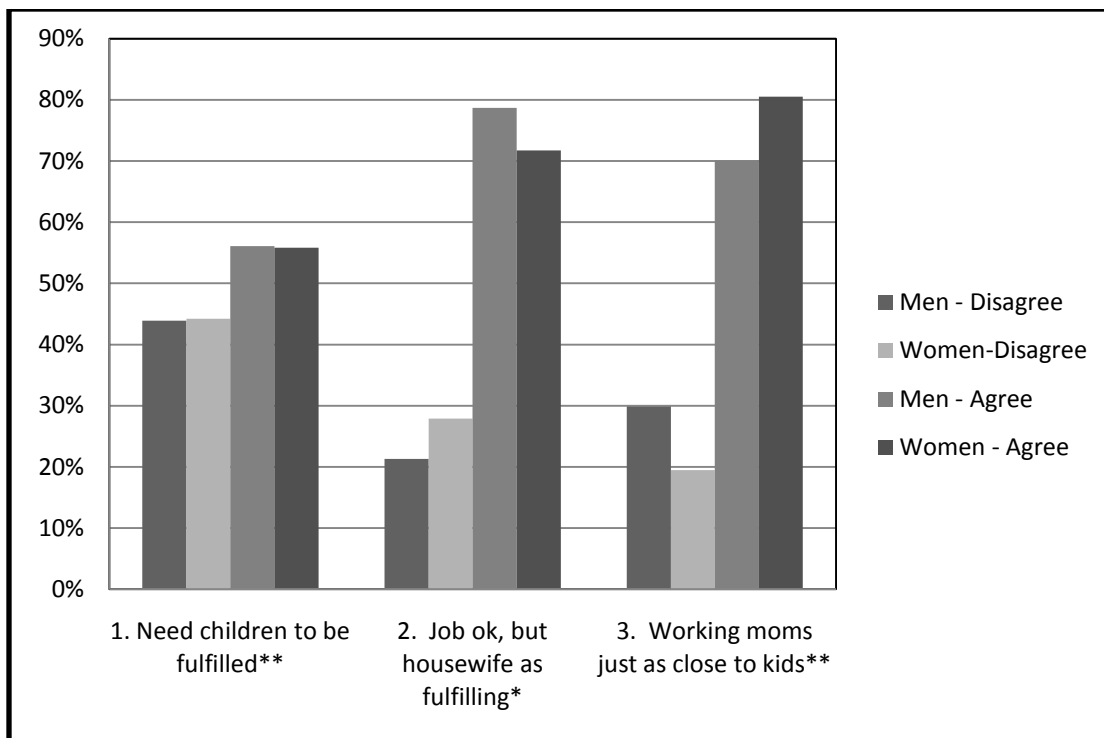
**Figure 2.3.** Sex Differences in Belonging to Community Groups, Argentina. 1999 World Values Survey. \*\* Indicates statistical significance at the 1 percent level; \* indicates statistical significance at the 5 percent level.



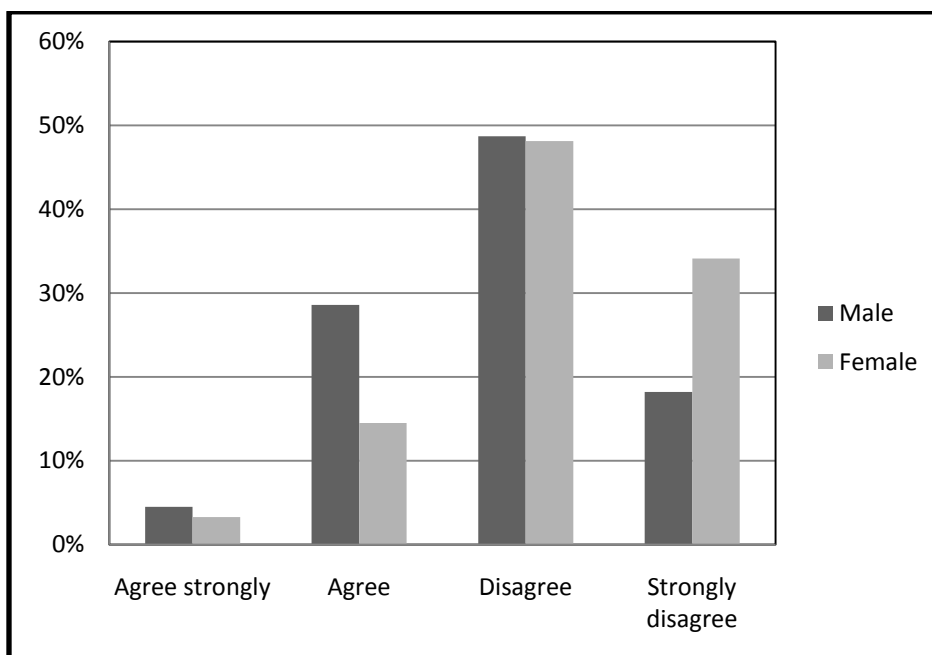
**Figure 2.4.** Sex Differences in Response to the Question, “Do Men Make Better Political Leaders than Women,” Argentina. 1999 and 2006 World Values Survey Data. (Code: 1=Agree Strongly; 2=Agree; 3=Disagree Strongly; 4=Agree.)



**Figure 2.5.** Sex Differences in Favoring Education for Boys, Argentina. 2006 World Values Survey. \*\* Indicates statistical significance at the 1 percent level; \* indicates statistical significance at the 5 percent level.



**Figure 2.6.** Sex Differences in Societal Values on Work and Family, Argentina. 1999 World Values Survey Data. \*\* Indicates statistical significance at the 1 percent level; \* indicates statistical significance at the 5 percent level.

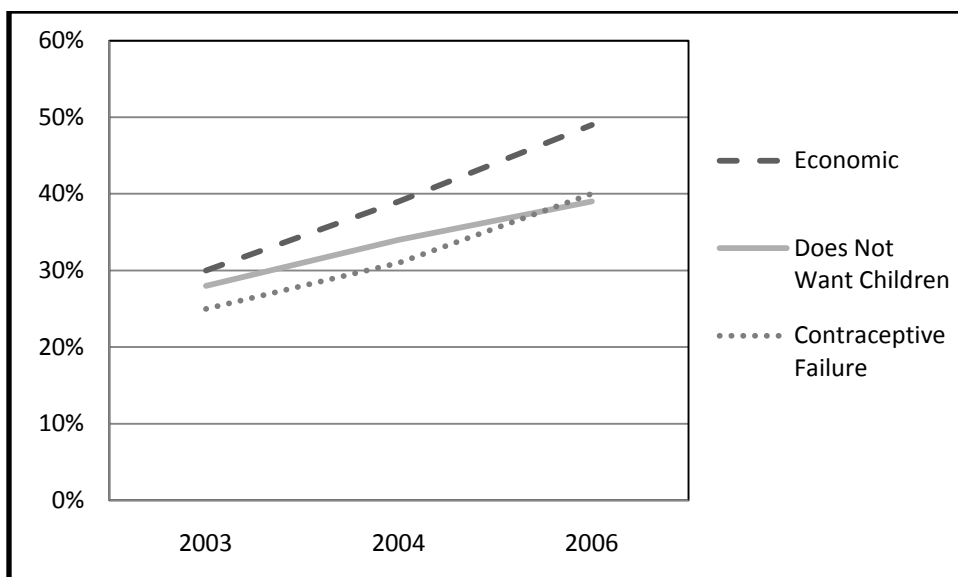


**Figure 2.7.** Sex Differences in Responses to the Question, “Do Men Make Better Business Executives than Women,” Argentina. 2006 World Values Survey Data.

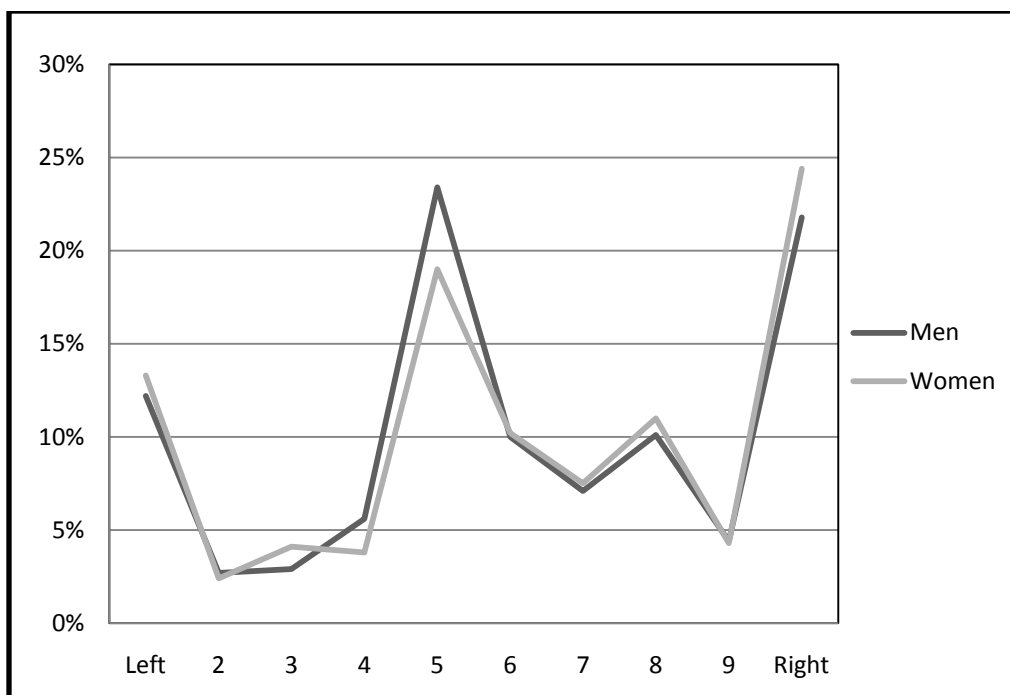
**Table 2.4.** Sex Differences in Societal Values about Female-Headed Households, Argentina. 1999 and 2006 World Values Survey Data

<i>1. A woman may have children when not in a relationship with a man (1999)</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Disapprove	32.6% (187)	28.2% (187)	6.35 Pr=0.042 Significant at <5%
Approve	57.8% (331)	64.5% (428)	
Depends	9.6% (55)	7.3% (48)	
Total	100% (573)	100% (663)	
<i>2. Children need home with father and mother to grow up happy (1999)</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Disagree	6.3% (37)	10.9% (73)	8.96 Pr=0.003 Significant at <1%
Agree	93.7% (554)	89.1% (595)	
Total	100% (591)	100% (667)	
<i>3. A woman may have children when not in a relationship with a man (2006)</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Approve	58.2% (264)	69.6% (358)	13.577 Pr=0.001 Significant <1%
Disapprove	33.4% (151)	24.2% (124)	
Depends	8.3% (38)	6.2% (32)	
Total	100% (452)	100% (514)	





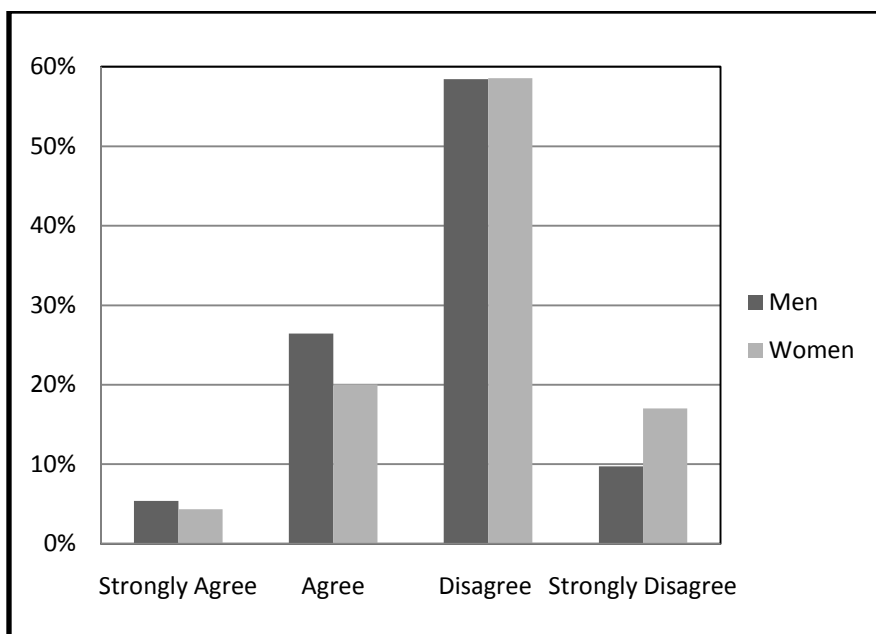
**Figure 2.8.** Trends in Support of the Non-Therapeutic Interruption of Pregnancy, Argentina. Source: Petracci (2007b).



**Figure 2.9.** Sex Differences in Self-placement on a Left-Right Ideological Scale, Mexico. 2005 World Values Survey.

**Table 2.5.** Sex Differences in Political Priorities, Mexico. 2005 World Values Survey Data

<b><i>1. Which should be the country's top priority?</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
High economic growth	55% (418)	49.6% (383)	8.6535 Pr=0.034 Significant <5%
Strong defense forces	5.4% (41)	6.5% (50)	
People have more say in politics	30.9% (233)	31.7% (245)	
Making landscape beautiful	8.3% (63)	12.2% (94)	
Total	100% (755)	100% (772)	
<b><i>2. Which is the most important goal?</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
A stable economy	47.1% (357)	39.2% (205)	43.3021 Pr=0.000 Significant <1%
A more humane society	14.6% (111)	16.3% (127)	
Ideas count more than money	9.1% (69)	9.9% (77)	
The fight against crime	29.2% (221)	34.7% (270)	
Total	100% (758)	100% (779)	
<b><i>3. Which is the most serious Problem for the nation?</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
People in poverty and need	55.7% (423)	50.5% (390)	15.927 Pr=0.003 Significant <1%
Discrimination against women & girls	11.5% (87)	17.1% (132)	
Poor sanitation & infectious diseases	4.9% (37)	6.7% (52)	
Inadequate education	17.7% (134)	14.0% (108)	
Environmental pollution	10.3% (78)	11.7% (90)	
Total	100% (759)	100% (772)	



**Figure 2.10.** Sex Differences in Response to the Question, “Do Men Make Better Political Leaders than Women,” Mexico. 2005 World Values Survey Data. Difference is statistically significant at the 1 percent level.

**Table 2.6.** Attitudes about Education and Careers, Mexico. 2005 World Values Survey Data

<b><i>1. When jobs are scarce, men have more right to a job than woman.</i></b>			
	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Agree	27.1% (207)	23.6% (185)	8.9130 Pr=0.012 Significant <5%
Disagree	64% (491)	70.8% (555)	
Neither	8.5% (65)	5.6% (44)	
Total	100% (763)	100% (784)	
<b><i>2. University is more important for a boy than for a girl.</i></b>			
	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Agree strongly	3.6% (27)	3.7% (28)	7.1194 Pr=0.068 Significant <10%
Agree	22.5% (168)	20.2% (154)	
Disagree	59.5% (444)	36.8% (434)	
Strongly disagree	14.3% (107)	19.4% (148)	
Total	100% (746)	100% (764)	
<b><i>3. Men make better business executives than women.</i></b>			
	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Agree strongly	3.5% (26)	3% (24)	26.9250 Pr=0.000 Significant <1%
Agree	22.4% (166)	16.3% (125)	
Disagree	61.9% (459)	59% (452)	
Strongly disagree	12.3% (91)	21.5% (165)	
Total	100% (742)	100% (766)	

**Table 2.7.** Comparing Argentina and Mexico on Public Opinion. Differences between the two countries are underlined for emphasis.

Trends in Public Opinion	Argentina	Mexico
Political Ideology	<ul style="list-style-type: none"> <li>✓ No sex differences in left versus right self-placement</li> <li>✓ <u>Clustering at center of political spectrum</u></li> </ul>	<ul style="list-style-type: none"> <li>✓ No sex differences in left versus right self-placement</li> <li>✓ <u>Clustering at left, right, and center of political spectrum</u></li> </ul>
Political Priorities, Interests, and Activities	<ul style="list-style-type: none"> <li>✓ Women favor social problems when selecting from among predetermined alternatives</li> <li>✓ Women show slightly lower political interest than men</li> <li>✓ Women show slightly lower levels of confidence in political institutions than men</li> <li>✓ <u>Ambivalence about the women's movement</u></li> <li>✓ Women more likely to participate in civil organizations</li> </ul>	<ul style="list-style-type: none"> <li>✓ Women favor social problems when selecting from among predetermined alternatives</li> <li>✓ Women show slightly lower political interest than men</li> <li>✓ Women show slightly lower levels of confidence in political institutions than men</li> <li>✓ <u>High confidence in the women's movement</u></li> <li>✓ Women more likely to participate in civil organizations</li> </ul>
Societal Values	<ul style="list-style-type: none"> <li>✓ Growing acceptance of non-traditional family formation, <u>with women appearing more liberal than men</u></li> <li>✓ Women more convinced than men about fair access to education and about women's equal leadership ability</li> </ul>	<ul style="list-style-type: none"> <li>✓ Growing acceptance of non-traditional family formation, <u>with women expressing more ambivalence than men</u></li> <li>✓ Women more convinced than men about fair access to education and about women's equal leadership ability</li> </ul>

**Appendix 2.1.** Supplemental Tables Showing Sex Differences in Public Opinion

**Table 2.1.1.** Sex Differences in Political Priorities, Argentina. 2006 World Values Survey Data

<b><i>1. Which should be the country's top priority?</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
High economic growth	62.3% (280)	59.9% (301)	6.674 Pr=-0.083 Significant <10%
Strong defense forces	8.1% (36)	8.1% (41)	
People have more say in politics	22.8% (102)	28.1% (141)	
Making landscape more beautiful	6.8% (31)	3% (20)	
Total	100% (449)	199% (503)	
<b><i>2. In your opinion, which is the most important goal?</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Maintaining order in the nation	36.7% (170)	27.8% (144)	11.734 Pr=0.008 Significant <1%
Giving people more say	21.3% (98)	26.8% (140)	
Fighting rising prices	28.1% (134)	33.7% (175)	
Protecting freedom of speech	12.9% (60)	11.6% (60)	
Total	100% (462)	100% (519)	
<b><i>3. How much respect is there for human rights nowadays?</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
A lot of respect	7.9% (36)	9% (46)	5.438 Pr=0.142 Not significant
Some respect	33.5% (152)	27.5% (139)	
Not much respect	45.9% (209)	48.4% (245)	
No respect at all	12.7% (58)	15.2% (77)	
Total	100% (455)	100% (507)	

**Table 2.1.2.** Sex Differences in Political Interest, Argentina. 1999 World Values Survey Data

<i>How interested are you in politics?</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Very interested	6.5% (39)	5.8% (39)	6.1167 Pr = 0.106 Sig at 10%
Somewhat interested	12.2% (73)	12.2% (82)	
Not very interested	35.1% (209)	29.5% (198)	
Not at all interested	46.1% (274)	52.5% (353)	
Total	100% (595)	100% (672)	
<i>How often do you follow politics in the news?</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Every day	50% (298)	45.7% (309)	8.7130 Pr = 0.069 Sig at <10%
Several times a week	14.1% (84)	13.9% (94)	
Once for twice a week	11% (66)	9.4% (64)	
Less Often	14% (83)	16.5% (112)	
Never	10.9% (65)	14.6% (99)	
Total	100% (596)	100% (677)	
<i>How often do you discuss politics with friends?</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Frequently	20.5% (120)	17% (113)	10.0673 Pr = 0.007 Sig at <1%
Occasionally	35.5% (208)	30.1% (200)	
Never	44% (258)	53% (353)	
Total	100% (586)	100% (666)	



**Table 2.1.3.** Sex Differences in Political Participation, Argentina. 1999 World Values Survey

<i>Would you take the following action?</i>			
<b><i>Attend a lawful demonstration</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Have done	13.8% (80)	12.7% (83)	1.9734 Pr = 0.373 Not Significant
Might do	24.4% (141)	21.7% (142)	
Would never do	61.8% (357)	65.6% (429)	
Total	100% (578)	100% (654)	
<b><i>Join an unofficial strike</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Have done	6.5% (37)	4.3% (28)	2.8855 Pr = 0.236 Not Significant
Might do	10.3% (59)	10% (65)	
Would never do	83.2% (478)	85.8% (558)	
Total	100% (574)	100% (650)	
<b><i>Participate in a boycott</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Have done	2.9% (16)	1.2% (7)	9.5373 Pr = 0.008 Significant at <1%
Might do	8.9% (49)	5.76% (36)	
Would never do	88.2% (484)	93.1% (580)	
Total	100% (549)	100% (623)	
<b><i>Occupy buildings or factories</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Have done	2.4% (14)	1.3% (8)	6.1841 Pr = 0.045 Significant at <5%
Might do	10.7% (62)	7.7% (50)	
Would never do	86.9% (500)	91% (591)	
Total	100% (575)	100% (649)	

**Table 2.1.4.** Sex Differences in Values about Family and Work, Argentina. 2006 World Values Survey.

<i>A job is okay, but being a housewife is just as fulfilling.</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Agree strongly	22.8% (86)	29.5% (148)	20.896 Pr=0.000 Significant <1%
Agree	47.5% (376)	33% (165)	
Disagree	23.9% (90)	27.5% (138)	
Strongly disagree	5.8% (22)	10% (50)	
Total	100% (376)	100% (500)	
<i>When jobs are scarce, men have more right to a job than a woman.</i>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Agree	32.1% (148)	23.7% (123)	20.137 Pr=0.000 Significant <1%
Disagree	52.6% (242)	66.6% (344)	
Neither	15.3% (70)	9.7% (50)	
Total	100% (460)	100% (517)	

**Table 2.1.5.** Sex Differences in Left-Right Ideological Questions, Mexico. 2005 World Values Survey Data

<b><i>Income Distribution</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
More equal	27.8% (209)	32.2% (242)	7.6440 Pr=0.022 Significant <5%
Neutral	16.4% (123)	19.1% (144)	
Larger income for incentives	55.8% (419)	48.7% (366)	
Total	100% (751)	100% (752)	
<b><i>Competition</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Competition is good	72.8% (555)	67.1% (510)	6.147 Pr =0.046 Significant <5%
Neutral	12.7% (97)	14.7% (112)	
Competition is harmful	14.4% (110)	18.2% (138)	
Total	100% (762)	100% (760)	
<b><i>Property Ownership of Business</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Private ownership	38% (280)	29.9% (214)	12.851 Pr=0.002 Significant <1%
Neutral	23.7% (175)	23.6% (169)	
Government ownership	38.3% (282)	46.5% (333)	
Total	100% (737)	100% (716)	
<b><i>Responsibility for Wellbeing</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Government	36.5% (274)	43.7% (331)	8.241 Pr=0.016 Significant at 10%
Neutral	20.4% (153)	19% (144)	
People	43.1% (323)	37.3% (283)	
Total	100% (750)	100% (758)	

**Table 2.1.6.** Sex Difference in Confidence Levels for Political and Social Institutions, Mexico. 2005 World Values Survey Data

<i>How much confidence do you have in...</i>			
<b>... political parties?</b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
A great deal	3.8% (29)	3.1% (24)	0.7542 Pr=0.863 Not Significant
Quite a lot	20.7% (157)	20.2% (156)	
Not very much	35.8% (271)	36.7% (284)	
None at all	39.6% (300)	40% (309)	
Total	100% (757)	100% (773)	
<b>...the legislature</b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
A great deal	5% (38)	2.5% (19)	11.6772 Pr=0.009 Significant <1%
Quite a lot	23.2% (174)	20.5% (158)	
Not very much	37.7% (285)	36.9% (285)	
None at all	34.2% (258)	40.2% (310)	
Total	100% (755)	100% (772)	
<b>... the government?</b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
A great deal	11.1% (84)	10.5% (81)	5.9603 Pr=0.114 No
Quite a lot	36.4% (277)	31.5% (243)	
Not very much	34.1% (259)	35.7% (275)	
None at all	18.4% (140)	22.3% (172)	
Total	100% (760)	100% (771)	
<b>... the Church?</b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
A great deal	33.9% (260)	42.9% (338)	17.4595 Pr=0.001 Significant <1%
Quite a lot	32.1% (246)	31.6% (249)	
Not very much	23.4% (179)	17.4% (137)	
None at all	10.6% (81)	8.1% (64)	
Total	100% (766)	100% (788)	
<b>... the women's movement?</b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
A great deal	20.7% (156)	25.2% (194)	4.553 Pr=0.208 Not Significant
Quite a lot	43.4% (327)	39.8% (307)	
Not very much	24.3% (183)	23.6% (182)	
None at all	11.6% (87)	11.4% (88)	
Total	100% (753)	100% (771)	

**Table 2.1.7.** Sex Differences in Values about Equal Rights and Gender Roles, Mexico. 2005 World Values Survey Data

<b><i>1. Equal rights are an essential characteristic of democracy.</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Yes	81.8% (737)	77.9% (573)	5.5109 Pr=0.064 Significant <10%
Maybe	7.5% (55)	7.3% (54)	
No	10.9% (79)	14.8% (109)	
Total	100% (737)	100% (737)	
<b><i>2. Marriage is an outdated institution.</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Tend to agree	30.8% (232)	26.4% (203)	3.753 Pr=0.053 Significant At 5%
Tend to disagree	69.1% (520)	73.6% (567)	
Total	100% (752)	100% (770)	
<b><i>3. A woman wants to have a child when not in a relationship with a man.</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Approve	60.7% (464)	60.9% (478)	0.111 Pr=0.946 Not Significant
Disapprove	33.4% (255)	32.9% (258)	
Depends	5.9% (45)	6.2% (49)	
Total	100% (764)	100% (785)	
<b><i>4. Child needs a home with a father and a mother to grow up happy.</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Tend to agree	87.4% (666)	80.5% (629)	13.470 Pr=0.000 Significant <1%
Tend to disagree	12.6% (96)	19.5% (152)	
Total	100% (762)	100% (781)	
<b><i>4. Having a career is great, but being a housewife is just as fulfilling.</i></b>	<b>Men</b>	<b>Women</b>	<b>Chi<sup>2</sup> Test Results</b>
Strongly Agree	13.4% (98)	23.3% (181)	29.958 Pr=0.000 Significant <1%
Agree	56.8% (416)	53.5% (416)	
Strongly Disagree	27.3% (200)	19.9% (155)	
Disagree	2.6% (19)	3.2% (25)	
Total	100% (733)	100% (777)	

## Notes

<sup>1</sup> See <http://unifem.sitiosur.cl/actividad.php?PID=447>. The conference formed part of a larger, ongoing series of workshops throughout Buenos Aires entitled *Ciudades seguras sin violencia contra las mujeres; Ciudades seguras para todas* [Safe cities without violence against women; safe cities for everyone] ([http://www.redmujer.org.ar/inf\\_arg.html](http://www.redmujer.org.ar/inf_arg.html)).

<sup>2</sup> World Values Survey data can be downloaded on the website: <http://www.worldvaluessurvey.org/>. The 1999 Graciela C. Romer & Associates election poll was downloaded from the Latin American Databank archived by the Roper Center for Public Opinion Research.

<sup>3</sup> Note that the World Values Survey did not order these questions as such. I drew these (and other) questions from among the roughly 700 questions asked by the WVS. I then organized the selected questions into categories relevant for the analysis in this chapter. All numbering schemes are my own.

<sup>4</sup> Answers coded as social were as follows: quality of life, drug consumption, social situation/poverty, public security/delinquency, healthcare, justice system, education, human rights/freedom of the press, environmental pollution. Answers coded as economic were as follows: taxes and tariffs, salaries, dealing with pensioners, inflation, tax evasion, recession, unemployment, government corruption.

<sup>5</sup> Age range and household income are categorical variables, with 5 categories for age (18-20, 21-29, 30-39, 40-54 55-70) and 11 categories for household income (beginning with less than 250 pesos/month and ending with more than 7500 pesos/month).

<sup>6</sup> In 1999, thirty three percent of women attended Church at least once a week, compared to 15 percent of men, and 34 percent of women *never* attended Church, compared to 47 percent of men; these differences are statistically significant at the 1 percent level. The trend continues in 2005, with 27.6 percent of women attending church at least once a week, compared to 14.3 percent of men, and only 19.7 percent of women never attending Church, compared to 38.5 percent of men. The sex differences are against statistically significant below the 1 percent level.

<sup>7</sup> For social problems, statistical significance is just above the 10 percent level for 1999 and below the 1 percent level for 2005. For moral problems, the 1999 data is statistically significant and the 2005 data is not. The responses, however, continue to trend in the same direction: women believe the church provides better guidance for moral problems, with 58 percent of women answering affirmatively in 1999 (compared to 50 percent of men), and 58 percent of women answering affirmatively in 2005 (compared to 62 percent of men).

<sup>8</sup> Interview with female legislators, Argentina, May and June 2009.

<sup>9</sup> Interview with feminist activist, Córdoba, Argentina, June 2009.

<sup>10</sup> See Trigona: <http://americas.irc-online.org/citizen-action/focus/0211argentine.html>. For an overview of the *piqueteros* as of 2002, see the *World Press Review* (December 2002): <http://www.worldpress.org/Americas/789.cfm>.

<sup>11</sup> See Trigona. Also see <http://upsidedownworld.org/main/content/view/29/32/>. For a social history of some of the factory takeovers, see Ranis (2006).

<sup>12</sup> Interview with legislator for the city of Buenos Aires, August 2005.

<sup>13</sup> <http://www.clarin.com/diario/2000/02/06/o-02201d.htm>

<sup>14</sup> Interviewees and journalists alike often refer to “*hombres machistas*” (macho men) or “*hombres tradicionales*” (traditional men) when discussing men’s reaction to women’s professional success.

<sup>15</sup> <http://www.mujeresdeempresa.com/blog/?p=219>

<sup>16</sup> An analysis performed on another WVS question, which asked whether homosexuality was justifiable, showed no statistically significant difference in men’s and women’s beliefs on this point. Further, data from the Americas Barometer has shown the opposite: that Mexican women are more tolerant of gays than Mexican men.

<sup>17</sup> Interview conducted in Mexico City, December 2009.

<sup>18</sup> Interview with legislator for the city of Buenos Aires, August 2005; Interview with PRI federal legislator, December 2009.

## **CHAPTER 3**

### **SETTING AGENDAS: THE CONTENT OF BILL INTRODUCTION IN ARGENTINA AND MEXICO**

### 3.1. Introduction

This chapter addresses several of the methodological hurdles associated with studying women's substantive representation, challenges that were discussed in Chapter One. As noted, many studies select on the dependent variable, examining female representatives' advocacy of only those issues presupposed to be feminist. Additionally, scholars have worried that consequentialist expectations place high demands on female legislators' successes (Franceschet and Piscopo 2008). Focusing on female legislators' WSR activity has unintentionally created the impression that advancing women's interests is all female legislators do or ought to do. Finally, setting agendas is not the same as changing policies, though scholars frequently substitute either bill introduction or roll call votes as measures of WSR. This conflation of two distinct policymaking moments has led Franceschet and Piscopo (2008) to distinguish between substantive representation as *process* (that is, setting agendas for women) and substantive representation as *outcome* (that is, actually changing laws).

In this chapter, I focus on the process-related aspect of women's substantive representation in Argentina and Mexico (while the next chapter focuses on its outcome-related aspect). I examine agenda setting activity, operationalized as bill introduction, but I do not preselect certain policy areas to proxy for women's interests. Rather, I consider all bills introduced in the Argentine Congress from 1999-2009; bills become categorized as "WSR bills" if they (1) identify women or children as beneficiaries or constituencies of the policy or (2) motivate the proposal by mentioning a specific problem faced by women or children. This approach allows me to build a dataset of WSR bills that reflects the entire population of congressional proposals. I then analyze



this dataset for sex differences in the number and content of bills authored by female legislators versus male legislators.

I begin with an overview of legislative politics in Argentina and Mexico, followed by a discussion of the data and methods. I then present my findings. I uncover considerable support for two hypotheses: that female legislators will represent women and that female legislators will favor progressive policies for women. However, I also find that male legislators will represent women's interests, though they adopt more traditional positions on these issues, focusing on women's role as mothers and on children's wellbeing. Finally, I discuss how female legislators' ownership of a "gender agenda" has paradoxical effects, particularly in the Mexican case: while this ownership makes the introduction of liberalizing reforms more likely, it also discourages men from undertaking women's substantive representation.

### **3.2. Legislative Politics in Argentina and Mexico**

Chapter One detailed the rise of women's participation in the Argentine and Mexican legislatures. Consequentialist arguments would predict that greater WSR would result. Argentina and Mexico share some contextual features—a common cultural heritage and ongoing efforts to build democratic, equitable, plural, and transparent institutions—that may make WSR comparable in the two cases. More importantly, institutional features of the electoral and legislative process will affect the possibilities for women's substantive representation.

In Argentina, the closed-list PR system means that legislators "are much less independent and less focused on the preferences of voters in their districts" than their

counterparts in majoritarian systems (Aleman, Calvo, Jones, and Kaplan 2009: 89). Argentine political parties are highly disciplined, with legislators' future careers depending on maintaining the favor of party bosses, who control access to lucrative, post-congressional appointments (Jones 2002; Jones and Hwang 2005). Yet this insulation from constituent preferences and emphasis on party discipline influences legislators' roll call votes: studies have shown that roll call votes in Argentina act as an expression of allegiance to either the government or the opposition (Aleman, Calvo, Jones, and Kaplan 2009; Jones, Hwang, and Micozzi 2009).<sup>1</sup> In other words, the floor vote reflects parties' stubborn desire to either support or punish the governing majority, even when such actions appear self-defeating. The ability to predict vote choice along a government-opposition dynamic tempers theoretical expectations about substantive representation as *outcome* in Argentina.

This dynamic will not necessarily mitigate substantive representation as process, however, because Argentine legislators' policy authorship reflects their preferences more cleanly than their floor votes. The characterization of Argentina's parties as non-ideological (Coppedge 1998; Levitsky and Murrillo 2006) describes members' collective roll call behavior and not members' individual preferences. Indeed, Jones and Hwang (2005) find little aggregate ideological differentiation between the two major parties (Peronists and Radicals). Yet, Aleman, Calvo, Jones and Kaplan (2009) also show that when legislators' *individual* preferences are measured using ideal points generated from co-sponsorship data, these preferences track along a left-right ideological dimension (whereas ideal points generated from roll call data track along a government-opposition dimension). Moreover, party bosses count roll call votes, but not necessarily bill

introduction, as measures of party loyalty. Legislators thus have more individual autonomy to follow their preferences and beliefs when writing bills.

In Mexico, legislators enjoy similar constraints and freedoms. The constitutional prohibition on reelection allows party leaders to exercise control over their deputies. Parties control their members' future appointments, meaning that even the 300 deputies elected in SMDs are more responsive to party bosses than to electoral constituencies (Weldon 2004). Moreover, Mexico's political parties are more ideologically cohesive than Argentine parties, and politicians' preferences cohere within parties. The PRI dominated Mexican politics for seven decades, until losing its congressional majority in 1997 and the presidency in 2000. Under hegemony, the PRI's deputies in Congress ensured the smooth passage of the president's policy agenda; *Priístas* rarely introduced legislation, and the opposition introduced legislation merely to grandstand its inherently unattainable platforms (Nacif 2002; Nava and Yáñez 2003). Even under hegemony, however, PRI legislators would occasionally introduce bills whose tenets deviated from the party line; these bills were simply never examined in commission (Nacif 2002: 33).

Divided government in Mexico has led to a direct increase in bill introduction by deputies from all major parties, and a corresponding decrease in bills originating in the executive branch (Nava and Yáñez 2003). Since 1997, bill introduction in the Mexican Congress has become a "fairly open process"; more legislators author proposals, and legislators from different parties frequently author proposals similar in theme but reflective of their party's particular solutions (Nacif 2002: 26-35). Party bosses still exercise control, but they leave bill introduction untouched. What party authorities determine is how quickly initiatives are discussed in the commissions, which

amendments are drafted by the commissions, and which initiatives advance to the plenary (Nacif 2002). Deputies are free to introduce bills; ones that are unfavorable or unimportant, from the perspective of the leadership, simply do not advance. Party discipline in Mexico, as in Argentina, is counted not in proposal authorship but in roll call votes (Weldon 2004; Nacif 2002).

For these reasons, my test of the consequentialist reasoning behind women's substantive representation focuses on legislators' agenda setting activities. Importantly, substantive representation as process is not a "poor second cousin" of substantive representation as outcome. While reforming laws remains an important goal, the very act of considering women's interests is constitutive of long-term processes of political and cultural change. Introducing bills also retains particular significance in developing countries, such as Argentina and Mexico, where women were previously marginalized from positions of power.

### 3.3. Argentina: Data and Methods

The Argentine dataset consists of 18,700 bills introduced in the lower house of the congress from 1999 -2009. The bills were downloaded from the on-line archive of the Argentine Congress. No bills are omnibus bills; that is, each proposal deals with a discrete policy. I eliminated only symbolic bills from the dataset *ex ante*.<sup>2</sup> Each bill is a unit of observation, and is coded according to its "type," meaning its policy category. The model, summarized below, predicts the probability that a bill of its type will be introduced, given certain characteristics of its author.

$$\text{Prob}_{\text{introduction}} \text{ Bill Type} = f(\text{author sex, author party membership, author rank, author specialization, controls}).$$

The next sections discuss the construction of the dependent and independent variables, respectively.

### 3.3.1. The Dependent Variables

The innovative feature of the research design is how the bills, as the dependent variable, are coded. The goal is to capture three distinct features about proposals made by male and female legislators: the general policy area, whether there is a women's interest dimension, and, if so, the content of that women's interest. Bills thus receive three codes, which become three distinct dependent variables:

- (1) General Policy Category;
- (2) Women's Interest: Yes/No
- (3) Women's Interest Policy Category (If (2) = yes)

Coding (1) reflects the standard practice of grouping bills into policy categories based on their title, using keywords and key concepts to determine the categorization. This coding contains 16 policy categories, as shown in Table 3.1. The categories are as follows: employment and labor unions; finance and commerce; industry; state revenue; culture and leisure; education; environment; group rights and special protections; health; social benefits; women, children and family; civil liberties; international affairs; judicial and penal reforms; political, electoral, and constitutional reforms; security and defense.

To group bills in these categories, bills were first coded along a very narrow definition of content. I read each bill, assigning it a policy theme. For instance, a bill authorizing Argentina to send troops to the United Nations' peacekeeping mission in Haiti was assigned the theme "conflicts, wars, and peacekeeping" and a bill mandating wheelchair accessibility on public transit was coded as "handicapped peoples." This

process resulted in 102 policy themes, which were then grouped into the 16 categories, as described in detail in Appendix 3.1. Here, bills on “conflicts, wars, and peacekeeping” became coded as “international affairs” and bills addressing “handicapped people” became coded as “group rights and special protections.” Of course, some bills fall into multiple categories. The wheelchair accessibility measure, for instance, implicates public transportation authorities and vehicle manufacturers as much as handicapped individuals. To reconcile ambiguities, I made a subjective judgment based on the letter that legislators attach to each bill, in which they explain their purpose. I asked, *what was the intent of the legislator?* In this instance, since the legislator clearly sought to promote the social integration of handicapped individuals—with regulating the transportation industry emerging as a secondary effect—the bill clearly belonged in the category of “group rights and special protections.”

These 16 regular policy categories used for coding (1) include a category for “women, children, and family.” Yet, bills falling into this group are limited. As shown in Appendix 3.1, they consist of proposals addressing three themes: child welfare and protection, reforms to the Argentine Civil Code (i.e., the attribution of property rights to cohabiting couples), and general women’s rights promotions. Such proposals play critical roles in reforming family law; they eliminate sexist language and transform discriminatory practices.

Nonetheless, these reforms fail to cover the entire universe of proposals wherein women’s interests may be invoked. For instance, a proposal to reform the public university system falls into the general policy category of “education”; yet, a subset of proposals under education deal specifically with prohibiting universities from expelling

pregnant students. Likewise, a bill falling within the general categorization of “state revenue” invokes women’s interests when it offers tax breaks to companies using gender quotas in hiring.

Coding (2) addresses this problem. To capture proposals that invoke women’s interests but do not fall into the general category of “women, children, and family,” coding (2) gives *all* bills a binary value for whether or not the proposal addresses a women’s interest (1=yes; 0=no). The criteria for these “WSR bills” were content-neutral: bills could be liberal or conservative, so long as they (i) addressed a gender issue or (ii) invoked women or children as beneficiaries of the proposal. Addressing a “gender issue” or treating a “women as beneficiaries” means that a proposal manifested concern with women’s roles in society, their access to public and private spaces, their entitlements in terms of pensions, social security, and other forms of state assistance, and their subjection to violence, discrimination, and other prejudicial treatment. Proposals addressing children were included as women’s interests, given that theories focusing on the social construction of gender continue to emphasize the importance of women’s connection to the family. In the above examples, then, coding (2) identifies women’s interests bills from the regular policy categories of “education” and “state revenue.” As such, coding (2) cuts across standard policy categories and creates a distinctive, complete universe of women’s interests bills, one *not* generated by preselecting on policy type

Finally, the 1,911 bills coded as “yes” for coding (2) were assigned a value for coding (3). This last measurement breaks down the universe of women’s interests bills by content, to focus on which themes or problems legislators identify as important. For instance, the education bill is re-coded as “rights promotion.” Notably, these categories

—as shown in Table 3.2—allow us to distinguish between conservative issues, progressive issues, and children’s issues. This coding therefore examines whether women’s substantive representation always moves in a liberalizing direction.<sup>3</sup>

Overall, this coding addresses the methodological concerns highlighted in the literature on women and substantive representation. Coding (1) compares female deputies’ general legislative concentrations to those adopted by men. In his 1997 piece comparing bill introduction in the lower houses of Argentina and the United States, Jones looked at seven bill categories. Six “women’s interests” categories—Women’s Rights, Children and Families, Health Care, Education, Welfare/Social Security, and Environment—were compared to a seventh category of “everything else.” Schwindt-Bayer (2006) offers a slightly more precise test, grouping bills introduced in the Argentine Congress into the categories of Women’s Issues, Children/Family, Education, Health, Economics, Agriculture, Fiscal Affairs, and “other.” My model goes further, because coding (1) specifies policy categories for “everything else” and “other.” Additionally, coding (2) captures whether “women’s interests” appear within these miscellaneous categories and coding (3) identifies their normative content. These variants on the dependent variable ensure that no policy category is preselected to operationalize women’s interests; rather women’s interests—and thus the evidence for women’s substantive representation—is drawn from the entirety of bills.

### 3.3.2. Dataset and Independent Variables

The Argentine dataset contains all bills introduced in the Chamber of Deputies from 1999-2009.<sup>4</sup> The total number of legislators in the dataset is 812, of which 549 (67.6



percent) are men and 263 (32.4 percent) are women. Not all legislators seated in the Congress will author bills.

Table 3.3 describes the dataset in more detail. The total number of bills introduced—and factored into coding scheme (1)—was 18,700, of which 6,935 (37 percent) were authored by female legislators (Column B). The total number of WSR bills introduced—coded as “yes” for coding scheme (2) and considered in coding scheme (3)—was 1,911 or 10.2 percent of the total. Of these 1,911 bills, 1,124 (58.8 percent) were introduced by female legislators; conversely, 41.2 percent of the WSR bills were introduced by male legislators (Column D). In both the general policy categories and the women’s interests categories, however, female legislators authored bills in greater percentages than their presence in the chamber (Columns C and D compared to A). The dataset overview thus shows that female representatives are highly productive, authoring both mainstream and gendered legislation at rates above their seat share, but also that male representatives *do* author women’s interest bills. These initial observations will be developed further, as each of the coding schemes is analyzed in turn.

Regarding the right-hand side of the equation, I look at characteristics of the bill’s author to predict whether or not a bill of that type will be introduced. While bills introduced in Argentina’s Chamber of Deputies frequently have numerous coauthors, these coauthors are better conceived as co-sponsors. Coauthors share an ideological, partisan or other professional affinity with the author, and they might join the author in lobbying for the initiative’s successes. They are not, however, treated as the visionaries behind the initiative. In Argentina, only one legislator—the man or woman whose name appears at the top of the list of sponsors—receives credit as the author.

The independent variables are therefore constructed in relation to the legislator who authored the bill. The first hypothesis is that legislators' gender will determine which proposals they introduce; gender is operationalized as a dummy variable for sex, where female=1 and male=0. The legislators' party rank (operationalized as list position and logged to reduce the scale) is included, as higher ranking legislators may have greater maneuverability vis-à-vis party discipline, perhaps experiencing greater flexibility to author controversial gender measures (e.g., the liberalization of abortion) when compared to lower-ranking legislators. Legislators' status as incumbents is included, as legislators' greater experience might also influence their authorship decisions. I also control for whether the legislator introduced the bill during a previous term, as the *reglamento* [rules] in the Argentine Congress stipulates that bills introduced, but not considered, expire at the end of the congressional term.<sup>5</sup>

The legislators' expertise might also play a role, given that committee positions are often assigned based on individuals' backgrounds (i.e., party bosses often send doctors to the health committee). Expertise is therefore operationalized as whether or not the legislator sits on the committee where the bill was sent, where yes=1 and no=0. A second measure of expertise comes from legislators' university degrees. Drawing on data gathered by Franceschet and Piscopo (2011), legislators' university degrees are grouped into eight possible categories: architecture, medicine, law, accounting, engineering, education, the social sciences, the physical sciences, and no degree. Where appropriate, I constructed a dummy variable that linked the legislators' university degree to the policy category being analyzed. For instance, when looking at finance bills, legislators holding

degrees in either accounting or the social sciences (which includes economics) were coded as 1 and all others were coded as zero.

Legislators' party ideology should influence their bill authorship, as scholars frequently argue that left-leaning representatives will consider women's interests more frequently than right-leaning representatives (Htun and Powers 2006). I transformed the author's party identification into party ideology by locating the party on left-right scale. The values were derived from Alemán, Calvo, Jones, and Kaplan (2009), who used coauthorship data to generate ideal points for all individuals seated in the Argentine Congress between 1983 and 2007. Alemán, Calvo, Jones, and Kaplan calculated ideal points for each year a legislator served in Chamber of Deputies. Given that legislators' preferences, as revealed in their coauthoring of bills, track along a left-right ideological spectrum, and given that groups of legislators from the same party express similar preferences, this data can be used to place Argentina's parties on a left-right scale in terms of bill introduction. To code the Argentine parties, I grouped all legislators by their party membership and averaged their individual ideal points, creating a variable that reflected the *median party ideology*.

Alemán, Calvo, Jones, and Kaplan's ideal points ranged from [-1] to [1], with [-1] representing the right-leaning opposition party, the *Unión Cívica Radical* [The Radical Civic Union Party, or UCR], and [1] representing the left-leaning government party, the *Partido Justicialista* [PJ or "Peronists"]. While the longstanding faceoff between the UCR and the PJ has often characterized Argentina as a two-party system, the 1990s and 2000s have witnessed the growth of multiple small and midsize parties, many of whom capture several seats in the legislature each election. To determine parties' placement on

the scale, I used the UCR, PJ, and known right-wing and left-wing parties as anchor points. The scale was arranged as follows: parties falling between [-1] and [-0.5] were coded as right, between [-0.5] and [-0.25] as center-right, between [-0.25] and [0.25] as center, between [0.25] and [.5] as center-left, and between [.5] and [1] as left. The wider range used to classify the middle (including center-left and center-right) accounts for the centrist pull in Argentine politics (Levitsky 2006; Torre 2006). Moreover, since parties' positions frequently change in response to the government-opposition dynamic (Jones, Hwang, and Micozzi 2009), I re-coded parties' ideology for each presidential term.

Data on the bills, including the author's name, party, and province, and the committees to which their bill was submitted, were drawn from the online archive of the Argentine Chamber of Deputies. Data on legislators' list position and committee assignments were drawn from the *Directorio Legislativo* [Legislative Directory], a congressional yearbook compiled by an Argentine non-governmental organization dedicated to transparency. Legislative Directories are published for each two-year congressional term.

Finally, I included controls for the legislators' constituencies. The first control divides the Argentine provinces into seven geographical regions: the capital district (the city of Buenos Aires), the Cuyo (Mendoza, San Juan, and San Luis); the Gran Chaco (Chaco, Formosa, and Santiago del Estero), the Littoral (Corrientes, Entre Ríos, and Misiones), the Northwest (Catamarca, Jujuy, La Rioja, Salta, and Tucumán), the Pampas (the province of Buenos Aires, Córdoba, La Pampa, and Santa Fe), and Patagonia (Chubut, Neuquén, Río Negro, Santa Cruz, and Tierra del Fuego).

The second controls capture economic and social data about the provinces. I initially constructed a variable for the proportion of provincial-level spending funded by the provincial government as opposed to the federal government for the year 2001. This control was based on the hypothesis that provinces spending few of their own resources want to extract more investment and programs from the center. I also considered the percentage of people in the province living below the poverty line (using data from 2002) and the provinces' human development and gender development indexes (as calculated by the United Nations Development Program in 2006).<sup>6</sup> In practice, however, these four variables—provincial spending, provincial poverty, human development, and gender development—were highly correlated. The provinces spending the least are the most poor (86 percent correlation), and the poorest provinces have the worst human and gender development indexes (92 and 93 percent correlation, respectively). Given this collinearity, I used provincial poverty for models in the regular policy category, and the gender development index for models in the women's interests categories.

### **3.4. Female and Male Legislators' Activity in the Regular Policy Categories**

The first test of whether women's substantive representation occurs in Argentina examines bill introduction across the sixteen regular policy categories constructed in coding (1). Recall that coding (1) is ideologically neutral, meaning that the policy category accounts only for the bill's content and not for its liberal or conservative approach (i.e., bills to both extend and eliminate tax breaks are coded as "state revenue"). Each policy category was constructed as a binary dependent variable (e.g., 1=state revenue, 0=otherwise).<sup>7</sup> This resulted in sixteen dependent variables, regressed on the

independent and control variables. I used probability (probit) models, which estimate the likelihood that a bill is introduced in the one category relative to the fifteen others. For each model, I used robust standard errors clustered on the legislators. For sex, male was used as the reference category; for party ideology, center was used as the reference category; for provincial region, the reference was the capital district of Buenos Aires; for year dummies, the reference category was 1999.<sup>8</sup> To be brief, only summary regression results—the direction and significance level of the coefficients—are shown.

To begin, Table 3.4 reports the regression results from the four policy categories dealing with economic matters: employment and labor unions, finance and commerce, industry, and state revenue. In each category, female legislators are far less likely than male legislators to introduce these bills: the coefficients for sex are statistically significant and negative. Additionally, legislators from center-left parties are more likely to introduce bills pertaining to employment and labor unions, and legislators from the Gran Chaco, the Northwest, and Patagonia regions were more likely to be concerned with industry. Finally, legislators with prominence in their party, as measured by list position, were more likely to introduce bills dealing with state revenue, whereas being seated on the relevant committee decreased the likelihood of introducing bills in this policy area. Provincial poverty also mattered here: the greater the share of provincial residents below the poverty level, the more likely legislators from those provinces were to introduce bills that dealt with taxes and tax revenue distribution. Across the categories, neither incumbency nor economics degrees had an effect. The findings for the negative effect of sex are consistent with those of Schwindt-Bayer (2006), who also reported that women were less likely to initiate bills dealing with financial matters.

My examination of the universe of all bills introduced in the Argentine Congress also includes political and international affairs, grouped into the categories of civil liberties; security and defense; international affairs; political, electoral, and constitutional reforms; and judicial and penal reforms. These regression results are reported in Table 3.5. The only category in which sex emerges as a significant predictor is civil liberties: female legislators are more likely than male legislators to author bills in these categories.<sup>9</sup> The only variable predicting bill introduction in the category of security and defense is committee membership: authors seated on security committees appear less likely to write bills for these committees.<sup>10</sup> Controls for legislators' university degrees were not introduced in these two categories, as there was little theoretical reason to link degree specializations to either civil liberties or citizen security.

In terms of international affairs, party membership is the only variable with an effect, as legislators from center-left and center-right parties appear less likely to concern themselves with international affairs, relative to the center. For political, electoral, and constitutional reforms, and for judicial and penal reforms, the strongest predictor of authorship is legislators' educational training in either law or the social sciences. In these instances, the hypothesis was that legislators trained in these areas would feel more comfortable proposing reforms to electoral, judicial, penal, and constitutional procedures. Only after educational background is controlled for does sex emerge as a positive predictor of the likelihood to author bills dealing with judicial and penal reforms.

Regression results for the seven categories covering social policy are reported in Tables 3.6 and 3.7. As Table 3.6 shows, none of the independent variables, including sex, affected the likelihood of bill introduction in the categories of the environment,

culture and leisure, or education. In the latter two categories, incumbency decreases the likelihood that legislators will work in these areas, perhaps because seasoned legislators move on to policy areas with higher prestige. Further, legislators' possession of a degree in education overwhelmingly predicts their likelihood to author bills in this area. In the category of health, sex remains a positive and significant predictor of bill authorship, even after the control for legislators' possession of a medical degree is introduced.<sup>11</sup> These findings both support and diverge from those reported by Schwindt-Bayer (2006). While my models confirm her findings that female legislators are more likely than male legislators to be concerned with healthcare, my inclusion of a control for legislators' university degree undermines her findings that female legislators are more likely than male legislators to concentrate on education.

Table 3.7 continues the analysis of social policy, looking to the dependent variables that examine policies aimed at group rights and special protections, social benefits (e.g., welfare), and women, children, and the family. In the first category, the coefficient for sex is statistically significant at the 1 percent level: female legislators are more likely than male legislators to write laws focused on minority protections. Sex does not predict whether legislators will author bills addressing social benefits, though members of center-left parties are more likely to do so relative members of left parties. The absence of a finding for sex in the category of social benefits indicates that pensions and social security are not necessarily gendered concerns in Argentina.

Yet reforms to marriage and family codes, child protection, and women's rights promotions *are* gendered concerns, as substantiated by the finding that sex positively predicts female legislators' likelihood to author "women, children, and family" bills



when compared to male legislators (the coefficient is large and statistically significant at the 1 percent level). Legislators holding degrees in law are also likely to author these bills, particularly since these pertain to reforming Argentina's civil codes in the matter of family property, marriage and divorce, child custody, and inheritance. In sum, the data lend evidence to the dissertation's claim that female legislators are more likely than their male counterparts to focus on special protections for disadvantaged groups, including women and children.

When the regression models are viewed as a whole, the results show that female legislators, relative to male legislators, are less likely to concentrate in economic affairs, are mostly neutral with respect to political and legal reforms, and are more likely to focus on civil liberties, health, group rights, and women, children, and family. Further, no consistent patterns are found in terms of median party ideology, constituency (measured either as a regional dummy or as provincial poverty), incumbency status, list position, and committee assignment, though some of these independent variables have specific effects in certain policy categories. The strongest finding in addition to sex was the role of legislators' professional background, which echoes the findings of Jones, Saiegh, Spiller, and Tommasi (2002). Deputies with degrees in education, medicine, law, and the social sciences were overwhelmingly more likely to draft proposals in those policies areas than were legislators with no degrees or degrees in other academic fields.

### **3.5. Specifying the Gender Content of Proposals in Argentina**

The second and third tests of women's substantive representation as process involve looking at those bills which invoke gender issues or women as beneficiaries. In

coding scheme (2), bills from the 16 regular categories were grouped by whether or not they represented a women's interest (where 1=yes and 0=no). Consequently, women's interests bills appear in myriad forms, from providing vitamins to pregnant women to criminalizing child pornography. Coding (2), in separating these "WSR bills" from all other bills, remains content neutral. Bills were recorded as "yes" for women's interests irrespective of their liberal or conservative direction; the goal is simply to evaluate *if* legislators represent women. Coding (3) develops the normative analysis by dividing these WSR bills into categories that measure their ideological content. The following subsections discuss the content-neutral and content-specific analyses in turn.

### 3.5.1. To Represent Women's Interests or Not?

Recall that categorizing bills according to coding (2) yields 1,911 WSR bills out of 18,700 (10.2 percent). Returning to the overview of the dataset depicted in Table 3.3, the proportion of WSR bills authored by female versus male deputies is 1,124 of 1,1911, or 58.8 percent. In every year except 2007, where women authored precisely 50 percent of the WSR bills, female authorship accounted for over half of the WSR bill authorship. Yet in no year did female legislators' authorship of WSR proposals reach more than 67 percent: thus, in any given year, *male* legislators authored 33 to 50 percent of WSR bills!

How to make sense of male legislators' large amounts of WSR activity? Figure 3.1 compares WSR bill introduction to total bill introduction for the 1999-2009 period. The solid line shows the total proportion of women's interests bills introduced relative to all bills introduced. The dashed lines show the proportions for WSR bills authored by

men (relative to the total number of all bills authored by men) and WSR bills authored by women (relative to the total number of all bills authored by women).

The lines show an upward trend in attention to women's interest from 1999-2006; the year 2006 constituted a boom year, with nearly 14 percent of all bills introduced in the Argentine Congress dealing with women's interests. This spike in WSR activity was followed by a dip in 2007 and a leveling off in 2008 and 2009. The increase from 1999-2006 tracks the entry of more women into the Argentine lower chamber, as the quota was applied to half the deputies in 1999, the remaining half in 2001, and was strengthened in 2005 (see Table 1.2). The overall upward trend confirms the hypothesis outlined in Chapter One, which predicts a positive correlation in the increase of women's descriptive and substantive representation. Nonetheless, the trend is not particularly steep, and is less dramatic than the increase found by Franceschet and Piscopo (2008). The difference may be due to the narrow subset of feminist bills that Franceschet and Piscopo characterized as women's interests; by including bills irrespective of their liberal or conservative direction, I show a time trend that is noticeable but more flat.<sup>12</sup>

Further, the dashed lines show that WSR bill authorship accounts for lower proportions of male legislators' activity than for female legislators' activity. While WSR activity from both men and women follows the overall time trend, female legislators pay more attention to women's interests. While male legislators write 33 to 50 percent of the total WSR bills in any given year, this activity only reflects 4 to 10 percent of their total bill authorship. By contrast, female legislators write 50 to 67 percent of the total WSR bills in any given year, which reflects 11 to 22 percent of their total bill authorship.

Men's participation is notable, but *female* legislators write the vast majority of women's interest bills, and spend a far greater amount of their "total bill authorship time" doing so.

Examining the data at the individual level also makes this point. Productivity varies dramatically across individual legislators: in any given year, a legislator will author anywhere from 1 to 97 bills, though the average productivity is 19 bills per female legislator per year and 18 bills per male legislator per year.<sup>13</sup> Women and men thus have similar productivity rates in general, but diverge in their productivity on women's interests. First, 66 percent of all female deputies will author at least one women's interest bill, compared to 45 percent of all male deputies. Second, among the male and female deputies who *do* write a WSR bill, the average woman will author *six* gender proposals whereas the average man will author *four* gender proposals.<sup>14</sup> The average female legislator allocating her time to both WSR and non-WSR activities will dedicate 31 percent of this time to women, while the average male legislator writing both WSR and non-WSR bills will dedicate only 19 percent of his time to women. Again, male legislators exhibit surprising amounts of attention to women's substantive representation when compared to zero, but much lower amounts of attention when compared to their female colleagues.

Estimating a probability model further reveals the likelihood of male and female legislators to author WSR bills relative to other proposals. Table 3.8 reports probit regression results for the binary dependent variable that captures whether the initiative addressed a women's interest or not (1=yes; 0=no). The independent and control variables, and their reference categories, are exactly the same as in the previous regressions, except provinces' gender development index has replaced provinces' poverty

level as the constituency control. I also explicitly include the control variable that captures whether the legislator introduced the bill in a previous congressional term. The regression again uses robust standard errors clustered on the legislators.

The models show that being female appears as the strongest predictor of whether or not a legislator authors a women's interest bill relative to a general bill. The coefficients for sex are strong and statistically significant at the 1 percent level; furthermore, neither party membership nor provinces' gender development levels have any effect. In the second model, which introduces the control for legislators' university training, the coefficient on legislators' possession of a law degree is positive and significant at the 5 percent level. In this model, incumbency is significant and negative, again suggesting that multiple-term legislators will direct their energies towards higher prestige proposals. The year 2006 is also positive and significant, which corresponds to the flurry of WSR activity in that year, as depicted in Figure 3.1.

To put the findings in perspective, Table 3.9 uses the regression results to generate predicted probabilities for female legislators' likelihood to author WSR bills in right, center-right, center, center-left or left parties. The probabilities in the table refer to four hypothetical types of female legislators from the capital district of Buenos Aires: *diputadas* who occupy either the highest or the lowest list position in their parties, and *diputadas* who hold a law degree and occupy either the highest or lowest list position. All are assumed to be incumbents. Across the board—irrespective of party membership, list position, or education—female legislators are 12 to 22 percent more likely than male legislators to author WSR bills. Those female legislators *most* likely to do so are those holding law degrees and, particularly, lower ranked deputies holding law degrees. This

finding lends preliminary evidence to the hypothesis that women's issues are not sufficiently strategic to draw attention from the parties' more prominent members. Further, counter to the findings of Htun and Powers (2006) regarding the importance of left-leaning ideology, the predicted values show that female legislators from center-right parties are more likely to write women's interests bills when compared to female legislators from center-left and left parties. The reason for this counter-intuitive finding on the role of party membership will become apparent in the next section, which explores the content of women's interests bills.

### 3.5.2. The Substance of Women's Interests

The final coding examines the specific content of women's interests proposals in Argentina. As we have seen, female legislators collectively introduce more WSR bills than male legislators, but men's WSR activity *is* quite high. Forty-five percent—nearly 1 of 2—of male deputies will write a proposal dealing with women's interests, and this attention amounts to men introducing 33 to 50 percent of the WSR bills in any given year. Yet are female and male deputies agreeing on the substance of women's interests? Do these proposals reflect similar conceptions of, and approaches to, women's interests?

To answer these questions, I examined WSR bills' ideological content, as shown in Table 3.2. I then identified three trends in this content. First are those proposals which commonly seek to *liberalize women's social, economic, and political position*. These include measures in the following six groups: (1) reforms to the civil code; (2) bills guaranteeing reproductive liberties; (3) proposals demanding equal rights in employment; (4) bills penalizing sexual harassment, rape, domestic violence, and other sex crimes; (5)

initiatives seeking social assistance for women; and (6) bills containing general equality reforms (e.g. approving international women's rights treaties).

Some measures in the second group—bills liberalizing reproductive choice—deserve special attention, as they highlight points made in Chapter One about the importance of contextual knowledge when studying WSR (Celis, Childs, Kantola and Krook 2008). Included in this group are proposals that sought to make infanticide a crime, punishable with three years in prison. These bills were all introduced by feminist legislators on the left, in response to a high-profile murder case in 2005. Romina, a mentally handicapped young woman from the province of Jujuy, was impregnated as the result of incest; she hid her pregnancy, took laxatives in hopes of aborting, and, upon giving birth, murdered her infant. She was then convicted of homicide and sentenced to fourteen years in prison. The subsequent outcry from the pro-choice movement paradoxically turned infanticide into a feminist issue. Female deputies who proposed to make infanticide a specific crime, one that recognized women's victimization and post-partum stress, were trying to reduce the criminal liability of Romina and similarly-situated women. In this context, infanticide became part of the battle in Argentina for reproductive choice (see Chapter Five).

The second category contains those proposals that position women in relation to *traditional gender roles*. These proposals fall into three groups: those that invoke family values and develop social programs to fortify the family as the fundamental unit of Argentine society; those that restrict, prohibit, and/or criminalize women's access to family planning services, contraception, and abortion; and those that extend healthcare and other forms of social assistance to pregnant women, unborn children, and infants.

While this last group of proposals does seek to improve women's access to healthcare, the overarching concern is to ensure that women carry their pregnancies to term and do not seek back alley abortions. These bills give the state powers to monitor and assist women throughout their pregnancies, thereby constructing women in relationship to their maternal roles.

Finally, the third category brings together initiatives that focus on *children and adolescents*. This group includes measures dealing with sex crimes (pedophilia and child pornography), offering social assistance to children (such as subsidies to disabled infants or subsidies to family with more than five children), or generally promoting wellbeing (such as programs for adolescents' volunteerism). By separating "women" from "children," I use coding (3) to test whether women's interests are distinguishable from those related to childrearing.

Table 3.10 reports the relative frequency for bill introduction in each of these three WSR categories.<sup>15</sup> Female legislators authoring bills on gender focus primarily on liberalizing gender roles (56 percent), followed by protecting children (38 percent) and preserving traditional roles (6 percent). Male legislators' activity reflects an inverse pattern: male deputies' representation of women's interest attends primarily to children (55 percent), followed by liberal gender roles (36 percent) and traditional gender roles (9 percent).

Analyzed another way, female legislators authored 70 percent of all the proposals that expand women's roles, whereas male legislators authored over 50 percent of the initiatives that treat women as mothers and children as beneficiaries. Looking within the traditional category, to those proposals that sought to restrict or prohibit women's access



to family planning, contraception, and abortion, reveals that male legislators authored 72 percent of these anti-choice bills. Likewise, male legislators authored 61 percent of the initiatives espousing family values, compared to female legislators, who authored only 39 percent. By comparison, male legislators introduced 42 percent of the bills addressing maternal and infant health, with female legislators' activity covering the remaining 58 percent. Within the traditional category, then, male legislators' interests trend towards family values and anti-choice initiatives, whereas female legislators are focused on aid to and monitoring of pregnant women.

Probability models were constructed to explore this trend further. Too few bills appear in the category of traditional gender roles to allow for statistical analysis, but bills in the categories of liberal gender roles and children can be analyzed statistically. I constructed two dependent variables: the first is coded 1 if the WSR bill addresses liberal roles, and 0 if otherwise; the second dependent variable is coded 1 if the WSR bill addresses children, and 0 if otherwise. The regressions thus compare the probability of authoring a WSR bill in one category (liberal or children) compared to the other two (traditional/children or liberal/traditional). The independent variables and reference categories are the same as those used in the models presented throughout this chapter. Table 3.11 reports summary regression results, and Table 3.12 gives the predicted probabilities for hypothetical incumbent legislators from the capital district of Buenos Aires.

The model examining liberal gender roles as the dependent variable shows that being female overwhelmingly determines the probability that a deputy writing a WSR bill will focus on progressive women's interests. The coefficients on sex are large and

statistically significant at the 1 percent level. Also significant is having a law degree, which predicts a progressive WSR concentration, and membership in a center-right party, which decreases the likelihood of this concentration.

The predicted values reported in Table 3.12 offer some perspective on this model. A hypothetical male legislator from a center-right party has a 6 percent probability of authoring a bill that liberalizes gender roles, whereas his female co-partisans have a 19 percent chance of authoring the same bill. The trend appears even more strongly in parties on the left. Hypothetical male legislators from the center-left and left have only a 17 and 21 percent probability of focusing on progressive women's interests, respectively, whereas their female colleagues have a 38 and 44 percent probability of doing so. These data show two trends. First, legislators' gender identity—as proxied by sex—strongly and consistently predicts that deputies choosing to focus on women's interests will have feminist perspectives. Second, party membership and sex interact. While legislators from right parties are less likely than legislators from center and left parties to favor liberalizing gender roles, women from left-leaning parties and women from right-leaning parties appear more liberal than their male colleagues from the same party.

The findings from the model dealing with the WSR content category of children show precisely the opposite trends. As the summary regression results in Table 3.11 show, being female decreases the probability that legislators author WSR bills on children. Male deputies are more likely than female deputies to represent women's interests by representing children. Indeed, the predicted values in Table 3.12 indicate that a hypothetical male legislator has an 80 percent probability of introducing proposals to protect children; this probability rises to 84 percent for men on the right. Female

legislators, by contrast, are less likely to introduce proposals to protect children: women from right parties only have a 69 percent chance of focusing on children, and those from left parties have a 63 percent probability of doing so. When these results are examined alongside male legislators' activity in the WSR category of traditional gender roles, a pattern emerges wherein male deputies focus more extensively than female deputies on families, motherhood, and children.

The data thus show remarkably divergent patterns in men's and women's substantive representation of women's interests. Female legislators overwhelmingly introduce proposals on behalf of women, and the vast majority of these proposals seek to liberalize women's social, economic, and political positions. The findings from the literature and the main hypothesis of the dissertation are therefore confirmed. Yet, not all of women's substantive representation seeks the liberalization of gender roles. Conservative constituents *will* find their interests represented by elected officials, a conclusion which should allay critics' fear that theories of substantive representation essentialize gender identity. Moreover, the predicted values confirm Carroll's (2001) finding that conservative women are still more left-leaning than conservative men.

The findings regarding male legislators' activities are both novel and compelling. Female legislators undertake women's substantive representation more than male legislators, *but men engage women's interests substantially*. Yet male deputies see women's interests as motherhood and childrearing. Analyzing the normative content of women's interests bills thus reveals that male legislators may act for women—but not necessarily for their greater rights and opportunities.

### 3.6. Comparative Reflections from Mexico

This section draws on data from 360 women's interests bills presented in the lower chamber of the Mexican legislature. The analysis of the Mexican dataset focuses on coding schemes (2) and (3), facilitating a comparison of the rate and content of WSR in the two countries. On the one hand, similar cultural and political contexts suggest that women's interests should focus on liberal gender roles in Mexico as well as in Argentina; on the other hand, "liberal gender roles" constitutes a broad category, and specific concentrations (i.e., domestic violence versus reproductive choice) may well vary. The results in fact show differences in the scope of legislators' gender concerns, the rate of women's and men's authorship of gendered proposals, and greater party effects in Mexico when compared to Argentina.

#### 3.6.1. The Mexican Dataset: Overview and Preliminary Comparisons

The Mexican dataset begins in 1997, the mid-term elections in which the PRI first lost its majority in the Congress (also the first congressional session for which data on both bill introduction and legislators' profiles is available). In Mexico, legislative terms last three years, so the data covers four sessions: the LVII legislature (1997-2000), the LVIII legislature (2000-2003), the LIX legislature (2003-2006), and the LX legislature (2006-2009). As with the Argentine case, I include data on the bills and their authors' profiles, including party identification, constituency (district) controls, and candidacy type.<sup>16</sup> Mexico's three principal parties—the conservative PAN, the centrist PRI, and the leftist PRD—are explicitly analyzed.<sup>17</sup> The smaller parties are grouped by left/right

ideology, determined according to party platforms and electoral allegiances formed with the PRI, PAN, or PRD.

Using the criteria established for coding scheme (2), which captured whether a proposal addressed a gender issue or treated women as beneficiaries, I identified 360 bills from all the bills introduced in Mexico from 1997-2009. An immediate contrast between WSR in Argentina and WSR in Mexico is the greater preponderance of women's initiatives in Argentina. On average, WSR bills in Argentina accounted for 10 percent of the total bills introduced per year. In Mexico, the 360 bills constitute only 4 percent of the total bills introduced per three-year legislative session. As shown in Table 3.13, this proportion has been relatively stable over time. While the overall productivity of Mexican deputies has increased, due largely to the growing multipartism of the Mexican Congress (Nava and Yáñez 2003), the rate of attention legislators devote to women's interests has remained constant. The anticipated time trend—where women's substantive representation increases as more women enter the legislative chamber—does not appear in Mexico.

Of the 360 women's interests bills introduced in Mexico, 26.7 percent (96) were introduced by men, and 73.3 percent (264) were introduced by women. These proportions are again quite different from those in Argentina, where men and women introduced 41.2 percent and 58.8 percent of WSR bills, respectively. In other words, not only do Mexican legislators undertake substantive representation as process less frequently than in Argentina, but male legislators are particularly inactive when compared to their Argentine counterparts.

Calculating the WSR activity of individual male and female legislators supports this conclusion. The 360 WSR bills correspond to bills authored by 213 legislators. Comparing these 213 legislators to all legislators seated in the Congress reveals the following: 31 percent of female representatives in Mexico authored at least one WSR bill, compared to just 6 percent of male representatives. By comparison, the Argentine data showed that 66 percent of female legislators authored at least one WSR bill, compared to 45 percent of male legislators. These figures underscore Mexico's lower rate of WSR, as well as its lower rate of WSR activity undertaken by Mexican men.

Trends of WSR introduction within the parties also show lower engagement from male legislators on women's interests. First, deputies from the PRD introduced the majority of WSR bills, followed by the PRI and then the PAN. The preponderance of PRD initiatives is consistent with theoretical expectations about the greater likelihood of left parties to focus on women. Second, female deputies from the PRD, PRI, and PAN introduced two-thirds of each party's total WSR bills. While men from the PAN authored a greater proportion of their party's WSR bills relative to men from the PRD and the PRI, the bulk of women's representation in Mexico was carried out by *diputadas*.

The Mexican dataset thus provides initial comparative insights into WSR rates. First, women's interests are placed on the legislative agenda less frequently in Mexico than in Argentina. Second, and consistent with theoretical expectations, female legislators in both countries introduce the vast majority of women's interests proposals when compared to their male colleagues. Yet, male legislators in Mexico undertake smaller proportions of WSR than male legislators in Argentina. Third, when male legislators in Mexico do author proposals that address women, they belong to conservative parties (the

PAN) more than to moderate or left parties (the PRI or the PRD). The next section will explore the content of WSR in Mexico, to examine whether these findings—lower overall attention to WSR, and lower male attention to WSR—may be explained by the normative direction of the proposals.

### 3.6.2. The Content of Women’s Interests in Mexico

The 360 women’s interests bills proposed in Mexico from 1997-2009 were coded according to coding scheme (3) and then divided into the content categories of liberal gender roles, traditional gender roles, and children. Table 3.14 shows that most WSR bills in Mexico, whether authored by women or men, focus on liberalizing women’s economic, social, or political positions. As in Argentina, female legislators focus mostly on these latter proposals (79 percent), followed by children (17 percent) and traditional roles (4 percent). Unlike Argentina, however, men also focus mostly on liberal proposals (64 percent), though they also expend one-third of their WSR energy on children (33 percent). When the data is analyzed by sex rather than by category, however, it becomes apparent that women author the majority of all types of WSR bills: *diputadas* wrote 77 percent of the progressive bills, 77 percent of the traditional bills, and 59 percent of the children’s bills. Here, male deputies follow the same content trends in WSR as female deputies, but express less overall enthusiasm for women’s interests.

To study this matter further, I examined the frequencies by party. For proposals invoking a traditional vision of women’s roles, the majority of female authors hailed from the PAN. For bills targeting children, the majority of female authors hailed from the PAN and the PRD; male legislators authoring bills on children also principally belonged

to the PAN. By contrast, Mexican deputies from left-leaning parties, both male and female, authored the largest proportions of proposals that recognized the modernization of women's roles. Those male and female legislators from the PRD, followed by the PRI, authored most of these liberal proposals, compared to men and women from the PAN, who authored very few of these proposals. The party data reveals a strong commitment from left-leaning Mexican women to legislate for gender equality, and the greater pull of conservatism for *Panista* women compared to their Argentine counterparts.

The statistical analysis supports these conclusions. Following the same methodology used for the Argentine case, I conducted probability (probit) regressions that compare the likelihood of authoring a bill in one WSR category compared to the other two. As with the Argentine case, the category of WSR bills addressing women in relation to their traditional roles is too small for statistical analysis. The regressions are thus limited to comparing Mexican deputies' likelihood to author bills on liberal roles, relative to traditional roles and children, and their likelihood to author bills on children, relative to liberal or traditional roles. Further, since the object of the regressions is to determine which legislator characteristics influence the likelihood of bill authorship in specific WSR categories, I counted proposals with coauthors twice (or three times if three co-authors were present). In Mexico, unlike in Argentina, coauthorship signals genuine participation in the proposal's redaction.<sup>18</sup> So, if the proposal was co-authored by a PRI deputy and a PAN deputy, the first observation used data from the PRI deputy, and the second observation used data from the PAN deputy.



The chief independent variable is the sex of the bill's author, coded as female=1, male=0. Other independent variables include whether or not the author was popularly elected (operationalized as elected from a PR district instead of SMD district, where PR=1 and SMD=0), whether the author specializes in the policy area (operationalized as whether the author was seated on a commission to where the bill was sent, where yes=1 and no=0), and the author's party identification.<sup>19</sup> I include dummy variables to control for term-specific effects as well as electoral constituency. The latter variable captures characteristics about the author's district, and was operationalized as Mexico's five electoral-geographical divisions known *circunscripciones*. The reference category is the fourth *circunscripción*, which contains the capital district of Mexico City.<sup>20</sup> No dummy variable for whether legislators are introducing repeat bills is considered; since the Mexican chamber prohibits reelection, there are no incumbents who have the opportunity to re-introduce their proposal. Two models are reported: the first uses the PRI as the reference category for party and the second uses PAN as the reference category for party. The models again used robust standard errors clustered on the legislators.

Table 3.15 reports the regression results for the models examining the WSR content category of children. The coefficient on sex is negative, indicating that Mexican female deputies are less likely than male deputies to choose children as their WSR focus. These models strengthen the findings from Argentina: in both countries, youth issues draw attention from male deputies rather than female deputies. In Mexico, however, the effect of party appears more clearly. Model 1 shows that PAN deputies are significantly more likely than other deputies to author WSR bills focused on children, and Model 2 shows the inverse relationship, where both PRI and PRD deputies are less likely to author

children's bills relative to PAN deputies. Further, the influences of sex and party identification are independent; interaction terms, when introduced into the model, were not statistically significant. Popular election, policy specialization, legislative term, and electoral constituency had no impact on Mexican deputies' focus on children.

Table 3.16, reporting the regression results for the WSR category of liberal gender roles, shows the inverse trend. In Mexico as in Argentina, being female significantly enhances the probability of authoring initiatives that seek improvements to women's social, economic, and political status. Membership in either the PRI or the PRD positively predicts this likelihood as well. Model 2 reveals that, all else equal, *Priístas* and PRD-istas are significantly more likely to advance liberal gender roles when compared to *Panistas*. When the regression was performed using the PRI as the reference category, the inverse was true, in that *Priístas* were less likely than other party members to author these proposals. Predicted values place these findings in perspective: relative to the PAN, members of the PRI and PRD are 22 and 17 percent more likely to focus on liberal gender roles, respectively, whereas members of the PAN are 28 percent less likely to do so relative to the PRI and PRD. As with the models treating children's bills as the dependent variable, the direction and significance of the findings was affected neither by the other variables nor by the inclusion of sex-party interaction terms.

### 3.6.3. The Contrast Between Argentina and Mexico

Mexico and Argentina share some, but not all, trends in legislators' undertaking of women's substantive representation as process. First, female legislators in both countries, and particularly female legislators on the left, drive the content of women's

interests towards liberal conceptualizations of gender roles. Second, male legislators in both countries, and particularly conservative male legislators, will undertake WSR less frequently than female legislators; when they do author WSR bills, they are more likely to focus on child welfare. This finding underscores the methodological importance of separating “children and adolescents” from “women” in studies of women’s substantive representation. Conflating these two categories obscures important theoretical and empirical points about how non-group members (i.e., men) substantively represent certain identity groups (i.e., women). Third, and related, male legislators in Argentina—but *not* necessarily in Mexico—undertake WSR activities that are concentrated more on women’s traditional roles than on women’s modern roles. In both countries, however, legislators from left-leaning parties are unlikely to write these sorts of bills.

Fourth and finally, Mexico’s three major parties have coherent, ideologically-driven stances on women’s interests. *Panistas* are more likely to focus on protecting youth and on maintaining women’s traditional roles; *Priístas* and PRD-istas are more likely to advance women’s status in economics, politics, and society. Argentine political parties are less coherent on these issues. In general, the strong significance of the PAN, PRI, and PRD in the Mexican data supports the literature’s characterizations of Mexico’s parties as highly programmatic (Rosas 2005). Argentina’s parties, by contrast, are ideologically fluid and programmatically opportunistic (Torre 2005; Levitsky 2005).

### **3.7. Walking Together in Mexico; Separately in Argentina**

The content analysis of women’s interests yields important lessons about which policy areas become the focus of female and male legislators’ WSR activities. However,

“liberal gender roles” is a broad category, capturing a diverse array of proposals whose frequencies may well vary between the two countries. Further, the probability analysis does not explain why overall rates of WSR in Mexico are lower than in Argentina, and why Mexican men appear more disinterested in women’s interests when compared to Argentine men. This final section explains these subtleties through a qualitative analysis of agenda setting strategies in the two countries.

Evidence from my interviews in Mexico and Argentina suggests that women from each country have a distinctive vision within a common agenda of liberalizing women’s roles. In Mexico, current and former female legislators from the PAN, PRI, and PRD were asked “what introducing proposals to benefit women meant to them.” They consistently answered using two words: *armonización* [harmonization] and *transversalidad* [mainstreaming]. By *armonización*, the interviewees meant revising Mexico’s existing statutes in order to incorporate the doctrine of gender equality. *Transversalidad* describes the incorporation of women’s perspectives, wellbeing, and needs into the policymaking process. Both *armonización* and *transversalidad* have similar aims, with harmonization referring to changing existing statutes and mainstreaming referring to writing new ones. Mainstreaming often becomes a policy goal itself: indeed, twenty percent (72 of 360) of Mexico’s WSR proposals can be classified as mainstreaming initiatives, that is, they seek to impose “gender friendly” regulations on myriad government branches and agencies. For instance, the tourism ministry was asked to create programs that showcase indigenous women’s distinct contributions to native cultures, or the telecommunications agency was asked to show more images of girls playing sports.

The dual emphasis Mexican legislators place on *armonización* and *transversalidad* explains why liberal WSR activities in Mexico largely focus on labor laws, violence against women, and political, electoral, and constitutional reforms. While harmonization theoretically implicates all laws, irrespective of their standard policy category, harmonization practically means reforming statutes that address employment, domestic violence, and civil and political liberties. Gender gaps in these statutes are generally more identifiable than, say, in statutes dealing with road construction and energy regulation. Proposing amendments to these statutes—for instance, demanding that police officers give women’s testimonies the same weight as men’s testimonies—is therefore a fairly straightforward, and largely technical, process. Likewise, mainstreaming primarily targets bureaucratic procedures dealing with employment discrimination, rights promotion, and criminal and civil procedures in the areas of gender-based violence and female prisoners. Proposals to mainstream gender frequently entail policy recommendations to the executive branch. Beyond a subset of proposals dealing with pay equity and parental leave, neither *armonización* nor *transversalidad* dramatically redistribute economic resources. Harmonizing and mainstreaming proposals threaten fewer class interests and provoke little doctrinal opposition (see Table 1.1), and these initiatives generate widespread consensus.

Importantly, the focuses on harmonization and mainstreaming in Mexico result from a coordinated, collaborative effort among Mexican female legislators—evidence of a partnership among women representatives *not* found in Argentina. I am not implying that female legislators in Argentina never collaborate. Rather, collaboration occurs in the committee evaluation and proposal passage stage (discussed in the next chapter); bill

introduction in the Argentine Chamber of Deputies is highly individualistic and piecemeal. As one female legislator explained, coordination among feminist women in the chamber, and between women in the chamber and women in civil society, has not occurred historically. She continued, “We feminist legislators do not try to convince the *diputadas inconscientes* [female deputies without awareness of gender].”<sup>21</sup> Another Argentine *diputada* commented that initiatives arise from the “will of the individual legislator” rather than coordinated strategies.<sup>22</sup> As discussed at length in the next chapter, female deputies in Argentina frequently explained their motivations for bill introduction through personal stories, as opposed to mandates delivered by a legislative women’s caucus or external feminist movement.

Further, Argentine women rarely mentioned party identification as a key determinant in choosing to author a WSR bill. This distinction highlights the difference between party ideology being consistent with the content of a WSR bill and party ideology being the driving factor in writing that bill.<sup>23</sup> The pattern in Argentina is an ad-hoc agenda setting, governed very loosely by party incentives, followed by ex-post collaboration.

In Mexico, by contrast, the pattern is ex-ante collaboration to ensure ex-post agreement. Female politicians from all the parties define a WSR agenda before being elected and before entering office—and *before authoring any proposals*. In 1993, building on momentum attained by reforming the definition of marital rape, feminists from within the PRI and the PRD formed the group “From A to Z,” whose slogan was “Women walk a ways together before our policy differences separate us” (Tarrés 2006: 418).<sup>24</sup> In 1997, female legislators attended a conference entitled “Avancemos un

Trecho” [Let’s Move Forward a Stretch]. Women from eight political parties, including the PAN, “moved forward” by agreeing on a five-point legislative agenda, as follows: (1) ensuring freedom from discrimination based on gender; (2) regulating the rights and responsibilities of family maintenance; (3) prohibiting pregnancy tests for employment and ending the termination of pregnant employees; (4) providing daycare in the workplace; (5) implementing more aggressive programs to combat family violence (Tarrés 2006: 418; Stevenson 1999: 72).

Beginning in 1998, female politicians in Mexico became more explicit in their articulation of a shared legislative agenda. First, that year inaugurated the creation of the Congress’s *Comisión de Equidad y Género* [Commission on Equity and Gender, or CEG]. The committee’s mandate differs from that of its Argentine counterpart: the Mexican commission is explicitly charged with gender mainstreaming and harmonization, while the Argentine commission reviews policies on family, youth, and children. Further, the CEG has review powers over *any* proposal introduced in the Mexican Congress (and not simply those which immediately implicate gender or equity). This power allows the CEG to address women’s interests across the universe of initiatives proposed in Mexico.

Second, also in 1998, female legislators secured statutory approval to host the first *Parlamento de Mujeres* [Women’s Parliament]. Convened in the plenary chamber of the Congress, the *Parlamento* included female participants from party directorates, ministries, and the women’s movement; male legislators and male party leaders could not participate, though they were encouraged to attend and observe. The *Parlamento* organized participants into working groups on political participation, intra-family

violence, education, employment, family law, women's health, women in the media, indigenous women, and peasant women. Each working group then drafted policy recommendations; these were read aloud during a plenary session, published in the congressional record, and sent to the Commission on Equity and Gender for further development. The Women's Parliaments then became an annual tradition.<sup>25</sup>

In 2000, Mexican female candidates signed a document of shared goals entitled "Hacia una Agenda Legislativa...por la Equidad" [Towards a Legislative Agenda for Equity]. Following the elections, the new *diputadas* convened a *Congreso Nacional de Mujeres hacia la Reforma del Estado* [National Women's Congress for the Reform of the State]. This convention—held in the congressional chamber but without the attendance of male legislators—allowed female legislators to strategize on how to reach these goals. Subsequently, in 2003 and 2009, legislators-elect from all parties signed *Pactos Entre Mujeres* [Pacts Among Women] at ceremonies in the Mexican Congress. The 2003 agreement was notably subtitled "Un Trecho Más por la Ciudadanía Plena de las Mujeres en México" [A Little Way More for the Full Citizenship of Mexican Women]. All agreements focused on the following objectives: greater budgetary appropriations for women's programs, combating violence against women, promoting sexual and reproductive rights, enhancing women's political participation, ending discrimination, and ensuring the equitable distribution of family responsibilities.

This language of collaboration and collusion marks a distinctive feature of female legislators' WSR activity in Mexico, and nothing remotely comparable has unfolded in Argentina. For instance, a signatory of the 2000 "Hacia una Agenda Legislativa" explained that the document would "continue the new trend among Mexican women to



arrive at agreements and compromises.”<sup>26</sup> María Luisa Farrera Paniagua, then-President of Mexico’s Federal Electoral Institute, said in 2003, “A constitutive characteristic of this new political practice is the pact among women. Before our partisan or ideological differences separate us, there is a common path that we can walk along together.”<sup>27</sup> One female legislator described this process succinctly: “We meet at the beginning of each term, and we establish our common goals; we make an agenda and we know in advance that we all agree; we decide to set aside what we cannot agree on, namely abortion.”<sup>28</sup> As Tarrés concludes, female activists and elites in Mexico “decided to maintain an equilibrium between what was politically correct and what was possible” (2006: 416).

“Walking together” in Mexico has driven female legislators’ focus on the consensus policies of *armonización* and *transversalidad*. Importantly, “walking together” has occurred because female legislators have devised a series of “gender-friendly” formal and informal institutions. Both sets of institutions—from the formal CEG and the *Parlamento de Mujeres* to the informal *congresos* and *pactos*—have been recognized, endorsed, and even hosted by the Mexican Congress. Through their collaboration in gender-friendly institutions, female leaders in Mexico have been able to concentrate their efforts on proposals that make equity central to all statutory reforms. Female legislators in Mexico have introduced fewer WSR initiatives than their Argentine counterparts, but these initiatives receive considerable attention and widespread support.

Yet, this approach—fewer but more broadly supported proposals—has some drawbacks. While the *Pacto Entre Mujeres* recognizes reproductive rights, neither the *Pacto* nor the other agreements use strong language about women’s liberation or women’s autonomy. They never mention abortion. Female politicians in Mexico have

agreed to leave those policy areas—which are governed by partisan ideology—off the agenda. Nearly every interviewee in Mexico, including women from the PAN, mentioned an explicit agreement among female legislators to not discuss “divisive” or “controversial” issues. By contrast, equal employment, freedom from violence, and nondiscrimination are policies that women from the PRI, PRD, and PAN can agree on.

Further, women’s collusion in Mexico has streamlined the WSR agenda and excluded men from its articulation. Mexico’s gender-friendly institutions, while remarkable in their ability to facilitate inter-party collaboration, have created the impression that setting a WSR agenda is exclusively women’s work. Female politicians in Mexico have carved out a women’s space in the Congress, a space which explicitly excludes their male colleagues (as in the *Parlamentos de Mujeres*) or tacitly implies they are unwelcome (as in the *Pactos Entre Mujeres*). Men from the PAN, PRD, PRI, and the small parties are not treated as co-visionaries in the twin agendas of *armonización* and *transversalidad*. Ironically, greater collaboration among women explains why so few male legislators in Mexico author WSR initiatives when compared to their Argentine counterparts. Female legislators in Mexico have assumed ownership of a gender agenda, but, in doing so, they have sidelined the men.

### **3.8. Conclusion**

My analytical approach in this chapter has several advantages over existing studies. I evaluated the legislative activities of male and female politicians across both regular policy categories and women’s interests policy categories, and I developed analyses that were both content-neutral and content-specific. A summary of my findings

is presented in Table 3.17. Across the regular policy categories, being female positively predicts that legislators will author bills addressing civil liberties, health, group rights and special protections, and women, children, and family; conversely, being female negatively predicts that legislators will author bills on financial and economic affairs. These findings correspond with theoretical expectations about women's greater concerns for social wellbeing and human rights. Across the women's interests categories, female legislators in both Argentina and Mexico introduce progressive women's rights reforms, though some attention is paid to women's traditional roles and children's welfare.

The data also show important trends in the bill introduction activity of male legislators, a comparison overlooked by the extant literature. Male legislators undertake women's substantive representation as process less than female legislators, though, in Argentina in particular, their WSR activity is noticeably different from zero. When male legislators do represent women, however, they tend to focus on children's wellbeing and traditional women's roles. The finding that male legislators will undertake women's substantive representation, but will usually not address the modernization of gender roles, is novel and important.

Additionally, this chapter presents a nuanced picture of how party ideology and different modes of inter-party collaboration can affect both the likelihood to represent women as well as the content of the interests represented. In both countries, membership in a left party positively affects whether a legislator will author a policy with progressive gender content, and negatively affects whether a legislator will author policies promoting traditional gender roles. Greater collaboration across parties, as in Mexico, also

influences the substance of progressive proposals, making questions of equal opportunity and non-discrimination more central than drives to liberate women from childrearing.

The data clearly show considerable support for the unfolding of women's substantive representation as process in Argentina and Mexico. In Mexico, collaboration limits the legislative agenda to the consensus-prone proposals that advance *armonización* and promote *transversalidad*. Female legislators in Mexico largely agree on women's rights to equal employment and protection from violence, and disagree on reproductive choice, thus focusing the legislative agenda on less doctrinal and less controversial women's interests. In Argentina, by contrast, a patchwork approach means that significantly more initiatives are introduced, but without any guarantees that other deputies will support these proposals. Thus, the nature of women's substantive representation as process varies across countries while still showing a generalized pattern: female legislators typically advocate the liberalization of gender roles. The next chapter explores these divergences in more detail, by examining female legislators' interventions in successive stages of the policymaking process.

**Table 3.1.** The Sixteen General Policy Categories. These categories are used to organize bills introduced in the Argentine Congress from 1999 to 2009.

Policy Category	Code	Count	Proportion
<u>Economics</u>			
Employment and Labor Unions	1	1,112	5.9%
Finance and Commerce	2	1,813	9.7%
Industry	3	2,209	11.8%
State Revenue	4	1,965	10.5%
<u>Social Policy</u>			
Culture and Leisure	5	697	3.7%
Education	6	614	3.3%
Environment	7	583	3.1%
Group Rights and Special Protections	8	741	4%
Health	9	1,387	7.4%
Social Benefits	10	1,624	8.7%
Women, Children, and Family	11	790	4.2%
<u>Politics</u>			
Civil Liberties	12	517	2.8%
International Affairs	13	673	3.6%
Judicial and Penal Reforms	14	1,751	9.4%
Political, Electoral, and Constitutional Reforms	15	1,347	7.2%
Security and Defense	16	877	4.7%
Total		18,700	100%

**Table 3.2.** The Women's Interests Categories. These categories are used to identify trends in the content of WSR bills introduced in the Argentine Congress from 1999 to 2009.

Women's Policy Category	Count	Proportion
Child Welfare	667	34.9%
Civil Reforms	268	14%
Family Values	36	1.9%
Health: Anti-Reproductive Choice ("Pro Life")	26	1.4%
Health: General Women's Health (i.e., Breast Cancer)	29	1.5%
Health: Maternal, Prenatal, Neonatal, and Infant	77	4%
Health: Sexual and Reproductive ("Pro-Choice")	157	8.2%
Rights: Employment	153	8%
Rights: Non-Discrimination	143	7.5%
Sex Crimes: Pedophilia and Child Pornography	118	6.2%
Sex Crimes: Violence against Women	121	6.4%
Sex Trafficking of Women	22	1.1%
Social Assistance to Children	71	3.7%
Social Assistance to Women	23	1.2%
Total	1,911	100%

**Table 3.3.** The Argentine Dataset: Overview of Female Legislators' Activity.

year	A. Percent of Women in the Chamber	B. Percent of Female Authored Bills	C. Percent of Female Authored <b>General Bills</b> (Coding 2 = 0)	D. Percent of Female Authored <b>Women's Interests Bills</b> (Coding 2 = 1)
1999	27.2% (70)	32.8% (466)	31.2% (415)	57.3% (51)
2000	27.2% (70)	35.9% (610)	32.5% (495)	66.5% (115)
2001	29.2% (75)	31.2% (466)	29.0% (402)	58.2% (64)
2002	29.2% (75)	36.4% (811)	33.6% (687)	67.4% (124)
2003	33.9% (87)	43.7% (605)	41.4% (510)	62.1% (95)
2004	33.9% (87)	35.9% (759)	33.7% (640)	55.9% (119)
2005	35.8% (92)	38.0% (598)	36.0% (496)	51.8% (102)
2006	35.8% (92)	34.6% (691)	31.0% (537)	57.9% (154)
2007	36.0% (93)	36.4% (531)	34.8% (456)	50.0% (75)
2008	36.0% (93)	40.8% (717)	38.1% (591)	61.2% (126)
2009	38.5% (99)	43.3% (681)	41.5% (582)	58.2% (99)
Total		37.1% (6,935)	34.6% (5,811)	58.8% (1,124)

**Table 3.4.** Overview of Regression Results from the Economics Policy Categories. Model (1) does not include the control for authors' university degree. University degrees considered were degrees in accounting and in the social sciences (1=yes; no=otherwise). Statistical significance indicators are \* for 5 percent and \*\* for 1 percent.

Policy Category	Employment and Labor Unions		Finance and Commerce	
	Model 1	Model 2	Model 1	Model 2
Sex	(-)*	(-)	(-)**	(-)**
Incumbency	no	no	no	no
List Position	no	no	no	
Commission	no	no	(-)**	(-)**
Degree	-	no	-	no
Party Effects	Center Left (+)**	Center Left (+)*	Center Right (-)*	no
Provincial Controls	no	no	no	no
Year	2001 (-)*	2001 (-)**	2000 (+)* 2002 (+)*	2000 (+)* 2002 (+)*
Observations	17477	11580	17447	11580
Wald Chi <sup>2</sup>	47.95	56.81	77.5	70.29

Policy Category	Industry		State Revenue	
	Model 1	Model 2	Model 1	Model 2
Sex	(-)**	(-)*	(-)**	(-)**
Incumbency	no	no	no	no
List Position	no	no	(+)*	(+)*
Commission	(+)**	no	(-)*	(-)*
Degree	-	no	-	no
Party Effects	no	no	no	no
Provincial Controls	Gran Chaco (+)* Northwest (+)* Patagonia (+)*	no	Littoral (-)* Patagonia (-)* Poverty (+)*	All Regions (-)* Poverty (+)*
Year	no	no	2005 (-)** 2006 (-)** 2007 (-)** 2008 (-)** 2009 (-)**	2005 (-)* 2006 (-)** 2007 (-)** 2008 (-)** 2009 (-)**
Observations	17447	11580	17447	11580
Wald Chi <sup>2</sup>	83.07	63.19	211.46	163.29



**Table 3.5.** Overview of Regression Results from the Political and International Affairs Categories. Model (1) does not include the control for authors' university degree; the degrees considered were degrees in law and degrees in the social sciences (where 1=yes and 0=no). Statistical significance indicators are \* for 5 percent and \*\* for 1 percent.

Policy Category	Civil Liberties	Security and Defense	International Affairs	
			Model 1	Model 2
Sex	(+)*	no	no	no
Incumbency	no	no	no	no
List Position	no	no	no	no
Commission	no	(-)*	(-)*	(-)*
University Degree	-	-	-	no
Party Effects	no	no	Center Left (-)**	Center Right (-)** Center Left (-)** Left (-)*
Provincial Controls	no	no		no
Year	no	no		no
Observations	17447	17447	17447	11580
Wald Ch <sup>2</sup>	39.35	66.66	60.98	67.11

Policy Category	Political, Electoral, and Constitutional Reforms		Judicial and Penal Reforms	
	Model 1	Model 2	Model 1	Model 2
Sex	no	no	no	(+)*
Incumbency	no	no	no	no
List Position	no	no	no	no
Commission	no	no	no	no
University Degree	-	Law (+)** Social Sciences (+)*	-	Law (+)** Social Sciences (+)**
Party Effects	no	no	no	no
Provincial Controls	no	no	no	no
Year	2001 (+)**	2001 (+)**	no	no
Observations	17447	11580	17447	11580
Wald Chi <sup>2</sup>	58.20	86.31	35.76	98.52

**Table 3.6.** Overview of Regression Results from the Social Policy Categories. Model (1) does not include the control for authors' university degree; degrees considered were only degrees in education and health, where appropriate. Statistical significance indicators are \* for 5 percent and \*\* for 1 percent.

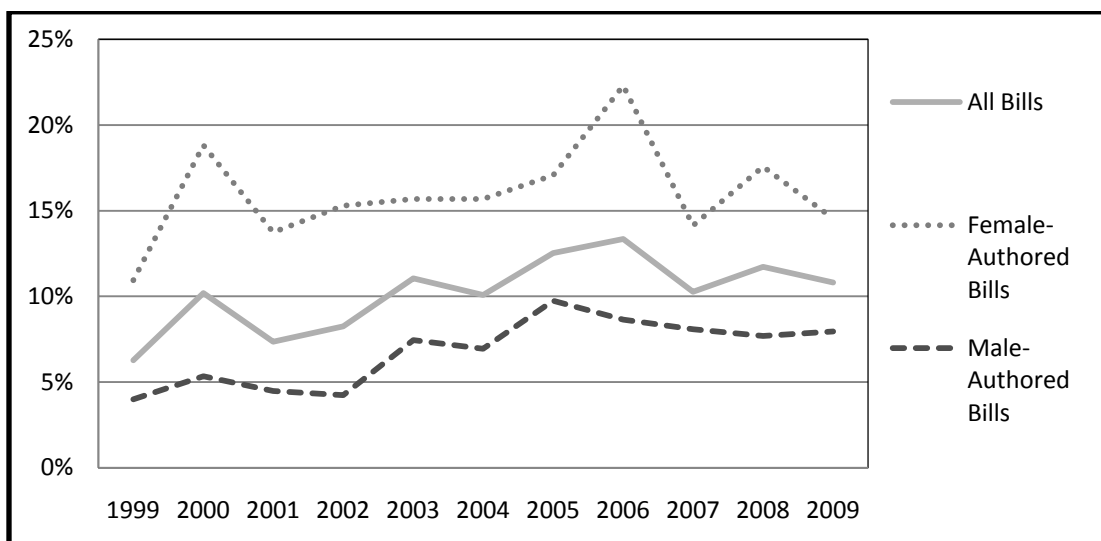
Policy Category	Environment	Culture and Leisure
Sex	no	no
Incumbency	no	(-)**
List Position	no	no
Commission	no	no
University Degree	-	-
Party Effects	no	no
Provincial Controls	Patagonia (+)**	no
Year	no	no
Observations	17447	17447
Wald Chi <sup>2</sup>	447.20	37.88

Policy Category	Education		Health	
	Model 1	Model 2	Model 1	Model 2
Sex	no	no	(+)**	(+)**
Incumbency	no	(-)*	no	
List Position	no	no	no	no
Commission	no	no	no	no
University Degree	-	Education (+)**	-	Medicine (+)**
Party Effects	no	no	no	no
Provincial Controls	no	no	Cuyo (+)* Littoral (+)* Northwest (+)* Pampas (+)* Patagonia (+)**	no
Year	no	no	no	2003 (+)*
Observations	17447	11580	17447	11580
Wald Chi <sup>2</sup>	38.74	99.22	99.89	165.24

**Table 3.7.** Overview of Regression Results from the Social Policy Categories, Continued. Model (1) does not include the control for authors' university degree; considered in Model (2) were degrees in law and degrees in the social sciences. Statistical significance indicators are \* for 5 percent and \*\* for 1 percent.

Policy Category	Group Rights and Special Protections		Social Benefits	
	Model 1	Model 2	Model 1	Model 2
Sex	(+)**	(+)**	no	no
Incumbency	no	no	no	no
List Position	no	(-)*	No	no
Commission	no	no	(+)*	no
University Degree	-	no	-	no
Party Effects	no	no	Center Left (+)*	Center Left (+) **
Provincial Controls	no	no	no	no
Year	2002 (-)*	no	no	no
Observations	17447	11580	17447	11580
Wald Chi <sup>2</sup>	82.31	89.94	49.81	56.84

Policy Category	Women, Children, and Family	
	Model 1	Model 2
Sex	(+)**	(+)**
Incumbency	no	no
List Position	no	no
Commission	no	no
University Degree	-	Law Degree (+)**
Party Effects	no	no
Provincial Controls	no	no
Year	no	no
Observations	17447	11580
Wald Chi <sup>2</sup>	87.33	127.95



**Figure 3.1.** Women's Interests Bills Introduced in the Argentine Congress over Time. The solid line shows the proportion of women's interests bills relative to all bills introduced each year, and the dashed lines show the proportion of women's interests bills relative to all female-authored and all male-authored bills introduced each year.

**Table 3.8.** The Probability of Authoring a Women's Interest Bill in the Argentine Chamber of Deputies. \*Indicates statistical significance at the 5 percent level; \*\* indicates statistical significance at the 1 percent level.

	Model 1			Model 2		
	$\beta$	SE	Z	$\beta$	SE	Z
Sex	0.490**	0.067	7.28	0.550**	0.085	6.48
Incumbency	-0.132	0.070	1.88	-0.163*	0.071	2.29
List Position	0.009	0.062	0.14	-0.018	0.072	0.24
Commission	0.015	0.063	0.24	0.033	0.077	0.42
Repeated Bill	0.236*	0.071	3.31	0.210*	0.083	2.54
Degree - Law	-	-	-	0.207*	0.091	2.28
Degree - Social Sciences	-	-	-	0.082	0.104	0.79
Right Party	-0.082	0.082	1.01	-0.135	0.097	1.40
Center-Right Party	0.056	0.122	0.46	0.055	0.148	0.37
Center-Left Party	-0.015	0.075	0.20	-0.073	0.087	0.85
Left Party	0.034	0.104	0.33	-0.015	0.113	0.14
Region- Cuyo	-0.218	0.250	0.87	-0.212	0.307	0.69
Region- Gran Chaco	-0.148	0.411	0.36	-0.077	0.451	0.17
Region- Littoral	-0.228	0.289	0.79	-0.198	0.327	0.60
Region- Northwest	-0.306	0.260	1.18	-0.271	0.301	0.90
Region- Pampas	-0.134	0.194	0.69	-0.074	0.232	0.32
Region- Patagonia	-0.086	0.185	0.46	0.052	0.219	0.24
Provincial GDI	-3.459	3.209	1.08	-4.320	3.719	1.16
Year 2000	0.163	0.113	1.45	0.212	0.175	1.21
Year 2001	-0.010	0.115	0.09	0.080	0.188	0.43
Year 2002	0.062	0.116	0.54	0.144	0.187	0.77
Year 2003	0.213	0.122	1.74	0.222	0.192	1.16
Year 2004	0.198	0.124	1.60	0.209	0.198	1.06
Year 2005	0.322*	0.128	2.52	0.303	0.203	1.49
Year 2006	0.394**	0.113	3.48	0.429*	0.194	2.22
Year 2007	0.191	0.123	1.55	0.145	0.203	0.72
Year 2008	0.246	0.128	1.93	0.212	0.208	1.02
Year 2009	0.175	0.131	1.33	0.125	0.209	0.60
constant	1.265	2.779	0.46	1.798	3.216	0.56
observations	17447			11580		
Wald Chi2	238.5			184.560		

**Table 3.9.** Predicted Probabilities for Authoring a Women's Interest Bill.

The values are generated based on a hypothetical incumbent female legislator from the capital district of Buenos Aires, relative to her male colleagues from the same district.

	Right Party Member	Center-Right Party Member	Center Party Member	Center-Left Party Member	Left Party Member
Female Legislator in the Lowest List Position	12.4%	16.7%	15.4%	13.7%	15.1%
Female Legislator in the Highest List Position	11.5%	15.6%	14.3%	12.7%	14.0%
Female Legislator with Law Degree in the Lowest List Position	17.2%	22.4%	20.8%	18.8%	20.4%
Female Legislator with Law Degree in the Highest List Position	16.1%	21.1%	19.5%	17.6%	19.1%

**Table 3.10.** The Proportion of Women's Interests Bills in the Three Substantive Categories.

	Male Legislators	Female Legislators	Total
Liberal Roles	36.0% (283)	56.3% (633)	48.0% (916)
Traditional Roles	9.2% (72)	5.9% (66)	7.2% (138)
Children	54.8% (431)	37.8% (425)	44.8% (856)
Total	100% (786)	100% (1,124)	100% (1,910)

**Table 3.11.** Overview of the Regression Results for the Probability of Introducing One Category of WSR Bills Relative to the Other Two. Model (1) does not include controls for university degrees; considered in Model (2) are degrees in law and the social sciences. \* Indicates statistical significance at the 5 percent level; \*\* indicates statistical significance at the 1 percent level.

Policy Category	Liberal Gender Roles		Children	
	Model 1	Model 2	Model 1	Model 2
Sex	(+)**	(+)**	(-)**	(-)**
Incumbency	no	no	no	no
List Position	no	no	no	no
Commission	no	no	no	no
Repeated Bill	no	no	no	no
University Degree	-	Law Degree (+)**	-	(-)*
Party Effects	no	Center Right (-)**	no	no
Provincial Controls	no	no	no	no
Year	no	no	no	no
Observations	1782	1294	1781	1293
Wald Chi <sup>2</sup>	75.57	122.70	56.08	78.12



**Table 3.12.** Predicted Probability for Authoring a WSR Bill Addressing Either Liberal Gender Roles or Children. The values are generated based on a hypothetical incumbent legislator from the capital district of Buenos Aires; the legislator is choosing this WSR concentration relative to the other two.

	Liberal Gender Roles		Children	
	Male Legislator	Female Legislator	Male Legislator	Female Legislator
Right Party	15.3%	36.1%	83.9%	68.6%
Center-Right Party	6.2%	19.1%	81.9%	65.8%
Center Party	20.5%	43.5%	77.1%	59.4%
Center-Left Party	16.7%	38.2%	81.9%	65.9%
Left Party	21.0%	44.3%	79.6%	62.7%

**Table 3.13.** The Frequency of Women's Interests Bill Introduction in Mexico.

Legislature	Years	Total Women's Bills Presented	Total Other Bills Presented	Total Bills Introduced
LVII	1997-2000	4.7% (32)	95.3% (653)	100% (685)
LVIII	2000-2003	3.5% (46)	96.5% (1264)	100% (1310)
LIX	2003-2006	4% (129)	94% (3107)	100% (3236)
LX	2006-2009	4.9% (153)	95.1% (2971)	100% (3124)
Total	1997-2009	4.3% (360)	95.7% (7995)	100% (8355)

**Table 3.14.** The Proportion of Women's Interests Bills in the Three Substantive Categories, Mexico

	Male Legislators	Female Legislators	Total
Liberal Roles	63.6% (61)	79.2% (209)	75% (270)
Traditional Roles	3.1% (3)	3.8% (10)	3.6% (13)
Children	33.3% (32)	17.0% (45)	21.4% (77)
Total	100% (96)	100% (264)	100% (360)

**Table 3.15.** Mexico: The Probability of Introducing a WSR Bill that Focuses on Children. The category of children is opposed to traditional gender roles or liberal gender roles. \*\* Indicates statistical significance at the 1 percent level; \* indicates statistical significance at the 5 percent level.

	Model 1			Model 2		
	$\beta$	SE	Z	$\beta$	SE	Z
Sex	-0.516**	0.190	2.72	-0.516**	0.190	2.72
PR district	-0.114	0.196	0.58	-0.114	0.196	0.58
Commission	0.202	0.156	1.30	0.202	0.156	1.30
PAN	0.654**	0.233	2.81			
PRI				-0.654**	0.233	2.81
PRD	0.298	0.266	1.12	-0.356	0.223	1.59
party left	0.469	0.308	1.52	-0.185	0.266	0.70
party right	0.515	0.358	1.44	-0.139	0.326	0.43
Leg58	-0.252	0.350	0.72	-0.252	0.350	0.72
Leg59	0.226	0.262	0.86	0.226	0.262	0.86
Leg60	0.042	0.285	0.15	0.042	0.285	0.15
Cir1 (NW)	0.130	0.289	0.45	0.130	0.289	0.45
Cir2 (NE)	0.383	0.257	1.49	0.383	0.257	1.49
Cir3 (S/SE)	-0.008	0.253	0.03	-0.008	0.253	0.03
Cir5 (S)	0.234	0.235	1.00	0.234	0.235	1.00
Constant	-0.981*	0.370338	2.65	-0.327	0.346	0.94
Observations	388			388		
Wald Chi <sup>2</sup>	30.51			30.51		

**Table 3.16.** Mexico: The Probability of Introducing a WSR Bill that Focuses on Liberal Gender Roles. The category of liberal gender roles is opposed to traditional gender roles or child welfare. \*\* Indicates statistical significance at the 1 percent level; \* indicates statistical significance at the 5 percent level.

	Model 1			Model 2		
	$\beta$	SE	Z	$\beta$	SE	Z
Sex	0.443*	0.189	2.35	0.443*	0.189	2.35
PR district	0.202	0.198	1.02	0.202	0.198	1.02
Commission	-0.214	0.157	1.37	-0.214	0.157	1.36
PAN	-0.806**	0.218	3.70			
PRI	-	-		0.806**	0.218	3.70
PRD	-0.216	0.258	0.84	0.586**	0.226	2.61
party left	-0.369	0.308	1.20	0.437	0.274	1.59
party right	-0.424	0.364	1.17	0.382	0.336	1.14
Leg58	0.270	0.334	0.81	0.270	0.334	0.81
Leg59	-0.269	0.253	1.06	-0.269	0.253	1.06
Leg60	0.030	0.277	0.11	0.030	0.277	0.11
Cir1 (NW)	-0.025	0.284	0.09	-0.025	0.284	0.09
Cir2 (NE)	-0.371	0.249	1.49	-0.371	0.249	1.49
Cir3 (S/SE)	-0.108	0.240	0.45	-0.108	0.240	0.45
Cir5 (S)	-0.333	0.245	1.36	-0.333	0.245	1.36
Constant	0.872**	0.354	2.46	0.066	0.333	0.20
Observations				388		
Wald Chi <sup>2</sup>				41.82		

**Table 3.17.** Comparing Argentina and Mexico on Bill Introduction.  
Differences between the two countries are underlined for emphasis.

Bill Introduction	Argentina	Mexico
General Policy Categories	<ul style="list-style-type: none"> <li>✓ Women more likely than men to author bills on civil liberties, health, group rights and special protections, and women, children, family</li> <li>✓ No consistent patterns are found for median party ideology or constituency</li> </ul>	Not measured
Representing Women's Interests (Content-Neutral)	<ul style="list-style-type: none"> <li>✓ Female legislators write the vast majority of women's interests bills, and <u>they spend significant amounts of their total "bill authorship time" doing so</u></li> <li>✓ <u>Male legislators author a surprisingly large share of women's interests bills</u></li> <li>✓ Nonetheless, being female remains the most significant predictor that a legislator introduces a WSR bill</li> </ul>	<ul style="list-style-type: none"> <li>✓ Female legislators write the vast majority of women's interests bills, <u>though fewer bills on gender are introduced in Mexico when compared to Argentina</u></li> <li>✓ <u>Male legislators author a very small share of women's interests bills</u></li> </ul> <p>Not measured</p>
Normative Direction of Women's Interests	<ul style="list-style-type: none"> <li>✓ Most female legislators, especially female legislators on the left, will focus on liberalizing women's roles</li> <li>✓ <u>Men write women's interests bills that focus on child welfare more than on liberal gender roles</u></li> <li>✓ <u>Uncoordinated agenda setting activities accounts for the plethora of proposals</u></li> </ul>	<ul style="list-style-type: none"> <li>✓ Most female legislators, especially female legislators on the left, will focus on liberalizing women's roles</li> <li>✓ <u>Men write bills on child welfare, but they are less productive on women's interests overall</u></li> <li>✓ <u>Coordinated agenda setting means fewer proposals but more consensus</u></li> </ul>

**Appendix 3.1.** Detailed Construction of the 16 General Policy Categories.  
The raw count of bills appears in parentheses.

## ECONOMICS

### **1. Employment and Labor Unions (1,112)**

Employment (249)

Labor Law Reforms (648)

Labor Unions (82)

*Obras Sociales* (Labor Unions' Health Care Programs) (34)

Occupational Health and Safety (99)

### **2. Finance and Commerce (1,813)**

Business Regulation (236)

Consumer Protection (249)

Contracts, Torts and Insurance (251)

Commerce – Interior (327)

Intellectual Property and Patents (103)

Finance and Banking (489)

Property Rights (119)

Zoning (39)

### **3. Industry (2,209)**

Energy – Gas and Electric (343)

Production – Agriculture (340)

Production – Fishing (71)

Production – Mining (68)

Production – Other (214)

Public Investment and Regional Development (128)

Public Transit (48)

Public Works and State Contracts (427)

State Ownership v. Privatization (28)

Railroads, Airlines, Ports, and the Post (141)

Technology – Information (47)

Technology – Scientific Investigation and Progress (114)

Telecommunications (240)

### **4. State Revenues (1,965)**

Federal Budget (145)

Federal-Provincial Relations (“co-participación”) (314)

Public Finance and Public Debt (541)

Tax Reforms (excluding import and export taxes) (965)

## SOCIAL POLICY

**5. Culture and Leisure (697)**

Animal Protection (16)  
Culture: Art, Music, and Museums (164)  
National Heritage/Patrimony (87)  
Leisure (71)  
Sports (161)  
Tourism (153)  
Volunteerism (45)

**6. Education (614)**

Education Laws and Regulations (604)  
Scholarships (10)

**7. Environment (583)**

Energy – Renewable (76)  
Environmental Protection and Cleanup (507)

**8. Group Rights and Special Protections (741)**

Discrimination (62)  
Elderly (excluding pensions) (31)  
Gay Rights (22)  
Handicapped Peoples (323)  
Human Rights (90)  
Immigrants and Labor Migrants (46)  
Indigenous Peoples (105)  
Prisoners (32)  
Refugees (5)  
Religion (9)  
Veterans (excluding veterans of the 1982 Falklands war) (16)

**9. Health (1,387)**

Addictions and Addicts (223)  
Bioethics (36)  
Fertility Treatments (27)  
Food Additives and Food Safety (96)  
Healthcare and Health Insurance (1,005)



**10. Social Benefits (1,624)**

Emergency Assistance & Emergency Zones (261)  
 Housing (*Vivienda*) (146)  
 Pensions (635)  
 Social Assistance (196)  
 Social Development Funds (24)  
 Social Security (327)  
 Unemployment Benefits (35)

**11. Women, Children, and Family (790)**

Children, Adolescents, and Youth (164)  
 Reforms to Marriage and Family Codes (588)  
 Women (38)

## POLITICAL AND INTERNATIONAL AFFAIRS

**12. Civil Liberties (517)**

Citizenship (15)  
 Civil Society, Organizations, and Participation (123)  
 Dictatorship (1976-1983) (156)  
 Freedom of Information (36)  
 Identities (Passports, National IDs Cards, Birth Registries) (125)  
 Privacy Rights and Data Protection (62)

**13. International Affairs (673)**

Customs, Trade, Tariffs, Import, and Export (391)  
 Borders (12)  
 Conflicts, Wars, Peacekeeping (7)  
 Embassies/Foreign Service (13)  
 Foreign Investment (13)  
 Falkland Islands (including veterans of the 1982 Falklands War) (100)  
 International Negotiations (53)  
 Mercosur (46)  
 Treaties (38)

**14. Judicial and Penal Reforms (1,751)**

Judicial Reforms (428)  
 Penal Code Reforms (1,323)

**15. Political, Electoral and Constitutional Reforms (1,347)**

Campaign Finance (14)  
Constitutional Reforms (84)  
Corruption (126)  
Electoral Code Reforms (412)  
Executive-Legislative Relations (70)  
Legislative Reforms (76)  
Political Parties, Structure and Organization (144)  
Public Administration (191)  
Transparency (187)  
Voting Rights (16)  
2001-2003 Crisis (27)

**16. Security and Defense (877)**

Gun and Arms Control (64)  
Intelligence (30)  
Military: Structure, Function, Purpose and Organization (76)  
National Defense (80)  
Police and Public Security Forces (136)  
Private Security (26)  
Public Safety, Codes and Regulations (465)

**Appendix 3.2.** Alternative Constructions of the 16 Regular Policy Categories  
The number in parentheses refers to the policy category; see Table 3.1.

Policy Theme	Policy Category Used in Regressions	Alternate Checked
2002-2003 Crisis	Political, Electoral, and Constitutional Reforms (15)	Civil Liberties (12)
Addictions	Health (9)	Group Rights and Special Protections (8)
Animal Protection	Culture and Leisure (5)	Group Rights and Special Protections (8)
Business Regulation	Finance and Commerce (2)	Industry (3)
Civil Society	Civil Liberties (12)	Political, Electoral, and Constitutional Reforms (15)
Commerce - Interior	Finance and Commerce (2)	Industry (3)
Customs, Trade, Tariffs, Import, and Export	International Affairs (13)	Industry (3)
Energy - Renewable	Environment (7)	Industry (3)
Food Safety	Health (9)	Industry (3)
<i>Obras Sociales</i>	Employment and Labor Unions (1)	Health (9)
Public Finance	State Revenue (4)	Finance and Commerce (2)
Public Safety	Security and Defense (16)	Civil Liberties (12)
Public Works	Industry (3)	State Revenue (4)
Railroads, Airlines, Ports and the Post	Industry (3)	State Revenue (4)
State Ownership	Industry (3)	State Revenue (4)
Tax Reforms	State Revenue (4)	Finance and Commerce (2)
Tax Reforms	State Revenue (4)	Industry (3)

The variables used to control for legislators' university education in Chapter

Three appear in a paper submitted for publication: Franceschet, Susan, and Jennifer M.

Piscopo, "Gendered Paths to Elected Office? Women in Argentina's National Congress."

I was the primary architect of the dataset for this paper.

## Notes

<sup>1</sup> Using the data from Alemán, Calvo, Jones and Kaplan (2009), I independently verified this assertion by comparing the roll-call ideal point estimates across the administrations considered for my study.

<sup>2</sup> Bills addressing the following matters were eliminated from the dataset: property transfers between the federal and provincial governments unless the use or purpose of the property was specified (in which case the bill was categorized according to the intended property use), declaring days of commemoration for historical figures or events, declarations of historic sites, and renaming places or buildings in commemoration for historical figures or events.

<sup>3</sup> I am fluent in Spanish and coded all bills. I consulted with Argentine legal experts for clarification when appropriate.

<sup>4</sup> While the Argentine quota was introduced in 1991, data availability limits the study to beginning in 1999.

<sup>5</sup> Approximately 14 percent of the dataset contains repeat bills. I include these repeat bills in the analysis—essentially, I double count them—because their repeated introduction signals the legislators' particular commitment to the policy issue. I ran the models both with and without the repeated bills, and the inclusion or exclusion of this variable did not change the results.

<sup>6</sup> Data on provincial spending and provincial poverty was generously shared by Dr. James McGuire of Wesleyan University. The HDI and GDI was drawn from the United Nations (2010).

<sup>7</sup> Given the difficulty of fitting some bills into one policy category or the other, alternate coding schemes were devised and tested. For instance, while bills themed on renewable energy were grouped under the category of environment (see Table 3.1), but such bills could also be grouped under the category of industry. I constructed alternative versions of the dependent variables when certain themes could justifiably be included in two different categories, and I performed the same regression on each version of the DV. Appendix 3.2 lists the alternate coding schemes. Only in two instances—for the categories of civil liberties and security and defense—did the alternate coding schemes change the regression results.

<sup>8</sup> I do not report the results for the "repeated bill" variable, as including or excluding this control did not affect the direction or significance of the independent variables of interest.

<sup>9</sup> When the alternate coding scheme is used for civil liberties, however, sex is no longer significant in the model. This reflects the construction of civil liberties as a general category that may be highly sensitive to the exact themes of the bills.

<sup>10</sup> The alternate coding scheme removes bills addressing public safety from the category of security and defense; this removal reduces the security and defense category to bills dealing solely with the police and the military. When this alternate coding scheme is used, legislators with membership in right and center-right parties are much more likely than legislators who are members of other parties to author these bills. The coefficients are statistically significant at the five percent level for both right and center-right parties. This finding may reflect the right's greater preoccupation with questions of law and order.

<sup>11</sup> Including an interaction term for sex and medical degree had no effect.

<sup>12</sup> Franceschet and Piscopo (2008) only looked at bills that sought to decriminalize abortion, combat violence against women, penalize sexual harassment, and extend gender quotas to other political institutions.

<sup>13</sup> The standard deviation is 7 bills for female legislators and 6 bills for male legislators.

<sup>14</sup> The standard deviation is 2 bills for both female and male legislators.

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<sup>15</sup> Note that the total number of WSR bills in Table 3.10 only sums to 1,910 instead of 1,911. One of the WSR bills was lacking an executive summary and the direction of its content could not be determined.

<sup>16</sup> Data were drawn from the on-line congressional archives for the Mexican Chamber of Deputies as well as from the Mexican Congress's independent research center CEAMEG, *Centro de Estudios para el Adelanto y la Equidad de la Mujer* (Center for the Study of Women's Advancement and Equity).

<sup>17</sup> Ideologically categorizing the PRI in Mexico is similar to categorizing the PJ in Argentina. Both parties began as leftist parties based on populist platforms of land reform, social services, and wealth redistribution. Over time, however, both parties have developed a "catchall" ideology to stay in power. The PRI, increasingly under electoral pressure from the PRD on the left and the PAN on the right, has become programmatically opportunistic and ideologically heterogeneous. For this reason, the party is frequently treated as moderate or middle-of-the-road.

<sup>18</sup> Twenty five of the 360 bills in the dataset (7 percent) had multiple authors.

<sup>19</sup> Unfortunately, data on the legislators' list position and educational background was not available.

<sup>20</sup> The electoral map showing the five *circunscripciones* can be downloaded from Mexico's *Instituto Federal Electoral* [Federal Electoral Institute] (<http://www.ife.org.mx>). I also performed the regressions using an alternate coding for electoral constituency that divided Mexico's 32 states into north, center, and south. Neither variable was significant.

<sup>21</sup> By contrast, as the legislator continued to explain, the efforts in 2009-2010 to introduce a penal reform to legalize abortion have unfolded through an unprecedented amount of coordination and collaboration.

Interview, April 15.

<sup>22</sup> Interview, May 28.

<sup>23</sup> This ad-hoc process also accounts for why multiple legislators in Argentina introduce identical proposals: many legislators share the same WSR preferences, but not all bills advance and each legislator wants the opportunity to claim credit when their particular proposal trumps the other, similar ones.

<sup>24</sup> This process began with the construction of an integrated, multi-class, multi-ethnic women's movement in Mexico, which included the widespread participation of female politicians (Lamas, Martínez, Tarrés, and Tuñón 1995; Tarrés 2006).

<sup>25</sup> The *Parlamento de Mujeres* was held from 1998 to 2006, suspended in 2007, 2008, and 2009, and re-inaugurated in 2010.

<sup>26</sup> Sara Lovera, 23 June 2000. <http://www.cimac.org.mx/noticias/00jun/00062304.html>

<sup>27</sup> Address to the presidents of the states' electoral institutes. 25 September 2003 in the City of Chetumal, Quintana Roo, Mexico.

<sup>28</sup> Interview with female PAN leader and former deputy, December 7.

## **CHAPTER 4**

### **REPRESENTATION, THE LEGISLATIVE PROCESS, AND STATUTE CHANGE**

#### 4.1. Introduction

The previous chapter examined whether male and female legislators differ in their patterns of bill authorship. This chapter develops the narrative further by taking a broader look at the policymaking process, from bill initiation to statute change. First, I present qualitative interview data that explores how male and female legislators understand women's representation and the policymaking process. Deputies' reflections on WSR policymaking confirm the empirical patterns demonstrated in Chapter Three: women are more likely than men to *want* to represent women. Further, interviewees' comments also reveal the difference between deputies who lead women's interests reforms and those who serve as allies; the latter are more likely to *acompañar* [accompany, meaning coauthor] initiatives, support these proposals in committees, and help gather votes from colleagues inside and outside their party delegations. The interview data, in looking beyond bill introduction to processes of proposal advocacy, thus paint a larger picture of substantive representation. The qualitative evidence suggests that female legislators will face multiple hurdles in pushing their initiatives through the Chamber of Deputies, and so I hypothesize that women will be less successful at affecting women's substantive representation as outcome.

Second, I analyze how bills pass through the Chamber Deputies and become laws. I discuss my interviewees' explanation for how bills advance, and I present an empirical model that examines which factors predict whether bills succeed. I find that, while some variables determine which bills succeed in the general model, there are no factors that consistently predict whether women's interests proposals become laws. I attribute the seeming random nature of WSR statute change to the uniqueness of gender policy:

women's substantive representation touches upon questions of morality, sexuality, and power, and the success of these proposals does not solely depend on variables such as the majority party's agenda control. As such, the chapter develops two themes: the role of legislators' willpower in ensuring women's substantive representation as process and as outcome, and the way in which these processes and outcomes are further sensitive to the "gender-friendliness" of institutions. I conclude by presenting reflections on how institutional arrangements force a tradeoff between the scope and depth of WSR policies.

#### **4.2. Understanding Women's Substantive Representation in Argentina**

This section draws on my interviews with male and female legislators in Argentina in 2005 and 2009.<sup>1</sup> Male and female interviewees generally identified three types of female legislators. First are "feminist legislators," those who possess what interviewees described as *conciencia de género* [gender awareness]. Feminist legislators explicitly mentioned their desire to advance reforms that would liberalize gender roles. In addition to self-identifying as elected officials with *conciencia de género*, these legislators mobilize support coalitions for specific WSR proposals and have tried to organize their female colleagues into a formal caucus. Second are those whom one female interviewee referred to as the "obedient women": these are *diputadas* who would join the feminists by voting for a WSR proposal, but would largely distance themselves from any overt association with women's interests or women's caucuses.<sup>2</sup> I will refer to them as allies. Finally, there are those who distance themselves from women's interests completely, whom their feminist colleagues criticized for utterly lacking gender awareness. In turn, these "non-supporters" were frequently critical of the feminists and



their allies, whom they often characterized as single-minded, obsessive, and annoying. My interview sample of 33 legislators and 8 policy advisors (see Appendix 1.2) includes female deputies of all three types. Of the male deputies I interviewed, none identified as feminist; two self-identified as allies, and the remainder are non-supporters.<sup>3</sup>

#### 4.2.1. Representation in the Argentine Context

Most academics agree that the malapportionment in the Argentine Chamber of Deputies makes representation territorial, that is, legislators are incentivized to extract the largest amount of fiscal resources for their home province (Gordin 2006). Beyond fiscal policy, however, the legislators whom I interviewed conceived of representation more broadly: while they frequently mentioned convening meetings, workshops and conferences in their home province, they also spoke of representing the “people” in a larger sense. Legislators from smaller parties—those only winning seats in the urban districts of Buenos Aires, Santa Fe, and Mendoza—explicitly mentioned that they spoke for all the citizens. Many deputies who came from provincial legislatures found this broader representative mandate frustrating when accompanied by the slower pace of change in the federal chamber. Most interviewees felt responsible for state-building, not simply resource extraction.

Most important for this dissertation is Argentine legislators’ repeated emphasis on the role played by individual initiative in the development and advancement of bills. As demonstrated empirically in Chapter Three, median party ideology plays little-to-no role in determining legislators’ policy concentrations in terms of bill authorship. Legislators’ membership in either the government or the opposition party clearly matters for floor

votes (Jones, Hwang, and Micozzi 2009), and legislators' dependence on their provincial governors clearly matters for those fiscal policies that redistribute revenue from the center to the peripheries (Gordin 2006). Advocacy of proposals that fall outside of economic or territorial concerns, however, proceeds in a less systematized fashion. As one legislator confirmed, "party discipline matters more in areas that are truly political, such as agricultural taxes."<sup>4</sup> Indeed, Jones and Hwang (2005) find large amounts of intra-party ideological heterogeneity, indicating that deputies and senators have diverse interests even within their congressional *bloques* [delegations]. Interviewees did frequently acknowledge a *coincidencia* [correspondence] between their beliefs and their parties' platform, but most justified their activity on social policy and gender policy in terms of their individual commitments.

#### 4.2.2. Why Women Represent Women

A central question of the dissertation has been, "What motivates female (and perhaps male) legislators to concentrate on gender policy?" The bill introduction patterns shown in Chapter Three only reveal that female deputies do concentrate on women's interests—not why they do so. Franceschet and Piscopo (2008) theorize a "mandate effect," wherein gender quotas, by making sex a relevant category for election, also make sex a relevant category for policymaking. While my interviewees did not explicitly link their representative missions to the *Ley de Cupos*, many did feel a particular impulse, obligation, or desire to improve women's rights and wellbeing.<sup>5</sup>

One female deputy clearly saw her mission as to "effectively realize the substantive representation of women" by pushing projects that addressed women's needs,

specifically violence against women, trafficking of women, and maternal mortality due to back alley abortions. She explained that female legislators “who are aware of their commitment to representing women choose commissions focused on women or social wellbeing; in general, they focus on the daily life of people.”<sup>6</sup> The perception that female politicians were more connected to people and to society was a common theme in interviews. Nearly every *diputada*—including feminists, allies, and non-supporters—made comments that underscored women’s distinctive commitment to social issues and to society. As the policy advisor to one female legislator noted, “women are more *sensible* [sensitive] to the fabric of society.”<sup>7</sup>

Women’s unique closeness to the social fabric was frequently invoked to explain why female legislators were more likely than their male counterparts to act as leaders or allies of WSR. This deeper connection is premised on gendered traits: interviewees frequently stated that women were more sensitive, inclusive, open-minded, sympathetic, conciliatory, and receptive than men. One legislator described her motivation in terms of gender roles: “I think about my accountability as a mother: how I will justify to my daughter my efforts to make this country better.”<sup>8</sup> Other female legislators justified their motivation by referring to Argentine women’s ongoing disadvantages. These included the greater likelihood of women to be victims of poverty; the persistence of women’s responsibility for domestic management and the limitations these obligations place on their professional advancement; and women’s continued struggles with discrimination in universities, the workforce, political parties, and other spaces.<sup>9</sup> Still others referenced women’s obligation to protect the most disadvantaged of society—not simply women, but children, young people, the poor, pensioners, the elderly, the handicapped, and other

marginalized or dispossessed groups.<sup>10</sup> As one *diputada* said, “the perspective of gender is the perspective of social exclusion.”<sup>11</sup> Her colleague also held this belief, saying that “the inclusive viewpoint of women has to do with power; women are closer to the understanding that you must redistribute power.”<sup>12</sup>

Both feminists and allies were unanimous in their belief that male legislators were less likely to understand societal needs and women’s needs, and less likely to consider them relevant targets of legislative activity. A female legislator with a degree in economics, seated on the Finance and Budget Commission, painted this picture clearly: “I do not just care about whether the numbers balance or not; I care about the social impact; the men who work on economic issues don’t have this social perspective, they are more orthodox.” In terms of policies that invoked women’s interests, she added that “men speak as if they were outside the situation.”<sup>13</sup> Another woman commented that the men were “more technical” and did not throw themselves into governing or into meeting social needs.<sup>14</sup> Female deputies also brought women’s interests into non-traditional spaces; for instance, one legislator seated in the 1994-1997 term established a foreign policy program entitled “Women and Development in the Cities of Mercosur.”<sup>15</sup>

Further, legislators described how party leaders and society reinforced beliefs about WSR as female deputies’ responsibility. One legislator explained that party bosses did not see female candidates as political operators in the classic sense, wherein politicians mobilize voters via clientelist networks that operate house-to-house. Rather, party leaders see women as “representing the social sectors.”<sup>16</sup> Likewise, another *diputada* commented, “Our voters charge us with representing social themes; voters don’t expect men to work on social issues; even if women ask for the economy, we get social

issues.” This *diputada* further explained how social pressure made her an ally rather than a feminist: she said, “I don’t consider myself someone who has gender awareness” but she supported proposals that sought to liberalize gender roles because her “greater connection to the people” made such support logical.<sup>17</sup> Her female colleague concurred, saying “I don’t work on gender themes because I have never experienced discrimination, but I rationally recognize that discrimination exists... and I believe that my political work is about equality.”<sup>18</sup>

Discerning whether female legislators’ representation of women is chosen voluntarily or externally imposed is extremely complex. One female deputy’s story illustrates how both explanations can hold. She recalled, “My *bloque* sent me to the commission on family, though I wanted labor laws.” Yet she also listed gender among her legislative interests (which included health, employment, and reform of the public administration system).<sup>19</sup> She further wrote and introduced the *Ley de Cupo Sindical* [Labor Union Quota Law], which mandated that labor unions incorporate 30 percent women onto their directorate boards. This legislator described the *Ley de Cupo Sindical* as a “legitimate” gender reform, one that would encourage women to become involved in labor union affairs while democratizing the syndicates’ decision-making.<sup>20</sup> Her comments indicate that female legislators’ policy interests are diverse and that, even when *diputadas* distance themselves from becoming known as women’s advocates, they still undertake individual actions that do, in fact, substantively represent women.

Feminist legislators have a less complicated, and more direct, relationship to substantive representation. Many began their political careers in feminist movements or in women’s civil society organizations. These legislators fall into the feminist category

because they traveled to the Chamber of Deputies with the intentions to continue their advocacy for women's rights. For instance, three *diputadas* had previously lobbied from within civil society for provincial quota laws and they, as well as several others, had also previously worked with non-governmental and/or party organizations that supported poor women.<sup>21</sup> One *diputada* with a history of feminist activism explained that representing women was neither difficult nor abstract, but easy and natural.<sup>22</sup>

Several feminist interviewees explicitly connected their backgrounds to their legislative activities. One deputy linked her non-governmental work with abused children, rape victims, and poor women to the initiatives she worked on in the chamber: the laws against sex trafficking and violence against women and the proposals to legalize emergency contraception and prevent child pornography.<sup>23</sup> Another *diputada* also had worked with provincial organizations formed to combat sex trafficking, and she attributed this connection to her work on the anti-trafficking law.<sup>24</sup> Likewise, a neophyte *diputada*, who attributed her placement on the candidate list to her ties to the women's movement, commented: "When I arrived, I did not have specific ideas about working on certain initiatives, but I was connected to the women's movements' efforts to combat sex trafficking, and so I felt an obligation to work on that."<sup>25</sup> Thus, legislators' connections to the women's movement can both stimulate and reinforce women's substantive representation.

Only one female legislator defies easy classification. A self-described evangelical who is "motivated by her commitment to God," her defiant anti-abortion stance means she cannot be categorized as feminist. Yet she is more than an ally, having exercised leadership on several WSR initiatives, most notably an adoption program. In her words,

“I want to fight against the discrimination of women in society and in the family; I support all women’s interests except abortion.” She has defended the quota law and women’s equal remuneration in the labor force. Like her colleagues, she sees her commitment to women’s interests as an extension of her connection to society and to other marginalized groups, such as youths and delinquents.<sup>26</sup>

Another unique case pertains to the male legislator who served as secretary of the Commission on Women Family, Children and Youth in the 2009-2011 congressional term. Like his female colleagues, he expressed his motivation in terms of social activism. He became politicized following the disappearance of his parents and brother during the dictatorship. He spent his early career as an investigator for the *Madres* of the *Plaza de Mayo* and then served as Secretary of Human Rights in his province. In doing so, he realized how “so frequently women are the ones who must protect the disadvantaged.” He did not locate his explicit support for gender equality as representing women. Rather, he defends women’s rights—as well as minority rights more broadly—because “human rights are part of the process of democratic consolidation.” In response to whether or not his position was common among male legislators, he noted “men are disinclined to participate” in WSR because they do not understand the comprehensive nature of human rights. He explained that female legislators concentrate on women’s issues because of the “cultural system”: “male legislators do not understand that gender equality reflects the demands of society and not just women.”<sup>27</sup>

More common were male legislators who supported gender initiatives as allies while simultaneously distancing themselves from the feminists. One male legislator from a small left party said, “there are female deputies who are known women’s advocates,

who come to the chamber to work on these issues; they bring their proposals to me and I support them, so I become part of their project *without being known as the legislator of these issues.*”<sup>28</sup> Another male deputy from a left party explained, “To support projects that advance women’s rights is simply about understanding social realities; I accompany these projects because they are obvious.”<sup>29</sup> For both these male officials, the underlying reason for their support of gender equality was consistency between the WSR initiatives and their parties’ ideological commitments to represent the disadvantaged and to redistribute power. They expressed support for women’s issues without claiming ownership of them.

Thus, even male legislators undertaking women’s substantive representation (even if they did not recognize their efforts as such) acknowledged the gendered division of labor in the Congress.<sup>30</sup> This pattern was demonstrated empirically in Chapter Three. As one female legislator commented, women work on the projects “not touched [*no tocados*] by men.”<sup>31</sup> Another female deputy said, “The men lack a base of knowledge in gender issues; they say to us [women], ‘well, you deal with sex trafficking.’” She added jokingly, “We should convene a seminar on gender and impose a quota for the men.”<sup>32</sup>

All male and female interviewees recognized the changes brought to the legislative agenda through the *Ley de Cupos*. Frequently mentioned thematic changes were the decriminalization of abortion, sex trafficking and prostitution, violence against women, femicide, inequity within the family and the changing nature of family formations, sexual health and sexual education, discrimination, and maternity leave, as well as more attention to social issues in general. One female deputy stated quite clearly, “If it wasn’t for the women, we wouldn’t have laws against sex trafficking, laws for



sexual and reproductive health... even women from different parties work on these laws.”<sup>33</sup>

Yet the gendered division of labor is a dominant trend, not a universal rule. While some non-supporters distance themselves from women’s interests but still recognize their importance, other non-supporters explicitly reject the feminist agenda. Interviewees frequently mentioned that women were their own worst enemies. A male legislator commented that many female legislators “were like men in their head”—not because they adopted masculine leadership styles, but because they lacked gender awareness, dismissed the struggle for equality, and therefore accepted their subordinate status. He further alleged that many male legislators would be more disposed to discuss the decriminalization of abortion if only the *diputadas* would agree.<sup>34</sup> A female interviewee concurred, saying “The vast majority of men will simply let these issues pass; the most conservative ones are the women. We talk about abortion [in the Commission on Women, Family, Children, and Youth] and we fight; we discuss a resolution on the distribution of the morning after pill, and the fight is among women.”<sup>35</sup> Another female deputy, who had served multiple terms in the congress, noted, “There are many women who complain about injustice and the inequality of opportunities, but many times the women perpetuate this, they are to blame.”<sup>36</sup> These disparate viewpoints were best summarized by the male advocate for human rights: “it is the women who are the most *machista*.”<sup>37</sup>

The use of the word *machista* to critique non-supporters provides further evidence for how women’s substantive representation is deeply gendered. Chapters Two and Three showed clear gender differences in the direction of public opinion and the

content of legislative proposals, respectively. Here, interviewees' comments on why substantive representation unfolds show clear gender differences in its justification. Even a male legislator who denied the legislative division of labor acknowledged, when pressed, that social commissions had a disproportionate number of women, but this was due to women's "individual vocations."<sup>38</sup> With the exception of the male committee secretary who linked WSR to a broader agenda of human rights, the vast majority of male and female interviewees linked WSR to an essential task of women, one derived from feminine traits that were either biologically innate or culturally determined. Whereas male non-supporters were characterized as simply being unaware of the importance of women's rights, female non-supporters were seen as *betraying their gender* (acting like men) when they ignored women's interests. Arguments about essentialism are thus inescapable not only in the theory of women's substantive representation, but in the very mechanisms through which WSR is understood and evaluated by its practitioners.

#### 4.2.3. Fighting Informal Norms

Interviewees' comments thus reveal the extent to which the gendered division of labor in the Argentine Congress—women representing women—is naturalized through beliefs about femininity and its connection to domesticity. Yet these same beliefs create inequities within the Chamber of Deputies. Female interviewees routinely felt that women and women's interests were marginalized within the Congress, making the Argentine legislature decidedly un-gender friendly.

One female legislator discussed the discriminatory practices in the lower house. She noted, for instance, that all official communication arrives addressed to "*Señor*

*Diputado*” [Mr. Deputy].<sup>39</sup> Larger hurdles coexist with these small annoyances. One female deputy was appointed to the special legislative commission on violence at soccer matches. She reflected, “The men try to delegitimize women’s viewpoint in certain spaces. On the football commission, they didn’t believe women understood the situation, and we had to prove that we had understanding [about soccer]; they demanded more from the women.”<sup>40</sup> The female economist who analyzed the budget through her social perspective similarly commented that “I had to demonstrate a level of understanding and analysis of economic affairs that was much higher than what the others showed; they demanded more of me.”<sup>41</sup> Other female legislators paint a broader picture, commenting “they treat us as ingénuas” and “they give us misinformation about things or when things are happening.”<sup>42</sup>

Other interviewees identified different axes of discrimination in the congress. One *diputada* believed she received unfair treatment due to her young age rather than her sex, though later she commented that she was triply discriminated against: for being young, for being female, and for being the daughter of a male politician.<sup>43</sup> Likewise, the *diputada* who believed male legislators saw female legislators as ingénuas thought her age gave her more status: “the years protect me, and I am admitted to more meetings.”<sup>44</sup>

Other female legislators discussed male resistance to gender proposals. One said, “resistance is very strong; the men are not going to renounce their privilege.”<sup>45</sup> The male legislator who supports human rights also recognized this problem: “Resistance does not come from the parties, it comes from the ideological positions taken by the individual legislators; resistance manifests itself as criticism [of the project], and this criticism is due to *machismo*, because the men are afraid of losing their power and their rights.”<sup>46</sup>

A concrete example of men's reluctance to alter power dynamics came from the intra-committee battles over the proposal to penalize the sex trade. A feminist legislator's assistant described the "very cold" reaction the proposal received from male deputies seated on the judicial committee: "the penalization of trafficking involves the role of the client, and perhaps men did not want to consider their roles as clients."<sup>47</sup> Another female deputy saw male resistance in their criticisms over the question of consent: in her recollection, male deputies believed that women voluntarily entered into prostitution and thus were not victims.<sup>48</sup> One feminist legislator described more subtle ways in which men expressed their resistance to gender proposals generally:

In the chamber, there are men who will sidle up to you.... They will never say they are against the law, because that is not politically correct. Instead, they will ask you about a male relative, a brother-in-law or a cousin or a friend, who has been victimized by women. They ask how the law will protect men who are discriminated against or abused. All these male victims! Someone should study how these men object to the law by inventing male friends who suffer because of women.<sup>49</sup>

Other female legislators characterized male resistance as more benign. In discussing how female deputies and senators lobbied their male colleagues for approval of the 2009 law preventing violence against women, a legislator noted that "it wasn't that the men rejected the proposal; they just did not pay attention because it wasn't important."<sup>50</sup> Even the woman criticizing her male colleagues for dramatizing men's victimization found a positive interpretation, adding "But the fact that they do not directly say they are against it—and that they appear in the media saying what a good law it is—shows that something has changed."<sup>51</sup> Other legislators also noted positive changes. One female deputy commented that women's increased presence had "put the brakes on" men's tendency to make derogatory or sexist comments.<sup>52</sup> Another male deputy recalled

an incident wherein a male legislator threatened a female legislator on the chamber floor, and observers of both sexes reacted with indignation: “The disparagement of women is no longer accepted in the chamber.”<sup>53</sup> Again, however, these changes referred to the disappearance of overt practices of discrimination, giving way to the more subtle tactics of ignoring WSR initiatives or fretting over male victims.

Further diminishing female legislators’ overall prestige in the chamber are informal rules that keep women outside the inner circle. One interviewee described the problem of business hours: her delegation met during the evening, which interfered with her childcare. She recalled, “I tried to convince them to change the hours of the meetings and they stopped respecting me.... In the end, I had to tell them that I might not always be there.”<sup>54</sup> Another female legislator objected that “meetings happen late at night at hotels, but I cannot go without putting my reputation at risk.”<sup>55</sup> Additionally, two legislators cited the difficulties women, particularly mothers, faced in constantly traveling between the capital and their home province.<sup>56</sup>

Finally, women’s substantive representation is regarded neither as substantively important nor as strategically worthwhile. First, as interviewees consistently noted, the vast majority of women’s interests are not positively valued by the political parties and by voters. To illustrate, a male legislator and party leader proudly spoke of the very competent women in his delegation, mentioning that they were all more capable than the men; yet, these female legislators are all WSR non-supporters who concentrate on matters of national defense, citizen security, and penal law.<sup>57</sup> To be noticed, many female legislators avoid concentrating solely or even partially on women’s interests. A male ally spoke of the “courage” shown by feminist legislators, indicating the risky

nature of focusing on women.<sup>58</sup> Even the Commission on Women, Children, Youth, and Family remains marginalized. In addition to its low prestige, the commission's mandate conflates women's interests with private matters rather than public policy concerns: as one female legislator said, "the name is really horrible; it implies that women have to do with everything [domestic], the kitchen, the pets, the laundry."<sup>59</sup>

Second, female legislators who are feminists face what one *diputada* from the socialist party called a *doble militancia* [double militancy]. Since concentrating exclusively on WSR has little value, feminist legislators must become experts on gender policy and experts on everything else. She explained, "everyday, I must speak on other themes."<sup>60</sup> Her Peronist colleague commented that, recently, she had only discussed agricultural export taxes: "This shows that women, in the moments of having to talk about other things, talk about other things; we do not talk about women in every single political moment."<sup>61</sup> A multiple term *diputada* from the UCR said, "You have to dedicate yourself not only to women, but to other things."<sup>62</sup> These dynamics thus force women's substantive representation to become something that female legislators undertake in their spare time, when the regular legislative business allows. The construction of women's interests as niche interests further marginalizes these policies.

Despite these dynamics of marginalization, there appears no consensus between WSR advocacy and party standing. (Nor did Chapter Three show empirical evidence for the relationship between list position or incumbency, on the one hand, and the introduction of WSR initiatives, on the other.) Some feminist legislators belong to large parties (the UCR or Peronists), have high standing in these parties, enjoy recognition in national level politics and have license to move in more rarified spaces. Some

specifically identified their leadership positions as giving them the leeway to advocate for women's interests.<sup>63</sup> Colleagues of these *diputadas* thus recognized their overall prestige, even while dismissing their extracurricular WSR activity.<sup>64</sup> Other feminist legislators and their allies come from smaller parties, have local level political experience, and remain unlikely to launch nationally-prominent careers.

This variation, alongside the data presented in Chapter Three, underscores that women's substantive representation is a legislator's personal mission in Argentina. Sagot (2010) reports identical findings for Costa Rica, noting that "The few women legislators who have brought about an open agenda for social justice since the implementation of the quota system seem to respond more to their personal interests and history, and to previous relations with the feminist movement, than to party lines" (2010: 31). These patterns reinforce the overall conclusion that substantive representation, while mediated through legislative institutions, depends considerably on individual commitments.

#### **4.3. Women and the Legislative Process in Argentina**

Women's substantive representation in Argentina presents a profound contradiction. On the one hand, beliefs about women's greater connection to the social realm legitimate their efforts to focus on gender roles, children, and other disadvantaged group. On the other hand, these policies are seen as non-strategic, as side activities. Women's caucus formation is thus difficult, informal, and transitory when it occurs.<sup>65</sup> In Mexico, female legislators enjoy formalized and institutionalized procedures for setting agendas: they sign agreements, occupy a gender and equity commission, and hold special legislative sessions (discussed in Chapter Three). In Argentina, feminist legislators have

cultivated an informal network and developed strategic, temporary alliances around specific policy issues.

Many interviewees, from feminists to allies to non-supporters, recognized the existence of an informal group of feminist women from across the political parties who worked on gender issues. Yet interviewees disagreed on the network's stature and effectiveness. One feminist legislator—who positioned herself as within the network—described it as consisting of 10 to 12 women, including the female vice-president of the chamber. This informal network drafted a “legislative gender plan” for 2008-2010.<sup>66</sup> Indeed, the document did exist. Unlike in Mexico, however, female legislators did not use the plan to guide their proposal authorship, nor was the document officially entered into the congressional record. Also in contrast to Mexico, the legislative plan received scant media attention. A different legislator, an ally, described the gradual weakening and marginalization of this network and their agenda, saying that “the feminists in the chamber received more and more dirty looks.”<sup>67</sup>

As with the legislative gender plan, the feminists' efforts to formalize a women's caucus have been largely unsuccessful. The Commission on Women, Youth, Children, and Family holds a wide remit, and has not operated with the same single-minded purpose—to promote gender equality—as the CEG in Mexico. In February of 2008, María Cristina Perceval, a senator known for her advocacy on gender issues, convened the founding meeting of the *Banca de la Mujer* [Women's Caucus]. At the initial session, various female senators affirmed their support for such a network and for “beginning to seriously take charge of the multiple problems that Argentine women confront.”<sup>68</sup> Others, however, sought to excuse themselves, claiming important meetings



elsewhere.<sup>69</sup> The *Banca de la Mujer* reflected the personal vision of Perceval and a few others, and this cohort remained unable to inspire enthusiasm among their female colleagues. Nor were they successful in attaining institutional status for the *Banca de la Mujer*. The caucus held a few additional meetings in 2008 and 2009, seeking to build alliances with representatives from women's civil society groups. By mid-2009, however, the organization had faltered and interviewees expressed uncertainty about whether the *banca* was forming or disbanding.

Surprisingly, one feminist legislator opposed efforts to institutionalize a women's caucus. She distanced herself from other feminists' organizational efforts, saying "I never tried to form a women's bloc... it would kill the informal network."<sup>70</sup> In contrary to caucus enthusiasts, she believed a *Banca de la Mujer* would actually lose power, because non-supporters would enter and undermine the group. Currently, the informal network functioned better because it includes "only those who are explicitly feminist."<sup>71</sup>

Non-supporters also disagreed with the *Banca de la Mujer*, and their reasons capture the disinterest felt by many female legislators. One recognized that there was a cadre of women who acted as if they formed a caucus, but in general "they did not work on very important issues."<sup>72</sup> Another chastised this group for surrendering to the cultural pressures to concentrate on social issues; she added that, while it was generally good that feminist legislators were attentive to and critical of discrimination, they could not "keep acting in constant opposition to men."<sup>73</sup> In general, the dismissal of a women's caucus—made by both allies and non-supporters—occurs because legislators must avoid two types of reputations. First, they cannot be seen as exclusively interested in women. Second, while being a gender specialist appears particularly damaging, being single-minded about

any policy area seems harmful<sup>74</sup>; legislators must show they are prolific in their interests and diverse in their competencies. These comments reveal the low strategic value many female representatives placed on the *Banca de la Mujer*, especially when such institutions are not formally endorsed by the Argentine Congress, as they are in Mexico.

In practice, interviewees emphasized the importance of “informal mechanisms” to produce consensus on WSR projects.<sup>75</sup> A Peronist female deputy highlighted the lack of “systematization” and “strategic methodology” in how female legislators interfaced with each other, their allies, and their supporters.<sup>76</sup> Another *diputada* reflected that alliances were built on individual, case-by-case bases.<sup>77</sup> A third female interviewee explained that the exact lobbying strategies were neither coordinated nor institutionalized, but that they “arose in the moment” and were in response to specific proposals that needed passing through committees and floor votes.<sup>78</sup> For instance, in the case of sexual rights, one legislator explained that, since these proposals are confessional in nature, their proponents seek out legislators with less overt religious commitments. Even deputies in parties on the right are open to discussion on controversial topics, and the legislator explained that we “look for data to argue that the bills do not undermine opponents’ religious beliefs.”<sup>79</sup>

In general, feminist legislators are savvy in identifying their allies. A *diputada* explained that “we go to the men on the social commissions, such as health, because these men will behave themselves.”<sup>80</sup> In other words, male legislators concentrating on social policy are presumed to manifest greater sympathy for gender policy. Male legislators recognized this practice, with one commenting that, because he was known for his work on disadvantaged groups, the women would ask for his signature on proposals

that would decriminalize abortion.<sup>81</sup> A female legislator also spoke of women's careful identification of male allies, deputies whom they could successfully pressure into offering their support: "you know who is on your side and who is not."<sup>82</sup> Another deputy explained that women persuaded by using their femininity: "You have to manage yourself with feminine force, without raising your voice; you cannot fight with the men, you have to use your feminine powers [such as] intelligence, tact, and prudence."<sup>83</sup> A third legislator also cast her lobbying in gendered term, explaining that she never criticized or confronted her male opponents; she prided herself on maintaining smooth relations by knowing their birthdays, asking about their families, and engaging in other collegial activities.<sup>84</sup>

Other legislators rely on resources in civil society to create support for proposals being considered by committees. For instance, in drafting the anti-trafficking initiatives introduced over 2007 and 2008, female legislators met with international and domestic non-governmental organizations, international governance bodies (such as the OAS and the ILO), university professors, and legal experts. Other legislators spoke of taking their initiatives to public opinion, through activities such as public audiences, press conferences, and *talleres* [forums or workshops] in their home districts.<sup>85</sup> A phrase frequently used by interviewees was "*recorrer la provincia*"—literally, to run around the province. In speaking of her efforts to support the anti-sex trafficking measure, a female deputy explained that she held awareness-raising meetings at universities, churches, and other public places in her home district.<sup>86</sup>

Overall, female and male interviewees had difficulty describing a universal set of tactics used to ensure WSR bills' treatment in committees and success in floor votes,

which reflects the ad-hoc nature of WSR policymaking in Argentina. Interviewees generally referred to ensuring the success of women's interests bills as a *lucha* [struggle]; they also used the phrases “*nos cuesta mucho*” [it cost us a lot] or “*las cuesta mucha*” [it cost the women a lot]. These comments underscored the substantial amount of political capital that feminist legislators and allies will spend in defending women's interests bills. As one female deputy explained in the case of women's substantive representation, “These measures will disappear if you do not insist. You have to insist.”<sup>87</sup> The next section examines on which bills female legislators have insisted, propelling these proposals out of commissions and to the chamber floor.

#### **4.4. Argentina: Which Bills Succeed or Fail**

How do interviewees' reflections on WSR advocacy strategies correspond to the actual procedure for and rate of bill approval in the Argentine Congress? Do women's interests bills follow the same pattern or do they have a different dynamic? In Argentina, proposals may be introduced by the executive or by legislators in either the lower or upper chamber. Both houses must approve the bill, and if one chamber imposes modifications, the revised version is returned to the original chamber for re-approval. Many scholars have described statute change in the Argentine Congress in terms of “cartel theory” (Jones, Hwang, and Micozzi 2009; Jones and Hwang 2005; Calvo 2007). The majority party enjoys agenda control, both excluding legislation it dislikes (negative control) while implementing laws it desires (positive control). The next sections explore the consequences of majority party control for bill success in the regular policy categories and the WSR policy categories introduced in Chapter Three.

#### 4.4.1. How Bills Become Laws

As shown in Table 4.1, the Peronists have controlled both the legislature and the executive branch for the period of study, with the exception of the alliance between the UCR and Frepaso from 1999-2001. However, the PJ majorities in the Chamber of Deputies have often been slim: the PJ held 47 percent of the seats from 2001-2003, 53 percent from 2003-2005, 46 percent from 2005-2007, and 50 percent from 2007-2009 (Jones, Hwang, and Micozzi 2009: 72). Nonetheless, the Peronists have dominated the legislative agenda. Some debate has unfolded as to whether this dominance originates in the chamber or the executive. Alemán and Calvo (2010) show that the president's bills enjoy a 41 percent success rate in the Chamber of Deputies and a 62 percent success rate in the Senate, compared to an average 5 percent success rate for legislator-initiated bills. Yet Jones and Hwang (2005) argue that the president has little agenda control; the real gatekeepers are the provincial party bosses, who control their congressional delegations and with whom the chief executive must negotiate for votes. In both scenarios, however, legislators are more prolific, introducing more bills than the president, and Peronists are more successful at having their bills passed when compared to members of the UCR and of third parties (Alemán and Calvo 2010).

Looking behind the statistics shows the mechanisms through which agenda control works. According to my interviewees, the leaders of the congressional *bloques* collude to kill unpopular proposals in commissions. *Bloque* leaders instruct their members seated on the relevant commissions to scrap the initiative. Committee members typically silence the discussion, in a practice named the *cajoneo*, meaning to place the bill “in a box” (other interviewees referred to this practice as sliding the bill “under the table”

or placing it “in a drawer”). Members also kill bills by withholding their endorsement of a favorable *dictamen* [review].<sup>88</sup> Sometimes the initiatives enjoy widespread appeal, but the majority party wishes to claim credit, and so a Peronist-authored initiative becomes substituted for an opposition-authored proposal, or various initiatives become bundled into a Peronist-authored bill. For instance, in 2007 and 2008, several female deputies introduced proposals that detailed a federal regime to criminalize sex trafficking and extend victim assistance; the proposal that succeeded, however, was authored and introduced by a Peronist Senator. As the policy advisor to one of the original, non-Peronist authors explained, “She [the deputy] set her [original] proposal aside for the good of having a law on sex trafficking succeed.”<sup>89</sup> Interviewees referred to these myriad processes of agenda manipulation as *oficialismo* [officialism], meaning the dominance of the president’s wing of the Peronist party, *Frente para la Victoria* [Victory Front, or FPV], since 2003.<sup>90</sup>

Bills in Argentina generally die in committees, and bills not considered by committees expire when the congressional term ends (Calvo 2007). The lobbying that interviewees described thus happens at the committee stage, as proponents seek to avoid proposals’ death by *cajoneo*; they need a favorable *dictamen*. Typically, only those proposals which have been pre-approved by congressional leaders—most importantly the Peronist leaders—receive favorable *dictámenes* and advance to the chamber floor. In the vast majority of cases, then, not only does voting follow the government-opposition dynamic discussed earlier, but positive outcomes are predetermined (Jones, Hwang, and Micozzi 2009). This collusion accounts for the very low bill-to-law conversation rate

that Alemán and Calvo found for member-initiated bills from 1983-2001: 3.8 percent in the Chamber of Deputies and 7.9 percent in the Senate (2010: 521).

#### 4.4.2. Testing the General Model

The dataset I presented in Chapter Three provides an opportunity to explore which bills are successful and why. I identified successful proposals by generating a database of laws passed and comparing it to the database of laws introduced. Every proposal introduced in the Argentine Congress receives a unique identifying number known as an *expediente*. Each law passed by the Argentine Congress has a *trámite*—a record of the law’s journey through the congress—that lists all *expedientes* ever associated with the final law. Committees either pass individual bills or pass hybrid bills, meaning single bills that are bundled together into a consensus proposal. As with the example of the sex trafficking initiative, committees may also substitute one bill for another in order to attribute ultimate authorship to the majority party. A law’s *trámite* records the *expedientes* of all initial, contributing proposals (even if they are later bundled or swapped). In my dataset, if an *expediente* appeared in the law’s *trámite*, the bill corresponding to that *expediente* became coded as a successful proposal. Conversely, bills without *expedientes* in the *trámite* of laws passed are considered to have died in the chamber.

In my dataset of the 18,700 bills introduced in Argentina’s lower house from 1999-2009, 1,195—6.4 percent—eventually became laws. Two possible explanations hold for why this statistic is higher than that found by Alemán and Calvo. First is the growing legislative productivity of the Argentine Congress since 1985; Alemán and

Calvo's dataset only extends through 2001, and they acknowledge that legislators' productivity is increasing (2010: 521). Second is that my count includes bills that succeed individually as well as bills that become subsumed—bundled or swapped—into other successful initiatives.

I explored several features of successful bills in light of the policymaking process described above. First, I created a dummy variable for whether or not the proposal's author belonged to the majority party in the chamber. Following Table 4.1, the majority parties were the UCR and Frepaso until 2001, and the Peronists or FPV thereafter. Second, I created a count variable for the initiatives' total number of coauthors, a dummy variable for whether or not these coauthors were from the same party as the lead author, and a count variable for the number of parties represented by the coauthors. Note that the latter two variables are subsets of the first variable, as only initiatives with coauthors can have signatories from different parties.

Table 4.2 reports some trends. Of the bills that die in the Chamber of Deputies, 41 percent are authored by members of the legislative majority; of the bills that succeed, 54 percent are authored by members of the majority party. A greater proportion of bills that succeed have coauthors when compared to bills that die (56 percent versus 47 percent). Bills that succeed also draw coauthors from multiple parties; in fact, bills that advance have an average of 2.7 parties represented among their coauthors, whereas bills that die have an average of 2 parties represented among their coauthors.<sup>91</sup> Legislators from non-majority parties are more likely to recruit coauthors, whereas majority party legislators feel less compelled to seek extra-partisan support for their initiatives. Of the



bills that succeed, then, majority party authorship and extra-partisan coauthorship are important.

I also constructed a general model of bill success to determine whether or not these factors have statistical weight. The dependent variable is whether or not the introduced bill becomes a law (1=yes; 0=no). As with bill introduction, I examine bill passage as a function of author's sex and several control variables. The latter include list position and incumbency (as more prominent and/or experienced deputies may have more success getting their bills through), committee correspondence (as deputies seated on the commissions to which bills are sent will have greater lobbying opportunities), and repeated tries (as bills previously introduced might have generated buzz in earlier congressional periods).<sup>92</sup> I added the new independent variables presented above: whether the bill's author belonged to the majority party in the chamber, whether the bill had coauthors, and an interaction term for whether these coauthors belong to parties different from that of the bill author.

I included additional controls. First, I introduce a dummy variable for election years, since these are years in which campaigning, not policymaking, occupies most members of the Argentine Congress. Second, I examine features of the committee system which may or may not affect bills' likelihood of receiving favorable *dictámenes*. Following Calvo (2007), I include a count variable for the number of committees which must consider a bill. More committees means more veto points, so bills sent to three committees (the maximum allowed) will have less chance of succeeding. I also use a dummy variable for whether or not one of these commissions is *Presupeusto and Hacienda* [Budget and Finance]. According to the rules of the Argentine Chamber of

Deputies, the Commission on Budget and Finance must issue *dictámenes* on any bills it receives within one month; if Budget and Finance ignores the bill, another committee considering the bill may report it to the floor.<sup>93</sup> Sending bills to the Commission on Budget and Finance thus presents a risky, fast-tracking maneuver: it avoids the *cajoneo* but increases the odds that Budget and Finance (itself dominated by majority party members) actively kills the bill to keep it from the chamber floor.<sup>94</sup>

Finally, I control for policy significance by dividing bills into three overarching policy categories. Chapter Three considered sixteen regular policy categories, detailed in Appendix 3.1. These regular categories group as follows: economic policy (employment, finance, industry, and state revenues), social policy (culture and leisure, education, environment, group rights, health, social benefits, and women/children/family), and political affairs (civil liberties, international relations, judicial and penal reforms, electoral and constitutional reforms, and security and defense). On the one hand, given interviewees' comments about the low regard accorded to social policies in the Chamber of Deputies, we would expect that policies addressing economic matters or political affairs would advance more quickly. On the other hand, given the majority party's negative agenda control, we would *not* expect proposals dealing with the economy or politics to advance if their content contradicted *oficialismo*. In the model, social policies are used as the reference category.

Table 4.3 reports the results for two probability (probit) regressions with robust standard errors clustered on the legislator.<sup>95</sup> In the first model, I use the division of bills into economic, political, and social matters to control for policy significance. In the second model, I keep these controls and add the dummy variable for whether the bill

captures a women's interest or not (coding (2) from Chapter Three). The results are consistent across both models.

First, whereas legislators' prominence and experience (proxied by list position and incumbency, respectively) have no statistical effect on the likelihood that their initiatives succeed, committee membership positively predicts bills' success. Whereas committee membership did not correspond with deputies' likelihood to introduce bills in that policy area (Chapter Three), committee membership does mean that, when deputies do write bills in the policy area, they can advocate for these proposals effectively. Second, repeat bills are less likely to advance, which reflects their death in previous congressional periods. Third, the effects of authors' membership in the majority party, as well as their recruitment of extra-partisan coauthors, are positive and statistically significant at the 1 percent level. Whether an initiative simply has coauthors does not matter; important is whether these coauthors express support from multiple delegations in the chamber. These latter findings confirm interviewees' descriptions of intra-committee bargaining and majority party agenda control in the Argentine Congress. Fourth and finally, the model confirms the factors hypothesized to decrease a bill's likelihood of success. The coefficients on the variables for election years, referral to multiple committees, and referral to the Commission on Budget and Finance are negative, large, and statistically significant at the 1 percent level.<sup>96</sup>

The results that initially appear most surprising are those dealing with the author's sex and the policy category. In seeming contradiction to female interviewees' portrait of *diputadas* as marginalized and derided, the positive and significant coefficient on sex indicates that female legislators are *more* likely than male legislators to have their

initiatives succeed. Importantly, no permutations of the models (including the removal of independent variables and the introduction or substitution of interaction terms) affected the direction or size of any of the coefficients, including sex.<sup>97</sup>

This surprising outcome makes sense in light of the results for policy importance. The direction and size of the coefficients indicate that, relative to social policies, proposals dealing with economic matters and political affairs are less likely to become laws.<sup>98</sup> This result suggests that proposals dealing with economics and politics, while not morally controversial, may be objectionable from the standpoint of *oficialismo*. Social policies, which interviewees have identified as less relevant, may advance more easily because they threaten fewer powerful players and offer greater opportunities for consensus. Model 2 further indicates that whether or not the policy addresses a women's interest does not affect success; easier passage applies only to social policy relative to economic policy and political affairs. Given that the data presented in Chapter Three confirm female legislators' greater likelihood to concentrate on social policy, it appears—ironically—that female legislators' concentration on less important policies means greater success in converting bills into laws.

#### 4.4.3. Testing the Model for Women's Interests Bills

Interviewees' comments suggest that the success of proposals advancing women's substantive representation do not follow the government-opposition dynamic. The principal difference between regular bills and women's interests bills deals with the chamber voting rules. For bills addressing women and children, the vast majority of which invoke legislators' ideological beliefs about appropriate gender roles, party leaders

give their deputies freedom of conscience in the floor vote. That is, votes on WSR outcomes should not reflect the standoff between the government and its opponents, nor should WSR overly depend on authors' membership in the majority party or on the committee referral process. All interviewees confirmed the practice of undisciplined votes for gender policy, with one *diputada* explaining the rationale quite clearly: "There is voting of conscience for bills dealing with gender, as these are proposals that generate much conflict but are not very important."<sup>99</sup>

To account for this dynamic, I develop models to explore the success of women's interests bills. The dependent variable is now women's interests bills that advance (coded as 1) relative to women's interests bills that die (coded as 0). Recall that the dataset contains 1,911 WSR bills, of which 140—7.3 percent—eventually become laws. The independent variables are the same as in the general model, presented above: I consider the author's sex, list position, experience, committee seat, repeated introduction, status as majority party member, recruitment of coauthors, recruitment of extra-partisan coauthors, consideration during an election year, and committee referrals.

I build two models, which use different controls for policy type. In Chapter Three, the WSR proposals were drawn from initiatives that fall into the regular categories of social policy (i.e, reforms to marriage laws) as well as political affairs (i.e, quotas in public administration) and economic reform (i.e., tax cuts for businesses hiring women). Consequently, Model 1 uses the same policy categories—social, economic, and political—as in the general model; social policy is again the reference category. Alternatively, the WSR proposals fall into the three gender-specific content categories presented in Chapter Three: reforms to liberalize gender roles, reforms to preserve

traditional gender roles, and efforts to protect children's wellbeing. Consequently, Model 2 uses these controls for policy type, with traditional gender roles as the reference category.

Table 4.4 reports the probability regression results with robust standard errors clustered on the legislators. Essentially, there are few findings of statistical or substantive significance. The success of WSR initiatives is predicted neither by the author's party membership nor their recruitment of extra-partisan cosponsors, though these variables were significant in the general model. The author's expertise (committee seats), experience (incumbency), and status (list position) also have no effect. With the exception of majority party membership, however, the signs on the coefficients all move in the expected direction. As with the general model, referral to multiple committees, referral to the Commission on Budget and Finance, and the presence of elections will reduce bill success.

Most surprising, author sex does not affect whether or not WSR bills become laws. Whereas the general model showed that women's greater concentration in social policy meant their greater likelihood of legislative success, the WSR model shows that being female does not predict success (though the coefficient remains positive). Moreover, Model 1 suggests that women's interests bills relating to the economy succeed more frequently relative to women's interests bills addressing social policy or political affairs. This outcome contradicts the hypothesis that *oficialismo* will most frequently obstruct economic bills. A qualitative look at the data, however, provides some insights. First, the majority of WSR bills that succeed are still introduced by female legislators: 95 of the 140 (68 percent). Second, the WSR bills grouped under economic policy fall into

the employment category, and these mostly deal with parental leave policies. While mandated maternity leave does impose costs on businesses, such policies are not necessarily controversial for the majority party. The liberal or conservative direction of WSR content does not, however, seem to matter: in Model 2, whether the WSR proposal deals with children, liberalizes gender roles, or preserves traditional roles has no impact on the likelihood of success.

The small sample size—only 140 WSR bills become laws—may account for the null findings, particularly with regard to policy type. The niche nature of WSR bills may also explain the absence of any pattern beyond committee referral in predicting initiative success. If WSR proposals fall outside the realm of proposals that are considered important, and thus are not subject to party discipline, then their eventual conversion into laws may depend on factors not well captured by statistical models. As the interviewees' comments suggest, these factors may include the authors' skills at identifying allies, leveraging informal networks, and building consensus. These skills may in turn depend on other informal norms that interviewees identified. For instance, the author's overall reputation and comportment matter: is she a prolific legislator with broad policy interests or a single-minded legislator with an off-putting feminist agenda? Is she abrasive when interfacing with male deputies or does she approach her colleagues gently? While such factors will clearly influence whether any initiative succeeds or fails, they evidently play a strong role in the success of women's interests proposals. These initiatives touch less on strategic, partisan matters and more on personal, ideological beliefs; as such, their journey through the Congress may be more idiosyncratic than the *trámite* of bills in the general policy categories.

#### 4.5. The Gender Policies that Become Laws

This section departs from the statistical models to explore precisely which gender policies were adopted in Argentina and Mexico during the period of study. I examine which bills from my dataset become laws, and I compare these successes to the proposals that female interviewees identified as important victories for women's rights. These two ways of counting yield different results. Many reforms make alterations on the margin of the public's—or even the politicians'—awareness. The improvements to maternity leave policies discussed above, for example, appear in the quantitative dataset but are not mentioned by interviewees. While maternity leave remains an important women's issue, female legislators are more likely to highlight major statutory achievements, such as bills criminalizing violence against women.

##### 4.5.1. Argentina

In my dataset, 6.4 percent of bills introduced in the Chamber of Deputies eventually became laws. WSR bills enjoyed a higher success rate: 7.3 percent of WSR bills eventually became statutes. Within the WSR content categories, these rates varied. Of the bills seeking to liberalize gender roles, 8.3 percent (76 of 916) were successful, compared to 8 percent (11 of 138) of the bills wishing to preserve traditional gender roles and 6.2 percent (53 of 856) of the bills addressing children's welfare. Perhaps surprisingly, then, bills dealing with both progressive and conservative visions of women's roles passed the chamber at higher rates than average. One explanation for this phenomenon may again lie with the lower status of women's interests. While the lesser importance of these issues makes most deputies disinclined to pay them much attention,



this reduced relevance may also allow such issues easy passage through the Congress. Party delegation leaders—especially the majority party leaders—will divert more resources into fighting politically-sensitive policies about agricultural export taxes, and they will allocate fewer resources into stalling proposals that extend maternity leave or that distribute neonatal vitamins.

Yet protections for pregnant women stir less controversy than, say, sexual education in schools—which *will* draw attention from party leaders. While the division of WSR proposals into the categories of liberal roles, traditional roles, and children proves useful for understanding aggregate trends in gender policymaking, these categories collapse proposals of varying degrees of controversy. As Htun and Weldon caution (2010), gender policies vary in how they target ecclesiastical and class-based interests (see Table 1.1). Women’s interests proposals that liberalize sexual and reproductive rights face large obstacles, ones that are moral rather than partisan. Precisely which types of policies became law in Argentina during the period of study?

Successful measures from the liberal category dealt with reforming labor codes to grant women and men more parental leave; reforming the marriage codes to make divorce and inheritance more equal; revising Argentina’s anti-discrimination laws to protect more instances of sex segregation; and implementing sexual education and sexual health programs. The latter produced significant, protracted battles (as discussed in Chapter Five). Successful measures from the traditional category were fewer; they dealt with mitigating the sexual education law by requiring greater parental control over the curriculum, and with promoting maternal health by extending health programs and subsidies. Notably, feminist legislators will often support these programs. They extend

state control over pregnant women's decision-making (which accounts for their categorization as "traditional" in Chapter Three), but they also provide benefits to poor women.

Table 4.5 inventories the key women's interests reforms identified by interviewees for the 1999-2009 period. This list includes bills that originated in the Chamber of Deputies (those from my dataset, discussed above) as well as bills that originated in the Senate (not in my dataset). I have not derived the list systematically from the dataset, as interviewees did not accord equal weight to all statutory changes. The most important advances were as follows: six reforms that improved sexual and reproductive health services (namely, access to contraception, family planning services, and sexual health education); three reforms combating violence against women and sex trafficking; two reforms promoting women's equality; two reforms addressing women's status in disadvantaged groups (refugees and the poor); and one reform promoting the rights of children. These laws show an overall trend in the liberalization of gender roles, the result of a shared—though not coordinated—vision among Argentine *diputadas*.

#### 4.5.2. Mexico Compared

As shown in Chapter Three, while 1,911 WSR bills were introduced in Argentina from 1999-2009, only 360 WSR bills were introduced in Mexico from 1997-2009. This gap is attributed to different agenda setting processes in both countries. Does Mexico also differ in how many and which type of WSR proposals succeed?

Unlike in Argentina, commissions in Mexico do not bundle proposals into hybrid bills. Also unlike Argentina, where party leaders collude to keep unpopular bills from

exiting committees, bills in Mexico may be defeated in floor votes. Those bills which never advance to the floor do not expire; they are technically considered pending in commissions and could be considered at any time. These bills are effectively dead, however, once the three-year legislative term ends. Since legislators are not reelected, incoming deputies will not lobby for bills introduced by outgoing deputies: new deputies want their own initiatives to pass. Legislators consequently introduce their own initiatives each term. I thus treat any legislative initiatives as “dead” if, at the end of their term, they are stuck in the committees or have been defeated in floor votes. As in Argentina, I consider successful those proposals that pass the Chamber of Deputies and the Senate and become laws.

Drawing on data from CEAMEG, I identified which of the 360 WSR proposals introduced in the Mexican Chamber of Deputies received favorable *dictámenes* from the commissions, passed floor votes, and ultimately became laws. A funnel appears, wherein 66 (18.3 percent) of the 360 proposals passed through the committees, 59 (16.4 percent) passed the chamber vote, and 22 (6.1 percent) became law. This WSR success rate is lower than that found for Argentina: 7.3 percent compared to 6.1 percent. In Argentina, however, only initiatives guaranteed to survive the floor vote reach the chamber floor, a practice which artificially lowers the success rate when compared to Mexico, where bills are allowed to die on the floor.

The 22 WSR bills approved in Mexico address liberal gender roles and child welfare, particularly those issues on which broad consensus can be achieved. Several statutory changes were made to the processing and sentencing of sex offenders and purveyors of infant pornography; other statutory reforms dealt with reforms to the

electoral quota laws and mandating the goal of gender equality in public administration. Other laws determined the powers of the CEG, created CEAMEG and the executive-branch agency InMujeres [the *Instituto Nacional de las Mujeres*, or National Institute for Women], as well as addressed equality and violence against women. Compared to Argentina, Mexican *diputadas* have paid less attention to reproductive rights, family planning, maternal-infant health, and sexual education.

Table 4.6 inventories the WSR reforms that became law in Mexico. As with Table 4.5, this list includes proposals that originated in the Senate as well as the Chamber of Deputies and reflects those which interviewees identified as significant. Several differences are immediately apparent. First, no WSR statutes in Mexico have addressed sexual and reproductive health. Second, both countries passed national laws addressing violence against women and the trafficking of persons. Third, Mexico—unlike Argentina—has passed a national equality law as well as laws creating institutions that promote women’s rights, giving entities such as women’s policy agencies and legislative commissions more power than their Argentine counterparts.

The Mexican legislature has not passed specific statutes extending social assistance to women, as most of these interventions occur through annual revisions of the budget. Deputies in Mexico’s lower house can only manipulate 5 percent of the president’s proposed budget; they cannot change the content of programs, but they may reallocate money across programs (Robinson and Vyasulu 2006). Nonetheless, female legislators have intervened substantially. During the 2006-2009 congressional term, they redirected monies to programs that treated women with HIV, distributed the HPV vaccine, trained healthcare providers in women’s illnesses, extended assistance to

indigenous women and handicapped women, created scholarships for teenage mothers, and trained educators in gender equality in the classroom.<sup>100</sup> Legislators seated in the prior congressional term recalled allocating monies to programs that detected and prevented gynecological cancers, built shelters for abused women, and sent microcredit to female entrepreneurs.<sup>101</sup> Female legislators have failed, however, in their efforts to pass reforms to the budgeting process that would permanently amend the procedures so as to make these allocations to women's programs guaranteed every year.

Significant variation thus appears in successful gender policies in the two countries. Most notable are the absence of sexual health reform in Mexico and the absence of institution-building in matters of gender equity in Argentina. The next section attributes these core differences to variation in practices of women's substantive representation.

#### **4.6. Women, Representation, and the Legislative Process in Mexico**

As in Argentina from 1999-2009, the multipartism and legislative activity of individual members has increased in the Mexican Congress since 2007 (Nava and Yáñez 2003; González Tule 2007). Also like Argentina, party discipline remains high at the moments of floor votes, though individual legislators enjoy substantial autonomy when introducing proposals (González Tule 2007; Nava and Yáñez 2003).<sup>102</sup> In contrast to Argentina, however, party discipline responds not to a government-opposition dynamic, but to the high internal cohesion of the Mexican political parties (González Tule 2010; Harbers 2010). The constitutional prohibition on reelection makes political parties the arbiter of members' future careers, both before and after their tenure in the legislature

(Weldon 2004). As such, policymaking in the Mexican Congress responds to short-term, party-driven dynamics (Castañeda 2004).

Yet my interviews with female members of the PRI, PAN, and PRD—all of whom held office in either the Chamber of Deputies or the Senate at least once from 1997-2009—reveal that women’s representation in Mexico follows a different logic. Female legislators in Mexico shared stories of their non-partisan, personal motivations to represent women, echoing comments made by their Argentine counterparts. Mexican women also described similar patterns of discrimination in the chamber. In both countries, the success of WSR initiatives depends not on factors such as executive dominance and majority party agenda control, but on female legislators’ initiative, leadership, and negotiating powers. These practices in Mexico, however, are more institutionalized. First, Mexican women’s strategy of “walking together” (as described in Chapter Three) mitigates short-term policymaking incentives by providing a long-term agenda. Second, the strength of the *Comisión de Equidad y Género* in moving women’s interests from the periphery to the center is critical for substantive representation as process and as outcome in Mexico. This greater institutionalization ultimately serves, however, to limit the radical nature of statutory reforms to women’s rights in Mexico.

#### 4.6.1. Shared Themes in Women’s Substantive Representation

Like their Argentine counterparts, Mexican politicians recognized the gendered division of labor in the Congress. Interviewees cited female legislators’ work on violence against women, women’s political rights and political representation, maternity and paternity leave, the creation of the state women’s agency, and the existence and

strengthening of the CEG. The gendering of the budget also emerged as significant, as did the appointment of a special legislative commission and special investigator to address the femicides in Ciudad Juárez.

In general, legislators remarked that women were responsible for “all the social themes.”<sup>103</sup> A seasoned legislator from the PRI reported that “Women have a more sensitive streak on questions of women, children, and the elderly, and anything related to wellbeing.”<sup>104</sup> As in Argentina, interviewees were ambiguous about whether women’s responsibility for marginalized groups and social wellbeing originated from natural biological impulses or assigned social roles. All were clear, however, that these perspectives belonged to women. One female politician commented that “women naturally have the qualities to care about topics that others do not care about.”<sup>105</sup> Another felt, “When men view the problems of society, they are very tough; women have a different vision.”<sup>106</sup> Finally, a *PRD-ista* reflected, “Women have the ability to develop visions that move from the general to the particular.”<sup>107</sup>

Female legislators in Mexico noted patterns of discrimination similar to those in Argentina. Interviewees emphasized their efforts to earn their spaces and prove their qualifications, especially outside the realm of women’s interests. One woman senator recalled, “I approached a male colleague about an energy policy, and he disagreed with me, and he said ‘why did they send a woman to tell me this?’”<sup>108</sup> This senator had previously served as the chair of the International Relations Commission in the Chamber of Deputies, and her colleague recalled “the men gave her such a hard time.”<sup>109</sup> Another deputy saw the dynamics as more subtle: “The men do not support me, but they do not stop me; they listen to me with respect, but they don’t seek me out for my opinion.”<sup>110</sup>

Her colleague also recognized this more understated exclusion: “If women do not fight for the space to speak and make arguments, the men will not give them the opportunity.”<sup>111</sup> A female deputy also commented, “When men are negotiating a law, they look for another man; it is easier for them, and they don’t seek out the women.”<sup>112</sup> The seasoned PRI leader summed up these observations by saying, “Men will concede you the seat but not the right.”<sup>113</sup>

As in Argentina, informal norms also function to exclude female legislators. A *diputada* said, “I tried to convince the women they had to attend all the meetings, even if they were not invited; I said, ‘the party leader will not invite you, but you need to have audacity and show up.’”<sup>114</sup> A *Priísta* who served multiple terms in the Chamber of Deputies and the Senate said, “Discrimination against women is very subtle, and you do not see it as much in the higher party ranks, but you see it in the meetings and in the clubs, in all the ‘extras’ that happen when women are not present. Women need to learn how to be there, how to bang on the doors.”<sup>115</sup>

In sum, holding women to higher and different standards was noted by interviewees in Mexico as well as in Argentina. A Mexican deputy cautioned that women cannot speak with emotion, “because then you are dismissed, disregarded.”<sup>116</sup> A female senator, the daughter of a famous female politician, summarized these various dynamics:

My mother didn’t want me to enter into politics because of all the criticisms women face. In the PRD and in other parties there is prejudice against the capability and possibility of women, [the belief] that women will not face moments of difficulties with success. They always treat women as if we were children, with a gentleness that approaches discrimination; you have to always prove that you are getting along okay.<sup>117</sup>



Gender roles thus affect female legislators' policy specializations and their legislative behavior. Female legislators are assigned greater responsibility for caring about society, are assumed to have fewer capabilities or appetites for political and economic affairs, and are thus excluded from higher-level power brokering.

#### 4.6.2. Institutional Differences in the Representative and Policymaking Processes

Despite these similarities between Argentina and Mexico, female legislators in Mexico have more success at making women's interests central to the policymaking process. This difference lies with the Mexican Commission on Equity and Gender. The Bicameral CEG has facilitated the infusion of women's interests into the policymaking process in three ways. First, the CEG institutionalizes "equity" and "gender" as legitimate focuses of legislative activity, giving stature to women's interests and reducing the likelihood that such specializations are seen as niche activities. Second, the CEG provides a focal point for women's substantive representation, acting as a formal *Banca de la Mujer* and cementing the "walking together" described in Chapter Three. Third, the CEG, in legitimizing WSR and in serving as a women's caucus, makes WSR lobbying and mainstreaming strategies formalized and regularized.

To begin, the CEG in Mexico enjoys more institutional stature and respect than the Commission on Women, Youth, Children, and Family in Argentina. Whereas Argentine legislators concerned about their reputation as serious lawmakers eschew the Commission on Women, Youth, Children, and Family, Mexican legislators seek out positions on the CEG. One deputy recalled, "When I was elected, everyone wanted to occupy seats on the Commission on Gender and Equity, so I had to go elsewhere, but I

continued to be an ally... the majority of initiatives that I introduced were discussed in the Commission on Equity and Gender, because they dealt with gender policy.”<sup>118</sup> A legislator from the PAN, referring to the agenda setting activities of female politicians described in Chapter Three, said, “I chose the Commission on Equity and Gender because I knew there was an agenda pending.”<sup>119</sup> A *Priísta* noted that, while she cared about her work on the Commissions of Science and Technology, Governance, and Radio, Television, and Cinematography, she enjoyed the CEG the most.<sup>120</sup> Her co-partisan, a multiple term deputy and senator, said “We all go to the CEG meetings, even if we are not members.”<sup>121</sup>

While the CEG does not necessarily enjoy the same stature vis-à-vis the economic and political committees (Langston and Aparicio 2009), it clearly appears more attractive and less destructive to legislators’ reputations than its counterpart in Argentina. For instance, the CEG holds regular, joint meetings with the prestigious Commission on Constitutional Affairs and the important Commission on Human Rights.<sup>122</sup> As a *PRD-ista* said, “Gender proposals and a gender perspective are very big in the chamber.”<sup>123</sup> The CEG thus reduces the niche nature of WSR policies and becomes a vehicle that links all the women in the lower and upper houses into a caucus. Interviewees described how the meetings and actions of female legislators are coordinated by the CEG but incorporate all women in the chamber. Other interviewees cited the importance of the CEG’s annual *Parlamentos de Mujeres* [Women’s Parliaments], in which female legislators and female activists from civil society meet in the Congress to elaborate proposals, which are then presented in the plenary and incorporated into the congressional record. One legislator described how all female officials signed a

document to defend the allocation of federal monies to gender equality programs—  
 “everyone, not just those seated on the Commission of Equity and Gender.”<sup>124</sup>

Mexican interviewees thus affirmed a widespread solidarity among female deputies as well as female senators, one that transcended the more limited, informal, exclusively feminist network described by Argentine interviewees. One PAN legislator commented. “There is an affinity in the chamber, without a doubt.”<sup>125</sup> A *Priísta* said, “We all have an excellent relationship.”<sup>126</sup> A multiple term PRD legislator reported, “The women meet and talk and come together to support legislation with a gender perspective” and “there is gender solidarity among women, even among women of the PAN and the PRD, on all gender policies.”<sup>127</sup> Multiple interviewees reaffirmed the “walking together” process described in Chapter Three, wherein common agendas were established at the beginning of each legislative term, points of agreement were reached, and decisions were made to work together on key issues (such as women’s political rights, violence against women, and the gender budget).

The division between feminists, allies, and non-supporters found in the Argentine Chamber of Deputies appeared less pronounced, or even absent, in Mexico. As a former PAN *diputada* commented, “There are gender issues that are obvious, that cannot be ignored, and many female deputies support them; those that are not convinced say nothing, because they would never go against their own gender.”<sup>128</sup> This concept of supporting one’s gender surfaced throughout the interviews. One former PRI deputy explained that, in the moment of voting on a WSR proposal, female deputies “would go to their party leaders and ask for permission to ‘go with the women’ and not with the

party.”<sup>129</sup> Likewise, a current deputy commented, “We are all united in our gender, and this will transcend all other political divisions.”<sup>130</sup>

The degree to which female legislators work to manufacture and maintain this solidarity distinguishes women’s substantive representation in Mexico. As argued in Chapter Three, Mexican *diputadas* and *senadoras* sustain this affinity by colluding to eliminate certain topics—namely reproductive rights—from the agenda. A PRI leader explained, “When a female deputy stands up to present a proposal on gender, all the women of all the parties, we stand up to support her...so long as the proposal does not address abortion or the Church.”<sup>131</sup> As many female legislators acknowledged, religiosity and sexuality divide women. One interviewee commented that the CEG does not touch these initiatives; on these proposals, deputies from the PRD must walk alone.<sup>132</sup> Nonetheless, female legislators’ collective goal remains to construct alliances by circumventing these themes and finding points of agreement that will lead to statute change.<sup>133</sup> This collusion has resulted in two positive, institutional advances in women’s representation in Mexico as compared to Argentina.

First, female legislators’ WSR advocacy strategies become very purposeful. Female legislators in Mexico did employ similar tactics as their Argentine counterparts, namely identifying male allies from among those deputies who cared about social policy.<sup>134</sup> Yet female legislators in Mexico developed a specific (rather than an ad-hoc) methodology for doing so. For instance, interviewees reported that the women always approach men from other parties. One former *diputada* explained, “The men always listen better, show more respect, when they talk to someone from another party, and that way the women never have to face the wrath of men from their own party.”<sup>135</sup> Female

legislators send the highest ranking woman—in terms of her party leadership position—to talk to the men. One prominent *Priísta* recalled her work to convince male deputies to support a bill that criminalized sexual harassment: “I said to the men, do not be obnoxious, don’t laugh at the women, take them seriously.... They listened to me, because I had respect, and so I was sent to get their agreement.”<sup>136</sup> These deliberate decisions about which members of the women’s caucus should approach which male supporters stand in stark comparison to the fluid approach used by women in Argentina.

Second, gender mainstreaming becomes central when women are coordinated. Indeed, whereas female legislators in Argentina spoke of *conciencia de género* to reference the importance of allies’ support, female legislators in Mexico spoke of a *perspectiva de género* [gender perspective]. That Mexican female legislators already had *conciencia de género* was assumed, because the CEG existed, because “walking together” constituted an accepted practice, and because *diputadas* voted with their gender. The next level, interviewees believed, entailed developing a gender perspective that led to *transversalidad*.

As discussed in Chapter Three, *transversalidad* introduces gender into topics that might not initially invoke women’s interests. One former PRD deputy offered examples from her time on the Tourism and International Relations Commissions. On the former, she attempted to allocate funds for professional training for women, “so women could find jobs in the tourist industry without being waitresses or tour guides.” On the latter, she emphasized the importance of attending to female labor migrants in the United States.<sup>137</sup> A *Panista* also described how the principles of *transversalidad* guided the CEG in proposing a reform to *Oportunidades* [Opportunities], a well-known federal

program that provides conditional cash transfers to impoverished citizens. Upon reviewing *Oportunidades*, the CEG proposed that transfers to families with female schoolchildren be larger than to families with male schoolchildren, as parents tend to remove girls from school earlier than boys.<sup>138</sup>

Another former legislator, also from the PRD, described how the CEG used its review powers to introduce a gender perspective into proposals that imposed criminal penalties on drug trafficking activities. The bill on which female deputies intervened had proposed harsh sentences for “mules,” individuals caught trafficking drugs by hiding them on or within their person. The women seated on the CEG objected, arguing that female mules were frequently in relationships of abuse with male drug runners, and that this dependency necessitated treating them as unwilling accessories rather than dangerous criminals.<sup>139</sup> In this instance, female legislators evaluated a proposal that seemed neutral, identified a disproportionate effect on women, and modified the initiative. Further, the stature of the CEG meant the proposed amendment was taken seriously. As the interviewee explained, “the men had never before thought about who the mules were, but they listened once we explained the situation to them.”<sup>140</sup> Female deputies’ successful efforts at gendering the Mexican budget—discussed above—were also motivated by their commitment to *transversalidad*.

In another example, a *Priísta* described how the CEG intervened on a social development proposal to demand more funding for daycares while another PRI *diputada* referenced a measure that forced the National Institute of Statistics and Geography to divide data by sex.<sup>141</sup> Another *Priísta* reported, “I just voted against the approval of the executive board for the National Institute of Statistics and Geography because the

proposed slate did not include any women, and we have plenty of good women in this country, women who are capable of handling the material.”<sup>142</sup> These stories all reflected a much broader range of women’s interests than what concerned female legislators in Argentina.

#### **4.7. Conclusion: Tradeoffs in Substantive Representation**

Due to the focus on *transversalidad*, women’s substantive representation in the Mexican Congress unfolds not just in the CEG, but in the multiple congressional spaces in which female legislators are present. No female interviewees in Argentina mentioned *transversalidad* as either an approach to or an objective of policymaking. Without a formal or functioning *Banca de la Mujer* and without a commission dedicated exclusively to gender and equity, female deputies in Argentina lack the numbers, interest, and the resources to infuse a gender perspective into the policymaking process. Rather, individual feminist legislators introduce proposals in an ad-hoc manner, and they must develop networks and devise strategies relative to each proposal; once the initiative has met its fate, the allegiances dissolve and the tactics become forgotten. Mexican legislators, by contrast, have shared agendas and set methodologies. To use an analogy, female legislators in Argentina reinvent the wheel each time a WSR proposal is introduced, whereas female legislators in Mexico have the car, the highway, and the map.

These differences in policymaking and statute change, when combined with the differences in bill introduction presented in Chapter Three, suggest that one way of conceptualizing institutions’ influence on women’s substantive representation lies with the tradeoff between proposals’ *scope* and *depth*. By scope, I mean the extent to which

WSR proposals and reforms cover multiple policy areas. By depth, I meant whether WSR proposals and reforms conceive of radical transformations to gender roles. Scope captures whether women's substantive representation is wide-ranging, and depth captures whether it is transformative.

Figure 4.1 depicts this relationship. Women's proposals in Mexico are broad in scope: the CEG's formal stature, its review powers, its ability to legitimize women's networking, and its promotion of mainstreaming allow Mexican *diputadas* to intervene on a wide variety of bills. As shown, WSR in Mexico covers everything from sentencing drug traffickers to placing women in government agencies. Yet WSR proposals in Mexico lack depth. "Walking together"—as carried out through the CEG, the *Parlamento de Mujeres*, and other events—remains effective only so long as female legislators cooperate, and female legislators cooperate only so long as radical reforms are left off the table. Controversial revisions to women's reproductive roles are taboo in Mexico; not only does abortion remain unaddressed (as in Argentina), but so does contraception, family planning, and sexual education (unlike Argentina). In Mexico, those reforms that succeed deal with consensus issues related to equality, gender quotas, and violence against women.

In Argentina, by contrast, there are no informal practices of collaboration that prevent female legislators from introducing policies that propose deep revisions to men's and women's roles. Argentine *diputadas* have authored—and won—multiple reforms dealing with contraception and sexual education. WSR in Argentina consequently has the depth that Mexico lacks. Nonetheless, the absence of a women's caucus, and the desire of many female legislators to avoid being seen as feminist, means that Argentine



*diputadas* cannot intervene across multiple policy areas, let alone adopt *transversalidad*. Women's interests in Argentina are transformative, but narrow.

Mexico and Argentina thus reflect two opposite cases in the nature of women's substantive representation. In Mexico, broad scope but no depth; in Argentina, significant depth but little scope. This tradeoff between scope and depth, while developed to explain the divergences in the two countries, could also serve as a theoretical framework for future research.

In sum, this chapter has set women's substantive representation in the context of each country's policymaking procedure, thus making important contributions to the comparative analysis of women's rights reforms. The main conclusions are summarized in Table 4.7. Female Legislators in both countries clearly feel obligated to bring their gender consciousness or gender perspective to the Congress, whereas male legislators disavow ownership of women's interests and become seen merely as allies (Argentina) or as targets of persuasion (Mexico). Further, how female legislators' undertake WSR depends on the legislative commissions and the practices these institutions sustain. In Mexico, the CEG legitimizes women's substantive representation, giving rise to other formal and informal practices—such as the *Parlamentos de Mujeres*—that allow for gender mainstreaming. In Argentina, by contrast, the absence of an empowered gender commission or an effective women's caucus perpetuates the low stature and low priority accorded to WSR policy.

Finally, statute change in the area of women's interests follows a different dynamic than that which governs statute change in the “regular” policy areas, as shown by the empirical findings from Argentina and the qualitative data from Argentina and

Mexico. Party discipline, party ideology, and majority party dominance matter less than female legislators' ability to build networks, cultivate allies, and find their voices. These findings undergird the dissertation's main claim: women indeed represent women, but legislative structures determine *how* this representation unfolds.

**Table 4.1.** Parties Holding Legislative Majorities and Executive Control in Argentina, 1999-2009. Source: Jones, Hwang, and Micozzi (2009).

<b>Term</b>	<b>Legislative Majority</b>	<b>Executive and Party</b>
1999-2001	"Alianza" (UCR y Frepaso)	Fernando de la Rúa (UCR)
2001-2003	Partido Justicialista (PJ)	2002: Eduardo Duhalde (PJ) 2002-2003: Néstor Kirchner (PJ)
2003-2005	Partido Justicialista (PJ)	Néstor Kirchner (PJ)
2005-2007	PJ/Frente para la Victoria	Néstor Kirchner (PJ/FPV)
2007-2009	PJ/Frente para la Victoria	Cristina Fernández de Kirchner (PJ/FPV)

**Table 4.2.** Examining Bill Success in Argentina. The table compares bills that die in the chamber to bills that become laws.

	Dead Bills (17,505 Total)		Passed Bills (1,195 Total)	
	Count	Percentage	Count	Percentage
Lead or Sole Author is Member of Chamber Majority	7,218 / 17,505	41.2%	645 / 1195	54.0%
Initiatives with Coauthors	8,303 / 17,505	47.4%	670 / 1195	56.5%
Multiparty Initiatives	3,748 / 8,303	45.1%	343 / 670	49.3%
Initiatives with Non-Majority Party Coauthors if Lead Author <b>is</b> Majority Party Member	1,156 / 3,748	30.8%	157 / 343	45.8%
Initiatives with Non-Majority Coauthors if Lead Author <b>is not</b> Majority Party Member	2,592 / 3,748	69.2%	186 / 343	54.2%

**Table 4.3.** Regression Results for Whether a Bill Introduced to the Argentine Chamber of Deputies Succeeds or Dies. \*\* Indicates statistical significance at the 5% level; \* indicates statistical significance at the 1% level.

	Model 1			Model 2		
	$\beta$	SE	z	$\beta$	SE	z
Sex	0.117*	0.051	2.26	0.113*	0.051	2.19
List Position	0.010	0.039	0.26	0.010	0.039	0.25
Commission	0.363**	0.040	9.00	0.363**	0.040	8.99
Incumbent	0.032	0.054	0.60	0.033	0.054	0.61
Repeated Bill	-0.199**	0.063	3.12	-0.202**	0.064	3.14
Chamber Majority	0.242**	0.044	5.52	0.243**	0.044	5.52
Has Coauthors	0.076	0.045	1.69	0.076	0.045	1.68
Has Extra-Partisan Coauthors	0.154**	0.046	3.35	0.155**	0.046	3.36
Election Year	-0.138**	0.037	3.72	-0.137**	0.037	3.70
Number of Commissions	-0.332**	0.025	13.10	-0.334**	0.025	13.11
Commission on Budget and Finance	-0.145**	0.042	3.42	-0.139**	0.042	3.31
Economic Policy	-0.161**	0.040	3.97	-0.156**	0.042	3.75
Political Affairs	-0.242**	0.045	5.33	-0.239**	0.046	5.24
Women's Interest	-	-	-	0.048	0.059	0.81
constant	-0.995**	0.082	12.09	-0.999**	0.082	12.16
Observations	17444			17444		
Wald Chi <sup>2</sup>	412.57			413.83		

**Table 4.4.** Regression Results for Whether a WSR Bill Introduced to the Argentine Chamber of Deputies Succeeds or Dies. \*\*Indicates statistical significance at the 1% level.

	Model 1			Model 2		
	$\beta$	SE	z	$\beta$	SE	z
Sex	0.190	0.102	1.87	0.105	0.105	1.00
List Position	-0.112	0.086	1.30	-0.112	0.082	1.36
Commission	0.139	0.111	1.25	0.133	0.113	1.17
Incumbent	0.084	0.140	0.60	0.050	0.145	0.34
Repeated Bill	-0.040	0.122	0.33	-0.051	0.133	0.38
Chamber Majority	-0.046	0.105	0.44	-0.078	0.102	0.76
Has Coauthors	0.053	0.136	0.39	0.139	0.132	1.06
Has Extra-Partisan Coauthors	0.079	0.138	0.57	0.027	0.134	0.20
Election Year	-0.347**	0.111	3.12	-0.305**	0.108	2.83
Number of Commissions	-0.267**	0.090	2.96	-0.278**	0.083	3.37
Commission on Budget and Finance	-0.737**	0.249	2.96	-0.773**	0.239	3.24
Economic Policy	0.773**	0.127	6.06	-	-	-
Political Affairs	-0.323**	0.131	2.46	-	-	-
Liberal Gender Roles	-	-	-	-0.164	0.202	0.81
Children	-	-	-	-0.236	0.179	1.32
constant	-1.124**	0.284	3.96	-0.795**	0.296	2.68
Observations	1781			1781		
Wald Chi <sup>2</sup>	95.37			46.29		

**Table 4.5.** Significant Gender Statutes Passed by the Argentine Congress, 1999-2009.

Year	Law	Description
<b>Sexual and Reproductive Health</b>		
2002	25584	Prohibit the expulsion of pregnant students from public schools and universities
2002	25673	Make contraceptive devices and services available and free
2003	25808	Prohibit the expulsion of pregnant students from private universities
2004	25929	Outlines women's rights during birth
2006	26130	Makes contraceptive surgeries (tubal ligations and vasectomies) legal and free
2006	26150	Mandates the inclusion of sexual education in public and private schools
<b>Violence Against Women / Sex Trafficking</b>		
2002	25632	Ratifies the International Convention Against Transnational, Organized Crime
2008	26364	Makes sex trafficking a federal crime; extends assistance to victims
2009	26485	Prevents and sanctions violence against women; provides assistance to victims
<b>Women's Rights – General Promotion</b>		
2002	25674	Establishes a quota of 30% for labor unions' directorates
2006	26171	Ratifies the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women
<b>Social Assistance to Women</b>		
2006	26165	Recognizes the rights of refugees; includes victimization based on gender as a legitimate claim for asylum
2006	26117	Extends microcredit to disadvantaged groups
<b>Children</b>		
2005	26061	Creates an integrated program for the protection of the rights of children and adolescents

**Table 4.6.** Significant Gender Statutes Passed by the Mexican Congress, 1999-2009.

Year	Description
	<b>Violence Against Women / Sex Trafficking</b>
2007	Establishes the law to prevent the trafficking of persons
2007	Establishes the Law for Women's Right to Live Free From Violence
2006	Amends the Federal Budget to create the <i>Programa de Apoyo a las Instancias de Mujeres en las Entidades Federativas</i> [Program to Support the State Level Institutes for Women], providing funding for anti-violence against women programs in the Mexican states
	<b>Women's Rights – General Promotion</b>
2007	Establishes measures to eliminate all forms of discrimination in Mexico
2006	Establishes the Law for Equality Between Men and Women
2003, 2008	Reforms the Federal Electoral Code, applying an electoral quota of 30% (2003) and 40% (2008)
	<b>Women's Rights – Institution Creation</b>
2000	Creates the federal level National Institute for Women (InMujeres) as a decentralized, autonomous organization with its own budget
2000	Makes the Commission on Equity and Gender in the Mexican Congress a permanent body
2005	Creates the legislative Center for the Study of Women's Advancement and Gender Equity (CEAMEG)



		<u>Depth</u>	
		Yes	No
<u>Scope</u>	Yes		<b>Mexico</b>
	No	<b>Argentina</b>	

**Figure 4.1.** The Tradeoff between Transformative Reforms and Wide Ranging Reforms.

**Table 4.7.** Comparing Argentina and Mexico on Policymaking Outcomes. Differences between the two countries are underlined for emphasis.

Outcomes Considered	Argentina	Mexico
Representation	<ul style="list-style-type: none"> <li>✓ Female legislators express a unique obligation to represent women</li> <li>✓ <u>Some male legislators act as allies but disavow issue ownership</u></li> </ul>	<ul style="list-style-type: none"> <li>✓ Female legislators express a unique obligation to represent women</li> <li>✓ <u>Men seen more as targets of advocacy and persuasion</u></li> </ul>
Institutions and the Policymaking Process	<ul style="list-style-type: none"> <li>✓ <u>No formal women's caucus</u></li> <li>✓ <u>Low stature and low priority of women's interests means that WSR activities are marginalized</u></li> <li>✓ <u>No efforts at mainstreaming women's interests</u></li> </ul>	<ul style="list-style-type: none"> <li>✓ <u>CEG and <i>Parlamentos de Mujeres</i></u></li> <li>✓ <u>The CEG and its unique review powers gives WSR activities more legitimacy</u></li> <li>✓ <u>Mainstreaming occurs</u></li> </ul>
Statute Change	<ul style="list-style-type: none"> <li>✓ WSR reform not necessarily predicted by those variables that predict "regular" reform</li> <li>✓ Of those WSR reforms that advance, most seek to liberalize gender roles</li> <li>✓ <u>Within the liberalization of gender roles, policies are transformative (have depth)</u></li> </ul>	<p>Not measured</p> <ul style="list-style-type: none"> <li>✓ Of those WSR reforms that advance, most seek to liberalize gender roles</li> <li>✓ <u>Within the liberalization of gender roles, policies are wide-ranging (have scope)</u></li> </ul>

## Notes

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- <sup>1</sup> In the below notes, the label “interview” refers to an interview with a male or female legislator. Interviews with non-deputies are denoted as “Interview with [person description].” All interviews were conducted in 2009 unless otherwise noted.
- <sup>2</sup> Interview, April 21.
- <sup>3</sup> The sample is, however, skewed away from non-supporters, given that those legislators disinterested in women’s interests and social issues were less likely to grant an interview request.
- <sup>4</sup> Interview, March 25.
- <sup>5</sup> Franceschet and Piscopo conducted interviews in 2005 and 2006, respectively, when Argentina had recently extended the quota to the Senate. At the time of these interviews, then, the quota was very much under discussion, and it is not surprising that interviewees linked their obligation to represent women to the quota law. In 2009, however, when the majority of interviews of this dissertation were conducted, the quota appeared more “settled” in Argentine politics, and legislators drew fewer connections between the affirmative action law and their own representative mandate.
- <sup>6</sup> Interview, April 15.
- <sup>7</sup> Interview with policy advisor, August 5.
- <sup>8</sup> Interview, April 21.
- <sup>9</sup> Interview, April 15; Interview, April 7; Interview, April 21
- <sup>10</sup> The words *marginalizados* [marginalized] and *desprotegidos* [disadvantaged] recurred frequently when female legislators were describing their constituents. Interview, May 28; Interview with policy advisor, August 5; Interview, March 26; Interview, April 23;
- <sup>11</sup> Interview 2, April 15.
- <sup>12</sup> Interview, May 5.
- <sup>13</sup> Interview, April 29.
- <sup>14</sup> Interview 2, August 6.
- <sup>15</sup> Interview, June 24.
- <sup>16</sup> Interview 2, April 7.
- <sup>17</sup> Interview, April 23.
- <sup>18</sup> Interview, April 29.
- <sup>19</sup> Interview, April 21.
- <sup>20</sup> Interview, April 21.
- <sup>21</sup> Interview, April 3; Interview 2, April 23; Interview, May 11; Interview, June 24.
- <sup>22</sup> Interview 2, April 7.
- <sup>23</sup> Interview, August 6.
- <sup>24</sup> Interview, May 11.
- <sup>25</sup> Interview, March 25.
- <sup>26</sup> Interview, May 5.
- <sup>27</sup> Interview, May 28.
- <sup>28</sup> Interview, May 18. Emphasis added.
- <sup>29</sup> Interview 2, April 15.
- <sup>30</sup> Interview, August 6; Interview with policy advisor, August 5.
- <sup>31</sup> Interview, April 15.
- <sup>32</sup> Interview, June 25.
- <sup>33</sup> Interview, June 22.
- <sup>34</sup> Interview, May 18.
- <sup>35</sup> Interview, May 11.
- <sup>36</sup> Interview, June 24.
- <sup>37</sup> Interview, May 28.
- <sup>38</sup> Interview 2, May 18. As he further explained, if women were inclined to work on matters of the economy, then there would be more female economists.
- <sup>39</sup> Interview, April 15.
- <sup>40</sup> Interview, April 7.

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- <sup>41</sup> Interview, April 29 and Interview, August 6.
- <sup>42</sup> Interview, August 3.
- <sup>43</sup> Interview, April 23.
- <sup>44</sup> Interview, August 3.
- <sup>45</sup> Interview, April 15.
- <sup>46</sup> Interview, May 28.
- <sup>47</sup> Interview with policy advisor, August 5.
- <sup>48</sup> Interview, June 25.
- <sup>49</sup> Interview, April 15.
- <sup>50</sup> Interview, March 25.
- <sup>51</sup> Interview 2, April 7.
- <sup>52</sup> Interview, May 5.
- <sup>53</sup> Interview 2, April 15.
- <sup>54</sup> Interview, March 5.
- <sup>55</sup> Interview, August 6.
- <sup>56</sup> Interview April 23 and Interview April 29.
- <sup>57</sup> Interview 2, May 18.
- <sup>58</sup> Interview 2, April 15.
- <sup>59</sup> Interview, May 18.
- <sup>60</sup> Interview, April 15.
- <sup>61</sup> Interview 2, April 23.
- <sup>62</sup> Interview, June 24.
- <sup>63</sup> Interview, April 21.
- <sup>64</sup> Interview, April 7.
- <sup>65</sup> Interview, April 15.
- <sup>66</sup> Interview 2, April 7; Interview, June 25.
- <sup>67</sup> Interview, April 3.
- <sup>68</sup> Transcript from the founding meeting of the *Banca de la Mujer*, Argentine Senate, August 14, 2008.
- <sup>69</sup> Ibid.
- <sup>70</sup> Interview 2, April 7.
- <sup>71</sup> Interview 2, April 7.
- <sup>72</sup> Interview, April 7.
- <sup>73</sup> Interview, May 5.
- <sup>74</sup> A male legislator used the term *mono-tématico* [one-themed] to describe legislators who focused only one area. Interview 2, May 18.
- <sup>75</sup> Interview, April 15.
- <sup>76</sup> Interview 2, April 15.
- <sup>77</sup> Interview, August 3.
- <sup>78</sup> Interview, April 21.
- <sup>79</sup> Interview, April 15.
- <sup>80</sup> Interview, May 11.
- <sup>81</sup> Interview, May 18.
- <sup>82</sup> Interview, August 3.
- <sup>83</sup> Interview 2, August 6.
- <sup>84</sup> Interview, June 24.
- <sup>85</sup> Interview, May 28; Interview, May 18.
- <sup>86</sup> Interview, June 22.
- <sup>87</sup> Interview, June 24.
- <sup>88</sup> Interview with non-PJ legislator, April 29.
- <sup>89</sup> Interview with policy advisor, August 5.
- <sup>90</sup> Interview with non-PJ legislators, April 3, April 7, April 29.
- <sup>91</sup> The standard deviation for bills that die is 3.1 and the standard deviation for bills that advance is 3.6.

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<sup>92</sup> Since the majority party in the chamber receives the most committee seats, I checked the correlation between these two variables; it was low (roughly 20 percent). I also checked and found no correlation between legislators' list position and their status as incumbents.

<sup>93</sup> Article 102 of the *Reglamento* [Rules] of the Argentine Chamber of Deputies. See <http://www.biblioteca.jus.gov.ar/reglamento-diputadosA.html>.

<sup>94</sup> While sending the bill to the Commission on Budget and Finance can be one way the chamber majority kills the bill, I found no correlation between the party membership of the bill author and the referral of the bill to the Commission on Budget and Finance.

<sup>95</sup> Bill successes are relatively rare events. King and Zeng (2001), noting that regressions on binary dependent variables can sharply underestimate the probability of rare events, developed a statistical software ("relogit") to correct for this bias. I also ran the models using logit (uncorrected) and relogit (corrected) regressions in Stata. There was no difference in the coefficients' size, direction, or significance when using the King and Zeng statistical package "relogit" to estimate the model.

<sup>96</sup> Instead of the dummy variable for election year, the model was ran incorporating dummy variables for each year, with 1999 as the reference category. None of the year-specific effects changed the direction or significance of the primary independent variables of interest.

<sup>97</sup> For instance, I interacted whether or not the author held membership in the majority party and was seated on the Commission of Budget and Finance.

<sup>98</sup> Note that, according to Appendix 3.1, pensions—a highly politicized matter—are included in social policy under the category of "Social Benefits." I thus included alternate tests of the three categories (economic policy, social policy, and political affairs) by moving the category "Social Benefits" from social policy into political affairs. This alternate coding had no effect on the direction and significance of the coefficients in the model.

<sup>99</sup> Interview, April 7.

<sup>100</sup> Interview with former PAN deputy, December 7.

<sup>101</sup> Interview 2 with former PRD legislator, December 15 and Interview with former PRI legislator, December 16.

<sup>102</sup> Interview with PRD legislator, December 15.

<sup>103</sup> Interview with PRD legislator, December 3.

<sup>104</sup> Interview with PRI leader, December 15.

<sup>105</sup> Interview with PRD legislator, December 8.

<sup>106</sup> Interview with former PRI legislator, December 2.

<sup>107</sup> Interview with former PRD legislator, December 8.

<sup>108</sup> Interview with PAN legislator, December 8.

<sup>109</sup> Interview with former PRD legislator, December 9.

<sup>110</sup> Interview with PRD legislator, December 8.

<sup>111</sup> Interview with PAN legislator, December 8.

<sup>112</sup> Interview with PRD legislator, December 15.

<sup>113</sup> Interview with PRI leader, December 15.

<sup>114</sup> Interview with former PRI legislator, December 2.

<sup>115</sup> Interview with PRI leader, December 15.

<sup>116</sup> Interview with former PRD legislator, December 8.

<sup>117</sup> Interview with PRD legislator, December 3.

<sup>118</sup> Interview with PRD leader, December 16.

<sup>119</sup> Interview with former PAN legislator, December 7.

<sup>120</sup> Interview with PRI legislator, December 3.

<sup>121</sup> Interview with PRI leader, December 15.

<sup>122</sup> Interview with former PRI legislator, December 2.

<sup>123</sup> Interview with formed PRD legislator, December 8.

<sup>124</sup> Interview with PAN legislator, December 8.

<sup>125</sup> Interview with PAN legislator, December 8.

<sup>126</sup> Interview with former PRI deputy, December 16.

<sup>127</sup> Interview with PRD legislator, December 15, and former PRD legislator, December 9.

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- <sup>128</sup> Interview with former PAN legislator, December 7.
- <sup>129</sup> Interview with former PRI legislator, December 2.
- <sup>130</sup> Interview with PRI legislator, December 3.
- <sup>131</sup> Interview with former PRI legislator, December 2.
- <sup>132</sup> Interview 2 with former PRD legislator, December 15. Importantly, this interviewee was the only respondent who dissented with Mexican women's narrative about "walking together." She disputed other interviewees' claims about an explicit bargain to leave reproductive rights off the table, choosing to blame the negative agenda control of the PAN rather than a deliberate cross-partisan strategy. She commented that "the PRD knows they can never work with the PAN on this issue, so we do not even bother."
- <sup>133</sup> Interview with PAN legislator.
- <sup>134</sup> Interview with former PRD deputy, December 9 and interview with former PRI legislator, December 2.
- <sup>135</sup> Interview with former PRI legislator, December 2.
- <sup>136</sup> Interview with former *Priista*, December 8.
- <sup>137</sup> Interview with former PRD deputy, December 9.
- <sup>138</sup> Interview with former PAN deputy, December 7.
- <sup>139</sup> Interview with former PRD deputy, December 16.
- <sup>140</sup> Interview with former PRD deputy, December 16.
- <sup>141</sup> Interview with current PRI deputy December 3, and former PRI deputy, December 16.
- <sup>142</sup> Interview with PRI leader, December 15.

**CHAPTER 5**

**FEDERALISM, THE POLICYMAKING PROCESS, AND IMPLEMENTATION**

## 5.1. Introduction

This chapter follows two critical policies from the agenda setting stage to the policy implementation stage, with a particular emphasis on the latter. The purpose of this chapter is twofold. First, the chapter provides an in-depth, qualitative portrait of the policymaking processes described in Chapters Three and Four. By using process tracing methodology to chart the development of a singular policy, this chapter more clearly reveals how female legislators work within institutions to drive gender policy change. Second, the chapter offers theoretical and empirical reflections on the importance of studying policy implementation. Given that extant theories of women's representation hinge on the concept of "benefiting women as a group," the material—and not simply the symbolic—benefits of policies must be considered.

As such, I consider two dimensions of policy implementation: *oversight* and *program delivery*. Female (and male) representatives undertake legislative oversight directly. Conversely, in Argentina's and Mexico's federal systems, subnational units' autonomy in program design sidelines deputies and senators, making national ministers and provincial governments central to program execution. Federal arrangements shape the upsides and downsides of national-level gender policy change.

This chapter proceeds as follows. First, I sketch a theoretical framework that includes federalism among the institutions whose "gender-friendliness" will facilitate or obstruct female politicians' ability to exercise leadership and promote policy change. I discuss how federal arrangements can transform subnational units into battlegrounds over women's rights, and how these battlegrounds are sensitive to the variation within progressive reforms (discussed in Chapters Three and Four). Second, I present the case



study of sexual health policy from Argentina, explaining the policy's passage and adoption at the federal level, and then analyzing the causes and consequences of implementation shortfalls at the provincial level. Third, I present comparative reflections from the case of violence against women policy in Mexico. I conclude with reflections on the importance of studying federalism and policy implementation as it relates to women's representation.

## **5.2. Theoretical Framework**

An emerging research agenda in comparative politics has focused on the consequences of federalism for the adoption and implementation of women's rights policies. While most studies of federalism have focused on how power balances between the center and periphery structure fiscal relations and bargaining incentives, scholars of gender and politics have considered whether multiple governance levels are advantageous or disadvantageous for those seeking progressive policy change. Since subnational autonomy over social policy can limit the impact of federal reforms, this discussion connects to the dissertation's concern with women's representation.

### **5.2.1. Federalism and Gender Policy**

Scholarly analyses of federalism have focused on the degree of centralization, that is, the degree to which the center has devolved decision-making authority to the peripheral units. When subunits have jurisdiction over substantive policy areas, and when federalism is symmetric (all subunits have the same authority over the same issues), then federalism creates a "laboratory" for policy experimentation. Subnational entities will adopt varying policies in response to issue  $x$ , and competition among subunits will

ensure that only successful policies diffuse across the federation. Winning policies may become adopted at the federal level, as subfederal entities “race to the top.”

Alternatively, the laboratory can produce a “race to the bottom”: in the most common example, subnational units seeking to attract investors outbid each other to reduce taxes and curtail regulation. On the demand side, variation in subnational units’ political landscapes allows policy advocates to “venue shop,” searching out the subnational unit whose demographic, economic, or social profile best “fits” their proposal.

By decentralizing key aspects of political decision-making, federalism thus promotes policy innovation—but it also creates inequalities. Businesses may pay higher taxes in state *y* when compared to state *x*, but workers in state *x* may receive higher hourly wages. Within the bounds permitted by federal laws, subnational units differ in the entitlements and protections accorded to various classes and categories of citizens. As Catalina Smulovitz notes, “federalism explains inequalities among privileged or unprivileged actors across a territory” (2010: 1). While this phenomenon has been well-documented in the comparative literature on fiscal policy, only recently have scholars examined federalism’s consequences for gender policy.

In particular, scholars of women and politics focus on whether federalism’s fragmentation of governance sites advantages or disadvantages feminist advocates (Vickers 2010). Skeptics underscore that federalism can fragment women’s movements by dividing their energies between national lobbies and multiple subnational battles (Haussman 2005). Proponents, by contrast, see this fragmentation—which leads to venue shopping—as positive, enabling gender policy advocates to target liberal subnational governments and thus win progressive policies. Irving suggests that local governments,

because of their closer ties to communities, will be more accessible to female activists (2008: 82). Yet skeptics counter that venue shopping also allows conservative enclaves to exist within the federation; anti-feminist and pro-family groups can access local governments as easily as feminist groups, and local politicians may espouse more conservative values, and so peripheral units may curtail rather than advance gender policies. Both scenarios perpetuate the inequality Smulovitz (2010) identified. To resolve the debate, some scholars have posited a “conditional approach” that evaluates “the characteristics of specific federations at specific times” (Vickers 2010: 419-20).

The first characteristic entails the policy jurisdictions of the center and the peripheries. For instance, the Argentine Constitution stipulates that only the federal government may alter the criminal code, and abortion is addressed within the penal system. Pro-abortion advocates in Argentina thus campaign solely at the national level. In Mexico, the federal government can legislate on abortion, but the PAN’s control of the presidency and the female deputies’ practice of “walking together” has frozen this doctrinal issue at the national level. Abortion campaigns are fought locally in Mexico, where states *can* alter the penal code: the federal district of Mexico City offers legal abortions while sixteen other states have decreed that “the right to life” begins at conception (Htun 2010).<sup>1</sup>

Yet even this contrast between national and subnational policy jurisdictions cannot reveal whether federalism is advantageous or disadvantageous for women. As Irving points out, locating policy authority in the center or the periphery does not reveal whether the policy decision itself will be liberal or restrictive (2008: 85). For this reason, Vickers (2010) suggests analyzing the underlying “gender regime” of the federation,

meaning the discourses of rights and equality enshrined in the federation's constitution, legislative decisions, and outcomes of judicial review.

A further characteristic addresses whether subnational units have the same or different powers, that is, whether they are symmetric or asymmetric. Vickers proposes that asymmetric federations provide greater flexibility, as “ongoing contestation over the division of powers opens up political space feminists can use to change obstructive federal arrangements” (2010: 424; see also Chappell and Vickers 2010). In asymmetric federalism, certain subnational units may develop innovative policies by relying on their unique powers; copycat units may then lobby the center government for similar devolutions of power, in order to implement similar policies. Symmetric federations—such as those found in Latin America—are more fixed. State governments are equal in their autonomy, and feminist (or antifeminist) policies will not unfold because one state has exercised its unique jurisdiction. The importance of asymmetric versus symmetric federalism underscores an overarching message, which is to account for each case's formal and informal institutional design (Banaszak and Weldon 2010) as well as overall state capacity (Franceschet 2010) and individual leadership (Jaquette 2009). Gender regimes, institutional arrangements, and state capacity will affect whether policies within subnational units race to the top or the bottom.

### 5.2.2. Argentina's Federal System and Implications for Gender Policy

Argentina is a highly decentralized symmetric federation. The federal and the provincial levels share responsibility for expenditures in the policy areas where women's interests reforms typically unfold: education, justice, healthcare and health insurance,

social welfare and social security. Specifically, subnational governments shoulder half of the nation's total social expenditures; in 2000, for instance, provinces funded education costs at 20 percent, healthcare costs at 50 percent, social assistance funds at 25 percent, and pensions at 80 percent (Tommasi 2006: 33). While guidelines for expenditures are set at the federal level, provinces enjoy discretion in revenue allocation and policy implementation.

Very few provinces raise taxes efficiently or profitably, however. Provinces may borrow money domestically and abroad, through which they incur debt as well as overspend (Gordin 2006a: 256). The main source of provincial revenue is transfers from the center, the vast majority of which (between 64 and 81 percent) are automatic and unconditional (Wibbels 2005). The federal government raises tax revenues in economically profitable provinces (such as the city of Buenos Aires) and redistributes these benefits through “a complicated system that strongly benefits the less populated and more overrepresented provinces” (Gervasoni 2010: 310). The system, which hinges on the malapportionment of the federal congress in general and the senate in particular, means that provinces with fewer residents but better social indicators receive *more* central transfers per adult when compared to their more populous, but less developed, counterparts (Gervasoni 2010).<sup>2</sup> The scheme thus perpetuates high levels of vertical fiscal imbalance, which further inhibits policy coordination across the different tiers of the federation (Spiller and Tommasi 2005: 46).

The Argentine provinces thus vary substantially in the resources which they have available for policy implementation as well as the priorities they set across across policy areas. As McGuire explains in the case of healthcare, the federal government is

responsible for “funding, priority setting, planning, regulation, coordination, and technical advice” whereas provincial governments are charged with “the hands-on tasks of resource allocation, administration of health care facilities and the implementation of health programs” (2010: 135). The latter also require provinces to outlay cash—yet, as Smulovitz cautions, fiscal federalism cannot tell the whole story. She notes that other factors explain policy variations among the provinces, namely legislative autonomy, subnational state capacity, and advocacy groups (2010). When women’s interests are at stake, Smulovitz’s use of “legislative autonomy” parallels Vickers’ conception of the “gender regime.” In Argentina, provinces can respond to federal guidelines, which are expressed either in congressional statutes or executive decrees, by issuing their own provincial laws or gubernatorial decrees. Provinces’ regulatory frameworks consequently vary in how closely they track with, or diverge from, the federal rules.

The ability for federal policies, particularly social policies, to produce different results across the federation conditions how the impact of gender reforms should be evaluated. The case study of sexual health policy will illustrate this point: while the federal laws passed in 2002 and 2006 require the availability of contraceptive devices and surgeries to every woman who demands them, female citizens in some Argentine provinces access these services more than others. These inequalities in rights protections (cf: Smulovitz 2010) go beyond whether or not provinces allocate monies to purchasing birth control; they include subnational gender regimes (i.e., provincial requirements for contraceptive access frequently differ from those stipulated by the federal law), the appointment of ideologically-motivated local officials, and the permeability of subnational governments to women’s groups or ecclesiastical organizations.

The typology of gender policy devised by Htun and Weldon (2010), and presented in Chapter One, indicates that reforms to women's rights laws will vary according to how the policy interfaces with state structures. The actors, and the arguments and strategies they choose, will hinge on whether the proposed reform provokes doctrinal opposition or challenges class boundaries (see Table 1.1). Htun and Weldon see these categories as exclusive: for instance, legalizing abortion rallies opponents on moral grounds while unionizing domestic workers rallies elites against economic redistribution.

Yet Argentina's sexual health reforms, in dealing exclusively with the availability of contraception, blur the doctrinal/economic distinction. In Argentina, contraception was already legalized, though patients had to pay high premiums for family planning services on the private market. The 2002 and 2006 reforms focused on *access* to these services: the laws stipulated universal, free access to contraceptive devices and surgeries, including condoms, birth control pills, intrauterine devices (IUDs), vasectomies, and tubal ligations, and excluding abortions. The reforms were thus redistributive *and* doctrinal. By making the contraceptive market public, they lowered the costs for all women by requiring government expenditures, and by making contraceptives readily available, they inflamed conservative and ecclesiastical fears about sexual licentiousness, public immorality, and societal disarray. As has been well documented in other studies (Blofield 2006, 2008; Htun 2003; Barrancos 2006), the Catholic Church in Argentina exercises considerable political influence.

These features, combined with provincial autonomy in healthcare delivery, means that Argentina's provinces become subnational battlegrounds over women's reproductive

rights. As the case study below shows, these battles were waged both before and after the federal rules changed beginning in 2002. Depending on the configuration of variables in each province, the goal entails using provincial policies to supplement, supersede, circumvent, or undercut federal norms.

### **5.3. Case Study: Sexual Health in Argentina**

This case study of sexual health reforms in Argentina combines interviews and documentary evidence to process trace the reforms from their introduction to their implementation. Legislators in Argentina repeatedly identified the 2002 and 2006 laws as hallmark achievements of *diputadas* and *senadoras*. The laws present an opportunity for an in-depth, qualitative study of WSR as process and outcome. The laws' imposition of healthcare reform on the provinces also allows for analyzing the link between federal reform and subfederal implementation. To do so, I rely on interviews conducted with legislators (as described in Chapter Four) as well as interviews with civil society activists, federal bureaucrats in the ministry of health, and provincial healthcare ministers and their staff (including program administrators and healthcare providers).<sup>3</sup> I further analyze primary source documents, including non-governmental organizations' reports as well as provincial sexual health laws, policy documents, and program descriptions.

Interviews were conducted in four subnational units: the City of Buenos Aires, the Province of Buenos Aires, the Province of Córdoba, and the Province of Tucumán. Córdoba and Tucumán were deliberately selected, given that each subnational unit presented a distinctive feature in the implementation of the sexual health reforms. In Córdoba, sustained activism on the part of the provincial NGO *Católicas por el Derecho*



*de Decidir* [Catholics for a Right to Choose] has combined with judges' and provincial executives' doctrinal resistance, resulting in a schizophrenic public policy that includes both liberal and conservative elements. In Tucumán, no civil society groups actively demand reproductive rights from the provincial government, and the program has low juridical status and scant resource allocation. The City and the Province of Buenos Aires become represented among the interviewees because many officials who worked in the federal *Ministerio de Salud* [Ministry of Health, or MSAL] also had worked in the city's or the province's ministries. To provide details for the remainder of the provinces, I use interviews with and documents produced by the civil society organization known as CoNDeRs [the *Consortio Nacional por los Derechos Reproductivos y Sexuales* or the National Consortium for Reproductive and Sexual Rights]. As discussed in more detail below, CoNDeRs has compiled a compendium of information of the nature and consequences of sexual health reform in each province.

In the discussion, “contraception” and “family planning” refer to women's access to birth control. None of Argentina's sexual health reforms affected the legality of, or women's access to, abortion. Abortion inevitably surfaced in the debates, as opponents expressed resistance by characterizing contraception as abortive, and as proponents countered that contraception in fact reduces abortions. Yet the text of the reforms remained silent about pregnancy termination. As in Mexico, female politicians in Argentina found overcoming moral resistance and building national coalitions on abortion legalization too difficult.

### 5.3.1 Setting Agendas across the Federation

Opponents to contraception in Argentina have made extensive reference to an Argentine philosophical and political tradition of nationalism. In the late 1800s, doctor Juan Bautista Alberdi, whose intellectual thought formed the basis of the 1853 Argentine Constitution, stated that “*gobernar es poblar*” [to govern is to populate]. This pronouncement led to pro-immigration and pro-eugenics legislation in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries (Barrancos 2006). For instance, the criminalization of abortion in the 1922 penal code permitted “compassionate abortions” for mentally handicapped women who were raped, thus preventing the spread of malformed genes in the population (Htun 2003). Protectionist labor legislation also played a role, as immigrant women became laborers and native-born women were “preserved” for childrearing (Guy 1981: 84). Since the latter half of the 20<sup>th</sup> century, *gobernar es poblar* has been re-appropriated by opponents to contraception and abortion, who argue that women’s mothering capacities play a central role in national development.

As such, the Argentine government has supported the genesis of a robust population that would perpetuate the great nation. As President Isabel Perón stated in 1974, when she banned any activity related to family planning, “The persistence of low birth rates constitutes a threat that seriously compromises the most fundamental aspects of the Republic.”<sup>4</sup> The birth control ban was perpetuated by Argentina’s military dictatorship, which governed from 1976-1983. In 1977, the military prohibited contraception even for medical purposes. The generals argued that stimulating population growth was a question of national security, a position with which the Catholic Church remained highly satisfied (Lopreite 2008). Pro-natalism and religiosity dovetailed, and

Argentine politics presented “an extreme display of opposition to birth control even by regional [South American] standards” (Human Rights Watch 2005: 12).

Democratization, however, enabled the appearance of an alternative approach to contraception, one that structured birth control in terms of both gender roles and public health. In the post-transition government of Raúl Alfonsín (1983-1989), a cadre of self-described feminist doctors were appointed to head a “Women, Health, and Development” program within the MSAL. Charged with developing Argentina’s position at the 1984 International Conference on Population in Mexico City, these female officials argued that family planning promoted healthy populations and women’s rights. They exerted “pressure from within” to persuade Alfonsín to overturn Isabel Perón’s 1974 ruling.<sup>5</sup> In 1986, Alfonsín agreed, and issued an executive decree announcing that the MSAL would now permit healthcare entities to offer services that strengthened “the right of the couple to decide freely the number and spacing of their children” (Faur and Gherardi 2005).

Alfonsín’s successor placed family planning in the public spotlight. Peronist Carlos Menem, who held office from 1989-1999, first appeared to support gender policy reform. Menem created the *Consejo Nacional de la Mujer* [CNM, or National Women’s Council] via executive decree in 1991. In 1992, its executive director, Virginia Franganillo, organized activists, NGOs, provincial legislators, and national legislators into a “network of experts” that would define strategies to advance reproductive rights at the subfederal and federal levels.<sup>6</sup> Alfonsín’s 1986 decree had merely legalized birth control; policies were needed to make family planning available, accessible, and useful. The CNM’s issue network included two non-governmental groups. The first, *Fundación para Estudio e Investigación de la Mujer* [FEIM, or Foundation for Women’s Studies

and Research] was organized by the feminist doctors who previously comprised the MSAL's "Women, Health, and Development" team. The second, *Centro de Estudios de Estado y Sociedad* [Center for State and Society, or CEDES], consisted of academic researchers committed to "raising awareness about healthcare rights" and "distributing accurate, technical, scientific information to practitioners and politicians."<sup>7</sup> Both FEIM and CEDES were involved in lobbies that targeted subnational and national legislators in their capacities to regulate the healthcare sector.

During that time, the province of La Pampa passed a *procreación responsable* [responsible procreation] program that emphasized gender roles and public health. This program's success was due to the coordinating capacity and agenda setting authority of one female legislator, the Peronist Silvia Gallego, who chaired the provincial legislature's Commission on Social Laws. Gallego built a coalition that included the local women's wing of the Peronist party and the provincial activist group *Mujeres por la Solidaridad* [Women for Solidarity] (Di Liscia 2009). Gallego defended her proposal as necessary to empower women in their relationships with men and to improve poor women's health (Di Liscia 2009). Her leadership, as well as her ability to cultivate support from her party and from civil society, allowed La Pampa to innovate where other provinces could not. The province's 1991 law made contraception free and available to women enrolled in public, private, and labor union healthcare plans.

At the national level, female legislators were also working with executive officials and civil society advocates. The CNM, FEIM, and CEDES called their campaign, "Women Together for the Right to Freely Decide."<sup>8</sup> In addition to rights, their proposals attended to the reform's social class dimensions: CEDES, for instance, viewed

contraceptive funding as both ensuring “healthcare rights for women” and addressing “serious statistics about maternal mortality” among poor and marginalized women.<sup>9</sup> As female legislators introduced *procreación responsable* initiatives each congressional term (Novick 2002), the “Women Together” coalition held one-on-one meetings with lawmakers, made presentations of research to demonstrate the public health benefits of contraception, and launched widespread media campaigns.<sup>10</sup>

Responsible procreation thus recognized women’s right to choose while placing financial obligations on the state. Yet, President Menem had allied with the Catholic Church, generating a “hegemonic position” that supported an expansion of women’s opportunities along limited, traditional lines.<sup>11</sup> Early in the 1990s, Menem stated that children had a “right to be born”—a statement which contradicted the advocacy of his own appointees.<sup>12</sup> Menem further instructed Argentina’s delegation to the 1994 UN Conference on Population and Development in Cairo and the 1995 UN Fourth World Conference on Women in Beijing to oppose family planning. Members of FEIM, previously nominated as delegates to the conventions, were suddenly prohibited from attending.<sup>13</sup> Menem then neutralized the CNM by dismissing an outraged Franganillo and replacing her with the self-described “anti-feminist” Esther Schiavone (Waylen 2000: 779). Subsequently, he declared that UN declarations about “the right to decide freely and responsibly the number, spacing, and timing of children” were euphemisms for abortion, and, in 1999, decreed March 25 as the “Day of the Unborn Child” (Lopreite 2008).

The doctrinal opposition of the Argentine President, and his explicit alliance with the Vatican on the international stage, proved formidable to concretizing sexual health

policies at the national and provincial levels. La Pampa's provincial measures did not spark an immediate "race to the top" among its neighbors. At the federal level, a responsible procreation initiative, written and introduced by female deputies, passed the lower chamber in 1995 but failed in the Senate. As Barrancos explains, "Neither Menem nor his closest collaborators, among whom were figures with a fascist record, such as then Minister of Justice Adolfo Barra, nor the most radicalized Catholic sectors, would tolerate the sanction of the bill by the Senate" (2006: 139). A female legislator confirmed that the Church has known allies in the Argentine Congress; these "Parliamentarians for Life" consult with Church officials when voting on reproductive rights measures.<sup>14</sup> Given Argentine senators' close connections to the provincial governors, the Church's strong connections to provincial executives, and the low representation of women in the Senate at the time (4 percent), the defeat of the 1995 *procreación responsable* measure seems unsurprising.<sup>15</sup>

Yet, Franganillo believes that Menem's "politics of opposition put reproductive rights on the policy agenda."<sup>16</sup> In the mid-1990s, family planning forces strengthened their issue networks and recruited new advocates to the cause (Pecheny and Petracci 2007; DAWN 2004). For instance, *Católicas por el Derecho de Decidir* gained prominence at this time (Barrancos 2006). Doctrinal struggles also shaped the nature of the debate, as activists re-framed contraception as "transitory and non-abortive" and "essential for ending maternal mortality."<sup>17</sup> Contraceptive access was gaining strength as both a social class and a women's rights issue.

With progress stalled nationally, one-third of the provinces were able to innovate in the latter half of the 1990s. As shown in Table 5.1, provinces could develop family

planning programs in three ways: via provincial laws, gubernatorial decrees, or ministerial decisions. Programs generally mandated and funded the distribution of contraceptive devices, as well as educational materials about them, in healthcare sites and pharmacies.

The provinces adopting programs in the late 1990s—Córdoba, Chaco, Mendoza, Río Negro, Misiones, Formosa, Neuquén, Chubut, and Jujuy—present a mix of territories wealthy and poor, urban and rural, secular and religious.<sup>18</sup> Some provincial laws explicitly recognized contraception as a right; the Río Negro and the Córdoba norms even went further, enshrining the right to the free exercise of “human sexuality.” The Córdoba law also mandated a province-wide program of sexual education in public and private schools, and classified the beneficiaries as “persons.”<sup>19</sup> The policy outlined in Misiones, by contrast, classified the beneficiaries as “families” and included “natural family planning methods” among those contraceptive alternatives that healthcare practitioners must present to patients. The Misiones policy, established via executive decree, further invited representatives from the Catholic Church to form part of the interdisciplinary healthcare and educational teams.<sup>20</sup>

While the program in Misiones stands out for accommodating the Catholic Church, no provincial policies were approved without skirmishes between political and ecclesiastical authorities. As a female *diputada* explained, “No one is excited about fighting with the Church, but the men especially are afraid of confronting the Church.”<sup>21</sup> When provincial legislatures considered the laws, local deputies often received letters from the archbishop threatening them with ex-communication if they supported responsible procreation (DAWN 2004). Local newspapers with editorial ties to the

Church would shame pro-contraception policymakers by publishing lists of provincial lawmakers “who were against life.”<sup>22</sup> The resulting variance across provinces—such as whether programs serviced families or individuals—thus exemplifies the rights inequality identified by Smulvotiz (2010) as a constitutive part of federations. Further, this variation was *not* improved by the successful passing of a federal law in 2002.

### 5.3.2. Passing Federal Guidelines

As provincial guarantees developed unevenly, the “Women Together” campaign continued its efforts to pass national laws that would shape Argentina’s sexual health regime. The policy goals of stipulating contraception as a right (doctrinal) and mandating universal coverage (redistributive) appealed to a wide range of supporters. Civil society activists and elected officials partnered with female legislators to build momentum for policy change. Within the Argentine Congress, individual female legislators were clear protagonists. Of the 22 proposals introduced in both houses from 1990-2000, 73 percent were written by female deputies and female senators (several of whom authored multiple initiatives). Proposal authors, both male and female, hailed from a variety of parties, including the Socialist Party, the Peronists, and the UCR.<sup>23</sup>

While the potential for cross-party agreement on a federal family planning program existed in the Chamber of Deputies, the Senate continued to constitute a considerable hurdle, as illustrated by the 1995 proposal’s defeat in that chamber. Female legislators nonetheless attempted to maintain momentum in the lower house. During the 1999-2001 congressional term, the proposals were circulated among three committees: Social Action and Public Health; Women, Youth, Children, and Family; and Budget and



Finance. While the committees on women and health did contain a majority of female legislators (89 percent and 37 percent, respectively), not all female (or male) deputies immediately agreed.<sup>24</sup> Leading the consensus building process was Cristina Guevara, of the Radicals, who comprised the congressional majority at the time. Guevara chaired the Committee on Social Action and Public Health and sat on Budget and Finance. She worked with Graciela Camaño (a Peronist who sat on both the health and budget committee) and Silvia Virginia Martínez (a Peronist who sat on both the health and women's committee). Together, these women brought their commissions into unanimous agreement on a singular, composite proposal. Redacting the 2001 bill that proposed the *Programa Nacional de Salud Sexual y Procreación Responsable* [National Program for Sexual Health and Responsible Procreation, or *Salud Sexual* for short] took two years.

Consensus building required Guevara, Camaño, and Martínez, alongside FEIM and CEDES, to frame contraceptive access in palatable ways. As suggested by the multiple party affiliations of the proposal leaders, the primary opposition was doctrinal rather than partisan. One representative recalled, “As female legislators we began analyzing what to do... There was opposition in all the parties [so] both parties, Peronists and Radicals, worked together” (Cesilini and Gherardi 2002: 97). Objections dealt not with party platforms, but with legislators' worldviews on the centrality of motherhood and the Argentine tradition of pronatalism (Cesilini and Gherardi 2002). Legislators, particularly men from the far-right *Acción Republicana* [Republican Action] party, as well as from the Peronists and the Radicals, continued to insist that “*gobernar es poblar*” and that contraception would undermine the noble role of women as mothers of the Argentine nation.<sup>25</sup> As such, reformers continued their focus on “transitory, non-abortive” methods

of contraception and increased their focus on “responsible procreation” within the context of traditional gender roles (Novick 2002). These arguments attempted to mitigate doctrinal objections by downplaying rights-based claims about bodily autonomy. Further, reformers deployed two economic arguments: contraception would redistribute healthcare to the poor, as well as reduce existing state expenditures on costs related to high risk pregnancies and back alley abortions.<sup>26</sup>

That sexual health reform simultaneously extended rights but preserved gender roles, and redistributed economic resources but lowered state costs, actually became critical in garnering legislative votes. Guevara, who received lead authorship of the 2001 bill, introduced the measure in the Chamber of Deputies by speaking of women’s rights. She stated that the reform “makes possible the access of men and women, especially us women, to the free exercise of their sexuality, to their sexual rights.” The vast majority of legislative proponents, however, supported the measure because it preserved motherhood and, in particular, helped poor mothers. Fernanda Ferrera, of the *Acción Republicana* party, broke ranks with her pronatal colleagues. She argued that contraception would help women fulfill their roles: “The natural feminine role is to become a mother. For this reason, the decision ought to be taken by the woman, but we cannot forget that all women have the natural desire to become mothers.”<sup>27</sup> In fact, *all* male legislators who supported the reform justified their decision through helping mothers and families. Jorge Zapata, from a small, right-leaning party, argued that the bill expressed a “fundamental respect for parents and parental decision-making” and that sexual health education would enable the “moral formation that fundamentally structures the family.”<sup>28</sup> Similarly, his Peronist colleague, Jorge Corchuelo, argued that *Salud Sexual* would decrease the

number of female-headed households by encouraging couples to engage in family planning.<sup>29</sup>

Yet the hybrid nature of contraceptive access was not the only factor predicting *Salud Sexual's* success. The measure passed the Chamber of Deputies in 2001, and arrived in the Senate in 2002. The quota law applied to the Senate at this time: women now held 34.7 percent of the seats. Important for the measure's passage in the Senate was also the appearance of new critical actors in the executive and in the upper chamber.

First, the newly elected president, Peronist Néstor Kirchner, was more expressly secular than his predecessor, Carlos Menem.<sup>30</sup> Second, Kirchner's Minister of Health, Ginés González García, avidly supported the law. González's enthusiasm was motivated not by an intrinsic support for women's rights, but by a commitment to ending maternal mortality and improving the lives of the poor. His goal was always public health.<sup>31</sup> He also expressed an almost gleeful desire to confront the Catholic Church.<sup>32</sup> González personally visited senators to notify them of Kirchner's support for the measure.<sup>33</sup> Third, the influential senator and Peronist leader Hilda "Chiche" Duhalde reversed her earlier opposition. Radicalized by the effects of the 2001 crisis on poor women, the socially conservative senator became a vocal supporter of the measure's ability to ensure healthy pregnancies.<sup>34</sup> Fourth, the devastating economic collapse of 2001 had highlighted the public health problems associated with widespread poverty, making arguments about protecting poor women's mothering capacities relevant to those whom Duhalde and González approached.<sup>35</sup> Fifth, concurrent sex abuse scandals in the Catholic Church had eroded the Church's moral authority over doctrinal matters relating to family and sexuality.<sup>36</sup>

Finally, the presidency of the Senate's health commission had passed to a woman. The new chair, Mercedes Oviedo, saw contraceptive access as a class-based policy, arguing that the bill would "save the lives of our sisters who do not have access to information and, when they become pregnant, perform abortions on themselves."<sup>37</sup> The leadership of González, Duhalde, and Oviedo, combined with advocacy from FEIM, CEDES, and the "Women Together," proved effective to swing the Senate vote. By 2002, female and male senators were willing to withstand sanction from the Church in order to guarantee contraceptive access.

This process illustrates how critical actors both inside and outside the legislature build momentum for women's interest representation (Childs and Krook 2006). Further, leaders capitalized on the reform's mixed goals to build a diverse coalition of support. Critical actors supported contraceptive access for distinct reasons: female legislators alternately championed women's rights or protected motherhood, male legislators sought to stabilize families, civil society think tanks focused on bodily autonomy *and* maternal mortality, and executive officials expressed their anti-clerical values. The reform continued as the legislature exercised oversight of program delivery.

### 5.3.3. Legislative Oversight

Legislators can become catalysts not simply for agenda setting and statute change, but for policy improvement and implementation. Scholars studying women's representation have often overlooked legislators' monitoring roles, even though such oversight constitutes part of women's substantive representation. In the case of *Salud Sexual*, the program was halted within four months of its passage on the grounds of

violating the Argentine Constitution's right to life. The injunction was issued by a federal judge, Cristina Garzón, in the Province of Córdoba, in response to a suit brought by the Catholic civil society group *Mujeres por la Vida* [Women for Life]. The legislative outcry, orchestrated by a cadre of female lawmakers, was strong and immediate.<sup>38</sup>

In the Chamber of Deputies, María Silvina Leonelli of Córdoba, from the opposition party, immediately issued a legislative resolution denouncing the judge's decision. These legislative statements—known as projects of declarations or resolutions—are frequently the only way that federal deputies and senators can intervene in provincial, judicial, or administrative affairs. While these statements are largely symbolic, they nonetheless require effort to prepare and networking to attract coauthors. They also become part of the permanent congressional record. Projects of declaration and resolution thus indicate legislators' strong interest in a topic.

In the specific case of implementing the *Salud Sexual* reform, Leonelli was not the only legislator outraged by the judge's ruling. Her colleague, Marcela Antonia Bordenave, issued a similar resolution; Bordenave's project was co-signed by female deputies representing *all* parties in the Chamber. At the same time, five different deputies—four women and one man—issued statements demanding that the MSAL immediately distribute contraceptive materials to health sites throughout the country. In the Senate, Peronist Vilma Ibarra issued a declaration against Judge Garzón. Leonelli, Bordenave, and Ibarra quickly emerged as congressional leaders of the outcry, as their resolutions were officially adopted by their respective chambers. (Bordenave had also authored one of the earlier *Salud Sexual* measures.) While most declarations and

resolutions issued by legislators remain unanswered by the relevant authorities, González García answered both chambers, delivering the MSAL's promise to challenge Judge Garzón's ruling.<sup>39</sup>

Further, female lawmakers have responded to loopholes in *Salud Sexual* by authoring amendments. The original 2002 law, by defining contraception as “transitory, reversible, and non-abortive,” had established grounds for healthcare providers to exclude “non-reversible” procedures, namely tubal ligations and vasectomies. In 2006, lower house deputies introduced an amendment known as the *Ley de Anticoncepción Quirúrgica* [surgical contraception], which would include these procedures under the aegis of *Salud Sexual*. As with *Salud Sexual*, the *Anticoncepción Quirúrgica* proposal bundled multiple bills: five different initiatives were authored by five female legislators, including one representative from a far-right party. Further, the measure dealt with both gender-status and class-status issues, defining surgical contraception as a right and targeting poor women's greater vulnerability to gaps in coverage. Though doctrinal opposition remained high, the precedent set by *Salud Sexual* meant that *Anticoncepción Quirúrgica* passed with less fuss.<sup>40</sup> Indeed, the amendment obtained 77 percent of the vote (and 89 percent of the female vote) in the Chamber of Deputies and 80 percent of the vote (and 83 percent of the female vote) in the Senate.<sup>41</sup>

Congressional actors have continued to monitor the implementation of *Salud Sexual* and *Anticoncepción Quirúrgica* through the issuance of projects of declaration and resolution. As shown in Table 5.2, Argentine deputies and senators issued forty-eight projects of declaration or resolution related to the sexual health policy between 2002 and 2009, excluding those related to Judge Garzón's initial injunction. Twenty-one

percent (10) have expressed attitudes *against* reproductive rights, ranging from disapprovals of provincial programs to requests that the executive branch cease implementation. The disapprovals were all voiced by the same four legislators, two men and two women, from the *Acción República* party. The thirty-eight projects expressing support for reproductive rights, however, have been introduced by twenty-seven legislators; 29 percent (11) of the “in pro” projects were authored by men and 71 percent (28) were authored by women. The proponents are more diverse than the opponents; the authors range from far-left socialists to centrists. Their efforts entail shaming provinces that do not provide contraception and expressing support for the MSAL’s implementation. The vast majority of legislators undertaking these monitoring activities are women, underscoring the patterns shown in Chapters Three and Four of the dissertation. These data further echo Jaquette’s observation that gender policy often depends on the deliberate actions “of a few” committed actors (2009: 6).

These findings again appear in the latest stage of female legislators’ advocacy for reproductive rights. In March 2007, González García used his ministerial powers to include the “morning after pill” among the methods of contraception authorized by the 2002 law. Almost immediately, judges in Tierra del Fuego, Santa Fe, and Córdoba (the latter again responding to a suit brought by *Mujeres por la Vida*) issued injunctions to prevent the distribution of the pill, claiming it was abortive and violated a constitutional right to life. Several legislators responded immediately: in September 2008, three projects, each authored by female deputies, were introduced that expressly incorporated emergency contraception into *Salud Sexual*. Two of the projects were authored by legislators from the offending provinces (Cecilia Paula Merchán from Córdoba and

Paulina Ester Fiol from Santa Fe). In May 2009, the Commission for Health and Social Action in the Chamber of Deputies (composed of 53 percent women) ruled in favor of Merchán's measure, and the bill remains under consideration by the Committee for Women, Youth, Children, and Family.

This evolution of Argentina's sexual health laws shows that female legislators play critical roles in monitoring executive compliance and addressing loopholes. As argued earlier, higher proportions of female legislators raise the likelihood that some women will exercise oversight of gender policy, for not all women do so. As an author of the emergency contraception amendment commented, "It's not that we are the best female legislators [*legisladoras*], but we are the female legislators who care about women's lives."<sup>42</sup> As we have seen, the vast majority of legislators who lead policy adoption efforts and subsequent oversight initiatives are women.

#### 5.3.4. The Executive Branch and the Federal Gender Regime

As Vickers (2010) has argued, how policies trickle down throughout federations will depend primarily on the framework established at the top. *Salud Sexual* commits the federal government, via the Ministry of Health, to provide the financial, material, and capacity-building resources necessary for implementation in the provinces (Faur and Gherardi 2005: 200). The principal interpreter of the federal gender regime, as set forth in the law, is the MSAL. Outside the legislature, civil society groups have chosen to act as monitors, organizing themselves into CoNDeRs, the vast issue network coordinated by FEIM, with participation from CEDES. CoNDeRs brings together activists and academics, many of whom supported *Salud Sexual* from the beginning. Presently



consisting of more than 400 investigators throughout the country, CoNDeRs' main objective is to monitor and publicize executive branch actions that affect the reproductive rights of women.

To begin, the leadership of González García was instrumental in jump-starting the program throughout the country. González's commitment to reducing maternal mortality in Argentina, as well as to irritating the Catholic Church, was well-known. A self-described "provocateur," he manifested such strong support for family planning and abortion legalization that the Argentine archbishop said he ought to be "weighted around the neck with a rock and thrown into the sea."<sup>43</sup> In early 2003, when Judge Garzón passed her injunction to halt the implementation of *Salud Sexual*, González responded that the decision was a "judicial assault" that imposed upon society "an indignant and retrograde offense."<sup>44</sup> He personally delivered the MSAL's arguments before the court of appeals.<sup>45</sup> While awaiting the judgment, he convened expert consultants from within the medical profession and civil society to begin designing the national *Programa para la Salud Sexual y la Procreación Responsable* [PSSyPR, or Program for Sexual Health and Responsible Procreation] (Faur and Gherardi 2005: 200). When the Federal Court of Appeals finally reversed Judge Garzón's injunction in the first months of 2003, the MSAL was ready to inaugurate the PSSyPR. In accordance with the law, medical sites would now guarantee the free and universal provision of contraceptives, provide information and counseling to female patients, promote female patients' participation in their own sexual health decision-making, and prevent unwanted pregnancies. The program was supported by loans from the World Bank and the United Nations' Population Fund.<sup>46</sup>

The initial implementation phase benefited from González's considerable willpower, as well as the trust placed in him by then-president Néstor Kirchner. González wrote the program and distributed the funds. He established benchmarks for evaluating the PSSyPR's success: a decline in maternal mortality rates, a reduction of teenage pregnancy and hospital admittances due to "back alley" abortions, and the inclusion of pap smears and counseling for all women of reproductive age.<sup>47</sup> González García's team also wrote technical guides for healthcare practitioners to use in the cases of surgical contraception, emergency contraception, and post-abortion care. He published these and other technical guides on the CNM's website. In 2005, working with civil society groups, González García launched a massive, nationwide public awareness campaign about women's benefits under the program. Also in this year, he changed the program's institutional status within the MSAL, making the program director responsible directly to him. González or his team personally intervened, often on a case-by-case basis, in provinces where women were denied services.<sup>48</sup> Essentially, González García placed all the MSAL's available resources into fighting unwanted pregnancies, which he called "a true epidemic" in Argentina.<sup>49</sup> Under his leadership, the MSAL complied with its obligation to purchase and distribute contraceptives (including emergency contraception) to the provinces.

To gauge the success of these efforts, CoNDeRs completed two waves of assessment, one in 2003 and one in 2008. Surveys were conducted in each provincial capital and other major cities, resulting in data from across the country. CoNDeRs found that, in the beginning, contraceptive material, counseling, and devices were consistently available only in 39.5 percent of primary care centers and hospitals (2003: 12).

Healthcare clients also lacked basic knowledge about contraception and appeared ambivalent about the program: patients portrayed their receipt of services as “very good” or “good” only 34 percent of the time (CoNDeRs 2003: 13). CoNDeRs attributed the problems to healthcare workers, concluding that “[they] do not clearly understand the norms established by the present law” (CoNDeRs 2003: 12). Six years later, however, CoNDeRs found marked improvements. Workers and patients reported that contraceptive material, counseling, and devices were available in 67.7 percent of primary care centers and hospitals—a significant increase from 2003 (CoNDeRs 2008f). Those surveyed also reported that services were “very good” or “good” 54 percent of the time—a less dramatic, but still positive, increase from 2003 (CoNDeRs 2008f).

Yet these data obscure important variations across Argentina’s 23 provinces. In the 2003 survey, for instance, some provinces, such as the city of Buenos Aires, provided PSSyPR services in 89 percent of all provincial healthcare sites—fifty percentage points above the national average. Others provinces only provided services in high quality hospital complexes, while others offered services only in low quality community health centers (CoNDeRs 2003: 12). This provincial variation has resulted in substantial inequality in Argentine women’s enjoyment of their reproductive rights.

#### **5.4. Assessing Policy Implementation at the Subfederal Level**

In Argentina’s decentralized federation, the provinces deliver health policy, creating a situation wherein subnational units have substantial latitude to innovate in healthcare delivery (McGuire 2010). As shown earlier, Table 5.1 documents how Argentina’s provinces responded to the impetus for sexual health reform. Fifteen

provinces had voluntarily adopted responsible procreation programs prior to 2002, and nine provinces adopted programs after the federal law compelled them to act. Of these late adopters, eight of the nine explicitly addressed family planning. The lone dissenter—Catamarca—implemented PSSyPR requirements without codifying the decision in either a provincial law, executive decree, or ministerial regulation (CoNDeRs 2008b: 16).

Overall, 20 of Argentina's 24 provinces had authorized their sexual health programs via statutes passed in the provincial legislature; two provinces created programs via gubernatorial decrees (Misiones and Formosa); and two provinces left program creation and delivery to the health ministries (Tucumán explicitly and Catamarca by default).

Among the early adopters, several provinces reformed their pre-2002 programs to bring them in line with, or supersede, the new federal guidelines. For instance, La Pampa, Chaco, Mendoza, Chubut, Tierra del Fuego, and Neuquén all reformed their provincial laws to allow for tubal ligations and vasectomies prior to the 2006 passage of *Anticoncepción Quirúrgica* at the federal level.

Yet progress has neither been uniform nor linear. A 2006 measure in Entre Ríos to eliminate “gender” from the law, and endorse the “natural, unalterable rights of families to have children” passed the provincial senate but failed in the provincial chamber of deputies (CoNDeRs 2008b). In La Rioja, the 2000 provincial law that mandated the education of all healthcare workers in sexual health and contraceptive services was vetoed by the governor in 2001 for clearly doctrinal reasons: he contested that the program violated the “ethical, religious, and philosophical norms that ought to contribute to sustaining the natural order of life.” In 2002, once *Salud Sexual* had passed at the federal level, the provincial legislature of La Rioja authorized the PSSyPR

program; the governor did not exercise his veto the second time (CoNDeRs 2008b: 25). In other provinces, court proceedings rather than gubernatorial disapproval have halted programs. San Luis, for instance, repealed portions of its 2005 PSSyPR law in response to a provincial court's ruling that the measure violated parents' rights over children's decision-making and children's rights to life (CoNDeRs 2008b: 33-34). Finally, provincial legislatures have themselves provided contradictions. In Mendoza, San Juan, San Luis, and Tucumán, laws authorizing *Salud Sexual* and *Anticoncepción Quirúrgica* coexist uneasily with laws declaring children's right to be born (CoNDeRs 2008b).

Does this unevenness suggest that Argentina's provinces are racing to the top or racing to the bottom? Table 5.3 organizes Argentina's provinces into cases of high, medium, or low compliance with the federal gender regime. I scored provinces according to the contents of their *Salud Sexual* and *Anticoncepción Quirúrgica* laws. They received points for progressive rules (i.e., including emergency contraception and treating individuals irrespective of marital status) and they lost points for conservative rules (i.e., including the Church as a healthcare provider or conceiving of target populations as families). The highest possible score was 45, creating three brackets for provinces' compliance: high (45-30), medium (29-15), and low (1-14).<sup>50</sup>

While the scoring only captures provinces' intentions—and not their actions—the resultant measurement reflects reality fairly accurately. High compliance provinces have good records of coverage and service delivery and fairly permissive statutes; Neuquén, the city of Buenos Aires, and Río Negro all include emergency contraception in their programs, for example. Medium compliance provinces combine permissive statutes with some restrictions or unevenness, such as Mendoza, which permits emergency

contraception but sells family planning services—even though federal law requires their free distribution (CoNDeRs 2006: 7). Low compliance provinces have programs with scant coverage and artificial restrictions on access.

This variation is not, however, explained by actual policy diffusion or deliberate competition among provinces. Rather, provinces tailor responses to the redistributive and doctrinal challenges posed by the federal regime. *Salud Sexual* and *Anticoncepción Quirúrgica* have broad mandates: beyond demanding the free provision of contraceptive pills, devices, and surgeries, they require sex education programs, worker training, and public awareness campaigns. The federal PSSyPR program thus implicates financial resources in service provision and in the education of healthcare providers, patients, and the public. These goals clash with beliefs held by religious authorities, ordinary citizens, and individual policymakers—as evinced by the previously mentioned court proceedings, gubernatorial vetoes, and legislative repeals. Provinces' responses are thus structured by the contextual variables identified as critical for understanding whether federalism is “good” or “bad” for women: subnational institutional arrangements, leadership and state capacity, and civil society pressure. The interplay of these variables becomes evident in how provinces have distributed program supplies and structured patients' access.

#### 5.4.1. Funding and Provision of Program Supplies

As noted, in Argentina's fiscal federalism, the center and the peripheries fund social policies. McGuire (2010) finds that provincial outlays account for nearly three-fourths of all subnational expenditures in healthcare; of the remaining quarter, the federal government spends the most money, followed by the municipalities. In the case of

PSSyPR, however, the expenditure burden has fallen solely on the federal government. The vast majority of provinces do not allocate budgetary expenditures to *Salud Sexual*. In Santa Cruz, for instance, Article 2 of the provincial law explicitly prohibits any allocation of subnational monies to the program.<sup>51</sup> Withholding funds becomes one way through which provinces can manifest opposition to the federal guidelines, often at the behest of or in cooperation with local religious lobbies.

While CoNDeRs (2008c) reports that the federal MSAL sends contraceptive devices (condoms, pills, IUDs) as well as healthcare infrastructure (supplies for gynecological exams)—the vast majority of provincial leaders report receiving *insumos* [devices] only. Doctors at the provincial and municipal level have further complained they receive no monies for “*capacitación*”—meaning the training courses for healthcare providers also mandated by the federal law.<sup>52</sup> As one doctor in Córdoba commented, “They don’t send me a handbook, a speculum, a stethoscope, nothing.”<sup>53</sup> Under the leadership of Ginés Gonzáles García, *insumos*—and even money for training—arrived fairly regularly.<sup>54</sup> Following Cristina Fernández de Kirchner’s inauguration in 2007, however, the situation changed: for reasons addressed at the end of this chapter, Fernández’s health minister, Graciela Ocaña, has severely restricted money for all aspects of the program, from *capacitación* to *insumos*.

Of the seven provinces surveyed by CoNDeRs in a 2006 report, only Córdoba allocated its own budgetary resources to meet the gap between federal supply and local demand for *insumos* (CoNDeRs 2006). Provincial officials in Tucumán report that the local health minister will also authorize purchases of *insumos* when federal supplies run low, but such purchases are “difficult to request” and “depend entirely on the whim of the

minister.”<sup>55</sup> The problem is exacerbated in Tucumán because the PSSyPR is neither encoded in provincial law nor authorized by gubernatorial decree (see Table 5.1); the lack of clear subnational rules makes the program entirely dependent on the ideological beliefs and political priorities of the health minister. Even in Córdoba, the allocation of local resources to purchase contraceptive devices occurs sporadically; like its counterparts across the territory, the province has no dedicated budget to support the program (CoNDeRs 2008a).

Individual provinces also restrict the supplies that *are* received from the federal government. CoNDeRs affiliates and female legislators have reported that provinces often do not distribute the contraceptive shipments they receive from the MSAL. This problem is particularly pervasive in conservative provinces with strong religious lobbies.<sup>56</sup> In Tucumán, the director of the PSSyPR program explained that the provincial health ministry receives *insumos* from the federal government every six months; the supplies are “in stock,” but she must solicit for their distribution based on the quantity of patients already enrolled in the program. This regulation restricts her ability to expand access to new patients, an outcome also reported by doctors in Córdoba.<sup>57</sup> Neither Córdoba nor Tucumán have established procedures that would allow doctors—who make their requests to program directors—and program directors—who make their requests to provincial health ministries—to expand program access.<sup>58</sup> New patients are sent to pharmacies to buy their birth control pills, hormone injections, or IUDs on the private market.<sup>59</sup>

Problems with the supply of family planning devices and services thus account for much of the unevenness in women’s sexual rights across the federation. For instance, for



the calendar year 2007 in Córdoba, CoNDeRs estimated that nearly 66,000 eligible women in the capital city and between 400,000 and 500,000 eligible women in the province remained outside the program. Said another way, coverage rates were approximately 29 percent in the provincial capital and only 14 to 17 percent in the rural areas (CoNDeRs 2008a). In the city of Buenos Aires, by contrast, coverage was so effective that, in 2007, the PSSyPR program was extended to women incarcerated in provincial penitentiaries (CoNDeRs 2008e). While some provincial decisions in administering PSSyPR might respond to practical financial realities, these stories also show how funding for *insumos* and *capacitación* remains subject to political willpower and ideological considerations.

#### 5.4.2. Artificially Restricting Access

While the PSSyPR program in the city of Buenos Aires stands out for its breadth and depth of coverage, most provincial programs engage in a *de facto* “race to the bottom” as they undercut the program by restricting access. The most common way to restrict access is to manipulate appointments and withhold information. A journalist who has followed PSSyPR since its inception described an “arbitrary abuse of power” wherein provincial governors and health ministers are known members of Opus Dei or evangelical organizations.<sup>60</sup> These executive officials fail to distribute the contraceptives, invite religious organizations to deliver medical training, and appoint known conscientious objectors to direct hospitals’ and clinics’ sexual health programs.<sup>61</sup> A provincial *diputada* from Córdoba believed her province’s PSSyPR gave adolescents misinformation about the efficacy of birth control<sup>62</sup>; such misinformation generally aims

to frighten young people into abstinence. In another example, a male doctor in Tucumán expressed clear pronatalist views, stating that “women cannot demand birth control to have fewer children, for Argentina is a vast country and needs people.”<sup>63</sup> Often, the doctors appointed to direct local programs are neither obstetricians nor gynecologists, but pediatricians.<sup>64</sup> In Mendoza, directors appointed to hospitals and healthcare centers have openly opposed the program (CoNDeRs 2006: 7).

Most commonly, doctors refuse to implant intrauterine devices or perform tubal ligations. While the law obligates those professionals refusing on the grounds of conscience to recommend another provider, many doctors also withhold the referral.<sup>65</sup> Doctors refuse these surgeries to young women in particular, fearing that these women could “enter into other relationships” and “change their minds”; in these situations, some hospitals withhold their consent.<sup>66</sup> Moreover, provincial MSALs frequently provide misinformation, or allow practitioners to provide misinformation, about which contraceptive services are allowed under law.<sup>67</sup> In the province of Chubut, for instance, women soliciting tubal ligations are informed that the procedures are not available under the federal regime (CoNDeRs 2008d). A gap thus appears wherein contraceptives and contraceptive information are technically, but not practically, available to many women.

Provinces have also written formal restrictions into their subnational regimes. The province of Santa Cruz, for example, restricts its program to women living beneath the poverty line; further, these women must produce documentation proving they have lived in the province for six months (CoNDeRs 2006: 7). In Córdoba, women seeking tubal ligations must have their request approved by an ethics panel comprised of doctors, social

workers, and psychiatrists, a provision not stipulated by the national *Anticoncepción Quirúrgica* law.<sup>68</sup>

Several provinces isolate PSSyPR delivery into *consejerías* [consultations] that are separate from regular physician visits. While often justified as complying with the national law's requirement to provide adequate counseling to sexually-active patients, the requirement actually prohibits women from requesting contraception as part of their routine healthcare. Forcing patients to make separate visits places an additional burden on working women and rural women. *Consejería* hours are also limited. In Córdoba, women travel up to three hours to visit a *consejería* that is only open Monday, Wednesday, and Friday, from 8 am to 11 am.<sup>69</sup> In Mendoza, women begin queuing at 2 am for a *consejería* that opens at 8 am (CoNDeRs 2006: 7). Finally, many provinces will only see adolescents in *consejerías* when their parents either consent or are present, a stipulation which contradicts the federal law's requirement that adolescents enjoy equal, unrestricted rights to reproductive health (CoNDeRs 2006).

Perhaps the greatest barrier to women's ability to access provincial PSSyPRs lies with the inadequate *capacitación* of healthcare personnel. In 2008, two national NGOs reported to the United Nations that healthcare providers often lack the knowledge to either recommend the contraceptives or to counsel clients in their proper use.<sup>70</sup> Provinces negate to implement even low cost or free methods of educating health workers about the law, including the diffusion of pamphlets and posters—many of which were developed during the tenure of González García,

Provincial officials have even rejected civil society initiatives to improve program delivery. At the National University of Córdoba, a team of gender studies and public

policy professors responded to the dearth of *capacitación* by volunteering their time: professors trained student health aides, who then staffed *consejerías* throughout the provincial capital.<sup>71</sup> The director of Córdoba's PSSyPR objected, claiming that the program was "ridiculous" and "damaging to patients" because the health aides were "temporary workers who would stop staffing the *consejerías* as soon as their university program ended."<sup>72</sup> In Córdoba as well as in other provinces, local regulations have insisted that only doctors can administer *insumos* (CoNDeRs 2006).<sup>73</sup> The federal *Salud Sexual* and *Anticoncepción Quirúrgica* laws, by contrast, speak only of "healthcare teams" and do not stipulate that practitioners be medical doctors. While provincial measures prevent non-doctors from implanting IUDs and performing tubal ligations, they also prevent nurses, counselors, and other hospital staff from distributing condoms or simply providing information. Professors at the University of Córdoba thus interpret these regulations as posing yet another barrier to access.<sup>74</sup> By insisting that only doctors can provide family planning services, and by refusing to authorize or train other professionals to disseminate basic reproductive information, provinces limit female citizens' ability to both know and exercise their rights.

#### 5.4.3. Holding Federal and Provincial Governments Accountable

Many provinces have clearly structured the formal and informal rules of the game to undercut the federal laws. What role have provincial civil society groups played in subnational policy implementation? Non-governmental organizations opposing *Salud Sexual* have played a strong role: all of the suits against *Salud Sexual* in the provincial and federal courts have been initiated by evangelical organizations, such as *Mujeres por*

*la Vida* or *Portal de Bélen* [Portal of Bethlehem]. These groups have been most active in Córdoba and Tierra del Fuego. Further, journalists writing in support of PSSyPR, and doctors who implant intrauterine devices or perform tubal ligations, have reported being intimidated by conservative groups linked to the Church.<sup>75</sup>

On the pro-reform side, CoNDeRs' vast network of individual and organizational affiliates has succeeded in documenting problems with PSSyPR implementation in nearly all of Argentina's provinces, creating an extensive database and providing advocates with the evidence necessary for confronting provincial governments. Yet the strength and professionalism of provincial CoNDeRs affiliates varies. In Córdoba, the *Católicas por el Derecho de Decidir* and the team at the National University of Córdoba were sufficiently organized to mobilize public opinion in their favor: they have sent volunteers into PSSyPR *consejerías* over the objections of the provincial program director. They have also exposed cases of hospitals' noncompliance. In Tucumán, by contrast, there are no CoNDeRs affiliates, and the existence of a provincial program depends entirely on the willpower of the minister of health and his appointed program director.

More seriously, CoNDeRs affiliates throughout the federation have faced tough times since the government of Cristina Fernández de Kirchner took office in March 2008. Under Fernández, the MSAL has significantly reduced its investments in purchasing and distributing contraception devices, as well as ceased to gather statistics on the program's effects. Female legislators and CoNDeRs affiliates have documented the "irregular" and "scant" distribution of contraceptives since Graciela Ocaña replaced Ginés González García as health minister.<sup>76</sup> Female legislators have complained about this backsliding, citing a "lack of political willpower" in the federal government. The ministry has also

ceased to distribute the technical guides developed during González García's term, particularly the guide to therapeutic post-abortion care.<sup>77</sup> Further, under González García, CoNDeRs affiliates interfaced directly with the MSAL; González personally received reports and then called—or even visited—the recalcitrant provincial official. Ocaña, by contrast, has failed to convene meetings with CoNDeRs and “says very pretty words but does practically nothing.”<sup>78</sup> Additionally, Ocaña has removed coordinators of the national PSSyPR, allegedly over their protests that *Salud Sexual* was not being implemented according to the law.<sup>79</sup>

While the tightening of financial resources during a worldwide economic crisis could explain the failure to purchase contraceptives, it cannot explain Ocaña's failure to continue financially low-cost policies, such as making the technical guides available online and continuing with internet awareness campaigns. Yet, Ocaña voted for *Salud Sexual* and its *Anticoncepción Quirúrgica* amendment while a member of the Chamber of Deputies from 1999-2007. Her legislative record does not suggest she opposes reproductive rights.

Rather, observers attribute the change to Cristina Fernández de Kirchner herself. First, they note that Cristina Fernández appears less secular and less anticlerical than either Néstor Kirchner or González García.<sup>80</sup> A director of the national PSSyPR during González's tenure recalled, “We left the ministry when [Néstor] Kirchner left the presidency, because we knew a conservative outlook was coming in.”<sup>81</sup> A female legislator contrasted the governments of Néstor Kirchner and Cristina Fernández. When González García led Kirchner's MSAL, a “substantial legal advance occurred”; by

contrast, under Ocaña and Fernández, supplies of *insumos* are blocked and the government ignores legislators' projects of declaration and resolution on the matter.<sup>82</sup> Several interviewees linked this conservatism to Fernández's political maneuvering vis-à-vis the Catholic Church. While Fernández did confront the Church early in her term—she attempted, for instance, to appoint a divorced man as ambassador to the Vatican<sup>83</sup>—sexual health advocates believe that Fernández traded defiance for conciliation rather rapidly. The bargain, some speculate, occurred because Fernández needed support from the Church to implement controversial agrarian and tax reforms. Yet, whether Fernández's piety is genuine or strategic, the outcome is undeniable: the hollowing out of a vibrant *Salud Sexual* program.

Second, interviewees cited Fernández's more general disinterest in gender policy. Fernández's record on gender policy is largely inferred by its absence: neither as a senator nor as president has she undertaken women's substantive representation. She referred to women's issues in her presidential campaign only insofar as she expressed pride in the great advances of Argentine women and scorned discrimination that held them back (Piscopo 2010). A civil society activist thus explained that Ocaña's personal convictions in support of reproductive rights "are irrelevant" when confronted with a president who has "zero interest" in promoting a women's interests.<sup>84</sup> Indeed, Fernández has practically eliminated the CNM's operating budget, rendering the agency completely ineffective (Franceschet 2010). She has signaled her party that pro-choice bills are not to be considered by legislative committees.<sup>85</sup> In the foreign ministry, she replaced the secretary for women's international affairs, an advocate known for fighting for women's rights (including reproductive rights), with an official focused on celebrating women's

artistic and cultural contributions to society.<sup>86</sup> Without Fernández's own words on the subject, however, her motivations—whether her actions reflect a personal or strategic rejection of feminism—remain unknown.

The Fernández government thus remains at best ambivalent and at worst obstructionist when allocating resources to promote contraceptive awareness and access. Whereas critical actors from the executive branch and civil society had previously worked together to devise technical guidelines, train healthcare providers, build awareness, and redress negligence, these efforts stalled under Fernández. Without executive branch allies at the federal and provincial levels, the activists organized as CoNDeRs cannot enforce the law.

### **5.5. Combating Violence against Women at the Federal and State Levels in Mexico**

In contrast to Argentina, the Mexican federation is highly centralized. The federal government shoulders 100 percent of the financing of economics, telecommunications, and employment policy, whereas the center and the states share responsibility for financing education, healthcare, and social assistance programs (Cabrera Mendoza and Martínez-Vazquez 2000; Chakraborty 2006). As in Argentina, however, “the Mexican federation is characterized by heavy subnational dependence on federal transfers to bridge the gap between significant subnational expenditure assignments and abysmally low and inadequate subnational tax capacity” (Chakraborty 2006: 14). Specifically, Pérez Torres (2008) estimates that the federal government provides 90 percent of the revenue destined for state and municipal expenditure, especially in the areas of social infrastructure, healthcare, police, basic education, and adult and technological education.



The subnational units in both Mexico and Argentina are dependent on the center, and redistribution schemes in both countries favor wealthy or developed subunits over poor or underdeveloped subunits (see Díaz-Cayeros 2006 for the Mexican case). Further, while the Mexican federation's high degree of central direction means that many funding streams are earmarked for specific sectoral expenditures, the Mexican government—like its Argentine counterpart—often lacks mechanisms for oversight and enforcement (Webb and González 2004; Hernández-Trillo and Jarillo-Rabling 2008).<sup>87</sup>

Despite these similarities, the Mexican case does present a unique instance of centrally-directed reform in states' implementation of programs to combat violence against women (VAW). Since 2006, the Mexican Chamber of Deputies has authorized the *Programa de Apoyo a las Instancias de Mujeres en las Entidades Federativas* [Program to Support the State Level Institutes for Women, or PAIMEF] as part of the annual budget. Each year, through a highly-regimented process discussed in more detail below, the federal government distributes grants to state level women's agencies to fund specific programs that seek to detect, prevent, and eradicate violence against women. In 2007, the General Law of Women's Right to Live Free from Violence passed the Mexican Congress, and PAIMEF became the primary means of underwriting the law's implementation.

PAIMEF exists largely because anti-VAW policy fits with female legislators' strategy of "walking together," and because the mass murders of women in Ciudad Juárez have created urgency around the problem of gender-based violence. Mexico has no national level, statutory reforms comparable to *Salud Sexual* and *Anticoncepción Quirúrgica*.<sup>88</sup> In general, Chapter Four has shown that the two countries' women's rights

reforms diverge too much for a controlled comparison of implementation strategies on the same gender policy (see Tables 4.5 and 4.6).

The comparison between VAW policy and sexual health policy is thus admittedly imperfect. Htun and Weldon (2010) see anti-VAW policy and pro-reproductive rights policy as fundamentally different, given that the latter provokes doctrinal opposition while the former does not. As they argue, “Few religious organizations today would proudly declare their support for wife abuse” (Htun and Weldon 2009: 9). Nonetheless, VAW in Mexico and elsewhere in Latin America *has* triggered ecclesiastical objections. Church officials object not to the principle of combating VAW, but to some of the strategies selected. The Church has frequently framed VAW as private, favoring policy responses that promote family reconciliation rather than dissolution (Macaulay 2005); such arguments are then echoed by conservative lawmakers, as in the case of Costa Rica (Sagot 2010: 32). Likewise, Jaramillo (2010) argues that canonical law in Latin America has opposed the criminalization of domestic violence, interpreting this abuse as simply an expression of family conflict. Several PAN-controlled states in Mexico, such as Guanajuato, previously resisted passing state level legislation on VAW for these reasons.<sup>89</sup> Yet doctrinal opposition to anti-VAW policy is less strident and less overt than that manifested for reproductive rights policy, and such reforms will trigger less resistance during the policy implementation phase.

Differences in policy type aside, the PAIMEF in Mexico stands in stark contrast to the PSSyPR in Argentina. First, PAIMEF sends earmarked revenue streams to the states for the implementation of gender policy. Second, the program relies on the states’ autonomous women’s agencies, collectively referred to as *Las Instancias de Mujeres en*

*las Entidades Federativa* [state level women’s policy agencies, or IMEFs], who then collaborate with the relevant state level ministries. This set-up makes the *perspectiva de género* central to policy implementation; in comparison, the PSSyPR in Argentina has ignored the role of provincial women’s agencies and focused on technical reforms to the healthcare industry. Third, the program exercises considerable control over how the grant money is spent, providing IMEFs—and thus the Mexican states—very few chances to subvert the federal gender regime. In fact, the PAIMEF allocation scheme demands participation from all IMEFs while simultaneously demanding that they all “race to the top.” PAIMEF thus provides a unique opportunity to analyze how federal arrangements can be leveraged to successfully guide gender policy implementation at the subnational level.

#### 5.5.1. PAIMEF at the Federal Level: Program Design and Oversight

Mexican *diputadas* whom I interviewed in 2009 identified PAIMEF as a clear achievement of their collaborative work, an instance of substantive representation as outcome. PAIMEF is authorized annually as part of the federal budget, and is not a separate law. As part of the executive branch’s national development plans, the Mexican President introduced PAIMEF into the budget beginning in 2006. The CEG has since used its powers to ensure adequate funding from year to year. After budgetary approval, the Secretary for Social Development [SEDESOL, for *Secretaría de Desarrollo Social*] oversees implementation while its decentralized organ, the Institute for Social Development [INDESOL, for *Instituto de Desarrollo Social*], solicits programs,

distributes funds, and monitors compliance.<sup>90</sup> My analysis of the PAIMEF program is based on SEDESOL and INDESOL reports.<sup>91</sup>

The PAIMEF regulations are written into the laws that disburse the federal budget in Mexico. Each calendar year, INDESOL receives earmarked funds to distribute to the IMEFs. To receive the funds, the IMEFs must send to the INDESOL proposals that detail the anti-VAW projects they will implement using the funds. The projects must address the four PAIMEF goals:

- (1) *Capacitación* in the problem of violence against women and the legal framework that addresses it. This *capacitación* includes training personnel (i.e., judges, police officers, healthcare practitioners, and educators) across the entire administrative apparatus of the state and its municipalities. *Capacitación* also entails raising citizens' awareness about their rights;
- (2) The commission and diffusion of studies on the nature and prevalence of violence against women in the state and its municipalities;
- (3) The construction and maintenance of shelters for women and their children, including the provision of medical, legal, and psychological services within the shelters;
- (4) The infusion of the principle of *transversalidad* in the previous three objectives.

Further, PAIMEF requires that 50 percent of the total funding support the third objective, the creation of shelters.

The IMEFs submit their proposals to INDESOL at the beginning of the fiscal year. They have the autonomy to choose the exact projects: they can decide where to build shelters, how many to build, and which services to offer within them; they can choose the type and audience of training workshops; they can hire their own contractors and consultants. Following the federalist logic, then, IMEFs can adopt PAIMEF to meet local realities. For example, Morelos chooses to purchase trucks that can provide roving healthcare across a range of municipalities while Puebla buys radio spots for an awareness raising campaign (Instituto Poblano de las Mujeres 2010a; Instituto de la Mujer del Estado de Morelos 2010). INDESOL provides templates of projects to guide or inspire the IMEFs. The institute also places caps on individual projects, to ensure that funds are distributed across a range of initiatives. The IMEFs' proposals thus detail many projects, which are grouped under a general anti-VAW program in the state (for instance, "Access to Equity and Justice for the Women in Baja California").

Additionally, the proposals are incredibly complex and highly technical. They require IMEFs to show how each project addresses eight different criteria (INDESOL 2006). For instance, the IMEFs must prepare essays explaining how their projects fit the normative and juridical frameworks established by international conventions and national laws against VAW. This criterion guarantees that programs meet statutory objectives while ensuring that IMEF staffers understand the gender regime. Other criteria include connecting projects to the four PAIMEF goals, identifying the target population, and describing the credentials of the administrative staff. To meet all eight criteria requires extensive documentation; for example, the 2010 proposal from the Institute of Women in Jalisco was 86 pages, single-spaced (Instituto Jalisciense de las Mujeres 2010).

Proposals received by INDESOL are forwarded to a *Mesa de Revisión* [Review Board], one for each IMEF. The Review Boards consist of one representative from the federal government, one representative from a civil society organization that specializes in combating VAW, and one academic from either a university or think tank. The Review Boards, operating in conjunction with INDESOL, can either approve the proposal or request revisions. In the latter scenario, the Review Board works directly with the IMEF to redact a new proposal. As SEDESOL reported, “There is heterogeneity in the presentation of projects made by the IMEFs: while some are submitted complete and on time, with an integrated gender perspective, others are submitted late and, many times, do not adopt a gender perspective” (SEDESOL 2009a: 32). The Review Boards thus form a crucial component in ensuring uniformity in the quality and content of anti-VAW projects across the federation.

INDESOL releases the funds once proposals receive approval. If projects are not fulfilled according to the proposal, INDESOL may freeze funds and reallocate them to other IMEFs. INDESOL achieves this monitoring by dispatching its staff to visit IMEFs across the federation. Further, each IMEF must appoint an internal PAIMEF representative. Throughout the calendar year, INDESOL convenes PAIMEF representatives and IMEF directors at several regional meetings and one national meeting. IMEFs must also submit annual reports to SEDESOL and INDEOSL.

Since its inception, PAIMEF has been subject to audits conducted by external entities and the federal agency CONEVAL [The *Consejo Nacional de Evaluación de la Política de Desarrollo Social*, or National Council for the Evaluation of Social Development Policies]. Following reports released by the Autonomous University of

Mexico City in 2007 and CONEVAL in 2008 and 2009, the federal government has imposed fixes that tighten central control and reduce opportunities for subnational shirking. In 2008, SEDESOL created quantitative indexes that IMEFs must use for measuring programs' impact. In 2009, SEDESOL demanded that each IMEF conduct its own internal audit of PAIMEF expenditures and accomplishments; the IMEFs must also coordinate external governance bodies consisting of representatives from state level NGOs, universities, and think tanks.

In sum, the centralization and coordination of anti-VAW policy in Mexico stands in stark contrast to the decentralization and unevenness of sexual health policy in Argentina. The Autonomous University of Mexico City recognized PAIMEF as “the most significant government instrument in terms of federal financing to reach the goal of developing projects that prevent, detect, and treat gender-based violence” (SEDESOL 2009a: 4). Without PAIMEF, the 2007 General Law of Women's Right to Live Free from Violence would remain on paper only. Indeed, CONEVAL (2010; 2008) reports annual increases of around 150 percent in the proportion of state and municipal agents who are trained to combat violence against women as well as marked growth in the construction and provision of shelters for women and children.

An additional aspect of PAIMEF requires mentioning. Despite the highly complicated proposal development and approval procedure, all IMEFs receive a pre-determined amount of funds. In 2006 and 2007, the 32 IMEFs received equal funds, amounting to 5,812,500 Mexican pesos per state (INDESOL 2007). In 2008, the Mexican states were divided into five tiers, based on their state of “social risk” as calculated by CONEVAL: states with the highest levels of social marginalization and

underdevelopment received the most funding (6,863,457 pesos) while states with the lowest levels of social risk received the least funding (5,307,740 pesos) (INDESOL 2008a). In 2009 and 2010, the Mexican states were again divided into five tiers, though this time the grouping reflected each state's "social risk" combined with its overall violence index, the latter constructed from a 2006 survey administered by the National Institute of Statistics and Geography. States placed into the highest priority category received 7,181,507 pesos (roughly 619,000 in 2011 USD) and states in the lowest priority category received 5,147,593 pesos (roughly 444,000 in 2011 USD) (SEDESOL 2009a: 43).

PAIMEF thus operates not as carrot-and-a-stick, but simply as a stick. Yet the ability of INDESOL to take away PAIMEF funds does incentivize IMEFs to comply. The regional and annual meetings of IMEF staff also encourage each agency to perform well, as underachieving agencies may be shamed by their counterparts from other states and by the SEDESOL and INDESOL. Further, beginning in 2011, the PAIMEF distribution scheme will account for IMEFs' performance in past years, thus introducing inter-state competition into the funding process.

#### 5.5.2. PAIMEF and State Level Variation in Program Delivery

The regimented nature of PAIMEF means that Mexican states cannot evade their statutory responsibilities to promote women's freedom from gender-based violence. The under-provision of services, and the efforts to restrict women's rights—which appear in the case of sexual health in Argentina—are absent in the Mexican case of violence against women. Nonetheless, PAIMEF still provides opportunities for the Mexican states



to design programs according to local norms and priorities. While the regulations require that all PAIMEF programs adopt the *perspectiva de género*, this largely means incorporating the understanding that VAW originates with beliefs about women's inferiority, submissiveness, and inequality relative to men. Within this rubric, PAIMEF allows states to choose how pro-feminist—or pro-family—their interventions will be.

An ideal research design would compare the proposals and programs of all 32 IMEFs across time. However, I remained unable to gather this data consistently for all 32 Mexican states. I therefore use descriptive data from 2008 and 2009 to take a first cut at analyzing state-level variation. First, I measure the number of months between the February 2007 passage of the General Law for Women's Right to Live Free From Violence and each state's passage of its own subfederal law. I also consider whether these subnational laws recognize marital rape (1=yes; 0=no), a concept which has remained contentious in Mexico.<sup>92</sup> Second, I present each state's INDESOL grouping into one of five priority tiers, calculated according to the social risk index in 2008 and according to the violence and social risk indexes in 2009 (1=lowest priority; 5=highest priority). I also include the party which controlled the state government in each year.

Third, I analyze the title of each state's IMEF program (INDESOL 2009; INDESOL 2008b). I look at the following features: whether the programs mention "gender-based violence" or "violence against women" (1 point), mention just "violence" (0 points) or neglect to include the word "violence" (-1); whether the programs establish the goals of either equity, equality or non-discrimination (1 point if yes; 0 points if no); and whether the programs reference *transversalidad* (1 point if yes; 0 points if no). In this index, a score of 0 reflects a state's minimal compliance with the 2007 law, which

refers to “women’s freedom from violence.” Positive scores reflect a state’s acknowledgment that violence is *gender-based* into their proposals. Negative scores conversely reflect a state’s reluctance to recognize the gendered dimensions of VAW. For instance, in 2009, Durango entitled its program “Women of Durango” (score of -1), compared to Nayarit, which titled its program “The Integrated Program to Raise Awareness, Prevent, and Investigate: Fundamental Actions to Eradicate Violence against Women and their Children and to Promote Equity” (score of 2).

Table 5.4 shows how states compare on these indicators. First, the Mexican states range in how quickly they adopted subnational anti-VAW laws. Only Chihuahua, struggling to provide state level policymakers with frameworks for combating the femicides in Ciudad Juárez, adopted an anti-VAW law in the absence of federal reform. The 31 other states adopted subnational legislation after February 2007: Campeche, Nuevo Leon, San Luis Potosí, Sinaloa, and Tamaulipas all adopted subnational laws within six months, whereas Chiapas, Guanajuato, and Oaxaca waited two years. Yet there is no relationship between adoption lag and governing party: of the most laggard states, the PRD controlled Chiapas and the PAN held Guanajuato. Nor are there relationships between adoption lag and the inclusion of statutory provisions on marital rape, or between adoption lag and the INDESOL’s priority ranking. Colima, for instance, took 21 months to adopt a subnational anti-VAW law, but INDESOL considers that state a low priority for funding; conversely, Puebla, which adopted a subnational law relatively quickly, is placed in the highest priority category.

Second, there are no relationships between my scoring of the PAIMEF program title and the INDESOL’s priority ranking. High risk states (i.e., Chiapas and Oaxaca in

2008) have programs which recognize the gendered dimensions of VAW, but high risk states also have programs which sidestep *transversalidad* (i.e., Hidalgo and Veracruz in 2009). The same pattern appears for low risk states. Few states change dramatically in either their INDESOL ranking or their PAIMEF score from 2008 and 2009, with the exception of Nayarit under the PRI (which improves) and Oaxaca under Convergencia and Tlaxcala under the PAN (which decline). Whether left-leaning or right-leaning parties oversee the IMEFs has no relationship to the degree of *transversalidad* each agency adopts when fighting VAW.

This brief assessment suggests that even the centralized Mexican federation—with its regimented policy implementation process—cannot control anti-VAW policy outcomes across the territory. Using PAIMEF titles to assess the quality of policy implementation has serious limitations, however. First, titles are general and programs are specific, so the analysis does not fully capture each state's anti-VAW efforts. Second, state level differences in program development most likely depend on the contingent, contextual variables identified in the Argentine case study: ministerial and bureaucratic leadership, civil society advocacy, and the role of ideology. The absence of relationships remains inconclusive in terms of how Mexican states supersede or subvert the federal gender regime, but the stage has been set for future research,

## **5.6. Conclusion**

In these case studies, the importance of executive branch and subnational action speaks to a significant component within the study of women's representation: if female legislators are to transform policies in ways that benefit women as a group, then reforms

must have material, measurable consequences. Shifting the focus from policy victories to policy implementation thus shifts the locus of women's representation and gender policy change. While female legislators can and do monitor implementation—especially through their projects of declaration and resolution—federalism means that program delivery depends on chief executives, ministers, and civil society groups at various government levels.

The comparison between the PSSyPR in Argentina and the PAIMEF in Mexico is summarized in Table 5.5. Federalism allows governments to permit substantial divergence in policy implementation (Argentina) or enforce uniform compliance in program delivery (Mexico). While state capacity, and its related institutional strength, explains some of this choice—the Mexican state is more centralized and more empowered than its Argentine counterpart—executive willpower also matters. In Argentina from 2003-2007, a male president (Néstor Kirchner) and a male health minister (Ginés González García) respectively authorized and exercised considerable oversight and control over provincial efforts to implement the *procreación responsable* program. Even without a rigorous formula for approving and funding programs (one comparable to PAIMEF in Mexico), González García monitored and enforced subnational compliance with the federal goals. Beginning in 2007, however, a female president (Cristina Fernández de Kirchner) and a female health minister (Graciela Ocaña) neglected the program, effectively giving the provinces *carte blanche* to stall women's reproductive rights. In Mexico, by contrast, successive PAN presidents have included PAIMEF as part of the federal budget, and the CEG and the Mexican Congress have authorized the allocation. The Mexican IMEFs—significantly stronger than the CNM

and its satellites in Argentina—consistently receive the financial and technical resources to ensure program delivery.

This comparison reveals two important aspects of women's substantive representation. First, federal institutions are neither inherently "good" nor inherently "bad" for women: in both countries, institutional rules permit actors to either aggressively pursue or passively ignore their statutory obligations to implement women's rights reforms. What matters is how federal institutions are leveraged to serve the goals of gender equality.

Second, how sex affects WSR in the executive branch differs considerably from how sex affects WSR in the legislative branch. The dissertation has repeatedly made two claims. One: individuals differ widely in their beliefs about men's and women's roles. Two: nonetheless, when these differences are averaged over large groups, the overall trend is towards liberalizing gender roles. Unlike public opinion, bill introduction, and statute change, however, policy implementation depends not on large groups, but on the actions of a few executives or bureaucrats. Consequently, liberalizing trends—manifested elsewhere in the policymaking process—can halt based on the whims of powerful persons or small groups. That individual men (Kirchner and González) would be more supportive of reproductive rights than individual women (Fernández and Ocaña) thus appears unsurprising. The story of women's substantive representation has come full circle, back to the essentialist caution that not all women are feminists, and not all men are patriarchs.

**Table 5.1.** Sexual Health Laws in the Argentine Provinces as of 2009.  
(Key: “PL” = Provincial Law; “ED” = Executive Decree”; MR = “Ministerial Resolution.”) Line indicates provinces adopting policies after the federal reform.  
My elaboration, based on Petracci and Pecheny (2007) and data from CoNDeRs.

Province	Year	Type	Program Title
La Pampa	1991	PL	Provincial Program for Responsible Procreation
Córdoba	1996	PL	Program for Sexual and Reproductive Health
Chaco	1996	PL	Educational Program for Health and Responsible Procreation
Mendoza	1996	PL	Provincial Program for Sexual Health
Río Negro	1996	PL	Provincial Program for Sexual Health and Human Sexuality
Neuquén	1997	PL	Provincial Program for Sexual and Reproductive Health
Misiones	1998	ED	Provincial Program for Family Planning
Formosa	1998	ED	Provincial Program for Responsible Procreation
Chubut	1999	PL	Program for Sexual and Reproductive Health
Jujuy	1999	PL	Provincial Program for Responsible Maternity and Paternity and Prevention of Sexually Transmitted Disease
Buenos Aires - City	2000	PL	Law for Sexual Health and Responsible Procreation
Tierra del Fuego	2000	PL	A Provincial Regimen for Sexual and Reproductive Health
La Rioja	2000	PL	Integrative Program for Sexual and Reproductive Education (Eliminated in 2003)
Santa Fe	2001	PL	Provincial Program for Responsible Procreation
Tucumán	2001	M	Provincial Program
San Luis	2002	PL	Program for Sexual and Reproductive Health (Eliminated in 2004)
Buenos Aires - Province	2003	PL	Provincial Program for Sexual and Reproductive Health
Corrientes	2003	PL	Provincial Program for Sexual and Reproductive Health
Entre Ríos	2003	PL	Provincial System for Sexual and Reproductive Health and Sexual Education
Santa Cruz	2003	PL	In Agreement with the National Law
San Juan	2003	PL	Program for Women's Health
Salta	2004	PL	A Regimen for Promoting Responsibility in Sexuality in the Course and Care of One's Life
Santiago del Estero	2005	PL	In Agreement with the National Law
Catamarca	none	none	none

**Table 5.2.** Projects of Declaration and Resolution Related to Argentina's Sexual Health Reforms, 2002-2009. Table shows measures introduced in the Chamber of Deputies only.

	Men	Women	Total
Against	60% (6)	40% (4)	100% (10)
In Favor	29% (11)	71% (27)	100% (38)
Total	35% (17)	65% (31)	100% (48)

**Table 5.3.** Scoring of Sexual Health Laws in the Argentine Provinces. The original law, as listed in Table 5.1, is scored, along with any additional reforms to authorize surgical contraception. My elaboration, based on CoNDeRs data.

Province	Score
Buenos Aires - City	High
Buenos Aires - Province	High
Chubut	High
Entre Ríos	High
Neuquén	High
Río Negro	High
Tierra del Fuego	High
Chaco	Medium
Córdoba (2003 reform)	Medium
Corrientes (2003 reform)	Medium
Jujuy	Medium
La Pampa	Medium
Mendoza	Medium
Misiones	Medium
Salta	Medium
Santa Fe	Medium
Catamarca	Low
Formosa	Low
La Rioja (repealed in 2003)	Low
San Juan	Low
San Luis (repealed in 2004)	Low
Santa Cruz	Low
Tucumán	Low
Santiago del Estero	Low



**Table 5.4.** State Level Variation in PAIMEF, Mexico.(Note: The state of Oaxaca is held by the *Convergencia* [Convergence] Party.)

	State Laws		PAIMEF in 2008			PAIMEF in 2009		
	Lag	Marital Rape	Indesol Priority Rank	My Title Score	Party in Power	Indesol Priority Rank	My Title Score	Party in Power
Aguascalientes	8	1	1	1	PAN	1	1	PAN
Baja Calif.	14	1	2	0	PAN	3	0	PAN
Baja Calif. Sur	13	1	2	1	PRD	3	1	PRD
Campeche	4	1	4	0	PRI	4	1	PRI
Chiapas	25	1	5	2	PRD	5	1	PRD
Chihuahua	-4	1	2	0	PRI	2	1	PRI
Coahuila	16	1	1	0	PRI	2	0	PRI
Colima	21	0	2	0	PRI	2	1	PRI
Mexico City	10	1	1	1	PRD	1	1	PRD
Durango	10	1	3	-1	PRI	3	-1	PRI
Guanajuato	25	1	4	0	PAN	4	0	PAN
Guerrero	10	0	5	0	PRD	5	1	PRD
Hidalgo	10	1	4	-1	PRI	5	-1	PRI
Jalisco	15	0	2	1	PAN	2	1	PAN
Mexico	17	1	2	-1	PRI	3	-1	PRI
Michoacán	22	0	4	0	PRD	5	1	PRD
Morelos	9	1	3	-1	PAN	4	-1	PAN
Nayarit	21	0	2	0	PRI	3	2	PRI
Nuevo León	6	1	1	0	PRI	1	0	PRI
Oaxaca	24	1	5	2	Conv	5	0	Conv
Puebla	8	1	5	1	PRI	5	1	PRI
Queretaro	20	1	3	0	PAN	4	0	PRI
Quintana Roo	9	0	4	0	PRI	4	0	PRI
San Luis Potosí	5	1	4	0	PAN	4	1	PRI
Sinaloa	5	0	2	0	PRI	3	0	PRI
Sonora	8	0	2	-1	PRI	2	1	PAN
Tabasco	22	0	4	1	PRI	4	1	PRI
Tamaulipas	4	1	2	0	PRI	3	-1	PRI
Tlaxcala	10	0	4	2	PAN	4	1	PAN
Veracruz	11	1	4	0	PRI	5	-1	PRI
Yucatan	13	1	4	0	PRI	4	1	PRI
Zacatecas	21	0	3	1	PRD	4	1	PRD

**Table 5.5.** Comparing Argentina and Mexico on Policy Implementation. Differences between the two countries are underlines for emphasis.

<b>Institutional Arrangements</b>	Argentina	Mexico
Federalism	Symmetric	Symmetric
Fiscal Arrangements	Subnational units dependent on national transfers  <u>Transfers not typically earmarked</u>	Subnational units dependent on national transfers  <u>Earmarking varies</u>
Policy Jurisdiction	Autonomy in social policy provision	Autonomy in social policy provision

<b>Outcomes</b>	Argentina	Mexico
Gender Policy Implementation	<u>Significant subnational divergence permitted; provinces attempt to undercut and resist the federal norms</u>  <u>No executive willpower to enforce central directives</u>	<u>Uniform compliance is enforced by the center; states must design specified programs</u>  <u>Federal agencies practice enforcement</u>

The Argentine case study in Chapter 5 is currently being prepared for publication: Franceschet, Susan, and Jennifer M. Piscopo, “Advancing Reproductive Rights in Federal and Unitary States in Latin America.” I was the primary researcher on the Argentine case, which is one of two cases presented in the paper.

## Notes

<sup>1</sup> Jiménez (2009) offers a fruitful analysis of the 2008 Supreme Court ruling in Mexico, which upheld the constitutionality of Mexico City’s voluntary abortion measure. The 2008 ruling devolved decision-making on abortion to the Mexican states on the grounds that (1) the right to life is not absolute and that abortion is therefore not unconstitutional and (2) states have the capacity to control which activities are subject to criminal penalties. Thus, the Supreme Court avoided stating clearly whether abortion is *always* or *never* constitutional, and simply affirmed the capacity of legislative organs in democratic societies to determine the bounds of those acts prohibited or permitted by constitutions. The Supreme Court also, however, affirmed the right of the federal government to oversee the general health and welfare of the federation—though noted that the issue at hand was about penal codes, not health codes. This decision thus leaves open the possibility for the Mexican federal government to set law on abortion.

<sup>2</sup> Gervasoni finds that poverty explains 1 percent of the variation in per capita transfers from the province to the center, whereas population explains 83 percent of the differences (2010: 311).

<sup>3</sup> As in the previous chapter, the label “interview” refers to an interview with a male or female legislator. Interviews with non-deputies are denoted as “Interview with [person description].” All interviews were conducted in 2009 unless otherwise noted.

<sup>4</sup> Drawn from the transcript of the 2001 Chamber of Deputies debate on the creation of a National Program of Sexual Health and Responsible Procreation. The debate can be downloaded at <http://www1.hcdn.gov.ar/sesionesxml/reuniones.shtml>.

<sup>5</sup> Interview with FEIM leader, June 5.

<sup>6</sup> Interview with Franganillo, May 26.

<sup>7</sup> Interview with CEDES researcher, July 2.

<sup>8</sup> In Spanish, “mujeres autoconvocadas para decidir en la libertad.”

<sup>9</sup> CEDES interview.

<sup>10</sup> FEIM interview.

<sup>11</sup> Franganillo interview.

<sup>12</sup> Franganillo interview.

<sup>13</sup> Franganillo interview; FEIM interview.

<sup>14</sup> Interview with Peronist legislator, August 6. She identified as one of these “Parliamentarians for Life.”

<sup>15</sup> Claims about the Church’s close relationship with provincial governors are drawn from the author’s interviews in the provinces of Buenos Aires, Córdoba, and Tucumán, Argentina, June-August 2009.

<sup>16</sup> Franganillo interview.

<sup>17</sup> FEIM interview. See also Blofield (2008) and Lopreite (2008).

<sup>18</sup> Drawn from Pecheny and Petracci (2007), CoNDeRs, and the author’s own field study.

<sup>19</sup> Law 8.535/1996 from the Province of Córdoba. Access provided by CoNDeRs.

<sup>20</sup> Executive Decree 92/1998, from the Province of Misiones. Access provided by CoNDeRs.

<sup>21</sup> Interview, June 22.

<sup>22</sup> Interview with subnational legislator from Córdoba, June 25.

<sup>23</sup> Data based on Novick (2002).

<sup>24</sup> Data from Maria Escobar-Lemmon and Michelle Taylor-Robison at Texas A&M University.

<sup>25</sup> 2001 Chamber of Deputies Debate.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

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- <sup>28</sup> Ibid.
- <sup>29</sup> Ibid.
- <sup>30</sup> Interview with activist, June 2.
- <sup>31</sup> Interview with Ginés González García, Santiago, Chile, July 14.
- <sup>32</sup> FEIM interview.
- <sup>33</sup> González García interview.
- <sup>34</sup> FEIM interview.
- <sup>35</sup> FEIM interview.
- <sup>36</sup> FEIM interview.
- <sup>37</sup> La Nación, 31 October 2002. “Aprobaron la ley de salud sexual y reproductiva.”
- <sup>38</sup> Data and conclusions are based on records from the Argentine congressional database, available on line at [www.diputados.gov.ar](http://www.diputados.gov.ar).
- <sup>39</sup> González García interview.
- <sup>40</sup> CEDES interview.
- <sup>41</sup> Author’s data, calculated on the basis on the number of total legislators, and total female legislators, present when the vote occurred.
- <sup>42</sup> Interview with female legislator, May 11.
- <sup>43</sup> Clarín, March 29, 2005. “Ginés González García: Me gusta ser provocador.”
- <sup>44</sup> Argentine Ministry of Health Press Release, May 28, 2003.
- <sup>45</sup> González García interview.
- <sup>46</sup> Gherardi interview.
- <sup>47</sup> Argentina: Fifth Periodic Reports of State Parties to the Committee on the Elimination of Discrimination Against Women, 2002. United Nations Document ID: CEDAW/C/ARG/5.
- <sup>48</sup> Interview with former *Salud Sexual* program director, July 31.
- <sup>49</sup> La Nación, 30 April 2005. “Pólemica por el plan de salud reproductiva.”
- <sup>50</sup> The scoring system was as follows. Using CoNDeRs’ on-line archive of all the provincial laws, I devised a list of all possible provisions in each province’s *Salud Sexual* and *Anticoncepción Quirúrgica* law: for instance, whether the law included treatment for HIV/AIDS among the authorized healthcare services. Provinces received 1 point for requiring items that went “above and beyond” the federal law in a progressive direction; in this instance, including treatment for HIV/AIDS would do so. Provinces received no points for being consistent with the federal law (a value that indicated minimal or exact compliance), and they received -1 points for providing restrictions in service provision not anticipated by the federal law.
- <sup>51</sup> Law 2656/2003 from the Province of Santa Cruz. Access provided by CoNDeRs.
- <sup>52</sup> Interview with doctors in Córdoba, June 23 and June 25, and Tucumán, August 17.
- <sup>53</sup> Interview with doctor in Córdoba, June 23.
- <sup>54</sup> Interview with *Católicas por el Derecho de Decidir*, Córdoba, June 24.
- <sup>55</sup> Interview with PSSyPR director in Tucumán, August 13.
- <sup>56</sup> Interviews with female legislators in Buenos Aires, February-June 2009.
- <sup>57</sup> Interview with PSSyPR director in Tucumán, August 13; Interview with doctor in Córdoba, June 25.
- <sup>58</sup> Ibid.
- <sup>59</sup> Interview with doctor in Córdoba, June 25.
- <sup>60</sup> Interview with journalist, July 21.
- <sup>61</sup> Ibid; interview with doctors in Tucumán, August 13 and 14.
- <sup>62</sup> Interview, June 24.
- <sup>63</sup> Interview with physician, Tucumán, August 10.
- <sup>64</sup> Interview with *Católicas por el Derecho de Decidir*, Córdoba, June 24.
- <sup>65</sup> Interview with doctors in Córdoba, June 23 and June 25, and provincial official in Tucumán, August 13.
- <sup>66</sup> Interview with doctor in Córdoba, June 23.
- <sup>67</sup> Interview with *Católicas por el Derecho de Decidir*, Córdoba, June 24.
- <sup>68</sup> Interview with doctor, Córdoba, June 23.
- <sup>69</sup> Interview with two PSSyPR patients at a Córdoba hospital, June 23.

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<sup>70</sup> Reports submitted in 2008 to the United Nations' Human Rights' Universal Review Process. Reports prepared by CLADEM (The Latin American and Caribbean Committee for the Defense of Women's Rights) and by FEIM.

<sup>71</sup> Interview with professor at the National University of Córdoba, June 26.

<sup>72</sup> Interview with PSSyPR director in Córdoba, June 26.

<sup>73</sup> This was confirmed by my interview with another doctor in Córdoba, on June 23.

<sup>74</sup> Interview with professor at the National University of Córdoba, June 26.

<sup>75</sup> Gherardi interview; Interview with journalist, July 21.

<sup>76</sup> Interview with female legislator, April 15; Bianco interview; Gherardi interview; Interviews in Córdoba, June 24 and 25; Interview with journalist, July 21.

<sup>77</sup> Bianco interview; Gherardi interview.

<sup>78</sup> Interview with lawyer for *Católicas por el Derecho de Decidir*, Córdoba, June 24.

<sup>79</sup> Crítica de la Argentina (news forum), November 11, 2008. "Echaron a la jefa del Programa de Salud Sexual."

<sup>80</sup> González García interview; Gherardi interview; Córdoba interviews; Tucumán interviews.

<sup>81</sup> Interview, July 31.

<sup>82</sup> Interview with UCR legislator, June 25.

<sup>83</sup> Gherardi interview.

<sup>84</sup> Gherardi interview.

<sup>85</sup> Interviews with female legislators, April 15 and 22; interview with journalist, July 21.

<sup>86</sup> Interview with lawyer for *Católicas por el Derecho de Decidir*, Córdoba, June 24.

<sup>87</sup> Though new efforts are being made at greater decentralization. See, for instance, Courchene and Díaz-Cayeros (2000) and Cabrera Mendoza and Martínez-Vazquez (2000).

<sup>88</sup> Family planning programs have been implemented in Mexico as part of the executive branch's development plans (Gómez-Jaregui 2008). These programs were not authorized by the legislature, and cataloguing their extent and breadth requires further research.

<sup>89</sup> Personal communication with Caroline Beer, March 2011.

<sup>90</sup> The INDESOL is the organ of SEDESOL responsible for coordinating with civil society organizations and state governments (see Article 40 of the *Reglamento* [Rules] of SEDESOL).

<sup>91</sup> See INDESOL (2006; 2007; 2008a; 2008b; 2009; 2010); SEDESOL (2009a; 2009b; 2009c; 2010).

<sup>92</sup> I would like to thank Caroline Beer at the University of Vermont, and Visiting Fellow at the Center for U.S. Mexican Studies at the University of California, San Diego, for sharing this data.

## CONCLUSION

The worldwide popularity of electoral gender quotas has raised questions about the linkages between representatives, interests, and policy outcomes. Efforts to ensure the descriptive (numerical) representation of women in legislatures have frequently been justified via a “consequentialist” reasoning, which posits that female politicians will advance policies that improve women’s rights and citizens’ wellbeing. These arguments hinge on the cultural construction of gender roles: women are socialized into caring roles, but also suffer from discrimination, both of which shape a distinct package of “women’s interests.” Testing the connection between descriptive representation and substantive representation—whether or not female legislators advocate for women’s interests—has been the main aim of this dissertation.

The dissertation has considered women’s substantive representation as process and outcome in Latin America. Argentina and Mexico adopted candidate gender quotas as they returned to electoral democracy and transitioned from one-party rule, respectively. In both countries, female activists and leaders view the popular election of women as necessary for ensuring fairness, advancing equity, and improving rights. By studying a decade of women’s representation in the two countries, the dissertation has made notable advances on existing studies.

First, the research design neither preselected certain policy categories to proxy for women’s interests nor assumed that women’s interests were inherently feminist. I considered bills dealing with 102 different themes, which were then grouped into 16 categories. I found that female legislators were more likely than male legislators to author bills in the categories of (i) civil liberties; (ii) health; (iii) group rights and special protections; and (iv) women, children, and the family. Moreover, female legislators

were less likely than male legislators to author bills in the economic categories of (i) finance and commerce; (ii) industry; and (iii) state revenue. These results confirm the findings in the comparative literature but are more robust, emerging from a dataset that was not artificially restricted *ex ante*. Further, by developing a content-neutral approach to women's interests—that is, women's interests are any measures that treat women or children as beneficiaries—the dissertation shows that legislators address both progressive and conservative visions of women's roles. Important, however, is the finding that female legislators largely favor proposals that modernize women's social, economic, and political opportunities.

Second, the dissertation explicitly analyzed the role of male legislators in women's substantive representation. While the theoretical link between numbers and interests hinges on identity, the dissertation provides considerable evidence for the fact that male legislators *do* represent women. In Argentina in particular, male legislators are surprisingly active: one in every two male deputies will author a women's interest bill, and this activity accounts for 40 percent of all women's interests bills introduced. Yet this finding is not only remarkable for its size: considerable differences appear in *how* male legislators represent women. Men are more likely than women to conceive of gender issues as relating to the preservation of traditional gender roles, family values, and children's wellbeing. In both the statistical data and the interview data, male legislators appeared more reluctant than female legislators to advocate for proposals that dramatically realigned gender roles. These outcomes suggest the need to rethink women's interests: perhaps family values and child welfare are *men's interests*, or perhaps these issue areas reflect both sexes' anxieties about the rate and pace of social change.



Third, the comparison between Argentina and Mexico, combined with a focus on different policymaking moments, reveals specific lessons about which variables affect women's substantive representation. An overarching finding of the dissertation is the role that "gender friendly" institutions can play in ensuring the articulation and advancement of feminist legislation. In Mexico, the Commission on Equity and Gender has united female deputies from all parties, leading to remarkable practices of inter-partisan cooperation on liberal gender policies. These collaborative practices also diffuse into other institutional spaces, such as the "Women's Parliaments" held in the congressional plenary and the "Pacts Among Women" signed in party headquarters. The establishment of such practices does not occur without costs, however: female legislators' cross-partisan efforts in Mexico have removed reproductive rights from the bargaining table and reduced male legislators' incentives to learn about, or act on, progressive gender policy.

The dissertation has also assessed the "gender friendliness" of party membership and party ideology. The effects of party on women's substantive representation prove more difficult to disentangle, particularly in Argentina, where personal allegiances and electoral opportunism often trump ideological purity. I find, however, that legislators' party identification does predict the content of women's interests bills, as right parties in Argentina and Mexico are less likely to focus on liberalizing gender roles. Yet I also find that male and female legislators interpret the relationship between their gender policy priorities and their party ideology differently. Female legislators—on both the right and left—appear more liberal than their male colleagues; moreover, female legislators justify their decision to represent women via personal stories and private values, not party

platforms. Male legislators, however, explain allegiances with their feminist colleagues through their party ideology. This outcome suggests that, whereas electing women from across the political spectrum benefits progressive statute change, electing men from the left is crucially important for advancing rights and equity.

Finally, the dissertation distinguished between the effects of politicians' individual and collective efforts to undertake women's substantive representation. While individuals differ in their beliefs about appropriate roles for men and women, trends in survey responses and bill introduction favor the liberalization of gender roles. The fault lines between progressives and conservatives appear, however, once individuals exert more power over outcomes. While feminist legislation can survive committee vetting and plenary votes if its supporters are persuasive and persistent, program delivery—particularly in federal systems and particularly on contentious issues—becomes subject to the ideological sensibilities of key actors. This finding, discussed at length in the instance of sexual health reform in Argentina, tempers the extent of consequentialist expectations. Electing more women to the legislature cannot ensure that policies adopted are, in fact, enforced.

Collectively, these findings indicate new and fruitful avenues for future research. Additional work would develop more sophisticated analyses of the link between public opinion and legislators' representative activities. Future studies should also uncover more about the profiles of male legislators who substantively represent women. I would also build a general model of bill introduction and bill passage for Mexico. Moreover, the tradeoff between scope and depth, identified in Chapter Four, could guide the selection of additional cases. On two dimensions of gender policy, Mexico and Argentina have

inverse scores: Argentina has traded policies that cover diverse issue areas for statutes that give women greater bodily autonomy (depth but no scope), whereas Mexico has muted efforts to rework gender roles in order to mainstream equity (scope but no depth). Are there countries which have achieved both dimensions of women's interest representation, or are there countries which have attained neither? If so, what distinguishes these cases from Argentina and Mexico? Answering these questions about the nature and degree of gender policy change remains central to studying the election of women worldwide.

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