

# CUOTAS DE GÉNERO. Visión comparada

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**TRIBUNAL ELECTORAL**  
del Poder Judicial de la Federación



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## Cuotas de género. Visión comparada

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## Promoting Women's Right to Be Elected: Twenty-Five Years of Quotas in Latin America

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### Overview

In Latin America, the most basic formal political rights have been understood as “el derecho de elegir y ser elegido.” Throughout the region, women received the right to vote over several decades, beginning with Ecuador in 1929 and ending with Paraguay in 1961.<sup>3</sup> The right to be elected, however, was not always guaranteed simultaneously: in Bolivia and El Salvador, for instance, the ability to hold office came several decades after the ability to vote. Even so, rights do not always translate into realities, and Latin American women remained underrepresented in legislative office even after democratization began in the 1980s. To combat these longstanding patterns of exclusion, Latin American countries began adopting *electoral quota laws* in the 1990s. Quotas mandate that political parties nominate specified percentages of women to legislative office, thus aiming to guarantee the right of women to be elected.

Argentina passed the region's—and the world's—first quota law in 1991, requiring that political parties fill 30 percent of the electoral lists with women's names. As noted in Table 1, nearly all Latin American countries have followed Argentina's lead. Only Chile, Guatemala, Nicaragua, and Venezuela currently lack quota laws for national legislative elections (though the latter two countries apply quotas to subnational elections).

The numerical impact of quotas is notable. Women's election in all of Latin America's lower or unicameral houses climbed from an average of 8.8 percent in 1990, to 12.6 percent in 2000, to 21.3 percent in 2010.<sup>4</sup> Yet quota countries clearly outpace non-quota countries: by 2010, women comprised 15.1 percent of the lower or unicameral houses in countries without quotas, but 24.4 percent of the lower or unicameral houses in countries with quotas.<sup>5</sup> This sharp increase occurred as most quota countries reformed their laws throughout the 1990s and 2000s, closing loopholes to make the measures more effective. Additionally, recent reforms raised quotas' threshold for women's election from 20 or 30 percent to 40 or 50 percent. Nonetheless, inter-country variation in women's election persists among quota countries, as Table 1 also shows. Women's numerical representation in lower or unicameral houses currently ranges from below 10 percent in Brazil and Panama to nearly 40 percent in Argentina, Ecuador, and Mexico.

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<sup>3</sup> See [http://womensuffrage.org/?page\\_id=109](http://womensuffrage.org/?page_id=109).

<sup>4</sup> All data used to compute averages reported in this paper was gathered by Magda Hinojosa, based on data from the Inter-Parliamentary Union.

<sup>5</sup> In 2010, the non-quota countries were Chile, Colombia, El Salvador, Guatemala, Nicaragua, and Uruguay.

The following sections detail the evolution and impact of Latin America's quota laws. The Latin American experience demonstrates the usefulness of well-designed quota laws for raising the number of women elected to the legislature (also known as "women's descriptive representation"). Nonetheless, countries with both strong and weak quota laws face common challenges and criticisms, including concerns that quotas bring women into politics without transforming the male-centered nature of politics itself. Moreover, informal and formal practices, especially those related to candidate selection and legislative behavior, still work to exclude women from the highest echelons of political power. Quotas may have improved women's right to be elected, but full equality has not been realized.

[TABLE 1 HERE]

### **Why Adopt Quotas?**

Gender quotas are specific policy solutions that address the institutional and sociocultural hurdles faced by women who aspire to political office. In Latin America, quota adoption unfolded in the context of democratization (though the timing of the transitions varied across countries). In all cases, women, who were politically mobilized and politically powerful during the transitions, were largely absent from the countries' founding elections: throughout the 1980s, women accounted for approximately 5 percent of all deputies elected. Observers and activists alike believed that democracy heralded the return to business as usual. As protest politics, peace movements, and armed insurgencies were replaced by electoral competitions and political parties, women found themselves marginalized (Baldez 2004).

Yet democratization also provided female activists and female politicians with powerful rhetorical leverage to demand quotas: after all, democratic states are expected to be modern, inclusive, and free of discrimination. Arguments in support of gender quotas linked women's exclusion from electoral politics to their country's authoritarian politics and patriarchal culture (Townes 2012). Senator Margarita Malhorro of Argentina, for instance, argued in 1991 that parties "hold women back in the name of old, traditional prejudices more worthy of a feudal era than of modern times" (Townes 2012: 192). These prejudices included stereotypical beliefs that women's roles and abilities are best suited to the gentle, nurturing domestic sphere and not the competitive, corrupt public sphere. Democratization thus pressured political parties to shed their "dinosaur image" and demonstrate their commitment to equal political rights (Baldez 2004; Araújo and Garcia 2006).

In addition to raising arguments that linked the inclusion of women to modernity, democratization raised arguments linking women's representation to qualitative improvements in governance. As Mexican Senator Gustavo Carvajal Moreno stated in 1997, "What is at stake is not just the inclusion of women in parliaments but democracy as such: our countries want to grow, our countries want more justice. Women are key actors for the renewal of democracy" (IPU 1997: 9).<sup>6</sup> Similarly, quota proponents in Argentina argued that, "With few women in politics, women change, but with many women in politics, politics changes" (Marx, Borner, and Caminotti 2007: 61). Rather than using traditional gender roles to shame politicians with allegations of backwardness, these arguments used traditional gender roles to their advantage. They drew on gendered notions of women as the more compassionate, more honest, and more

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<sup>6</sup> Quote first noted in Townes (2012: 192).

community-minded sex to assert that guaranteeing women's political rights would benefit the nation.

Quotas' ideological appeals and the institutional flux created by democratization, then, were two key factors in Latin America's adoption of legislative quotas. These factors also combined with other key variables: namely, the domestic mobilization of women, the international context, and the degree to which quotas' appeal to elite strategists (Krook 2009). Latin American leaders—male legislators and male presidents—saw quotas as ways to demonstrate their democratic, modern credentials to audiences at home and abroad. Famously, the 1991 quota law only passed the Argentine Congress once then-President Carlos Menem decided the measure's success would secure women's votes for his Peronist Party. While Argentine women did mobilize marches and demonstrations to support the quota law, Menem's midnight support—and not pressure from the women's movement—proved critical in winning the needed Senate votes (Bonder and Nari 1995).

Moreover, quotas spread rapidly throughout Latin America because, as will be detailed in the subsequent sections, the initial laws proposed were actually quite weak. Since most first-generation quotas lacked clear rules, sanctions, and enforcement mechanisms, they actually would *not* “kick men out and let women in,” to borrow a phrase from Baldez (2006). Legal quotas thus became attractive to male party leaders and male presidents because they signified equality in theory but remained unwieldy in practice (Jaquette 1997; Piscopo 2006). Latin America's new democratic leaders could harness all the rhetorical benefits while paying few of the substantive costs.

## **Quotas and Electoral Systems**

The first quota laws in Latin America raised important issues related to the “fit” between quota provisions and electoral systems. Latin American countries employ electoral systems that either exclusively or partially use proportional representation (PR), which features districts with high magnitude (meaning districts with multiple seats). To contest elections, parties present lists of candidates for each district. Lists are either “open,” meaning that voters can cast preferential votes that move candidates up or down the list, or “closed,” meaning that voters cannot disturb parties' rank-ordering of candidates. In the final tally, parties receive a proportion of each district's seats relative to the received percentage of the vote, and the parties' candidates are allocated these seats according to their list order.

PR systems thus have several features that scholars believe favor the election of women (Htun and Jones 2002; Jones 1996; Matland 2002; Matland and Taylor 1997). First, large-magnitude districts offer greater opportunities for female candidates, as parties can broaden their electoral appeals by presenting diverse candidate lists. PR systems thus elect more women than majoritarian systems (in which only one seat is available), and larger districts *within* PR systems should elect more women than smaller districts. Second, and related, countries such as Mexico that used “mixed” electoral systems—where some portion of the legislature is chosen with PR and another portion is chosen with majoritarian rules—will elect fewer women than countries such as Argentina that employ exclusively PR. Third, open list PR will elect fewer women than closed-list PR. Open-list PR, found in Peru and Brazil, forces intra-party competition for votes: while some scholars contend that such dynamics may lower female candidates' chances of



success (Matland 1998), others hold that female candidates are popular and do successfully challenge male candidates (Schmidt 2003).

Overall, scholars expect quota laws to work better in closed-list PR systems, where parties can be compelled to rank-order female candidates and voters cannot alter parties' preferences. In majoritarian systems, by contrast, parties can nominate the required percentage of female candidates, but a female candidate's election still depends on whether voters choose her to occupy the district's only seat. In some countries with mixed systems, such as Bolivia and Venezuela, initial quota laws excluded majoritarian districts. In Mexico, where the quota law applies universally, majoritarian districts nonetheless provide parties an opportunity to shirk: research has shown that Mexican parties run the required percentages of women in the single-member districts—but only in the districts they expect to lose (Langston and Aparicio 2011).

### **First Generation Quota Laws: Learning from Loopholes**

The first generation of quota laws also suffered from numerous legal loopholes beyond those related to the differences between PR and majoritarian electoral systems. Political elites exploited opportunities to avoid opening electoral opportunities to women. Scholars have studied this “shirking” behavior as a formal means of elite resistance.

One common practice centered on manipulating the rank-ordering of female candidates' names in closed-list PR systems. Initial quota laws generally lacked “placement mandates,” which allowed political parties to subvert the true intent of the quota by clustering women at the bottom of their candidate lists. For example, when quotas became elevated from recommendations to mandates in Costa Rica in 1996 and in Mexico in 2002, and implemented in Panama in 1997, no placement mandates were included. Party elites thus relegated women's names to the bottom of the list, positions that corresponded to seats parties would not win (Jones 2004).

Argentina's 1991 quota law did include a placement mandate, requiring that a woman's name appear in every third list position. However, the initial Argentine law provided weak enforcement mechanisms: excluded female candidates had to bring suit in provincial courts, an impractical solution that relied on local judges to enforce federal law and one that required female politicians to litigate against their own parties. Other first generation quota laws in Brazil, Honduras, and Venezuela lacked sanctions entirely (Araújo and García 2006; Piscopo 2006). Without enforcement mechanisms, quotas appeared unlikely to yield success.

Other loopholes in initial quota laws restricted the measures' impact by excluding senate elections (Argentina, Brazil, and Ecuador); exempting parties who chose candidates using internal primaries (Mexico and Panama); and allowing female substitute candidates (*suplentes*) rather than primary candidates (*propietarios*) (Venezuela and Bolivia). In the Panamanian case, the law requires that women comprise 30 percent of candidates in *primary* elections, but provided an exemption if an insufficient number of female candidates register for the primaries (Jones 2009: 63).

The Brazilian law in particular illustrates how loopholes and weak sanctions combine to dilute quota laws' impact. The Brazilian quota, adopted in 1995 for municipal elections and in 1997 for state and federal elections, allows parties to run 50 percent more candidates than seats, permitting parties to inflate their electoral lists. Further, parties cannot be penalized for failing to meet the quota unless they nominate the maximum number of candidates allowed.

Consequently, parties can propose fewer candidates, but still run as many candidates as seats, and thus avoid the quota (Htun 2005: 119; Samuels 2008: 84). These loopholes remain intact today.

In summary, Latin American countries constituted the vanguard of the global movement for electoral quotas, offering important lessons about guaranteeing women's right to be elected. First, quotas were often adopted and implemented with an incomplete understanding of how they would function: "it is only after quotas have been put into practice that problems become obvious" (Hinojosa 2012: 142). Thus, Latin America's experience reveals that quota laws' ability to elect women depends on the electoral system in combination with the exact provisions. Proportional representation and high magnitude districts on their own are insufficient: quotas must also include enforceable sanctions, placement mandates for closed lists, and application to *proprietario* candidacies so that quotas cannot be met with *suplentes*. Second, and related, parties will resist nominating women and exploit loopholes in order to violate the spirit—if not the letter—of the laws. Quotas opened women's access to electoral office, but in no Latin American country did the initial post-quota elections achieve the desired representation of women.

### **Strengthening Quota Laws: Constitutions and Courts**

Formal practices of elite resistance, which unfolded over two decades of quotas' implementation, resulted in significant reforms that strengthened quota laws' provisions and enforcement. Nine Latin American countries (Bolivia, Brazil, Costa Rica, the Dominican Republic, Ecuador, Honduras, Mexico, Panama, and Peru) raised their threshold percentages, with most now stipulating parity (50 percent) or near-parity (40 percent). Ecuador and Bolivia are prominent examples of the shift from quotas to parity, as both countries' constitutions establish parity as a principle of representative democracy. Nicaragua and Venezuela, though lacking quota laws at the national level, recently mandated parity for subnational elections. Franceschet and Piscopo argue that threshold increases demonstrate how "percentages below parity now seem insufficient for achieving women's full inclusion" (2013: 3). Likewise, Archenti (2011) notes that, for Ecuador, Bolivia, and Venezuela, parity signals a belief that women's equal rights hinge on equal representation in government.

The region's quota laws have also been reformed to include placement mandates, apply to senates and to both PR and majoritarian districts, and strengthen enforcement. Independent electoral tribunals and electoral courts have played an important role in this process. In the Costa Rican case, the electoral tribunal guaranteed women's right to be elected by establishing the placement mandate that the 1996 law omitted: the *Tribunal Supremo Electoral* decreed that women would need to be included in 40 percent of the *electable* spots on the party lists, as determined by previous electoral results (Jones 2004: 1207). Most countries' quota laws—including those in Argentina, Ecuador, Bolivia, Costa Rica, Mexico, Paraguay, and Peru—now require that electoral tribunals certify parties' candidate lists and enforce placement mandates by demanding revisions or rejecting noncompliant lists.

Additionally, electoral tribunals have used their regulatory powers to *establish* quotas: though the *Consejo Nacional Electoral* in Venezuela declared the country's 1998 quota law unconstitutional, the tribunal later instituted a parity quota, demanding alternation of men's and women's names in the electoral lists for the 2005 and 2008 elections (Madriz Sotillo 2012). Electoral courts have likewise spurred legal reforms. In Mexico in 2011, for instance the

*Tribunal Electoral del Poder Judicial de la Federación* ruled that *suplente* and *propietario* candidates must be of the same sex, and the Mexican Congress received instructions to modify the electoral code accordingly.<sup>7</sup>

Constitutional reforms have likewise strengthened the juridical framework of women's right to be elected. Beyond the parity constitutions of Ecuador and Bolivia, the constitutions of Argentina, Colombia, Ecuador, and Paraguay make specific statements regarding women's political rights.<sup>8</sup> The 1994 Argentine Constitution, for example, states that "the equality of opportunities for men and women to elective and political party positions shall be guaranteed by means of positive actions in the regulation of political parties and in the electoral system" (Section 37). Importantly, these provisions are more than general promises of non-discrimination: they are specific commitments to ensuring women's representation in government. Such provisions are frequently backed by gender equality laws. For example, the 2008 Nicaraguan Equal Rights and Opportunity Law, as promulgated by presidential decree, requires "50/50" representation for all elected and appointed posts in government.<sup>9</sup> Thus, constitutions and statutes provide activists, legislators, and judges with tools to demand stronger, newer quota laws.

Consequently, the improvement in women's descriptive representation has been notable. In countries that reformed their quota laws, women's representation has approached the desired threshold. In Bolivia, for instance, parity has resulted in the election of 47 percent women to the senate. In Argentina, women's representation in both legislative chambers has exceeded the 30 percent threshold, due to rigorous enforcement and a reform stipulating a 50 percent quota when district magnitude equals two. In countries such as Brazil and Paraguay, however, where loopholes and lax enforcement persist, women's representation has stagnated. Later generation quota laws have been most effective when they have curtailed formal practices of elite resistance.

## **Political Parties and Informal Elite Resistance**

As the evolution of quota laws indicates, quotas remain vital to guaranteeing the election of women: without strong juridical frameworks, and without politicians and judges willing to follow the law, political parties will avoid nominating women. Yet parties' shirking behavior persists even when reforms eliminate formal loopholes. Scholars have consequently shifted their focus to informal practices of elite resistance, particularly those centered on parties' ongoing strategies to avoid gender quotas and their inadequate efforts to recruit female candidates.

### *Avoiding Quota Laws*

The case of the *Juanitas* in Mexico provides the clearest illustration of informal practices that undercut the spirit (if not the letter) of quota laws. Prior to the adoption of Mexico's quota law in 2002, political parties had established their own, internal quotas. Yet, because parties often met these voluntary quotas by placing women into the *suplente* positions (Bruhn 2003), the 2002 law specifically forbade using alternate candidacies to meet the quota requirement. Parties

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<sup>7</sup> The necessary reforms passed the Chamber of Deputies but failed in the Senate.

<sup>8</sup> Data on Latin American constitutions courtesy of Druscilla Lambert and Priscilla Scribner.

<sup>9</sup> Decree Number 29-2010.

then developed a new strategy: male *suplentes* would accompany female *propietarios*; after the election, female titleholders would renounce their seats to the male alternates. The notoriety of these so-called *Juanitas* in the 2009 Mexican elections led the electoral courts to mandate that alternates and titleholders be of the same sex, as noted above. Similar practices have unfolded in the Dominican Republic, where parties altered their candidate lists after these had been approved by the electoral tribunal, alleging that female candidates had resigned their candidacies (Roza 2010: 190).<sup>10</sup>

In other instances, political parties have broken the law to avoid gender quotas. In Bolivia, male candidate names were recorded as female names. Changing *Mario* to *María* made it appear as if political parties had met the quota obligation without actually increasing the number of women on party lists or in positions of power (Llanos and Sample 2008: 21). Another creative approach to subverting gender quotas has been for parties to manipulate the female candidates themselves. In Argentina, for example, observers and legislators alike allege that party elites fill the quota by choosing female relatives: here, parties do not need to substitute male bodies for the female bodies, because the women elected will presumably act on behalf of their male relatives (Franceschet and Piscopo 2008). While such allegations about female legislators' quiescence reflect gender stereotypes more than they document empirical realities, family networks are important routes to political power in Latin America and many women from political families undoubtedly benefit from quotas.

### *Avoiding Voluntary Quotas*

Political parties' resistance to quotas may appear surprising, as even prior to the adoption of quota laws many political parties in Latin America followed voluntary quotas.<sup>11</sup> In Mexico, for example, the PRD officially adopted voluntary quotas in 1993, though the PRI had been using all-women shortlists for party leadership positions and *suplente* candidacies since the early 1980s (Piscopo 2011: 40-41). Voluntary quotas may apply either to party's internal governing bodies or to party's electoral list compositions, or both. Yet while party quotas demonstrate a rhetorical commitment to increasing women's political participation, their voluntary nature means they are often ignored in practice. Party quotas cannot substitute for national quotas; on their own, they remain unable to dramatically raise women's numerical representation.

Recent academic work has found that the use of party-level quotas is no guarantee that women's representation *within* a political party will increase. Roza (2010) examined major parties in Latin America and found only a one percentage point difference in the percentage of women seated on national executive committee members in parties with and without quotas. The reason was simple: political parties were failing to meet their own quotas for these positions. When parties actually met their quotas, representation on these committees was twice what it was in parties not using quotas. However, the vast majority of parties were failing to meet their quotas, and parties that had written sanctions into their own quota provisions were no more likely to comply than parties without these mechanisms for self-punishment. This is not to say that party quotas can never be successful. Parties deeply committed to increasing women's

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<sup>10</sup> Roza's citation is drawn from Bueno (2007).

<sup>11</sup> Scholars consider these quotas voluntary because parties promote women without being prompted to do so by law.

representation and willing to enforce their own internal rules may have success when applying their own quotas, as has been the case with European parties.<sup>12</sup>

Party-level quotas may be more effective in combination with a national quota, as is the case in a number of Latin American countries. For example, although Mexico's PRI implemented party quotas before the quota law, the statutory mandate appealed to party leaders because it determined thresholds—30 percent (in 2003) and 40 percent (in 2008)—that were *lower* than the party's internal commitments at the time (Piscopo 2011: 50). Yet, even though the PRI avoided its own internal commitments, the national quota reinforced the PRI's responsibility to seek out female candidates. In Chile, however, no national quota law ensures that parties meet their commitments: though a number of significant Chilean parties, including the Socialist parties, have voluntary quotas, effective implementation depends exclusively on parties' self-enforcement.

Some scholars also believe that national quota laws provide incentives for party's internal quotas to supersede the mandated threshold. Meier suggests that the combination of party quotas and national quotas “opens up the political forum to women more than would have been the case if either party or legal measures alone had been applied,” since parties can only demonstrate a superior commitment to gender equality by setting a higher standard than that imposed by the national quota (Meier 2004: 596). In other words, the PRD in Mexico could seek an electoral advantage among women by going “above and beyond” the law's 40 percent threshold and adopting a 50 percent internal requirement.

### *Recruiting and Training Female Candidates*

Susan Villarán, the current mayor of Lima, once stated: “There is a serious problem and that's that even though women are very well prepared [to enter politics], the parties are not preparing women [for candidacies]” (Adrianzén, Rial, and Rocagliolo 2008: 440). As her statement highlights, political parties have not adequately recruited or groomed women for political candidacies. Gender quotas, in formally tasking political parties with meeting recruitment targets, have made this shortcoming more evident. Parties' earlier candidate recruitment strategies are tested by quotas' new requirements to increase female candidacies. The implementation of gender quota laws can pose significant problems for political parties, who are interested in maintaining their old ways and reluctant to adopt new strategies that will allow them to achieve nationally mandated gender goals.

Political parties in Latin America do provide some political training programs for women. Nearly 80 percent of the 82 largest political parties in the region provide women with training, while 65 percent of parties provide training specific to women. One in four political parties allot a portion of their budget for women's political training programs (Roza 2010). In Panama, for example, the Partido Arnulfista sets aside 30 percent of public funding they receive for women's training, rather than the 10 percent mandated by law (Women's Environment and Development Organization 2007: 16).

The most recent quota reforms now include specific “party rules” that expand parties' legal requirements to recruit women. The quota laws of seven countries—Brazil, Colombia, Costa Rica, Ecuador, Honduras, Mexico, and Uruguay—have adopted such provisions, though

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<sup>12</sup> In fact, the first party-level quotas in Latin America were extraordinarily effective, allowing Argentina to have the highest rates of women's representation in the early 1950s when 24 women won legislative seats. Evita Peron was said to have insisted on the use of such quotas (Martin 2000).

the exact measures vary. The Colombian rule evenly divides 5 percent of the total state funding available for parties among those parties that nominate women. The remaining measures, however, are sticks rather than carrots: quota laws mandate that parties (a) establish specific provisions for gender equality or gender quotas within their charters (Costa Rica and Mexico); (b) set specific quota thresholds for their governing organs (parity in Ecuador and 33 percent in Uruguay); (c) practice 50/50 gender balance in primaries (Ecuador and Honduras); or (d) allocate certain percentages of their total funding to programs that recruit, train, or otherwise cultivate female candidates (Mexico, 2.5 percent and Brazil, 5 percent). The Brazilian provision also requires that 10 percent of the party's state-granted, non-campaign related television time be used to promote female leadership. Even countries without quotas have considered mandatory party rules. In Chile, for example, a March 2013 proposal submitted to the congress by President Sebastián Piñera would offer financial compensation to political parties based on female candidates' vote-shares and victories.

In summary, political parties are “notoriously reluctant to accept legal measures that interfere with their selection of candidates” (Meier 2004: 596), and they have avoided doing so by developing informal—and often extralegal—practices of resistance. Yet parties can also embrace—or be compelled to embrace—the fact that gender quotas alter parties' candidate selection procedures. Some parties have taken a more pro-active approach to candidate selection, using voluntary quotas or special recruitment programs in order to heighten women's chances to become elected.

## Latin American Quotas in Comparative Perspective

How do quota trends within Latin America compare to other global regions? Scholars of legislative gender quotas have typically recognized two types of legal quotas. The first type are the *candidate quotas* discussed here: *candidate quotas* are legally-mandated provisions (either laws or constitutional articles) that require political parties to run a set proportion of female candidates.<sup>13</sup> The second type is *reserved seats*: reserved seats are also legally-mandated provisions, but instead of requiring political parties to run certain percentages of female candidates, reservations set aside a certain number of legislative seats for female representatives. These reservations work in two ways: either legislative seats are designated as women-only and allocated proportionally among the political parties based on each party's vote share (as in Pakistan and Bangladesh), or legislative districts are designated as women-only and female candidates compete among each other for that seat (as in Uganda and Morocco). In the latter variation, the all-female districts are drawn either at the local level or the national level.

Clearly, Latin American countries rely exclusively on candidate quotas, making the region similar to Western Europe. Reserved seats, by contrast, are more common in the Middle East and Africa, though significant variation exists across these regions. African countries such as Rwanda (central Africa), Kenya (east Africa), and South Africa use candidate quotas, as does Iraq in the Middle East. In South Asia, reserved seats predominate, but in Southeast Asia, Indonesia and East Timor use candidate quotas for national elections and the Philippines uses candidate quota for subnational elections. This variation contributes to explaining the different regional averages for single or lower houses (see Table 2): reservations typically allocate fewer legislative seats to women when compared to candidate quotas, and since candidate quotas

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<sup>13</sup> These are sometimes also called *legislative quotas*.

predominate in Latin America and Europe, these regions do comparatively better at guaranteeing women's right to be elected.

[TABLE 2 HERE]

Latin America's quota experience thus resembles that of Europe, but differs from that other world regions. Latin America clearly pioneered the adoption of candidate quotas: though also widespread in Europe, most quota laws in western European countries (i.e. those in France, Belgium, and Spain) were adopted after Latin America's laws appeared in the 1990s. However, quota development in Latin America probably only indirectly impacted quota adoption in Europe, as both regions enjoyed a rich tradition of party quotas and both continents were embedded in and influenced by the broader international context, which placed an ever-increasing emphasis on women's political rights through the 1990s and 2000s.

This international context has proved most influential, however, on quota adoption in fragile states and post-conflict countries, such as Iraq and Afghanistan. One benefit accruing to Latin America as the "early adopter" is that quota laws gained significant domestic support, especially from female activists and female politicians. While the international climate, and the desire of political elites to appear modern and democratic, certainly helped Latin American quota laws succeed (Townes 2012), quotas nonetheless began life with some degree of popular support and cultural legitimacy. Moreover, gender quotas empowered many Latin American female politicians to continually demand their political rights, as they fought recalcitrant parties in court and pressed legislatures and electoral tribunals for reforms. In more recently transitioning countries, however, quotas are not necessarily supported by domestic actors, but imposed by international development elites. Quotas' adoption in extremely hostile social and cultural environments, such as Afghanistan, may heighten resistance to women and to those who promote women's rights: personal and political security concerns may then prevent female politicians from demanding their rightful place on the ballot (Franceschet, Krook, and Piscopo 2012).

## **The Expansion of Quota Laws**

While most attention has focused on quotas' adoption and implementation for national legislative elections, quotas also affect subnational legislative elections in fifteen Latin American countries. More recently, quotas have diffused to Latin America's executive and the judicial branch as well as to civil society organizations. As Franceschet and Piscopo have argued, these processes of quota expansion signify states' willingness to pass laws that result in "a profound gendering of public space and leadership" (2013: 1).

### *Subnational Legislatures*

Subnational legislative quotas are the most common and most widespread instance of quota expansion, as indicated in Table 3. Eleven of the fifteen countries applying subnational legislative quotas adopted these rules in the same statute authorizing the national-level legislative quota (Colombia, El Salvador, Paraguay, Peru, and Uruguay) or in a subsequent reform (Brazil, Bolivia, Costa Rica, the Dominican Republic, Ecuador, and Honduras). Brazil, in fact, piloted its quotas at the subnational level: the quota law in Brazil governs elections at all levels, and it

applied to the municipalities first in 1995, and then to the state legislatures and the federal congress in 1997. The Brazilian statute is similar to those of Honduras, Peru, and Venezuela, in that the subnational quota applies to multiple lower levels of government. Elsewhere, the subnational quota applies either to departmental/regional legislative bodies *or* municipal councils. In general, Latin American countries have adopted national and subnational legislative together, with only Venezuela and Nicaragua applying just subnational legislative quotas.

[TABLE 3 HERE]

The other exceptions to the concurrent adoption of national and subnational legislative quotas are federal Argentina and federal Mexico, where, unlike Brazil, the subunits have the constitutional authority to manage their own elections. Yet even in these countries, subnational quotas are widely adopted. As of July 2013, all 24 Argentine provinces had adopted quotas for local elections, as had all 32 Mexican states save Nayarit and Nuevo León.

In Argentina, the autonomous district of the city of Buenos Aires adopted gender quotas in its constitution, and the remaining subunits adopted gender quotas via provincial legislation. These efforts all occurred after the passage of the 1991 federal law. Chaco, Corrientes, La Rioja, Mendoza, Misiones, Río Negro, Santa Cruz, and Santa Fe all adopted provincial quotas rapidly, between 1992 and 1993, while Jujuy and Entre Ríos adopted provincial quotas much later, in 2011 (Barnes 2012a: 3). Differences in the provincial-level electoral systems cause quotas' numerical effects to vary across the subunits, though the measures' overall effect is positive: from the mid-1990s to 2009, women's average representation in Argentina's provincial legislatures ranged from 14 percent in Santa Cruz to 33 percent in the city of Buenos Aires, with most provinces' percentages falling in the 20s (Barnes 2012b: 493).

In Mexico, by contrast, some states' adoptions of quotas preceded the 2002 federal law, as in the cases of Sonora (1996), Chihuahua (1997), Oaxaca (1997), the federal district of Mexico City (1999), and Colima (1999).<sup>14</sup> Like Argentina, though, variations across laws' legal provisions and states' electoral systems produce differences in subnational quotas' numerical effects. In 2011, women constituted 12.5 percent of the state legislature in Michoacán, compared to 35.7 percent in Oaxaca, with most percentages again falling in the 20s.<sup>15</sup> In both countries, subnational legislative quotas have met with similar challenges as national legislative quotas: weak placement mandates and nonexistent sanctions leading to subsequent reforms; lack of enforcement; and resistance from political parties to nominating women (Archenti and Tula 2011; Zetterberg 2011).

The use of quotas for subnational legislative elections offers great promise for improving women's access to power. Local office is widely regarded as more "friendly" to women, because local office obviates the need for costly and time-consuming travel to a distant capital city and because local office allows women to capitalize on their relationships with the community. Since women's participation in local political office can be seen as an extension of women's traditional roles, i.e. "tending the needs of her big family in the larger *casa* of the municipality," subnational positions may be more accessible to women (Chaney 1979: 21). Further, local offices provide a pathway to power and broaden parties' candidate selection pools:

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<sup>14</sup> The date given refers to when the state law included a placement mandate, sanctions, and/or enforcement mechanisms. In some cases, quota laws may have been adopted earlier as toothless recommendations (Zetterberg 2011).

<sup>15</sup> See the data gathered here: <http://estepais.com/site/?p=32786>



if more women are recruited at the municipal or departmental/regional level, they will gain the experience and prominence necessary to ascend to the national level. For example, in their study of federal legislators' career paths in Argentina, Franceschet and Piscopo found that half the female legislators with prior lawmaking experience had come directly from municipal councils or provincial legislatures (2013b: 14).<sup>16</sup>

### *Beyond Legislatures*

Gender quotas clearly open up opportunities for women's political participation, and this process is most evident in their more recent application to other government branches. Executive branch quotas are currently found in Bolivia, Colombia, the Dominican Republic, Ecuador, Honduras, and Nicaragua. Except for Colombia, executive quotas—like the subnational legislative quotas—were also introduced with the same law authorizing or reforming the national legislative quota.

However, executive quotas are much more varied in design and scope when compared to legislative quotas. In the Dominican Republic, Honduras, and Nicaragua, for example, an executive quota of 50 percent applies to the mayoralty and the vice-mayorality, the highest positions of power at the municipal level. While no studies of mayoral quotas' effectiveness exist, parties' strategies of minimalist compliance with legislative quotas suggests that parties may also minimally comply with mayoral quotas by appointing women exclusively to the vice-mayoral posts. These posts may have fewer policy powers, and thus be less prestigious. Nonetheless, mayoral quotas still change the composition of the municipal executive and may have positive cultural effects. As shown by researchers studying quotas for village council seats and village council leaders in India, the mere "exposure to female leaders" can erode negative, sexist perceptions about women who speak in public or who work outside the home (Beaman, Pande, and Cirone 2012). Other executive quotas do mandate the placement of women in posts more potentially associated with concrete power. In Colombia, a 30 percent gender quota has applied to the "highest positions" in the executive branch at all government levels since 2000.

Bolivia and Ecuador have the strongest executive quotas, demanding men's and women's equal representation across government levels and branches. Strictly speaking, Bolivia and Ecuador practice parity, not quotas: Archenti (2011) argues that parity, unlike quotas, encapsulate the ideological principle that good government and good governance cannot proceed without full equality. Indeed, both countries' constitutions argue that parity constitutes a principle of representative democracy. The 2008 Ecuadorian Constitution, for example, specifies that all Ecuadorians have the right to hold and discharge public office in a system that "guarantees their participation on the basis of the criteria of gender equity and parity" (Article 61.7) and decrees the government's positive obligation to foster a "parity approach" or "parity membership" in composing each government branch. The 2009 Bolivian Constitution likewise recognized the "equivalence of conditions" between men and women in the practice of democracy (Article 11), and a 2010 political reform guaranteed parity in the "election and designation of all authorities and representatives of the state" (Htun and Ossa 2013: 12).

Thus, parity democracy in Bolivia and Ecuador explains their national and subnational legislative quotas as well as their executive quotas, which apply to all ministries, all bureaucracies, the foreign service, and the administrative structures of the autonomous

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<sup>16</sup> The other half of the female legislators studied were federal incumbents, which does not mean they did not previously also serve as municipal councilors or provincial legislators.

indigenous communities. Parity also explains why Bolivia and Ecuador are currently the only Latin American countries thus far to apply judicial branch quotas. Parity as a governance principle covers the nomination and selection of judges for courts at all levels, including the constitutional courts and the electoral tribunals.

More cases of executive and judicial quotas should appear with time. Both Argentina and Peru have considered legislative proposals that would implement both types of non-legislative quotas. Further, the quota norms and parity principles have influenced other political recruitment practices throughout the region. For instance, a 2003 executive decree in Argentina stipulated that “gender diversity” must be “considered” when presidents select nominees for the supreme court.<sup>17</sup> Several Latin American presidents have also followed the informal practice of appointing parity cabinets, including Michelle Bachelet of Chile (upon her election in 2006), Daniel Ortega of Nicaragua (upon his election in 2007), and Ollanta Humala of Peru (in 2013, during the middle of his term).

Finally, the use of quotas to gender leadership in Latin America has recently appeared in initiatives that govern civil society organizations. Argentina has applied a 30 percent quota for trade union directorates since 2003, and Costa Rica has required parity on the boards of trade unions, charity organizations, and voluntary organizations since 2011. The Argentine government retroactively enforces the trade union quota: there is scant direct monitoring of unions’ board membership, but women filing lawsuits or seeking redress from the Ministry of Labor have won their petitions. In Costa Rica, enforcement is more proactive: the National Office for Community Development refuses to register civic organizations unless they (i) have parity on their boards or (ii) provide a credible reason for falling short and demonstrate evidence of efforts to recruit the under-represented sex. While Argentina and Costa Rica provide the only two instances thus far of civil society quotas, their adoption signifies increased recognition that gender imbalances persist across public and private organizations. Further, trade unions and voluntary organizations also provide pathways to public office, and, like subnational legislative quotas, can be viewed as additional legal efforts to improve the pipeline.

## **Quota Laws: Common Problems and Pitfalls**

Quotas worldwide, then, have been adopted in fragile states and strong states, in old democracies and new democracies, and by bottom-up and top-down pressures. They have appeared in the form of candidate thresholds or reserved seats. Yet, irrespective of all these variations, quotas in Latin America and elsewhere are met with similar challenges and criticisms (Franceschet, Krook, and Piscopo 2012).

First, conflict over quotas does not dissipate with time, nor are the reforms necessarily always improvements. Dahlerup has noted, “Contrary to what many supporters of quotas believed or hoped for, in quite a lot of countries conflicts over quotas for women seem to return again and again with each electoral cycle” (2005: 152). The Venezuelan case, where the 1998 quota law was in effect for a single election, demonstrates the potential fragility of gender quotas, as does the case of the Dominican Republic, where the quotas for the senate were removed in 2002 (Araújo and García 2006: 96). Gender quotas can be overturned and some come with expiration dates, such as the Uruguayan quota law, which will apply for the first and only time in the October 2014 elections (though congress could chose to extend the law).

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<sup>17</sup> Decree 222/2003.

Second, the application of gender quotas can also be complicated by changing electoral rules. As countries in Latin America and elsewhere continue to experiment with electoral design, parties' recruitment strategies will remain unstable. For example, in 2000, Ecuador radically altered its electoral system, moving from closed list proportional representation to an open list system. Placement mandates, which are essential to success with closed lists, were no longer an option for Ecuador. To maintain and improve the effectiveness of the quota law, the Ecuadorian quota would need to reflect this new electoral reality. Additionally, changes to the electoral calendar may affect parties' recruitment strategies, as in the case of Uruguay, where the date of the national primaries was moved to avoid interfering with the World Cup. Parties challenged by efforts to increase their number of female candidates will now need to contend with shorter timelines.

Third, quotas have been accused of benefiting only elite women (upper-class women and/or women with familial or close interpersonal ties to party leaders). These accusations have appeared not just in Latin America, but across the globe and especially in Africa and the South Asia. In countries as diverse as Argentina, France, and Uganda, women elected under quotas have been regarded as less qualified, less competent, and less productive legislators—despite empirical evidence refuting such claims (Franceschet and Piscopo 2012; Murray 2012; O'Brien 2012). However, even when quota women demonstrate their qualifications, they still suffer from the association of “elite” with status quo. Sagot, for instance, writing on women elected under quotas in Costa Rica, claims that “the passing of the quota legislation has also meant the arrival into power of many conservative women, closely connected to political and economic elites, who do not have any progressive agenda” (2010: 29). Commentaries of this nature illustrate the difficulties quota regimes present for female politicians: women must have enough prestige within their parties to win the nomination, while remaining sufficiently independent in order to advance feminist policies.

### **Beyond Elections: Women's Substantive and Symbolic Representation**

The implementation of quota laws thus raises the question of how women's numerical representation in the legislature affects policies and attitudes about women's rights more broadly. Scholars have approached this question by examining the connection between the numerical (or descriptive) representation of women, on the one hand, and substantive and symbolic representation of women, on the other (Pitkin 1967). Substantive representation refers to the representation of interests in policymaking; do women representatives produce different policies, particularly regarding women's rights? Symbolic representation refers to the represented as symbols, which affect citizens in myriad ways. For example, does the representation of more female legislators increase women's sense of political efficacy? Gender quota laws are aimed at increasing women's descriptive representation, but quota proponents often emphasized the laws' ability to also improve both policy outcomes for women and deepen women's sense of citizenship.

#### *Quotas and Substantive Representation*

Since gender quotas affect descriptive representation, they will also impact the substantive representation of women. Much of the academic work on gender quotas has focused

on explaining changes in women's descriptive representation after gender quotas are implemented, but fewer scholars have attempted to analyze the effects of these quotas on the substantive representation of women.

Franceschet and Piscopo (2008), examining the Argentine case, provided a useful insight into the concept of substantive representation. They suggest differentiating between substantive representation as a process or as an outcome. This distinction helps explain the mixed results of academic studies wishing to understand changes to substantive representation. While female legislators may be representing women by introducing bills and speaking on behalf of women's issues (process), they may have minor success in getting such laws passed (outcome). This conceptualization helps sort the findings of other academics, who have found that an increase in women's descriptive representation leads to an increase in the substantive representation of women in the policy process (see, for example, Tremblay and Pelletier 2000 and Schwindt-Bayer 2006), but not necessarily in policy outcomes (Weldon 2002).

More specifically, recent work indicates that women in Latin American legislatures are more likely than their male counterparts to introduce bills on women's issues and to introduce women's views onto the legislative floor. Schwindt-Bayer (2010), drawing on original survey data from Argentina, Colombia, and Costa Rica, confirmed that female deputies are more likely than male deputies to prioritize women and women's issues. A study of the Costa Rican legislature since the introduction of gender quotas revealed that women represent their views as women in their legislative speeches, meaning they invoke their own gender, and their roles as mothers and wives (Hinojosa, Carle, and Woodall *In Progress*). Using both bill introduction data and personal interviews with female members of congress, Franceschet and Piscopo (2008) demonstrated that women's descriptive representation led to an increase in the number of feminist bills introduced in the Argentine case, specifically those addressing violence against women, sexual harassment, reproductive rights, and gender quotas' effectiveness. Htun, Lacalle, and Micozzi (2013), following Franceschet and Piscopo, analyzed three different time periods in Argentina: before the quota when the quota was applied solely to the lower house, and when the quota was applied to both chambers. They too found that many more women's rights bills were introduced when women's numbers increased (process), but that the same was not true for the passage of women's issue legislation (outcome).

Miguel (2012) looking at yet another case found that Brazilian female legislators did focus on women's issues more than their male colleagues. He also argues that even the relatively small increase in women's representation in Brazil following the implementation of a gender quota positively affected the substantive representation of Brazilian women (see also Miguel and Feitosa 2009). However, Miguel points out that women's abilities within the legislative bodies to better represent women are constrained by their lack of representation on important political bodies and their lack of influence a finding echoed in an earlier study by Heath, Schwindt-Bayer, and Taylor-Robinson (2005). Women's exclusion from the centers of policy power within legislatures speaks to the need to create gender equality goals that are more broadly defined than a simply increasing women's descriptive representation.

### *Quotas and Symbolic Representation*

How do gender quotas affect women's symbolic representation? This question has received less attention (especially outside of the context of the United States). Scholars have argued that an increase in women's political representation can have a transformative effect on

female citizens, changing perceptions about women's proper roles, increasing their interest and participation in politics, heightening their knowledge of political matters, and fomenting more positive feelings towards government (see for example, Alexander 2012; Kittilson 2005; Schwindt-Bayer 2010; Campbell and Wolbrecht 2006; Lawless 2004; and Schwindt-Bayer and Mishler 2005). Academics have also theorized that the passage of gender quotas should have positive effects on women's symbolic representation, since quotas send a signal about a government's commitment to gender equality (Araujo and García 2006).

Nonetheless, few researchers have tested whether Latin America's use of gender quotas indeed affects female citizens' political interest, political knowledge, or political participation. Those that have report little compelling evidence of a positive association between quotas and symbolic representation, though Sacchet's (2008) qualitative work suggests increased political empowerment for women. The most optimistic findings come from Zetterberg (2012), who finds "tentative support" for a connection between national-level quotas and an increase in political engagement in Mexico. However, he found no proof of such a positive association when examining state-level quotas. Similarly mixed findings emerged in Uruguay. Kittilson and Schwindt-Bayer (2012) looked at polling data from Uruguay both before and after the passage—but not implementation—of the quota law. They report a decrease in gender gaps in interest and knowledge of politics, but less positive findings about participation: in a number of these categories, the gender gap actually increased between 2008 and 2010.

Schwindt-Bayer (2010) and Zetterberg (2009) have also found little support for the hypothesis that Latin American gender quotas will lead to positive changes in women's symbolic representation. However, Zetterberg (2012) notes an important limitation of this type of work: since public knowledge of gender quotas is quite low, citizens' views and behaviors may not respond to gender quotas. Low citizen awareness appears to hamper the ability for gender quotas to increase women's trust in government and their interest and knowledge of politics.

## **Enhancing Quotas' Effectiveness: Recommendations**

This analysis suggests several ways that governments and political parties can act to improve gender quotas. Improvement is needed on two fronts. First, policies can enhance women's right to be elected, which will increase their descriptive representation in legislatures. Second, policies can be designed to improve party practices, both in terms of their compliance with gender quotas and their efforts to recruit women.

### *1. Strengthen Quota Laws*

In strengthening gender quota laws, policy-makers can draw on nearly twenty-five years of both successes and failures. Gender quotas must be carefully constructed in order to raise states' enforcement powers and to discourage political parties from failing to meet these obligations.

First, gender quotas must be given some "teeth." Strong enforcement mechanisms allow for appropriate sanctions against political parties which do not meet the laws' provisions. Quotas have often failed because they lacked sanctions of any sort. The most effective enforcement mechanisms allow electoral tribunals to cancel all electoral lists proposed by a party that does not meet the gender quota.

Second, placement mandates are essential for quotas implemented in closed list proportional representation systems. As previously explained, without these placement mandates parties may pool all their female candidates at the bottom of their lists, effectively preventing these women from gaining seats. The most common placement mandates for 30 percent quotas have specified that women must be represented in every third spot on a list. However, this has led to a ceiling rather than a floor. Women are too often relegated to the last spot in the triad (i.e., third, sixth, ninth) rather than assigned higher positions on the list. Further, the placement mandates end up preventing women's names from appearing consecutively: most laws suggest that women's names appear *at minimum* in every third spot, which practically—though not technically—precludes the possibility that parties could list women consecutively and thus “over-fill” the quota. New parity guidelines may alleviate these concerns by forcing political parties to alternate men's and women's names on party lists.

Third, quotas must be written so that they must apply to titleholders and not just alternates. Women have been placed in alternate positions rather than titleholder positions when the law either does not specify that the quota applies to *proprietarios* or specifically allows quotas to be filled with alternate spots.

Fourth, gender quotas must be written with consideration for the candidate selection procedures that can be used by political parties. Exemptions against applying quotas for candidates chosen via primary can lead to an increase in primary use and a subsequent decrease in the application of the gender quota. As Baldez (2007) has noted, quotas and primaries are inherently incompatible. However, quotas can be applied either prior to the use of primaries—by requiring that a set percentage of women are represented among candidates in the primary elections—or after the fact—by necessitating that candidates be moved up or down the list or be substituted with female members in order to comply with quota rules.

Finally, strengthening quota laws may require looking not just at institutional rules, but also at informal norms and practices. The most successful quota laws have been re-written to reflect these informal rules. For example, the Argentine law initially made enforcement dependent on whether an excluded woman brought a lawsuit against her own party. Doing so, however, would have broken informal norms by forcing women to legally chastise their own political parties. Quota laws may need to reflect other informal practices: for example, in the Bolivian case it may be necessary to institute harsh financial penalties for parties that misidentify candidates' names and sex on official documents.

## 2. *Improve Party Practices*

Political parties need to identify and recruit female candidates. Parties can improve their own pipelines if they create databases of their female members and set up search committees tasked with identifying potential candidates. Women make up over half of all party members in the largest parties in Latin America, but political parties often fail to maintain sex-disaggregated membership lists. In both the Netherlands and Canada, databases of all female party members, containing background and career information proved effective in preventing political elites from arguing that they were unable to find female candidates (Erickson 1993; Leijenaar 1993: 226-227).

Parties should also use search committees to propose possible candidates. Because search committees might arrive at their posts with their own preconceived notions (for example, believing that a woman with young children would not want to run for office or thinking that

voters in their own municipality would never accept a female mayor), such committees should be charged with producing a set number of possible female candidates. Women's sections are common in parties in the region. These women's sections could function as ad hoc search committees.

Political parties that have adopted their own gender quotas must also implement structures to monitor and report their own compliance with quota regulations. Self-sanctioning has not proven effective, but parties must establish mechanisms or groups that will hold them accountable for failing to meet quota obligations. Civil society groups can play an important role here too, by acting as independent watchdogs and reporting on parties' successes or failures.

Finally, while party-initiated efforts, such as political training programs and voluntary quotas, provide important services, they remain insufficient to produce a notable increase in female candidacies or to prompt political parties to meet their legal obligations. Governments can play an important role in encouraging political parties to more actively seek out viable female candidates, as in the case of quota laws' most recent "party rules." For example, governments can mandate gender-balance in parties' governing boards and/or primaries, lower election registration fees for political parties who meet certain female candidacy goals, reward political parties that exceed such goals with free media time, and restrict public funds to parties that meet gender goals or pull public financing from those who fail to do (WEDO 2007; iKnowpolitics.org). Governments can also insist that a portion of public funds provided to parties be used for training programs for women (Llanos and Sample 2008).

## **Conclusion**

The adoption of gender quotas across much of Latin America has significantly boosted women's political representation. Although on paper women have long had the right to be elected (*derecho de ser elegidas*), in practice women rarely were provided the opportunity to exercise that right. Quotas have obligated political parties to guarantee that right with impressive results. Today, because of gender quotas, women in countries as diverse as Argentina and Bolivia occupy four of every ten legislative seats.

Yet Latin America's experience with gender quotas has not always been successful. Quotas everywhere have met with elite resistance, and Latin America is no exception: political party leaders have consistently sought ways to minimally comply with quotas and have, when possible, ignored the laws outright. Latin American countries with quotas, like their counterparts elsewhere, are continuously developing strategies that combat the formal and informal practices wherein women's political rights are ignored or suppressed. Nonetheless, the failures that countries within the region have seen in the application of quotas have proven useful as a learning tool. Early failures, like those evidenced in countries failing to include placement mandates for closed PR systems, were essential to drafting later generation quota laws. In guaranteeing enforcement and eliminating loopholes, quota reforms led to greater success. Policymakers and female activists devised strategies for strengthening quota laws and preventing political parties from circumventing their obligations. But, as the recommendations in this paper make clear, there is still much left to do.

Furthermore, quotas have demonstrated that while they can—if properly drafted and applied—increase women's numerical representation, they face challenges in enhancing substantive and symbolic representation. While quotas may bring women into institutions of

power, they do not necessarily allow them to move into the centers of decision-making within these institutions. In other words, women may be entering congress but serving in its less powerful committees. These concerns may be tempered as women's ever greater share of seats results in their eventual incorporation into more influential positions and committee assignments.



**Table 1.** Latin America's Quota Laws: Evolution and Numerical Impact

(Note: when the most recent quota law applies to future elections, the first election year is denoted in brackets)

Country	First Generation		Later Generations		Numerical Representation		
	Adopted	Quota Rule	Latest Reform	Current Quota Rule	Election Year	Lower House <sup>b</sup>	Senate <sup>b</sup>
Argentina	1991	lower chamber, 30%	2005	both chambers, 30%	2011	37.4%	38.9%
Bolivia	1997	both chambers, 30%	2010	both chambers, 50%	2009	25.4%	47.2%
Brazil	1997	lower chamber, 25%	2009	lower chamber, 30%	2010	8.6%	16.0%
Chile	-		-		2009	14.2%	13.2%
Colombia	1998	both chambers, 30% <sup>a</sup>	2011	both chambers, 30% [2015]	2010	12.1%	16.0%
Costa Rica	1996	unicameral, 40%	2009	unicameral, 50% [2014]	2010	38.6%	
Dominican Republic	1997	both chambers, 25%	2000	lower chamber, 33%	2010	20.8%	9.4%
Ecuador	1997	lower chamber, 20%	2009	unicameral, 50%	2013	38.7%	
El Salvador	2013	unicameral, 30% [2014]			2012	26.2%	
Guatemala	-		-		2011	13.3%	
Honduras	2000	unicameral, 25%	2012	unicameral, 50% [2016]	2009	19.5%	
Mexico	2002	both chambers, 30%	2008	both chambers, 40%	2012	36.8%	32.8%
Nicaragua	-		-		2011	40.2%	
Panama	1997	unicameral, 30%	2012	unicameral, 50%	2009	8.5%	
Paraguay	1996	both chambers, 20%			2013	17.5%	20.0%
Peru	1997	unicameral, 25%	2000	unicameral, 30%	2011	21.5%	
Uruguay	2009	both chambers, 33% [2014]			2009	12.1%	
Venezuela	1998	both chambers, 30% <sup>a</sup>			2010	17.0%	

Source: Authors' elaboration based on data from the Quota Project ([www.quotaproject.org](http://www.quotaproject.org)) and country-level legislation.

a. Declared unconstitutional in 2000.

b. Data as of July 2013, from the Inter-Parliamentary Union

**Table 2.** Regional Averages for Women’s Legislative Representation, 2013.

Region	Lower or Single Chamber
Latin America <sup>a</sup>	22.7%
Europe <sup>b</sup>	22.7%
North America	21.2%
Sub-Saharan Africa	21.3%
Asia	18.8%
Arab States	15.7%
Pacific	12.8%

Source: Inter-Parliamentary Union, as of August 2013.

a. Excludes the Francophone and Anglophone countries

b. Includes Eastern Europe and the Nordic Countries

**Table 3.** Legislative Quota Laws for the Subnational Level in Latin America

Country	Current Quota Rule	Year First Adopted
Argentina	provinces apply quotas; varies	
Bolivia	departmental and municipal, 50%	2009
Brazil	municipal and state, 30%	1995
Colombia	departmental, 30%	2011
Costa Rica	municipal, 50%	2009
Dominican Republic	municipal, 33%	1997
Ecuador	municipal, 50%	2000
El Salvador	municipal, 30%	2013
Honduras	regional and municipal, 30%	2009
Nicaragua	municipal, 50%	2012
Mexico	states apply quotas; varies	
Paraguay	departmental, 20%	1996
Peru	regional and municipal, 30%	1998
Uruguay	departmental, 33%*	2009
Venezuela	regional and municipal, 50%	2008

Source: Authors' elaboration based on data from the Quota Project ([www.quotaproject.org](http://www.quotaproject.org)) and country-level legislation.

\* Application to the 2014 elections only

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