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Legislated Equality: Gender Quotas in a Latin American Context and the Story of Mexico

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Legislated Equality: Gender Quotas in a Latin American Context and the Story of Mexico
An Honors Thesis
College of Saint Benedict/Saint John's University
In Partial Fulfillment
Of the Requirements for Distinction
In the Department of Political Science
By
Joe Dingmann
May, 2015

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Introduction

The rules of the game affect how we play and our ability to win it. By constraining and limiting what actions are allowed, rules create a framework from within which we are forced to play and define the actions we are allowed to make. These rules affect our strategies, counterstrategies, actions, reactions, and limit how we are able to move within the context and framework of the game. Rules affect each player in the same way, but different individuals know how to use these rules to their advantage and turn what seems like a hindrance or detriment into a successful outcome.

Rules do not only affect us when we play games, but they are present in our everyday lives as well. The role of government is to set the rules that mandate our actions and control our reactions to everyday situations. As Francheschet and Piscopo (2008) state: “institutions govern actors’ decisions by establishing norms and rewarding certain behaviors” (400). Rules reward certain behaviors while punishing others and create norms that become pseudo-rules. A prime example of these rules is electoral rules. Elections are governed by rules concerning how many candidates can run, how old a candidate must be to be eligible to run, where they are allowed to represent, how much money citizens can contribute to campaigns, how many times a person is allowed to vote, and where they are allowed to vote, amongst other things. Electoral rules organize the electoral systems of each nation and provide the process by which representatives and legislators are elected. There are two basic systems of elections used by most democratic nations, single member districts (SMD) and proportional representation (PR) systems. In a single member district system, political parties put forth one candidate for election. The candidates run against each other in one winner take all race for the available seat. The candidate that wins either a plurality or a majority of the votes wins the open seat. A proportional representation system awards seats in the legislature

according to the proportion of the vote received. Instead of placing a single candidate up for election, a party in a PR system provides a list of potential candidates. If Party A receives thirty-two percent of the votes in a 100 seat legislature, they receive thirty-two percent of the seats in the legislature. The first thirty-two candidates on Party A's ballot would be allotted to those thirty-two spots (Sacchet 2008, 371). These rules mandate the actions citizens and candidates can take and constrain certain actions that have been deemed unethical.

It is assumed that the rules of the game are designed to constrain actors equally and give everyone a level playing field and an equal chance. However, this has not always been the case. Throughout history several groups have been unfairly constrained by these rules and consequently have been hindered more than other groups in the game. One of these disadvantaged groups is women. Until the 20th century, women were systematically denied the right to vote and run for political office, although this fact slowly changed throughout the 20th century. While female suffrage is nearly universal today, women are still not politically equal to men, particularly when it comes to decision making bodies such as the national legislatures. Within the last four decades, the second battle for political gender equality quietly began.

Despite the fact that women make up roughly half of the global population, they only make up 21.8% of the seats in legislative bodies worldwide (Inter Parliamentary Union). While this number may seem remarkably low, it has steadily risen throughout the 20th century. In 1997, Inter Parliamentary Union, a nongovernmental organization coordinating the exchange of information between elected legislative bodies to foster development and the strengthening of democratic practices (Inter Parliamentary Union), found the percentage of women legislators to be only 11.7% (Inter Parliamentary Union). The number of elected female legislators has almost doubled in less than twenty years.

Female legislators are becoming much more common and so are legislative acts focusing on increasing the number of women in elected bodies. These acts are an attempt at creating rules, designed in a positive way, to foster social change and fix one of the most predominant issues in society. A prevalent strategy for greater female representation in decision-making bodies is electoral gender quotas. Electoral gender quotas are one method that attempts to raise the descriptive representation (raw numbers) of women in elected within legislative bodies. These quotas have been enacted around the world beginning in the early 1990s. Because electoral gender quotas have only started becoming more prominent during the end of the 20th and the beginning of the 21st century, research on them has been very limited. This paper hopes to add to the existing research by asking the question: what factors influence the implementation of electoral gender quotas. Under what political circumstances are gender quotas formally adopted by national legislatures? Understanding what factors lead to the passage of gender quotas will not only allow us to better understand the motives of legislative bodies in passing quotas, but also allow us to create environments more accepting of legislated quotas.

The topic of increasing female legislators is important and deserves to be studied because of the unfulfilled promises of democracy. One of the primary tenants of democracy is the creation of a representative government, a government that embodies the interests of the entire population and represents everyone. Women make up roughly one-half of the total population, but are less than one-quarter of elected legislators. Women do not have an equal voice in making the rules that govern the land. Can a government be considered representative of everyone's interests if half of the population is so underrepresented in legislative bodies? Women are still suffering from the repercussions of the systematic denial of their right to vote. Women have not been fully embraced by the political sphere yet.

Additionally multiple studies have shown that women legislators pursue different policies and tactics to getting policies passed than male legislators do (Piscopo 2014; Dolan and Sanbonmatsu 2009) and that female legislators have a positive correlation with political interest, internal efficacy, political discussion, and confidence in the legislature (Zetterberg 2009; Atkeson 2003; Schwindt-Bayer and Mishler 2005). Equal representation is also now seen as “contributing to the legitimacy of government decision-making” (Galligan and Knight 2011, 585). Nations with a more egalitarian gender breakdown are seen as being more legitimate and representative. Saachet (2008) analyzed survey data of sixty-five different nations and discovered that 86% of respondents believed that female participation in politics changed not only the form, but also the content of policies.

Gender quotas deserve specific attention because the research is lacking in this area. Quotas are a relatively new phenomenon and most of the studies have focused on how best to implement gender quotas and under what structures they function best, as they have been interested in how to make quotas as successful as possible. This paper will instead focus on why nations choose to implement electoral gender quotas. There is a hole in the literature at explaining why quotas are passed that needs to be fulfilled before moving onto other issues on quota legislation. Discovering the factors behind why a quota is passed allows us to better understand how they have risen to prominence recently. This project is an attempt at explaining why male-dominated legislatures would pass quotas when it would not seem to be in their rational best interest. The passage of a gender quota means fewer available spots for men to run for office and a change in the demographics of the legislature that had suited male interests throughout history.

One region that has seen major growth in female legislators due to gender quotas has been Latin America. Female representation for the Americas (North America, Mexico, Central America,

South America, and the Caribbean islands) has risen from 12.9% in January 1997 to 25.6% in September of 2014 (Inter Parliamentary Union). Much of this growth is due to growth of female representation in South and Central America. “Today, one in four legislators in Latin America is female and 16 countries have some sort of regulation quotas” (Viñas 2014, 43). Women have been making great strides in equality in the past few years.

This thesis tackles that question by looking at the region of Latin America and more specifically the case of Mexico. It begins with a numerical analysis of the impact of quotas on Latin American nations as a whole. Many Latin American nations have instituted successful gender quotas and seen a large increase in the proportion of female legislators. Following this analysis is a more in-depth analysis of the factors leading to the passage of a specific gender law, the Mexican quota of 2002, looking specifically at the role of political parties, political culture, and interest groups in motivating a nation to pass a quota.

While Mexico may not have the strong history of female representation that some other Latin American nations have, having never had a female president, the percentage of female legislators has been steadily rising. According to Inter Parliamentary Union, woman made up roughly 14.2% of all Mexican legislators in January 1997. As of October 1st, 2014 that number had jumped to 37.4%. In less than twenty years the percentage has almost tripled, an astounding feat for a nation most well-known for its history of machismo and systematic discrimination against women.

Mexico also represents an interesting case study based on the electoral rules of its legislative bodies. Mexico has a bicameral legislature with an upper house comprised of 300 members and a lower house comprised of 200 members. While each representative to each house is directly elected, the electoral system of each house differs. The upper house is elected using a

single-member district system and the lower house using a proportional representation system. Being able to see the differences in the method of election used, withholding several key variables such as political culture and media representation of women, will allow for much more reliable analysis of the factors that lead to more women representatives.

Barriers to Female Representation: Why are Gender Quotas Necessary?

Historically women have faced many barriers that create an uphill battle for equality within elected bodies and necessitate the creation of gender quotas. One of the most prominent of these barriers is machismo, or the idea that men need to protect women and their virtue. Machismo is an exaggeration of traditional ideals of masculinity and chivalry. “In the prototypical description of machismo, the better man is the one who can drink the most, sire the most sons, defend himself the most, dominate his wife, and command the absolute respect of his children” (Falicov 2010, 309). Machismo idealizes the stereotype of women as a homemaker who needs to be protected by the man, the much stronger sex. The man is the main bread winner and the woman’s role is at home in the private sphere. Bruhn (2003) found some even hostile feelings towards women in Mexican politics. In a 1994 interview with an unnamed Mexican politician, Bruhn quoted him as saying “women in politics are either whores or lesbians – either slept their way into power, or are ‘masculinized’ by their sexual orientation” (101). These ideas of traditional gender roles are ingrained in children from a very early age via gender socialization.

Gender socialization is the process through which boys and girls are taught what it means to be a boy or a girl within the context of their society. Gender socialization teaches us that men are not allowed to wear dresses and women are much more caring and empathetic than men are. This process begins at a very early age. “Males are taught to be assertive, and their aggressiveness is tolerated, if not encouraged, while female children are most often taught to not cause a

commotion, not challenge authority frontally, and, at least, appear submissive” (Vanden and Prevost 2014, 120). Men and women are socialized into two very different categories. Men are taught that they can be aggressive and take what they want while women are taught that meekness and subservience are required of them. Machismo embraces this hyper-masculinity and emphasizes obsession with control, power, individualism, competition, rigid stoicism, toughness, an emotionally restricted nature, and avoidance of anything that could be construed as feminine (Torres, Solberg, and Carlstrom 2002, 163). Machismo teaches men that the biggest insult they could ever receive is to be called feminine.

Machismo produces a self-fulfilling prophecy that prevents women from being elected. Machismo teaches men and women that women would not make good leaders, helping to prevent women from being elected. This lack of female legislators then strengthens that belief that many citizens already have that women are less capable leaders and representatives than men are (Dolan and Sanbonmatsu 2009). This view, compounded by the antagonistic feelings created by machismo, generates a never-ending cycle wherein women are not seen as credible leaders so they are never elected, but they will never be seen as credible leaders until they are elected. The vicious cycle will continue in perpetuity until a woman is able to break the mold and demonstrate the leadership capabilities of women. The catalyst to getting more women elected would therefore be the election of more women and introducing more women into the public sphere and politics in general. The only way this perspective can be challenged is through the election of more women. Only through increased female representation will people begin to see that their preconceived notions about the leadership abilities of females are wrong. All of the above issues present a major problem which gender quotas hope to solve.

What are Electoral Gender Quotas?

An electoral gender quota is a form of affirmative action program that raises the minimum number of women required on a ballot. The creation of a quota “not only reflects the acceptance that gender under-representation is a problem, it also demonstrates a willingness to act to fix that problem” (Caul 1999, 83). By adopting a quota, a nation is showing that they are dedicated to fixing the problem of gender under-representation. As an affirmative action plan, quotas attempt to redefine the role of women within society and attempt to give women an equal footing in the political sphere. The end goal of a quota is increasing female representation and eventually changing how society views females and female leaders. The trend toward passing formal gender quotas that has occurred since 1991 reflects the growing consensus that women should have more equal representation in legislative bodies. Worldwide, 122 of the 196 nations in the world use some form of gender quotas (QuotaProject).

The cornerstone behind a quota is very simple, the more women on the ballot, the more likely it is that one of these women will be elected (Jones and Navia 1999; Tripp and Kang 2007; Jones 2008; Zetterberg 2009). The number of women elected is directly correlated with the number women on a ballot, the more women on a ballot, the more likely it is that a woman will get elected. Research has shown that quotas are most effective when they require a thirty percent floor and when combined with a proportional representation system with a high district magnitude (Jones 1996, 1998, 2004; Jones and Navia 1999; Sacchet 2008).

There are a multitude of ways quotas can be instituted and help increase female representation. This variation on how quotas function makes studying them systematically very difficult. In order for gender quotas to be studied as scientifically possible there must be an operationalized definition of what a quota is, which is made difficult by the different styles of

implementation and ways in which they aid women. Goertz and Mazur (2008) argue that concepts must be operationalized and placed within their operational framework in order to create a definition that can stand the test of time. The definition must be inclusive enough to incorporate all relevant information and types of quota but must also be exclusive enough to omit anything irrelevant. Krook (2013) ultimately decides that:

On comparing the various typologies proposed in the literature, what emerges as central to all definitions of electoral gender quotas – peeling away the details specific to individual cases, as well as the normative evaluations of these policies, whether positive or negative – is the fact of attempting to intervene in an explicit manner in the candidate selection process to enhance women’s prospects of being nominated for political office. These efforts may institute a range of requirements regarding the selection of women and be initiated and implemented by actors at different levels of the political order. The shared feature, however, is the concern to increase women’s political representation through a variety of concrete policies addressing the selection process in either a direct or indirect way (1280).

In the end, Krook is able to determine that the central tenant of all gender quotas, the one core thing they all have in common, is the goal of increasing the number of elected female legislators. They all attempt to address gender inequality. Although they attempt to solve this issue in different ways, the crux of a gender quota is the intervention into electoral politics to aid the election of women.

There are two separate types of gender quotas with regards to who advocated for the quota (Tripp and Kang 2007; Chen 2010). Voluntary quotas are quotas that are adopted by specific political parties and not by the electoral systems themselves. These quotas were not forced on the party, but rather were voluntarily selected by the party, hence the name. Typically these types of quotas revolve around candidate nomination, requiring a bare minimum number of nominated candidates to be female. By adopting a voluntary gender quota, the political party is showing explicit support for raising their level of female representation in the legislative body (Tripp and

Kang 2007). Examples of these quotas include Austria, Canada, Chile, Denmark, India, Italy, Liberia, Mali, the Philippines, and the United Kingdom.

The second type of gender quotas are legal gender quotas (Chen 2010). Legal quotas are forced upon political parties via institutional measures, such as constitutional requirements. They are a mandatory rule and cannot be avoided without serious repercussions. All political parties are obliged to follow these quotas and meet the minimum percentage of female candidates. Within Latin America fifteen nations have legal gender quotas: Argentina, Bolivia, Brazil, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guyana, Honduras, Mexico, Nicaragua, Panama, Peru, and Uruguay. Nations outside of Latin America such as Belgium, Burkina Faso, Cape Verde, the Democratic Republic of Congo, Egypt, France, Indonesia, Kyrgyzstan and Serbia all use legal gender quotas as well.

Krook (2013) argues that, beyond whether a quota is legislated by law or not, there is a multitude of ways to implement them. Quotas can specifically reserve seats in the legislature for women, such as the 5% requirement in Jordan passed in 2003. or the 33% requirement passed that same year in Rwanda. A quota like this specifically blocks off a certain number of seats that can only be filled by female candidates. Quotas that reserve seats are obviously a much stronger method of ensuring higher levels of elected female legislators.

The second style of gender quotas that Krook identifies is party quotas. Party quotas are quotas adopted by political parties. These quotas are similar to a promise to the voting public that the party will nominate a certain number of female candidates. These are known as “soft quotas” and are not binding on political parties in any form. Instead of having a certain percentage as a requirement, soft quotas have targets or goals to reach.

Finally, legal quotas are ones created by the government. These are formal quotas that must be followed by all parties. “Gender quota laws apply to all political parties in a given system, which distinguishes them from voluntary quotas adopted by individual parties” (Baldez 2007, 70). These quotas have been mandated upon the political party by a higher power, usually a constitutional amendment that requires a minimum number of women be placed on a ballot; however these women are not necessarily guaranteed to be elected.

This paper will use these definitions of gender quotas but will only look at formalized, legal gender quotas. Legal quotas come from constitutional amendments, meaning that political parties, leaders, and activists had to work very hard to achieve the requisite votes to pass the amendment. This work signifies a deep desire and commitment to the quota that is also echoed by the nation at large. That devotion to equality is vital to studying why nations pass electoral gender quotas. Without that passion and steadfastness, quotas would never be passed. Legalized quotas are also easier to study because they have been placed into national law. These rules are much easier to access than ones only implemented by political parties.

Gender quotas are an effective way to increase female representation in legislative bodies; however, merely having a quota will not be sufficient for increasing representation (Jones and Navia 1999; Gurdian 2010; Jones 1996; Baldez 2007). There are several other factors that must be taken into consideration when looking at successful implementation of gender quotas.

One major focus of quota scholars is on something called a placement mandate. Placement mandates establish rules as to where female candidates must be placed on a ballot (Jones and Navia 1999; Jones 2008; Baldez 2007). Without a placement mandate, political parties can place women at the bottom of the list of potential representatives, in positions where they are almost guaranteed not to be elected. A gender quota without a placement mandate creates more female candidates

but does not necessarily create more female representation. In Mexico, placement mandates were fought for due to a very specific Mexican electoral rule. Mexican political parties were allowed to put two candidates into every seat, the *propietario*, or main candidate, and a *suplente*, an alternative candidate (Baldez 2007). This system is similar to the president/vice president system; if the candidate was elected the *propietario* would become the representative and the *suplente* would become an alternate and take over if the *propietario* were to pass away or become unable to fulfill their duties as representative for some reason. Mexican political parties continually put women into the *suplente* position on the ballot. This allowed Mexican political parties to meet the thirty percent quota law while still preventing women candidates from being elected.

Placement mandates force female legislators to be placed on the ballot in positions where it is possible for them to be elected; however, in some instances placement on a ballot won't matter. Haavio-Mannila et al. (1985) named the three different types of seats female candidates are placed in. A mandate seat is a guaranteed seat. No matter how bad an election the party suffers, they can always count on receiving a mandate seat; it is all but guaranteed. This phenomenon is primarily due to the demographics of the districts. The districts were created in a way that includes a large section of individuals who have similar ways of thinking. An example of a mandate seat is the "proclerical west and west-central regions" and "fiscally conservative business sectors in the urban north" that had strong bases of support for the conservative PAN party.

Fighting seats are positions that can swing back and forth between parties. In a good election the party will win this seat, but they will lose it during a bad cycle. These seats are the most competitive and are most often filled by men. Any area that fluctuates between parties during an election can be considered a fighting seat. Most often these districts are the ones that political

parties focus on. They spend more of their time and resources attempting to gain the support of these districts.

An ornamental seat is one that the party has no chance at winning. Placing a female candidate in one of these elections is a way to fulfill a gender quota and be certain that a woman will not be elected. For parties of the left, any open positions within those western and west-central states that are strongholds for the PAN would be ornamental seats. There are only limited opportunities for success in these seats for other parties. They know they have a very minimal chance at winning these seats. Haavio-Mannila et al. (1985), via a statistical analysis of the candidates in each race, discovered that women were underrepresented in mandate slots and overrepresented in ornamental elections. Acknowledging that their data was skewed by the presence of incumbents (who are still mostly male) the authors still argue that this fact shows a lackluster commitment to equal representation between the genders.

Lisa Baldez (2003) takes the analysis of gender quotas one step further in her work by analyzing the interactions between the primary system and gender quotas to see if they are compatible with each other. She argues that these political institutions are incompatible because a nation would have to manipulate the results of the primary if the bare minimum established by the gender quota was not met, which would defeat the purpose of the primary. Baldez analyzes the 2003 Mexican midterm elections to prove her point. Mexico passed a quota law in 2002 requiring at least thirty percent of all candidates for all parties to be women. However, they created a loophole whereby, a party could avoid this mandate if they used a primary system to elect its candidates (Baldez 2007, 71). With a strong placement mandate requiring a woman be placed in one of every three electable slots and strong punishment for offenders, the 2003 Mexican elections were the first time a quota of this type had been instituted in Mexican politics. Surprisingly, each

party showed the resolve to raise female participation and representation. The percentage of women in the Chamber of Deputies rose by seven percentage points in the 2003 elections. The gender quotas were successful in raising Mexican female political participation even within the primary system because the political parties themselves were willing to attempt to increase female representation.

Matland and Studlar (1996) argue that political parties are often inspired to pass gender quotas because other parties have done so. They argue for the presence of a contagion effect. They contend that “contagion is a process by which one party in a multiparty system stimulates other parties to adopt their policies or strategies” (708). Matland and Studlar believe that if one party begins to nominate female candidates or passes a gender quota it will influence other parties to do the same; they are directly competing with each other and take cues from each other on how to sway undecided voters. In his study of Norwegian politics, he theorizes that as smaller parties begin to nominate women and have success with female candidates; the larger more dominant parties will be forced to nominate female candidates as well in order to regain the lost votes. Due to the fact that single member districts tend to generate two party systems (Duverger 1955), the contagion effect would be much more noticeable and dramatic in PR systems where there tends to be a multitude of political parties. Matland and Studlar (1996) found that microcontagion (contagion in the district level) did not generally affect legislative gender equality, but he did find that macrocontagion (contagion at the national level) affected both Norway (a PR system) and to a lesser extent Canada (a multiparty SMD system) (728).

While electoral gender quotas clearly have positive effects for female representatives, it would be naïve to assume that all effects are positive. Franchschet and Piscopo (2008) identified two prominent negative effects of electoral gender quotas: the mandate effect and the label effect.

The mandate effect is the idea that women are needed simply for the fact that they are women; therefore, the female politicians will feel forced to represent women, even if it goes against their own personal beliefs and their party identification. Women could feel the need to support issues that run contrary to their party platforms, such as a conservative woman feeling forced to support contraceptive measures because she is a woman. This could stifle the political aspirations of women and box them into decisions. The label effect argues that since the female legislators needed the help of a quota to reach office, they are either underqualified or undeserving of their position as a leader. They could not win the election on their own merit therefore; they are not as capable as their male counterparts. They are unfairly labeled “quota women” and their opinion is not as highly valued as some of the other legislators (Franchschet and Piscopo 2008, 395) These effects will be discussed more in depth later in the paper.

Quotas in a Latin American Context

On the whole, quota nations and non-quota nations in Latin America have some of the highest growth rates when it comes to electing more female legislators. Nations such as Cuba, Nicaragua, Ecuador, Mexico, and Argentina have repeatedly landed within the top twenty nations in the world in terms of proportion of female. However, when looking at the specific nations, certain patterns emerge.

Table 1 below compares the legislative systems of all nations in Latin America minus the Caribbean nations. The table includes whether the nation has a bicameral or a unicameral house, whether it uses a single-member district or proportional representation electoral system and whether it has a quota in place or not. If the nation does have a quota, the type of quota and the year the quota was instituted is also included.

Table 1: Comparison of Legislative Systems and Quota Types

Country Name	Unicameral or Bicameral	SMD or PR System	Quota	Type of Quota	Year Instituted
Central American Region:					
Belize	Bicameral	SMD	No		
Costa Rica	Unicameral	PR	Yes	Legislated	1996
El Salvador	Unicameral	PR	Yes	Legislated	2013
Guatemala	Unicameral	PR	Yes	Voluntary	Depends on party
Honduras	Unicameral	PR	Yes	Legislated	2004
Nicaragua	Unicameral	PR	Yes	Legislated	2008
Panama	Unicameral	SMD	Yes	Legislated	1996
North American Region					
Canada	Bicameral	SMD	No		
Mexico	Bicameral	PR and SMD	Yes	Legislated	2002
United States of America	Bicameral	SMD	No		
South American Region					
Argentina	Bicameral	PR	Yes	Legislated	1991
Bolivia	Bicameral	PR	Yes	Legislated	1997
Brazil	Bicameral	PR	Yes	Legislated	1997
Chile	Bicameral	PR	Yes	Voluntary	Depends on party
Colombia	Bicameral	PR	Yes	Legislated	1999
Ecuador	Unicameral	PR	Yes	Legislated	2000
Guyana	Unicameral	PR	Yes	Legislated	2000
Paraguay	Bicameral	PR	Yes	Legislated	1996
Peru	Unicameral	PR	Yes	Legislated	2000
Suriname	Unicameral	PR	No		
Uruguay	Bicameral	PR	Yes	Legislated	2009
Venezuela	Unicameral	PR	Yes	Legislated	1998

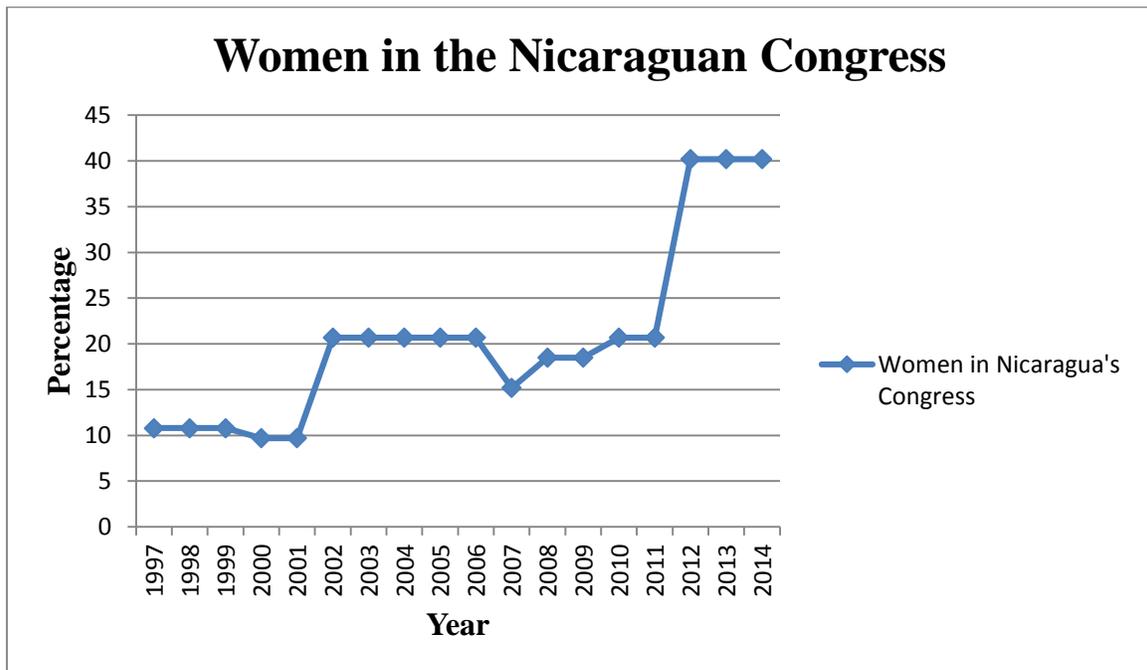
Source: QuotaProject

Gender quotas have played a large role in increasing female representation in several nations. Table Two in the Appendix aggregates data for each Latin American nation (plus the United States and Canada) to show how gender quotas have influenced the percentage of female

legislators. Several nations have seen their numbers of female legislators rise dramatically after the implementation of gender quotas, including the nation of Nicaragua. Nicaragua has a unicameral legislature, meaning they only have one chamber in the national parliament. Representatives are elected via proportional representation to five-year terms with the possibility of reelection. This body consists of 92 representatives. Each legislator is elected to a five year term with the possibility of reelection. Figure 1 shows the percentage of female legislators in the Nicaraguan Congress from 1997 to 2014.

In 2008, Nicaragua passed a gender quota requiring parity on ballots from each party, 50% male candidates and 50% female candidates. This is a very strong quota and demonstrates the willingness of the Nicaraguan government to fixing the issue of gender inequality within the nation. In the first election following the creation of this intense quota, the number of female legislators doubled. Nicaragua has a history of gender egalitarianism, being one of the first nations in Latin America to elect a female president when right-wing candidate Violeta Chamorro was elected in 1990 (Vanden and Prevost, 2014). The 21st century socialism pursued by the FSLN (Sandinista National Liberation Front, the governing party of Nicaragua) is much more conducive to gender quotas because they value egalitarianism more than other parties.

Figure 1: Percentage of Women in Nicaraguan Congress per Year

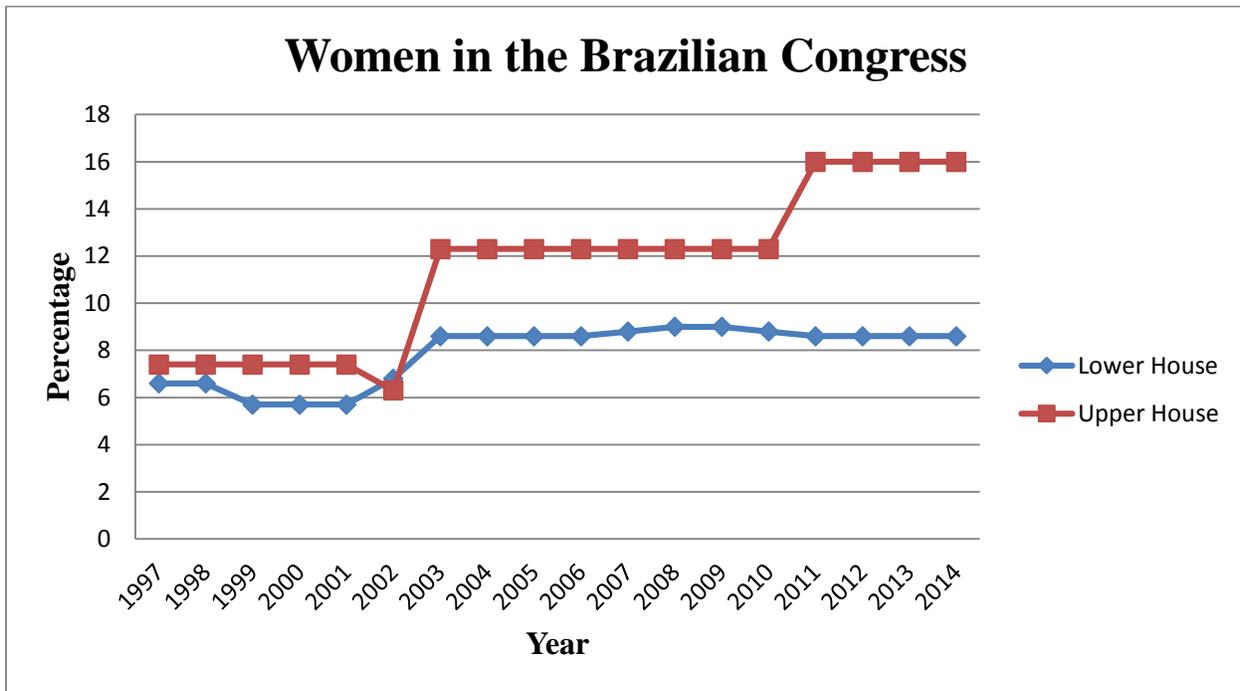


Source: Inter Parliamentary Union

While on the whole, the presence of electoral gender quotas will increase the number of female legislators a nation elects, it is not always guaranteed. Quotas by themselves cannot guarantee an increase in female representation. A perfect example of this phenomenon is the nation of Brazil. The Brazilian legislature is bicameral. The Chamber of Deputies consists of 513 deputies who are elected via a proportional representation system for four terms with the possibility of reelection. The Senate consists of eighty-one senators elected to eight year terms. They are also elected via a proportional representation system and can also be reelected. Proportional representation electoral systems are proven to increase the number of female legislators within a nation when compared to single-member districts (Jones and Navia 1999). Brazil passed a 30% quota in 1997 hoping to increase the number of female legislators in their Congress. Brazil has seen a few women rise to high positions within the Brazilian political system, including two term president Dilma Rouseff; however, since then they have struggled to find increases in female

legislators despite their quota. Figure 2 is a graph of percentage of female legislators in the Brazilian Congress:

Figure 2: Percentage of Women in Brazilian Congress per Year



Source: Inter Parliamentary Union

Brazil has been an outlier in Latin America due to its low percentage of female legislators since the popularity of gender quotas began rising in the 1990s. Based on the graph above, it is obvious that the Brazilian quota (instituted in 1997) has not given Brazilian women the advantage quota advocates had hoped for. Saachet (2008) argues that the Brazilian quota is ineffective because the implementation of the quota is not compulsory. Brazilian parties do not need to fill their ballots with candidates and can leave some positions blank. “This leads to a situation whereby as long as parties do not put men in places reserved for women, that is by only running candidates for 70 per cent of the positions for which they compete, they can choose not to enlist a single female candidate” (Saachet 2008, 373). While the 30 percent quota is mandatory the parties can simply leave 30 percent of their seats blank instead of filling up the entire ballot, nullifying the

quota law and preventing the election of women. Additionally, Brazilian political parties are allowed to nominate more candidates than there are open seats (Saachet 2008). With no placement mandate in the quota legislation, this means that even if Brazilian parties fulfill the 30 percent quota, they can simply place these female candidates at the bottom of the list in the excess seats with absolutely no chance of election. Since the creation of the quota, “none of the Brazilian political parties has fulfilled the required number of female candidates” (Gurdian 2010, 81). The Brazilian political parties have not demonstrated the same commitment to increasing the number of female legislators that parties in other nations have shown. Brazil also has very soft penalties for violating the quota law allowing parties to ignore the quota law and suffer only minimal consequences (Gurdian 2010).

Framing the Research: Factors Leading to Gender Quotas

In order to answer the question of why nations institute electoral gender quotas and under what political circumstances they are instituted, I will look at the role of three separate factors in motivating the legislature to pass gender quotas. The dependent variable for this study will be the decision of the legislature to pass an electoral gender quota. The first independent variable is political party support. Party support is measured by voting in favor for the quota. The second independent variable is political culture. This variable will be measured by accepting a nation is of female legislators, female leaders, and gender quotas. The third and final independent variable is interest groups. This variable will be measured by the presence of an interest group advocating for the passage of an electoral gender quota.

Political Parties

Political parties play a huge role in elections. Political parties are a unifying organization that mobilize people and unite them under a common goal, the election of their candidate. The

main goal of political parties is to get their candidate elected. In order to do this, parties mobilize voters to get involved and get them to the polls. Parties help voters make sense of the ballot by providing a benchmark of potential candidates. Political parties each have a certain ideology or set of beliefs that they follow. By knowing these beliefs, voters are able to quickly judge and assess candidates on a ballot and determine who they will vote for.

Party ideology and orientation have a very clear effect on the policies and decisions a party pursues. Leftist or liberal parties typically favor a larger and more involved government, believing that the role of government is to help create equal opportunity for its citizens. Conservative parties, or parties of the right, favor a smaller government believing that fewer restrictions on individuals and businesses will allow the nation to grow. When framed in this manner it becomes clear which party would support a gender quota law. The expanded role of the government would be something advocated for by parties of the left. Because of their belief that the role of government is to help create equal opportunities for citizens, it naturally follows that gender quota legislation, whose main goal is equality, would be supported by parties of the left. Leftist parties favor larger governments and using government apparatuses to help create equal opportunities for all citizens. They would be more supportive of an affirmative action program than parties of the right who believe more in the free hand of the market and scaling back government programs. Conservative parties believe in a more modest role for the government would see this as the government intruding on the rights of individual citizens. Parties of the right believe that a large government with extensive welfare programs intrudes on the rights of the people. They would be much more hesitant about and electoral gender quota because they do not believe it is the government's job to intrude on the private voting choices of individuals.

Opello (2006), Dolan (2010) and Dubrow (2010) all discovered similar conclusions when studying how party ideology affects support of gender quotas and female legislators in general. Opello found that left leaning parties have a tendency to be more supportive of women's rights and left leaning parties are more likely to nominate a female candidate than more conservative parties. Dubrow (2010), in his study of Polish political parties found a correlation between high levels of statism (leftist economic policies and ideals) and anti-clerical ideas and support for the Polish electoral gender quota. Dolan (2010) found similar results. Dolan examined the role of stereotypes and how they affected voter preferences in a male versus female race. She focused her research on the United States. She found that when respondents identified with the political party of the female candidate they would evaluate higher than the male candidate. This was true for both Republicans and Democrats. Dolan concluded that in dual gender races, the candidate's gender wasn't the deciding factor; it was the political party of the candidates.

Another rule that potential candidates must contend from within their political party is the party's ability to nominate candidates for elections. Political parties nominate candidates to run in elections. The party elite are often times known as the gatekeepers to nomination and can play a huge role in candidate nomination and selection (Cheng and Tavits 2011; Krook 2010a; Krook 2010 b; Niven 1998; Fox and Lawless 2010).

Cheng and Tavits (2011) run through a long list of potential ways gender affects candidate selection. They first discuss the role of the party elite as gatekeepers. They argue that the elite are "more likely to directly recruit and promote people like themselves" (461). David Niven (1998) calls this the ingroup/outgroup effect. Through several surveys of occupations, character traits, and potential main issues, Niven found that "party chairs displayed a consistent and significant preference for ingroup members over outgroup members...all tests are consistent with the notion

that party chairs make assumptions of positive similarity with ingroup members and not with the outgroup and fail to individuate the group” (75). Party leaders, who are generally male, inadvertently tend to look for qualities in potential candidates that match qualities they see in themselves. They look for the ingroup, which women do not fall into. Women fall into the outgroup and are therefore seen as inferior potential candidates. Bohm, Runke, and Harth (2010) found a similar phenomenon in the 2008 US Democratic Party primary elections. They found that the double ingroup (same race and same gender) was the strongest preference. Barack Obama dominated the black male category, winning 88.1% (253). They note that the double ingroup was also strongest for Hillary Clinton as well (white females).

Inglehart and Norris (2003) conducted a qualitative analysis of recruitment of US senators and asked whether they were recruited by political parties to run for office. They found that women were less likely to be targeted by party elite for recruitment and that recruitment campaigns are less likely to be directed at women. They additionally found that “encouragement from political actors is the single most important predictor of considering a candidacy” (321). When recruitment occurs there is no gender gap (men and women will have the same probability of running in an election); however, when candidates are not recruited, women are half as likely to run as their male counterparts.

As long as men continue to make up the grand majority of party elite, it will be hard to make any substantial gains in female representation (Krook 2010b). Kittlson (2006) found via a statistical analysis of political parties, that “women’s presence among the party leadership is the single most important mechanism for initiating women’s gains in parliament” (37). Caul (1999) agrees. “In sum, women at upper levels within the party appear to encourage more women in

parliament. A high level of women working within the party ranks may also increase the party's promotion of female candidates" (90).

One of the most prominent theories in candidate selection with respect to gendered selection is the supply and demand theory (Randal 1982; Norris and Lovenduski 1993). This theory conceives of candidate selection as a four stage model. We begin with the large number of female candidates who are *eligible* for political office. We then move into the smaller subset of females who *aspire* to run for political office. From there we move into the still smaller group of women who become *nominated* for political office. Finally, the smallest of the groups is the group of women who are *elected* to office.

Explanations that focus on why women do not aspire to run focus on the shift from the first phase into the second phase, eligibility to aspiration. Therefore they are considered to be supply-side explanations. These explanations focus on what women can do, including the idea that changing the unequal legislative bodies is dependent on the women. Female politicians need to put themselves out into the political sphere and run for office. Norris and Lovenduski (2004) found two main factors that affect a woman's desire to run: resources (time, money, experience) and motivation such as drive, ambition and interest in politics.

On the other hand, explanations that focus on how political parties inhibit female politicians are considered demand-side explanations. Focusing on the movement from the aspiration group to the nomination group, demand-side explanations argue that the solution lies within a political party. They argue that in order to mobilize more women to run for office, the party elite have to take on the burden and make a change. Demand-side explanations focus mainly on how the political party can hold women back. Gender quotas are a demand-side attempt at

raising the levels of female legislators. Quotas focus on moving women from the aspirational group into the nominated and elected group.

The hypothesis for this variable, based on the literature is:

H1: While main support for a gender quota will come from leftist parties, broad, multiparty support must be present in order for gender quota legislation to be passed.

Political Culture

While the decision to run or not to run ultimately rests on the shoulders of an individual, that decision cannot be made independently from the political circumstances, situations, or contexts within a nation. Society plays one of the largest roles in tell people where their proper place within the community is. Gender and gender relations are constructed by society. This means that the society around us teaches us what it means to be a man and to be a woman and how the two groups should interact when around each other. Gender socialization, which is the process of society teaching us how men and women are expected to behave, begins at a very early age. “Males are taught to be assertive, and their aggressiveness is tolerated, if not encouraged, while female children are most often taught to not cause a commotion, not challenge authority frontally, and, at least, appear submissive” (Vanden and Prevost 2014, 120).

Political culture is the culture surrounding politics within a given nation. Verba (1965) explains political culture as “a system of empirical beliefs, expressive symbols, and values, which defines the situation in which political action takes place” (513). Windett (2011) simplifies this definition even further by stating that political culture is “the embodiment of a given society’s values and attitudes” (463). Political culture is the embodiment of a society’s beliefs on how politics should function and as a result “political culture defines the roles in which an individual

may play in the political process” (Hill 1981, 160). For example, the political culture most often surrounding democracy is one of free and fair elections and representative government.

The role of political culture is very large in regards to the equality of the sexes in legislative bodies. Several authors have done large scale public opinion surveys and found that political cultures that are more accepting of female legislators are more likely to have higher rates compared to more antagonistic political cultures (Studlar and McAllister 2002). Some even found that a supportive political culture was the most important predictor of female electoral success (Inglehart and Norris 2003). Baldez (2004) says “gender quota laws tend to be implemented in countries characterized by egalitarian political cultures” (237). Political cultures that embrace female leaders and legislators teach young girls that politics is a route open for them to take. Girls in these cultures learn that they can be legislators just like the boys do. Scandinavian nations have historically had a very egalitarian political culture. Cultures on the other hand that are not accepting of female legislators or leaders teach girls from a young age that politics is not an acceptable route for them. Most often, these cultures teach girls that the private sphere is where they need to stay; they should be focusing on getting married at a young age and learning how to cook, clean, and take care of children because these are the skills women need. These are the skills the girls will need in the future. Cultures like these tell girls from the start that politics is not an avenue that is open to them, stunting any form of political aspirations these girls had. “Cultures which evidence support for such discrimination are also apt to discriminate against women who seek public office” (Hill 1981, 164). Cultures who view the role of women as being in the home will be more likely to disapprove of female legislators and female leaders because women in those positions contradicts what they have been taught the proper role of women is.

One of the most prominent and easily visible examples of political culture is the inequality between the sexes contained within the concept of machismo. Machismo is an exaggeration of traditional ideals of masculinity and chivalry. “In the prototypical description of machismo, the better man is the one who can drink the most, sire the most sons, defend himself the most, dominate his wife, and command the absolute respect of his children” (Falicov 2010, 309). Machismo embraces a hyper-masculinity and emphasizes assertiveness, obsession with control and power, individualism, competition, rigid stoicism, toughness, an emotionally restricted nature, and avoidance of anything that could be construed as feminine (Torres et al. 2002). Any form of emotional display is not tolerated and men who show emotion are considered to be weak; therefore, it is easy to extrapolate that since women are considered to be the more emotional of the sexes, they are considered to be weak, not a desirable trait in a leader. Through the statistical analysis of a survey similar to the World Values Survey, Arciniega and Anderson (2008) were able to conclude that Mexican men (their target sample) generally view women as being subjugated to men (31).

Torres et al. (2002) and Falicov (2010) identify two different forms of sexism that arise from machismo. Hostile sexism is overt sexism. Any action where the purpose is to demean or harm women in some way is hostile sexism (Falicov 2010, 322). Benevolent sexism comes from believing a woman needs to be protected (Torres et al. 2002, 165). The end goal is not to harm her, but rather to protect her. Falicov, a therapist, uses the story of Jose Luis to prove a point. Jose Luis and his wife Laura had been separated for a year when she began to see a new man, Lukas a Scandinavian man. Jose Luis, who had not thought about reconciliation with Laura until her heard about Lukas, began to threaten the couple:

He fantasized acts of coercion such as turning Laura into immigration authorities because she still had not obtained full documentation status or stopping child

support to dominate her through financial deprivation; he flirted with the idea of seducing one of Laura's divorced friends since this would quickly become public and restore his virility...His justification was his opponent was morally depraved and not-man-enough, a *machista* liar who dared to dishonor his wife. Jose Luis was displaying *benevolent machismo* by seeing his woman as helpless and unable to resist the seductions of a man (320).

Jose Luis wasn't intentionally being sexist, but his motives were inadvertently sexist. He did not think his wife was capable of making her own decisions. He thought she needed his protection.

Machismo also has negative effects for men. Machismo pigeonholes men into very limited boxes of what it means to be a man. Gay men in Latin communities are often ridiculed in the name of machismo. Many areas still believe that being gay is the worst thing a man can do (Mirandé 1997) and use words such as *maricon* (sissy) and *joto* (fag) freely, causing gay men to question their masculinity. These insults can often force gay men to overcompensate and adopt dangerous sexual practices, leading to the rampant spread of STDs such as HIV within gay Latino communities (Estrada et al. 2011). Carrillo 2002 discovered that within the gay community there was a stigma to being the "inserter role" during sex as opposed to the "receptive role." Within the context of this honor-shame paradigm (Vanden and Prevost, 2014), the inserter role is considered to be much more manly because they are fulfilling the traditional role of the man during sex, while the passive or receptive role is looked down upon because they are fulfilling the traditional role of the woman.

Based on the literature, the hypothesis for this variable will be:

H2: Gender quota legislation is more likely to be present in nations with political cultures that are generally more accepting of female legislators and leaders.

Interest Groups

Interest groups are organizations that work within the framework of politics to advocate for change regarding a specific issue. Interest groups typically focus on one large-scale issue and

attempt to force politicians to face the issue and create new legislative policies addressing it (Losco and Baker 2013). Interest groups are not political parties and do not nominate candidates in elections; their goal is not to win seats in the legislative bodies, but rather bring a new issue to the attention of the legislators and force the legislators to act. Interest groups focus on a broad range of issues and policies from economic policies to gay marriage policies and everything in between. Interest groups can serve a large role in bringing new issues to light and creating the momentum needed to inspire social change.

Gelb and Palley (1979) researched what factors interest groups must be aware of in order to be successful. In the end they found that six factors that increase the effectiveness of interest groups (363). They discovered that interest groups must make sure to mobilize their supporters to demonstrate the broad support the group had and influence the opinions of elected political leaders. Second, interest groups must be sure to pick an issue that is narrow enough not to split potential supporters into separate groups. An issue that is too broad could potentially split supporters into separate camps and reduce effectiveness of the group (Gelb and Palley 1979, 363). Third, interest groups must build the appropriate network and use it to communicate their message to elected leaders. Without these connections, the group will be unable to share its voice to the appropriate channels. Next, a group must also be involved in all stages of policy-making. From drafting right up to the final vote, the interest group must constantly be applying pressure on legislators to meet their demands and get the law passed as quickly as possible. Constantly applying pressure and being involved in the passage of the bill prevents officials from stalling the bill until interest dies down. Interest groups must be flexible and willing to compromise on potential solutions and cannot be rigid in potential solutions. If their supporters demand different solutions than the group had originally planned they must answer to the group's requests. Finally, they must define success in

an achievable way. Creation and passing of new laws is a very complicated and complex procedure. If a group can achieve this goal, it will take a long period of time. If this is not an achievable goal, raising awareness of the issue and bringing it to the forefront of public discussion should be the goal. Groups must define success in ways that are plausible and capable of being achieved (Gelb and Palley 1979, 363).

Interest groups focusing on women's issues have become increasingly common as women have become increasingly aware of their powerful positions within society. "The growth of women's interests in political life, in part, evolved out of women's social movements often closely identified with mass political actions, most notably the Madres de la Plaza Mayo in Argentina and the Marcha de las Cacerolas Vacias" (Elgar 2011, 362). Women's movements became a primary way to protest the brutal dictatorships common in Latin America during the 1970s and 1980s because of the international norms against brutal reactions toward women. As these governments transitioned to democracy women's groups began to focus on other, more female-focused, issues such as abortion, contraceptives and divorce.

The literature on interest groups leads hypothesis three to be:

H3: Nations with stronger and better mobilized women's rights interest groups are more likely to have gender quota legislation.

The gap this paper hopes to fill in the literature is looking at how electoral gender quotas are passed and what factors contribute to state's recognition that a quota is necessary. The literature on quotas as of now focuses primarily on the efficacy of quotas. The literature focuses on how electoral systems and increasing mobilization of women voters increase the effectiveness of gender quotas. There has not been a study focused on how states came to decide that an electoral gender quota, a very strong action, is the best way to increase female representation.

Gender Quotas in Mexico

In order to better understand these variables, they will be placed within the context of the Mexican Gender Quota of 2002. This analysis will focus on a qualitative study of how the Mexican gender quota law of 2002 was passed. This method was selected because a single case study allows me to study the reasoning behind the quota law in much more depth than a comparative analysis. With a study looking at why a quota was passed, the ability to analyze the events that led up to the passage of a quota with more depth is much more advantageous. A single case study also keeps any lurking variables constant. Comparing party ideology, political culture and interest groups across nations could lead to conceptualization and definition issues that are not present in a single case study.

The Mexican quota law has been one of the most successful quota laws passed, and yet very little attention has been focused on Mexico because it does not have the history of female representation that nations such as Argentina, Brazil, and Chile have. However, Mexico provides a few very strong conditions built in.

In order to understand the Mexican gender quota one must understand the context of the Mexican political system. In total, 628 senators are directly elected to the General Congress of the United Mexican States for three or six year terms with no ability to be reelected immediately the next election cycle; each cycle generates a completely new Congress (Estados Unidos Mexicanos). Mexico has a bicameral legislature, meaning that it has two separate houses of Congress, an upper house and a lower house. The upper house, the Cámara de Senadores or Senate, is comprised of 128 representatives, 96 of which are elected by a direct popular vote using a single member district system, while the other 32 are elected through proportional representation (Estados Unidos Mexicanos). The Cámara de Diputados, Chamber of Deputies, is the lower house and comprised

of 500 seats; 300 seats are elected with the single member district system. These are known as the majority deputies. The other 200 representatives are elected using the proportional representation system. They are known as the party deputies. They are not tied to any district but rather tied into the percentage of the national vote each party receives (Estados Unidos Mexicanos). The majority party in the Chamber of Deputies is banned from holding more than 300 seats (Vanden and Prevost 2014, 250). Women were given the right to vote in Mexico in 1953 (Irizar 1999).

Mexican politics is a triumvirate among three main political parties, the PRI, the PAN, and the PRD. The PRI, or the Partido Revolucionario Institucional, is the center right party of Mexico. The PRI developed out of the Mexican Revolution of 1910 and consolidated power in the presidential election of 1929 and held onto it for seventy years until the midterm elections of 1997 and the presidential election of 2000 (Vanden and Prevost 2014). They had what was known as “the perfect dictatorship” wherein they continually won elections and had an almost perfect hegemonic control over the government (Vanden and Prevost 2014, 321). The PRI built clientelistic relations within society and infused their influence throughout Mexican society, blurring the lines between politics and society (Vanden and Prevost, 321). The PRI was able to link itself into Mexican society and give itself hegemonic power within Mexico due to this linkage between politics and the state and society. The PRI became so entangled with society that it was able to use fraudulent elections whenever they were in danger of losing. Trouble began for the PRI in the 1997 congressional elections when they lost the majority in Congress for the first time. The slide continued when the PRI lost the 2000 presidential election to Vicente Fox and the PAN, ending their 71-year stranglehold over Mexican politics (Vanden and Prevost 2014, 327). While the PRI regained the office of the president in 2012 with the election of Enrique Peña Nieto, the

losses officially created a multi-party system in Mexico that had not existed prior. Gone were the days of PRI hegemony in Mexico. Instead Mexico now has a competitive multiparty system.

The PAN, the Partido Acción Nacional, is the farthest right of the Mexican political parties. The PAN was founded in 1939 by catholic intellectuals and activists who opposed the dominance of the PRI and the secularization process that Mexico was undergoing at the time (Amuchástegui et al 2010, 991). They advocated for policies based on the Catholic teachings and thoughts and still do to this day. Their main constituents are the “Catholic and business” sectors (Baldez 2007, 74). The PAN heyday came very recently during the 21st century. They controlled the presidency from 2000-2012 with the six-year terms of both Vicente Fox and Felipe Calderón. They also had pluralities in both houses of the Congress during this period (Vanden and Prevost 2014). However the terms of Fox and Calderón were blemished by issues with the ongoing drug war in Mexico and large spikes in violence due to the militarization. The PAN lost the 2012 presidential election as well as their plurality in the Senate to the PRI.

The final main party in Mexican politics is the PRD, the Partido de la Revolución Democrática. The PRD is a center left party created in response to the controversial decisions of the PRI that several members did not agree with. During the 1980s Mexico’s economy began to decline and PRI president Miguel de la Madrid and his government was forced to turn to loans from the IMF and World Bank with heavy neoliberal conditions attached (Vanden and Prevost 2014). These neoliberal conditions forced Mexico to open itself up to foreign trade and transitioned the PRI from a left party into the center-right position it holds today.

The PRD was created in 1989 by left-wing dissenters of the PRI and the Mexican Communist Party. In 1987 Cuauhtémoc Cardenás, son of former president and PRI standout Lazaro Cardenás narrowly lost the PRI presidential nomination to Carlos Salinas de Gotari, with

many declaring the election to be fraudulent due to “computer break downs during the vote counting process” (Vanden and Prevost, 326). Cuahtémoc Cardenás and his supporters officially split off from the PRI in 1989 to form the PRD as a response to the burgeoning and continuing neoliberal policies of the PRI. Cardenás was the first Mexican presidential candidate to include any of the feminist groups’ claims on his presidential platform and the party has continually supported women’s rights (Amuchástegui et. al 2010). While the PRD has never had a president or a plurality in either house of congress they have come close. In 2006 Andrés Manuel López Obrador, who was the mayor of Mexico City at the time, was initially considered the favorite and win the election however, through several severe missteps on his part and some illegal negative campaigning by the PAN, López Obrador lost the election to Felipe Calderón by less than one percent (Vanden and Prevost 2014, 327). López Obrador suffered a similar fate in the 2012 presidential election where he lost to PRI candidate Enrique Peña Nieto by narrow margin with claims of election fraud circulating again (Shoichet 2012). They have also traditionally found a large portion of their success in Mexico City where they have had several party members be elected governor and have had a lot of success in winning legislative seats.

The impetus for the 2002 Mexican gender quota began all the way back in 1991 with the PRD; however it was not the first attempt at legislating gender equality. With the creation of a new political party, the PRD in 1989, and the beginning of warning signs of electoral unease for the dominant PRI, competition among potential candidates for nomination within all parties was very high. The PRD early on in 1990 established an informal advisory goal of having 25% of their candidates be female (Baldez 2004, 239). However, as is to be expected when competition is high and parties believe they have a good shot at winning congressional seats, the female candidates were either removed from the list entirely or bumped to the bottom of the list in positions where

election would be nearly impossible. The PRD, surprisingly, was the worst offender of this phenomenon and nominated the fewest number of women out of all the political parties in the 1991 election (Bruhn 2003). Bruhn continues to argue that women viewed this failure to nominate female candidates as proof that a quota was necessary and created a “core of key women activists” dedicated to promoting the idea of a gender quota (Bruhn 2003, 110).

In response to being ignored during the election, many PRD women joined a feminist, non-partisan group called the National Convention of Women for Democracy. This Convention demanded that all political parties nominate more women and even went so far as to propose a list of perfect potential female candidates because they were “committed to the problem of gender” (Bruhn 2003, 110). A main goal was to place a *candado* or lock on where women could be placed in order to prevent them from being clustered at the bottom of the list. Female *prdistas* embraced the idea of a gender quota because they saw it as one of a very limited number of options that would help them confront the unjust social system that had been perpetuated within Mexican society (Rangel 2001). Women of all political ideology mobilized and made gender an issue in Mexican politics when it had never been on anyone’s radar beforehand, while men remained ambivalent and neutral but not antagonistic. Led by female *prdistas*, such as Rosario Robles and Amalia García, gender became a key issue for *politicás* and they in turn made it an issue on party platforms (Baldez 2004).

Passage of the 1993 PRD quota within the party congress relied heavily on voting practices. Female party members deliberately used the public voting session as an opportunity to sway party members who were not necessarily supportive of the quota, but didn’t want to lose constituent support.

At that point, decision making became much more public: delegates at the plenary session had to vote by raising a ballot card in full view of national media and

potential political allies. This procedure put pressure on delegates not to be seen as the ‘bastard who said no’ to women’s participation. The quota passed by less than 25 votes out of over 1000 delegates to its Second National Congress (Bruhn 2003, 111).

The PRD women knew that exposing the men to public pressure would force them to man up and vote for the quota or face the public ramifications; they specifically chose to introduce the quota in a public setting in order to force the men who were on the fence to vote yes. As is evident from the quote, very few of the men wanted to be known as the man who voted against female representation. Ultimately the public pressure was successful and a voluntary quota was passed in 1993. One of the most surprising things about the PRD quota is that they made no move to publicize it. In 1994, none of the PRD campaign materials contained any bit of information about the gender quota because party members felt they would win more votes based on “its presidential candidate, not its promotion of women” (Bruhn 2003, 111). Despite the best efforts of the women to make gender an issue and the passage of the gender quota, the party as a whole still seemed to see gender as a secondary issue and one that would not win it a lot of support and votes.

At the same time that the PRD was struggling with gender issues, the PRI was dealing with the same problems. The PRI faced a challenge that the PRD never had to contend with, an already established constituency. When the PRD began discussing its gender policies it had been a full-fledged political party for roughly three years and did not have a strong constituent base that it needed to worry about alienating. The PRI, which had been around for almost 100 years at the time had a strong and dependable constituent base that they had to worry about alienating with controversial and unproven strategies. They had been winning elections for years, why should they change a winning formula now?

The PRI had the same response to the increasing electoral tensions and possible election difficulties as the PRD; they either cut female candidates or relegated them to the bottom of the

ballot (Bruhn 2003). PRI women responded by attempting to build relationships with the potential presidential candidates. By building these relationships the women hoped to have the top members of the party elite on their side and committed to make gender equality an issue (Bruhn 2003, 112). The women were lucky enough to win the support of presidential candidate Luis Donaldo Colosio Murrieta in late 1993 and the support of his successor Ernesto Zedillo Ponce de León following Colosio's assassination. However, gender equality was not a prime issue for Zedillo during his successful presidential run in 1994.

As leadership within the party continually changed and fluctuated during the mid-90s due to increasing electoral volatility, women realized that their strategy of appealing to leaders was not as viable as it had been in the past and they began to look to bipartisan relationships to achieve their quota goal (Bruhn 2003, 113). They could no longer rely on their relationships with specific leaders because they were no longer certain of how long the leaders would remain at the top. Women felt the need to “*amarrarlo* or ‘tie it down’” and ensure that they would not be continually disadvantaged (Bruhn 2003, 113). In 1996 a group called Women for Change, led by María Elena Chapa led the PRI into instituting a quota for the first time. This quota called for the ballot to contain no more than 70% of the candidates belonging to the same gender.

While the PRI instituted their gender quota right after the PRD's, they were very explicit in maintaining separation from the other party. *Priistas* argued that their quota had nothing to do with the PRD quota. Instead the *priista* women argued that they were inspired by the 1995 Fourth World Conference on Women held in Beijing China (Bruhn 2003). Building upon conferences in Mexico City (1975), Copenhagen (1980), and Nairobi (1985), the 1995 conference reaffirmed all of the tenets set forth in the Universal Declaration of Human Rights but took it one step further by focusing on the issues facing women in society. This Conference was organized by the

Commission on the Status of Women and was the fourth in a series of conferences focusing on twelve areas of concern regarding women, including poverty, violence against women, abuse of young girls, education, healthcare, women in war situations, and women in positions of power (World Conference on Women).

Least surprisingly, the final and most conservative of the Mexican political parties, the PAN was the last party to institute a gender quota. Conservative parties are much less likely to favor strong, intrusive government programs and policies; hence they would not be motivated to pass a gender quota. The traditional Catholic beliefs of the PAN had historically limited the role of women in the public sphere. In 1994, 67% of all females nominated by the PAN on their party lists were placed in the *suplente* position on the ballot, meaning they have a very limited chance of being actually elected (Bruhn 2003, 113).

Beyond the increasing knowledge and spread of the gender quotas, the competition for positions on the ballot, just as it had in the PRI, made women begin to realize that they were at a severe disadvantage. Due to the weakening of the PRI and the possibility of winning seats the PRI had traditionally dominated, many loyal *panista* women who had served the party for years believed their time to be nominated had come; however, they were passed over for nominations, instead replaced by male newcomers (Bruhn 2003, 114). In the face of increasing electoral prospects and the increasing idea that PAN candidates could and would be elected, loyal *panista* women were being ignored and not nominated. “Women had to face the fact that ‘PAN men weren’t so gentlemanly now,’ and women would ‘have to fight’ for their candidacies” (Bruhn 2003, 114). This showed the women that they needed to take matters into their own hands and find ways to increase the nomination of female candidates.

As the 1997 elections approached PAN women demanded that the party do something to guarantee the increase of women nominated. In response to this threat PAN president Castillo Peraza asked the National Executive Committee to “vote first for the woman” at the National Executive Committee (Bruhn 2003, 114). This frame of mind carried over into the 1997 elections where the number of *panista* women rose from 19 in 1994 to 48 in 1997 (Bruhn 2003, 114).

As the parties increasingly nominated more women into higher positions throughout the late 1990s, gender continued to be a salient issue. In 1996, the Congress of Mexico wrote an advisory quota into law recommending that ballots not contain more than 70% candidates of the same gender and urging political parties to promote female participation (Baldez 2004, 235). Leaders from all parties were confident that this law would help increase the number of female legislators even without a placement mandate or any form of punishment for noncompliance (Irizar 1999). Despite the seeming success and achievement of the goals of the gender lobbyists, the 1996 law was not strong enough to actually encourage women’s participation because the political parties interpreted the 30% quota as a ceiling on the number of women they needed to nominate (Baldez 2004, 241). There was no placement mandate or enforcement clause allowing political parties to put these women into the *suplicante* position instead of actual electable spots (Ceballos 2000). Parties continually placed women into the *suplicante* position. This quota was not effective in raising the number of female representatives because of the ability of the political parties to evade the requirements and put women into the inferior *suplicante* position.

Using the in-party gender quotas and the weak state quota, some women began to ascend to higher positions within Mexican political life. María de los Angeles Moreno became the president of the Seante in 1997; Rosario Robles was elected the mayor of Mexico City and Amalia García became the president of the PRD and President Zedillo even appointed women to positions in his

cabinet (Baldez 2004). Despite these few examples of success, women's representation actually decreased in the 2000 election due to the weakness of the law (see Table 3). This decrease showed the quota advocates that in spite of all their hard work, they still had a long way to go.

Following the poor showing of the PRD and the PRI in the 2000 elections, women doubled-down on their efforts to pass a stronger quota. Parties had failed to follow and enforce not only the national quota, but also the in-party quotas as well. This inspired some female politicians to press for enforcement measures within the national quota that would force parties to abide by the law. They worked together, across party lines, to lobby each party to continue to stick to their quota laws. They got that chance in late 2001.

On November 16th 2001 the state of Coahuila, a state in the north bordering the United States, passed a gender quota law as part of a large-scale reform to the state's electoral laws. This law required political parties to promote gender equality and established a 30% quota in all elections (Sarmiento 2002). The law passed unanimously with the Coahuila state legislature (González 2002). A month later, the PAN filed a lawsuit in the Supreme Court against the state of Coahuila stating that the quota law was unconstitutional. The crux of their argument was an Isaiah Berlin quote: "La libertad es libertad, no igualdad o equidad o justicia o felicidad humana o conciencia tranquila" (Liberty is liberty; it is not equality or equity or justice or human happiness or a tranquil conscience) (Sarmiento 2002). They argued that the quota law was unconstitutional, especially in the context of a single member district electoral system. They also stated that it was a very unsubtle form of saying to women that they could only be elected to office if they had laws helping them and giving them special treatment, an insult to the entire gender (Sarmiento 2002).

The negative press from women both within and outside the party was swift and brutal. There was such a negative pushback that less than a month after filing the appeal, the PAN

attempted to withdraw their lawsuit (Baldez 2004). The Court refused and the case was argued in early 2002. On February 20, 2002 the Court voted 8 to 2 that the law was constitutional (Baldez 2004, 245). They argued that because the law was directed at the political parties and not individual citizens it did not create any inequality between the two genders and did not violate Article 4 of the Mexican constitution (Fuentes 2002). The verdict opened up a new page in Mexican electoral politics and was hailed as a major step forward for quota advocates.

Within weeks of the decision, female PRD and PRI leaders met to plan a more extensive and enforceable quota laws. While the male PAN leaders were divided on the issue, at best they were ambivalent and at worst they were highly antagonistic about the quota, several female *panista* leaders broke ranks and worked to support the bill. Several of the leaders recognized the need for female bipartisan support of the law, a tactic that had been successful in the past:

We have worked as a plurality, a step that we learned in 1998, when female legislators from all the parties sat down together to put our causes that we had to resolve above party ideologies. Together we passed the Law against Assault and Sexual Harassment in 1990, later – also working together – we won the approval of the Belém do Pará Convention regarding domestic violence, the Law against Domestic Violence, the National Women’s Institute, and of course now the quotas, affirmative action... We strategically divided the negotiation among ourselves. It is more difficult for our male colleagues to say no when it is a woman from other parties who sit down with them to convince them. It was an organized campaign, and there was much less resistance. To one’s own female colleagues, it is much easier for a man to say ‘here come those annoying women (*esas latosas*) again.’ If a woman from another party comes, well then they refrain from making a judgment. In all the parties, our male colleagues are immersed in a culture that we cannot ignore. (Baldez 2004, 246)

The women used their bipartisan support of this bill to help sway men over to their side. They confronted men of the opposite party to ensure the men would at least listen to them. The bipartisan support was critical because women were able to build a majority and sway men from each party to support the quota law.

The quota advocates also benefited from broad popular support. Despite the very prominent stereotype of the Mexican machismo, a 1996 Gallup poll revealed that “55% of Mexicans surveyed agreed that ‘this country would be governed better if more women were in political office’” (Baldez 2004, 248). Additionally 56% said that the presidential candidate’s opinion on women’s issues was important to them. But perhaps most importantly, 67% of Mexican men and 68% of Mexican women said that their opinion on the gender quota was “mostly good” (Baldez 2004, 248).

Regardless of the public support, the PAN still strongly opposed the national quota legislation. One PAN leader, Diego Fernández de Cevallos, even went so far as to say “Do I believe in quotas? Frankly, no, because if we start with quotas, we would also have to look for, all of a sudden, *las cuotas para los jotos*” (Turati 2002). Joto is a Mexican slang word for homosexual. The public support, did however, lead to one of the strongest enforcement measures on the quota law, public censure. If a party does not follow the quota law, they have 48 hours to remedy the issue. If they do not fix the problem, they receive a public censure and another 24 hours to obtain the correct balance. If they do not remedy the situation they lose the ability to run any candidates in that district. The public reprimand was considered a very strong deterrent for not following the quota (Baldez 2004, 248).

The quota bill, known as Article 175 with sub clauses A, B, and C (Baldez 2007), was introduced into the Mexican Cámara de Diputados on April 18th (Baldez 2004). It stated that candidate lists could not contain more than 70% candidates of the same gender and that on the proportional representation lists women must be placed in at least one of every three spots (Salazar 2002). The main source of debate was from male *panistas* who wanted to change the placement mandate from one woman per three seats to three women per ten seats (Salazar 2002). This change was never enacted though due to a lack of support. Following less than a month of discussion on

the bill, it was passed by a vote of 403-7 with 12 representatives abstaining (Baldez 2004). Eighteen of the nineteen delegates who voted against the bill and abstained from the vote were male *panistas*. On May 1st the Cámara de Senadores unanimously approved the law and it was signed into law on June 30, 2002 by president (and PAN party member) Vicente Fox (Baldez 2004).

In sum, the debate on gender quotas began at the party level in the early 1990s. The PRD, the most left of all three of the main Mexican political parties was the first party to implement a voluntary quota in 1993 followed closely by the PRI in 1996. That same year, the Mexican congress passed a recommendation into the electoral law, advising that all parties adopt a 30% quota on all party lists however; this quota was weakened by the fact that it didn't have a placement mandate or any form of punishment for noncompliance. Following poor showings for women in the 2000 election, the state of Coahuila introduced a gender quota law in 2001 which was immediately challenged in the Supreme Court. After the Supreme Court upheld the validity and the constitutionality of the Coahuila law, women of all three parties worked together to introduce quota legislation into the floor of the congress. Aided by a public that now saw gender inequality as an issue and was mostly supportive of a quota law, the Mexican congress passed the quota which was signed into law on June 30th, 2002.

Analysis

Political Parties

One of the most important factors in the case of passing the Mexican gender quota law in 2002 was the role of the political parties. Kathleen Bruhn (2003) even goes so far as to argue that the 1994 PRD party quota was “the major impetus” for the passing of the national level quota. (106). The PRD quota was the first attempt at creating a gender quota and was the event that

officially brought gender quotas to Mexican politics. The political parties are also the ones that voted for and passed the quotas in the end. The parties are the ones who decided to make gender an issue on their party platforms and bring the idea of quotas into the national legislature. Without the party support and the parties voting for the quotas, these quotas never would have been passed. The parties are the ones who started the discussion and started the debate on gender quotas. They were the driving force behind quotas and served as quota innovators. Had they not been committed to gender quotas and to raising the number of female legislators, the national quota would not have been passed.

The idea of quotas germinated within the parties which were then able to serve as a testing ground for quotas. The parties were able to test out what different measures and numbers would make the legislation as successful as possible. The quotas created by each political party represented an experiment. They were a laboratory to test the efficacy of quotas. When the quotas created by the parties did not succeed as they had planned, they moved the discussion from the party level to the national level. Unsurprisingly, the PRD was the party that began the discussion on gender quotas.

The quota innovator – the leftist Party of the Democratic Revolution (PRD) – made the earliest, largest, and most permanent commitment: adopting a statute requiring that, ‘no gender can have a representation of greater than 70%,’ in committees or candidate lists, and that ‘for each block of three candidates there must be at least one of a different gender from the rest’ (Bruhn 2003, 107).

Bruhn (2003) relays the story of the PRD’s creation in 1989 and the fact that by 1991 it was using very informal and non-legislated gender quotas. She argues that this shows their commitment to gender equality that is typical of leftist parties. Parties on the left typically favor a stronger government and more government-led policies, such as welfare and social security programs. Welfare programs, just like formal gender quotas, are an attempt to help groups that

have been historically disadvantaged. When viewed as a type of welfare program, it becomes very obvious that parties of the left would support quotas. The PRD was also at an advantage in terms of creating innovative policies because it did not have the concrete constituency that the PAN and the PRI did. The PRD was a brand new party and did not have established ideas and norms that it had always followed or a constituency that it could rely on. Just like Bruhn (2003) argued, newer political parties have a tendency “to tinker with their statutes” (115). This lack of establishment helped allow the PRD to become more innovative with its policies and tinker with what wasn’t working. They did not have to worry about alienating long term party members or constituents by creating gender quotas. Instead of alienating members, these new innovative policies helped attract new votes for the PRD, while they could have done the exact opposite for the PRI and the PAN, who had been around for much longer and had much more to lose with creating quotas. The PRI and PAN had their established voters and Mexican citizens knew what they represented. Changing these norms and patterns could have alienated their traditional voters.

While the PRD were the first and primary supporters of the quota law, it would not have passed without the broad, bipartisan support of the PRI and the PAN. The PRD had the tactics to mobilize legislators, but they did not have the majority in the legislature to pass the bill without support from the other parties. While some PAN members were reticent, the PRI saw an opportunity to gain back an electoral advantage it had previously lost. This united front from the PRI, PRD, and PAN women proved critical for the success of the quota legislation (Baldez 2004). The women knew that male members of each party would take the quota legislation much more seriously if they were confronted by a woman of a different party. Without the broad, bipartisan support of the women, the gender quota law would have been much more difficult to pass. The

combination of all of these factors leads me to confirm H1, while left support was very important for the passage of the quota, broad, bipartisan support was necessary to pass the quota into law.

Political Culture

Political culture played a major role for gender quotas during the debate on the Senate floor. As the individual parties passed their own internal quotas, the public seemed to be rather indifferent to the passage of the party gender quota. As the debate moved from the parties to the national legislature political culture and public opinion became a much stronger factor.

Once the political parties began passing their voluntary gender quotas, the number of women nominated and elected to the upper levels of the party and to the national legislatures were slowly increasing. This increase began to break the vicious cycle of citizens seeing women as incompetent leaders. As more and more women were elected to higher positions within and outside of parties, Mexicans began to see women as legitimate leaders. “As women become better educated and participate in the workforce women (and men) may develop a positive sense of women’s capabilities” (Bruhn 2003, 102). The cycle of never electing female leaders because they were seen as incompetent was beginning to break and women began to break through the glass ceiling. The voluntary quotas the political parties adopted served as a kind of preliminary change on the political culture, making it easier for women to be elected.

As evident from the 1996 Gallup Poll statistics cited above, the average Mexican citizen began to realize that gender was an issue in their nation and that women were capable leaders during the late 1990s and early 2000s. This slow progression in beliefs became very vital to the success of the quota law. The public began to see the need for some form of legislation to break through “centuries of patriarchal culture and masculine domination” (Rangel 2001, 8). Electoral gender quotas were seen as being of the few methods of having the capacity to break through this

culture and create a culture more accepting of female legislators and female equality (Rangel 2001). The quota supporters believed that the public was so supportive of their measure that public censure became one of the prime punishments for noncompliance. The authors of the law believed that public anger and discouragement would be a much stronger punishment than a simple monetary fine. They believed the harm suffered from bad press would be an incredibly strong deterrent from not following the quota law. Public support and political culture were vital to the passage of this law, affirming hypothesis two, that a political culture supportive of female leaders is vital to the passage of an electoral gender quota.

Interest Groups

The role of interest groups with regards to how the Mexican gender quota was passed is a little murkier than the other two variables. The presence of a traditional interest group is missing in the Mexican case. There were no outside groups that came in to protest the gender quota law while it was on the Senate floor. No new groups were created to support the passage of the quota law. Mobilization of average, everyday citizens did not occur. Candidates did not receive any additional funds from groups based on their support, or lack thereof, for the quota law. Throughout the entire legislation process, none of the hallmarks of traditional, organized interest groups were present in Mexico.

However, despite the lack of traditional interest groups, the variable is not completely absent. The party women who worked together, across party lines, to pass the quota law serve as a form of interest group. Interest groups are defined as a group of individuals working together to achieve a common policy goal. These women fit the definition of an interest group almost perfectly. They were willing to put aside all of their differences to achieve one common goal. Kathleen Bruhn (2003) argues that women of the different political parties were able to use each

other's advances to their advantage. She argues that "women could use gains by others to denounce their own party's failings and hope that a public stigma would attach to anyone who opposed women's participation" (115). These women were able to use the gains other parties had achieved to motivate their party into adopting similar policies. They also were able use the political culture and attach a negative connotation to any legislator who opposed the quota and therefore opposed increasing female legislators. Baldez (2004) argues very similarly that "a shared condition of systematic exclusion from candidate slots can facilitate the formation of a strong, well-organized lobbying campaign on behalf of all the major parties" (234). Both authors are arguing that women were able to put aside party and ideological differences and work toward a common goal, the passage of the legislated gender quota. In this sense they represent an interest group; they were not running candidates on a platform of gender equality, but rather they were lobbying other legislators and attempting to create a social change.

These women fulfill all of Gelb and Palley (1979)'s requirements for interest groups success. They were able to mobilize female party members within all parties to support the gender quota laws, an issue narrow enough to not split potential supporters. They were able to build a strong network of support amongst themselves and then work on swaying their male counterparts. This network was created in spite of their fundamental differing viewpoints on other issues. These women were also in the unique position to be a large factor in the creation of the quota law. The women were all power players not only in the party hierarchies, but were also members of the legislature and could exert their influence over the bill writing process. The women were able to play a huge role in the drafting of the bill; therefore, they were able to make sure the quota law matched their expectations. The women were flexible in their goals and knew when to press their advantage and when to bide their time. The initial goal of the women was simply to pass quotas

within their individual parties; however, as the party quotas did not meet the expectations the women had for them, they began to realize that they would have to press further and pass a national law. Finally, they knew how to define success. They did not want to define success as merely bringing the topic of gender to the forefront of the legislature. They wanted to pass a successful and meaningful bill that would actually help women rise up and break the glass ceiling. Due to all of these factors, H3 can be confirmed.

Other Factors

It would be simplistic to believe that only these three factors were at play during the passage of the 2002 quota law. One of the primary additional factors present in the quota law was contagion between political parties. According to Matland and Studlar (1996), contagion is the idea that political parties in a multiparty system influence and inspire each other to adopt new policies. In a multiparty system competition for seats among parties is incredibly high and anything that is deemed to give one party an advantage, no matter how small, becomes a disadvantage to all other parties. The preliminary party quotas (before the national quota was created) are a perfect example of contagion in action. The PRD was the first party to institute a voluntary quota, which it did in 1993. Even though the quota did not have any proven benefits for the PRD, the PRI soon copied the policy and adopted their own quota. Even though they refused to give credit to the PRD for their quota law, it is very clear that the PRI saw this new initiative as something benefiting the PRD that they also needed to adopt. The idea of a quota for women became contagious and even eventually spread to the PAN.

The idea of quotas spread among the parties, but the initial idea for quotas could have come from the international pressure placed on Mexico by the 1995 Fourth World Conference on Women in Beijing and its Platform for Action. One of the main issues discussed at the conference

and the three conferences prior was how to engender female leadership and get women into positions of leadership, not only in politics but business as well. The Platform for Action created by the conference called for signatories to “take measures to ensure women's equal access to and full participation in power structures and decision-making” and “increase women's capacity to participate in decision-making and leadership” (UN News Center). The Platform even acknowledged that the low levels of women in top decision-making positions were due to “structural and attitudinal barriers that need[ed] to be addressed through positive measures” (UN News Center). When Mexico signed the platform in 1995, it made a commitment to take action to increase women in decision-making and leadership positions. The international pressure placed on Mexico by this commitment would definitely have lasting effects on the Mexican legislature and would place pressure on legislators to find ways to increase the number of women. This international pressure could have played a big role in positively influencing legislators to pass the quota.

Finally, the role of the Supreme Court cannot be overlooked. The Supreme Court is often looked upon to determine the validity and constitutionality of different laws. The decision of the Supreme Court to uphold the Coahuila law in early 2002 was a landmark decision in the gender quota process. A ruling against the Coahuila law is likely a hurdle that the national quota would not have been able to overcome. While the Supreme Court is a completely separate entity from the legislature, they are connected and the support from the Supreme Court bolstered the quota advocates and their position.

In sum, each of the three variables this article was looking at was deemed to be present in the Mexican case. Political parties, political culture, and interest groups, among other factors, all played a role in the passage of the quota law in 2002. However, the largest role seems to have been

played by the political parties. The parties were where the ideas for the quota germinated and served as the testing ground for them. They were the ones who got the ball rolling and made gender quotas and gender equality an issue and brought it to the attention of the national legislature. While the women within the party were the driving force behind quota within the parties, they could not have gotten the quota passed without full support of the party. An accepting political culture showed the parties that adopting formal gender quotas was what the public wanted, but the public would not have been able to enact these quotas without the parties. Political culture and interest groups contributed to the power of the parties, but ultimately the power to enact the quotas lied with the parties.

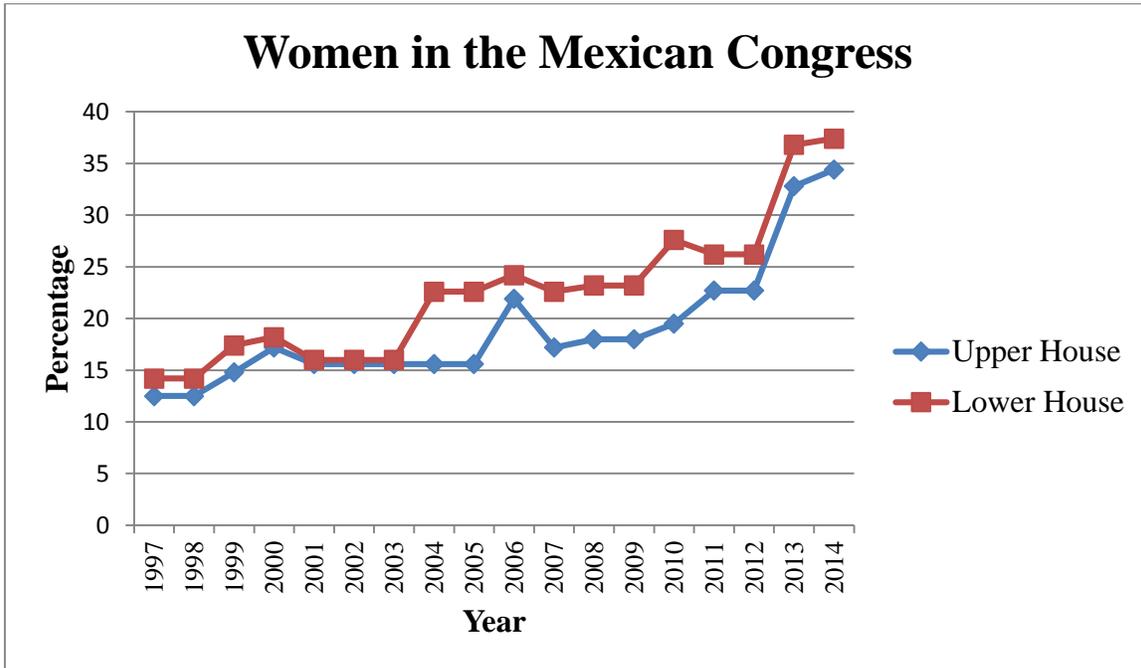
Ramifications of the Quota Law

Following the institution of the gender quota, the number of women in the Mexican Congress has greatly increased. In the first election after the implementation of the law, 2003, women in the PR seats accounted for an average of 44% of all candidates across all parties (Baldez 2004, 249) and won 23% of the seats, a rise of seven percentage points from the 2000 election. The increase helped Mexico rise from number 55 to 29 on the world ranking of women in legislatures (Baldez 2007, 71). The impacts of the quota law were immediately felt in Mexico. Baldez (2003, 2004) argues that parties over complied with the quota because of how serious the punishment for noncompliance was. In 2012, Josefina Vázquez Mota of the PAN became the first woman to run as a presidential candidate from one of the big three political parties in Mexico (Ribando Seelke 2012). While she ultimately lost, her nomination represented a step forward for gender politics in Mexico.

As time has worn on the gender quota law in Mexico has continued to be very successful in its mission to increase female representation. Figure 3 shows how percentage of women in each

house of Congress has changed over time. While the numbers have been consistently rising, there is still a long way to go for women in Mexico to reach parity in both congressional houses, with an average percentage of 35.4% in 2014.

Figure 3: Percentage of Women in Mexican Congress per Year



Source: Inter Parliamentary Union

Another way to analyze the ramifications of the gender quota legislation is to analyze the ways in which the legislation has changed since more women were introduced in decision-making positions. One issue that many women have rallied around in Mexico is the topic of abortion. The 1994 United Nations International Conference on Population and Development in Cairo focused on creating a comprehensive reform of archaic family planning and women’s health policies, specifically access to contraceptives and abortion (Lopreite 2014). The conference brought new international attention to the heavily restrictive abortion policies that many nations in Latin America had and advocated a slight loosening to allow for abortion in specific instances. Abortion, especially in the heavily Catholic region of Latin America, is a very contentious issue.

In particular, abortion contradicts the idealization of motherhood. The Catholic Church adds that abortion should not be legalized because women's love and life are self-sacrificial before the fetus. Consequently many people find calls for abortion rights threatening to a social and cultural order symbolized by the evocative Catholic symbols of motherhood and suffering. Moreover, the political culture continues to privilege the rights of the group over the individual, making it difficult to advance the limited autonomy and minority status of women (Kulczycki 2007, 57).

Within the heavily Catholic Latin American society, debate on abortion is often framed in terms of protecting the life of the new born baby. Pro-life (anti-abortion) advocates say the role of government is to protect the life of the unborn children who cannot protect themselves. This argument is very common among followers of the Catholic faith, which is why abortion has become a divisive issue in Mexico.

Despite the deep stigma on abortions, it is still a heavily performed operation in Latin America. Each year in Latin American nations, roughly four million women have the abortion procedure; one in seven of those procedures takes place in Mexico (Kluczycki 2007). Because the procedure is illegal in many states, desperate women turn to illegitimate means to have an abortion. These "back alley abortions" are often done by individuals lacking proper training and in unsanitary conditions leading to unnecessary health risks. In Mexico 7.2% of all maternal deaths between 1990 and 2008 were related to abortion, leading it to be the fourth leading cause of maternal mortality in Mexico and the third most common reason women of childbearing age are hospitalized (Becker and Olavrieta 2013).

Statistics like this have inspired several attempts at reworking the Mexican abortion policy laws. In all 31 states abortion is only permitted in cases of rape. All states except two (Guanajuato and Querétaro, the states with some of the most restrictive abortion laws in the world) permit abortion when the life of the mother was at risk. An additional fourteen states allow abortion in

cases of fetal defects. In order for a woman to be allowed to have an abortion, they are required to have the approval of two physicians (Kluczycki 2007).

Abortion has remained a highly controversial issue. It has been on the radar of differing feminist groups since the 1970s and the rise of feminism around the world. However, it was not until the early 1990s when abortion took center stage. In the early 1990s there were two separate cases of young girls being denied abortions after rape cases. Paulina from Baja California was a 13 year old girl who was raped and pressured into not having an abortion by state and church officials, her doctors, as well as pro-life activists. A few years later Lucila, a 12 year old girl from Sinaloa, was raped and impregnated by her father. Initially she was denied a legal abortion. Eventually both girls were allowed abortions but the response was quick. After the next election when conservative PAN president Vincente Fox was elected and Mexico seemed to be embracing the PAN conservative belief system, Fox's home state of Guanajuato passed a bill criminalizing abortion in cases of rape (Kulczycki, 2007). While it was eventually repealed, the passage of this bill demonstrates the relationship between Mexican society and abortion.

While discussion and debate on the issue is commonly seen and heard, actual change has been very slow and uneven. Each of the 31 states and the federal district of Mexico (DF) are allowed to pass their own individual laws regarding when abortion is allowed. The DF is one area where there have been major changes regarding abortion legislation.

In 2000, after the political parties instituted their own voluntary quotas increasing the number of women in local and national legislatures, the DF legislators passed an abortion reform. This reform, one of the first of its kind, extended the grounds under which a woman can have an abortion to include: when the mother's health is in danger, if there are fetal defects, and when non-consensual artificial insemination occurred. It also reduced the maximum prison sentence for

women who have an elective abortion from five years to three years and created a maximum waiting period of 24 hours for women who were raped to have an abortion. This law while not incredibly forward moving established some limits on abortion that are very common in Mexico to this day.

It wasn't until later in the 2000s that the abortion reforms became much more divisive. In 2003, the PRD controlled federal district of Mexico City again passed an abortion reform. This time they decriminalized women seeking abortions. The PRD passed another abortion reform in 2007, legalizing elective abortions within the first twelve weeks of pregnancy. This move was very polemic in a nation where one state had just tried to completely ban abortion a few years ago.

The response was swift. When the bill was on the floor of the legislature, the Archdiocese of Mexico threatened to excommunicate all members of the PRD that voted for bill. After the Supreme Court of Mexico upheld the constitutionality of the bill, 18 states immediately went and created constitutional amendments designed to "protect life from the moment of conception" (Amuchástegui et. al 2010, 995).

Women were the leaders of the abortion debate. While they had always been in the forefront of the discussion on abortion because of their natural connection to it as an issue, women were never in a position of power where they could influence the discussion in the legislative processes or be a part of the decision-making process. With the introduction of quotas, women have been able to climb into these positions and influence what issues the legislature looks at. While the changes they have been able to enact have been limited and on a more regional scale, bringing new topics forward to debate and discuss is vital for the survival of democracy. "Knowledge of current abortion laws remains low; a national poll conducted in 2000 indicated that 54% of men and women aged 15-24 did not know the legal status of abortion in their state"

(Kulczycki 2007, 56). Female legislators are bringing new issues to the attention of the public and finally helping to set the agenda. Even if women are not able to solve the issue immediately, they were finally able to shine a light on this issue that had clearly been plaguing Mexican society and slowly begin solving it.

Conclusion

Passing a gender quota is a long and arduous process with many factors involved that determine the success or failure of the bill. This paper looked specifically at three, political parties, political culture and interest groups. In the end it was concluded that each factor plays a large role in passing gender quotas. Political parties bring the quota into the national discussion and in the end are the ones who decided whether the quota passes or not; the parties help influence the vote of their members and ultimately play the largest factor in the passage of gender quotas. Political culture is how the parties know that a gender quota is something the public wants. As public opinion shifts and the culture of a nation becomes more receptive to the idea of a gender quota to the concept of female legislators, the political parties are more likely to put forth a potential bill because it will gain them more voters. Finally, interest groups can lobby and help set the agenda. As political culture changes, interest groups are often the ones who bring the changes in public opinion to the attention of influential leaders. In the case of Mexico, the interest groups were female party members who worked together tirelessly to bring the gender quota and its positive benefits to the attention of their male counterparts in an attempt to convince them that the quota law is a good idea not only for Mexican society but also for each individual political party.

While this paper has focused solely on what conditions electoral gender quotas are passed under, it would be remiss to not comment on the efficacy of these quotas once they are signed into law. As is evident by Table 2 in the Appendix, Latin American nations that have enacted electoral

gender quotas consistently have higher percentages of female legislators than nations without quotas do. In December 2014 Latin American nations with some form of gender quota (formal and informal) had an average of roughly 26.2% of their legislative bodies be female. In contrast, nations in the region without a quota averaged only 17.3%. Gender quotas, even when instituted poorly, will increase the number of women elected to legislative bodies. They accomplish the goal of the legislators, increasing the raw numbers of women in legislative positions. However, the consequences of gender quotas are not all positive.

Francheschet and Piscopo (2008) have identified two separate effects that female legislators have reported. The first one is called the mandate effect. This effect states that since the woman was elected due to her femininity she must embrace those traits and represent women. The legislator is now only seen as a niche legislator who can only represent women. Despite the fact that “woman” is a very broad category that encompasses a large range of races, ethnicities, sexual orientations, and political ideas, the female legislators are expected to represent the interests of each different type of woman. It is a losing battle that male legislators do not have to face.

The second effect Francheschet and Piscopo identified is known as the label effect. The label effect is one of the most commonly cited drawbacks of gender quotas. It is the stigmatization of women elected via quotas as weaker and inept legislators. These “quota women” are stigmatized as weak legislators who needed special help to be elected. They are often seen as merely puppets of the party who will do what they are told without thinking for themselves. They are not seen as legitimate leaders. They are excluded from the most prestigious committees within the legislature. While these stereotypes are not necessarily true, they are very pervasive in legislatures that use gender quotas. Male legislators use these stereotypes to delegitimize all women who are elected into representative positions because they could not get elected to office on their own merit.

In terms of continuing research, the mandate and the label effects are the next areas that need to be explored. The research on gender quotas is very empty when it comes to this aspect. A lot of the research so far has focused on how to create the most efficient quota. Most of the studies investigate under which circumstances gender quotas are most effective and useful to women. This type of investigation was vital during the early days of quota legislation, but quotas have developed and the field has moved beyond that type of inquiry and now needs to turn to a new focus. As we have reached what seems like a consensus on this issue of quota competence, the ramifications of quotas need to be explored more. The research needs to be expanded to study how female legislators differ from male legislators and how these differences and having more women in positions of power within the legislature changes the nature of the bills passed. It is a commonly accepted fact that women govern differently than men and having more women in powerful positions will change the nature of debate, but there are very few studies that have studied this phenomenon. This is an important area to research because gender quotas alone cannot change society. The laws are empty promises and useless if society doesn't change. Culture, education levels, and ideas on acceptable gender rolls all have a major effect on how women are viewed in society (Rangel 2001). In order for gender quotas to be most effective in changing how we view the role of women, changes in society must accompany the quota legislation. Without these changes the gender quotas will not be able to achieve their ultimate goal which is to change the way women are seen in society. Across the globe as a whole, electoral gender quotas have generally been successful at raising the number of women in legislative bodies. However, they are still a fairly new phenomenon in political science. Before being able to judge whether they were helpful in the long run or not, more time must be given before a final judgment can be passed.

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Appendix

Table 2: Percentage of Female Legislators throughout Latin America

Country Name		Percentage per Year (Lower House)			Percentage per Year (Upper House)		
Central American Region:		1997	2006	2014	1997	2006	2014
Belize		3.40%	6.70%	3.10%	37.50%	25.00%	38.50%
*Costa Rica		9.00%	38.60%	33.30%	X	X	X
*El Salvador		10.70%	16.70%	27.40%	X	X	X
*Guatemala		12.50%	8.20%	13.30%	X	X	X
*Honduras		7.80%	23.40%	25.80%	X	X	X
*Nicaragua		10.80%	20.70%	42.40%	X	X	X
*Panama		9.70%	16.70%	19.30%	X	X	X
Totals		9.10%	18.70%	23.50%	37.50%	25.00%	38.50%
North American Region							
Canada		18.00%	20.80%	25.10%	23.10%	35.00%	39.60%
*Mexico		14.20%	25.80%	37.40%	12.50%	21.90%	34.40%
United States of America		11.70%	15.20%	19.30%	9.00%	14.00%	20.00%
Totals		14.60%	20.60%	27.30%	14.90%	23.60%	31.30%
South American Region							
*Argentina		25.30%	35.00%	36.60%	2.80%	41.70%	38.90%
*Bolivia		6.90%	16.90%	53.10%	3.70%	3.70%	47.20%
*Brazil		6.60%	8.60%	9.90%	7.40%	12.30%	13.60%
*Chile		7.50%	15.00%	15.80%	6.50%	5.30%	18.40%
*Colombia		11.70%	N/A	19.90%	6.90%	N/A	22.50%
*Ecuador		N/A	16.00%	41.60%	X	X	X
*Guyana		20.00%	30.80%	31.30%	X	X	X
*Paraguay		2.50%	10.00%	15.00%	11.10%	8.90%	20.00%
*Peru		10.80%	29.20%	22.30%	X	X	X
Suriname		15.70%	25.50%	11.80%	X	X	X
*Uruguay		7.10%	11.10%	16.20%	6.50%	9.70%	29.00%
*Venezuela		5.90%	18.00%	17.00%	8.00%	*	*
Totals		11.30%	19.60%	24.20%	6.60%	13.60%	27.10%

Source: Inter Parliamentary Union

