

‘Lady Leaders’. The Case of Quotas for Women’s Representation in Argentina.

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Abstract

Argentina has taken steps to increase women’s participation in politics. In 1991, established that 30% of the candidate list for the Chamber of Deputies had to be women. As a consequence of the measure, the percentage of women deputies has increased from 5,44% in 1991/93 to 27% in 1995/97. At the same time the country was under Menem’s presidency that has been considered to neglect democratic institution such as parliament. The main aim of the paper is to answer the question Does a quota system enhance women’s participation in weak democracies? The argument of this paper is given that the numeric increase of women has occurred in a weak and or neglected parliament, the potential achievements of the initiatives has been neutralised. Additionally, argues that women have begun to make their voices heard in a political space that was traditionally controlled by men and this, in itself, constitutes a remarkable achievement.

I. Introduction

Does a quota system enhance women's participation in weak democracies? One of the key questions addressed in the literature about gender and politics is why there should be more women in politics and to what extent women's interests are best represented by women. Gender quotas emerged in response to the evident under-representation of women in the formal political arena and they involved the introduction of specified minimum levels of representation for each sex (Jones, 1996). This scheme was seen as a means to increase women's participation in politics. It was assumed that increased levels of participation would allow women to influence policy making and to challenge the inequalities that women currently confront in many areas, including among others politics, employment and education (Sun-uk, 1995). However, it is possible to argue that the increased participation of women in a parliament where their political role is restricted by the strong figure of a President, neutralise their possibilities of influencing policy-making.

As in many other countries, Argentina has taken steps to increase women's participation in politics. In 1991, the Quota Law N° 24.012 established that 30% of the candidate list for the Chamber of Deputies had to be women. As a consequence of the law, the percentage of women deputies has increased from 5,44% in 1991/93 to 27% in 1995/97. This increase in the number of women elected has been considered a tremendous success by those who have studied the electoral impact of the Law (Jones, 1996, Htun, 1998, INSTECO, 2001). Almost all the studies on the Quota Law that have been conducted in Argentina focus on its quantitative impact and some of them have suggested possible changes in the political attitudes of women and in the nature of public policies. However, the actual policy impact of the boost of women's presence in parliament is still unclear. This important gap in the research can be explained by the difficulties involved in evaluating women's actual engagement in parliamentary activities. In order to fulfil this gap, INSTECO carried out a research that not only analysed the quantitative impact of quotas, but also some of the main activities that female deputies have been carrying out in parliament (2001). Nevertheless, the impact of the law still remains unclear.

Another way of addressing the impact of this policy would be by focusing on how decisions were actually made in Argentina during the 1990s under Menem's Presidency. According to Szusterman (2000), one of the most serious deficits of Menem's administration has been in the realm of strengthening democratic institutions. He has either been neglectful or has deliberately sought to manipulate them.

It is important to note the fact that as a newly installed democracy, Argentina is still unconsolidated. O'Donnell (1994) argues that it is a "delegative democracy" characterised by the restricted scope, the weakness and the low density of political institutions. The president is taken to be the embodiment of the nation and the main guardian and definer of its interests, with the apparent advantage of having practically no horizontal accountability. Munck (1997) argues that one of the key features of the Argentine "thin democracy", especially during Menem's administration, was the

president's disdain towards the parliament, which he clearly showed by bypassing its authority hundreds of times.

Given that the Argentine president had overwhelming power and influence over the political system, the institutional framework of parliament was essentially weak. Consequently, this paper will defend the argue that a numeric increase in women's representation would not necessarily improve women's agenda or their actual engagement in politics. Although there was a slow and progressive struggle to increase the amount of political space in which women could act, there was neither a dramatic advancement of women's causes nor a backlash against them (Feijoo, 1998).

The paper is divided into 6 sections including this introduction. The second section will review the on-going debate on women's participation in politics by presenting some of the key arguments that have been put forward. The third section will focus on the quota system as a means to achieve an increase in women's participation in politics. Section 4 will describe when and how the quota system was implemented in Argentina and the quantitative results of the passing of the Quota Law, in terms of increased percentage of females in the Chamber of Deputies. In the fifth section, a more qualitative analysis will be presented by examining two crucial questions. Firstly, the concentration and abuse of power and influence that took place under Menem (Levitsky, 2000, O'Donnell 1994, Gibson, 1997, Tedesco, 1997), which gave a limited role to the parliament and consequently, to the increased number of women who had reached parliament. Secondly, by analysing the activities that women deputies have carried out during the nineties and examining the interesting qualitative study conducted by INSTECO (2001). In the last section some conclusions are presented.

II. Why women in politics?

The arguments in favour of increasing women's participation in politics rely on 3 principles. (Norderval, 1985 quoted by Philips, 1991). Firstly, on democratic justice, secondly, on resource utilisation and thirdly, on interest representation. The notion of basic justice relies on the notion that women should be included in the political realm, indeed given the overarching significance of politics it is unfair to note that women are not actively engaged in it. Additionally, as women are integrated into more aspects of business and professional life, it seems logical that women should take up their rightful share of political positions (Reynolds, 1999). The second principle argues that women would bring a different set of values, experiences and expertise to politics, thereby enriching political life. Finally, the most radical version of this argument states that women and men are in conflict and that it is nonsense to see women as represented by men.

These arguments were originally used by Scandinavian countries, which were the pioneers in giving more participation to women in politics. However, the principles mentioned above have some underlying assumptions and practical shortcoming that have been contested in later stages. Firstly, it has been a debate in feminist theory whether women can be described as an interest based group (Philips, 1991). In early feminist

theory, 'women' was deemed to be a self-evident and straightforward category (Randall, 1998). On the positive side, it made women more visible, but at the same time, it opened up questions about the ontological basis of the category, and about differences not only between men and women but among women, and about nature itself (Randall, 1998). While a great deal of research confirms differences between men and women in political attitudes that confirm the principles stated above, there are also differences among women (Philips, 1991, High Pippert and Comer, 1998). Pippert and Comer (1998) argue that the differences focus on political socialisation and gender consciousness, as well as on demographic and situational factors. Women also vary in the degree to which they respond to gender concerns. Some identify themselves with feminism and/or the feminist movement. While others avoid these labels and may not know exactly what they mean, they are still sensitive to issues affecting women, feel a sense of pride in the accomplishments of women, and are angry about the way women are treated.

These reservations about the possibility of considering the existence of shared interests among women, seem to go against the idea of increasing women's representation in politics as a means to mirror the nation (Reynolds, 1999, Philips, 1991). However it can be said that women share at least one interest in common: they need improved access to every sphere (Philips, 1991). This is a powerful argument because more participation in politics can be the first step of a more gender equal society. But even if getting more women elected may be a necessary condition, it is certainly not a sufficient condition.

Secondly, attempts to increase women participation in politics may face practical problems. As Philips (1991) states, representative democracy cannot produce a perfect reflection of society. Although it might be desirable to elect students, pensioners, unemployed, women and men in numbers that mirror their proportion in society there are some practical problems. She describes the problems that some electoral systems face trying to increase women representation in Parliament. For example, there are no geographical concentrations that could form the basis for women's constituencies and as long as voting is tied to localities, no women candidate can seriously present herself as representing women alone. At a practical level, the choice between supporting a woman because she is a woman and supporting a man who seems closer to your views constantly presents itself, and the theoretical issue that underlies this choice is one of the points at stake in thinking about "representation" (Philips, 1991). These concerns are less important in proportional systems, such as the Argentine, where each region has a certain number of deputies allowing women and men represent the same are at the same time.

Finally, most important and controversial is the argument that a substantial number of women in elected positions of power will lead to more women-friendly policies being enacted (Reynolds, 1999 pp. 3). But the correlation between women parliament members and women friendly legislation remains a murky and under-studied area, and what might count as women friendly legislation is debatable in itself.

III. The Quota Debate

The under representation of women is crucial in thinking about democracy and gender (Philips, 1991) and as showed before, there are reasonably sound argument to increase women participation in politics. Among other means (such as pool-enlarging strategies, or gender preferences) a strategy that has gained increasing currency within the movement, and relates primarily to the issue of women's political representation with liberal democracies, is that of introducing gender quotas, whether in political parties or in local or national legislatures (Randall, 1998). The evident success of such policies in the Nordic countries has inspired imitation elsewhere and has been the most widely used affirmative action policy in Latin America (Htun, 1998)

Sun-uk (1995) argues that the need for a quota system stems from the lack of opportunities for women to perform their potential capabilities. If women do have the capabilities and the power to choose, a quota system is not needed. In favour of a quota scheme implementation are arguments such as the belief that it is the most effective way of translating legal equality between men and women into de facto equality by guaranteeing women's presence in leadership in the immediate term (Htun, 1998). It has also been considered as a starting point that could balance women's participation in various fields because women leaders also function as role models for other women, and serve as evidence that society is inclusive and egalitarian. (Sun-uk, 1995).

Opponents of quotas, who include both men and women, argue that they are discriminatory and that will elevate under-qualified women to power, stigmatize beneficiaries, and that above all, they are unnecessary. There are also fears that the introduction of a women's quota will prompt other groups –ethnic minorities, homosexuals, farmers, etc. to demand their own quota. Htun (1998)

Despite these criticisms, improved women's structural position will help to erode discriminatory barriers and will bring about cultural changes in the very long term (Htun, 1998). In order to reform inherent structures created during the era when discrimination existed, temporary measures as the quota systems are required (Sun-uk, 1995). Therefore, in order to change the attitude towards women and for women to participate in high level decision making positions in various disciplines, including politics and economics, a new environment has to be formulated so as to allow adequate numbers of women to attain desirable goals.

From above, it can be said that countries which are implementing quotas, are looking for two main objectives. On the one hand, to influence policy towards women interests and on the other hand to gain a greater level of women's participation in other spheres of society. It seems that this idea may work properly in developed democracies where the parliament plays a key role in the political game and in the decision-making process. However this might not be the case in weak or "thin" democracies where the parliament is frequently bypassed by strong presidents, such as some Latin American countries where the democratisation process after military government has advanced slowly and the institutions are still weak. (O'Donnell, 1994, Munck, 1997, Tedesco, 1999). Under

these circumstances, increasing the percentage of women in parliament does not necessarily lead to a change and it would be reasonable to expect that the policy influence of more women in parliament would be limited.

IV. Quota Law in Argentina. Implementation and quantitative analysis.

Excluded from formal politics until 1947, women were active in other ways, especially in trade unions, in socialist and anarchist movements and in early grassroots feminism (Feijoó, 1998). During the first Presidency of Juan Perón women were given the vote. In 1951 when they voted, 29 women were elected, constituting 18% of the Parliament. This high percentage resulted from the personal force of Peron's wife, Eva Perón, who pushed for a quota procedure that was applied to the electoral rosters of the dominant peronist party. During the fifties, sixties and seventies, three different military coups supported by some civilian groups, shut down democratic politics, taking public space from both men and women. But women, who were such latecomers to the political arena, were not passive in the face of the political conditions imposed by dictatorship, and many responded with acts of protests and resistance, thereby playing a key role in the democratic transition (Feijoó, 1998).

As in most Latin American countries, women have been grossly underrepresented in important elective and appointive political positions (Htun, 1998). Between 1983 and 1991 an average of only 4% of the legislators elected to the Federal Chamber of Deputies were women¹. In 1991 a Quota Law was approved as a result of a slow and progressive struggle to increase the amount of political space in which some women could act (Feijoó, 1998). This law was going to change the story of the composition of the chamber.

INTECO (2001) tells the story of the project in parliament. It was presented in the Senate in 1989, approved by the Senate in 1990 and approved by the Chamber in 1991. The debate in both chambers was full of jokes and irony from the male members but the approval was more unproblematic in the Senate. During the debate in the Chamber of deputies the Law received a stronger opposition on the part of male deputies. Obviously, women from across the political spectrum played an important role in the approval, but female deputies now recognise that without president Menem's assistance, the quota law would in all likelihood not exist (personal interviews presented in Jones, 1996). During the debate, Menem sent his Home Minister José Luis Manzano who sent a clear message in favour of the law to the deputies of the official party who finally approved the Law (INTECO, 2001).

As Htun (1998) argues, although quotas provide a stepping stone, they do not guarantee women's access to parliament. The success of the quota depends on how it is implemented. In the Argentine case, as it will be shown later in the paper, women did increase their access to the parliament. According to Jones (1996), the legislation has two elements that made it successful. Firstly, that a minimum of 30% of all candidates on the

¹ The current Argentinean democratic period began in 1983 following nearly eight years of the last military dictatorship

party lists in all of the nation's 24 electoral districts have to be women. Secondly, that these women have to be placed in eligible positions on the party lists and not, for example only in decorative positions from which there would be no chance of election² (Jones, 1996).

From Table 1 it can be seen that the quota law's greatest electoral success was the dramatic increase in the number of women elected to the Argentine Chamber of Deputies (Jones, 1996). Although the requirement was to pose women in eligible positions, the increase in women participation was gradual probably because of the effect or partial renovation (INTECO, 2001) and because some lists failed to comply with the law by not placing the female candidates in eligible positions³ (Jones, 1996). After the elections of 1993 (first after the implementation of the law), the number of female deputies increased tremendously.

Table 1
Women number in the Deputies Chamber and percentage, period 1983-1995

Year	Total number of seats	Women	% Total
1983-85	254	13	5.1%
1985-87	254	12	4.7%
1987-89	254	14	5.5%
1989-91	254	16	6.3%
1991-93	257	16	6.2%
1993-95	257	36	14.0%
1995-97	257	71	27.6%

Source: Cámara de Diputados de la Nación Argentina

V. Qualitative analysis

V.1 "Thin" Democracy and lack of horizontal accountability

The aim of this section is to show that women were gaining space in politics in a weak institution which was frequently by-passed by president Menem in the nineties. The concentration and abuse of power under Menem seem to have hindered the potential impact of greater women's participation in the deputy chamber of the country.

In 1989, Argentina was marked by the hyperinflation trauma of 1988-89 (Szusterman, 2000). That year Menem won the Presidential elections and started his administration, which was going to last for ten years. According to many scholars this deep economic crisis at the end of the eighties weakened civil society and dulled public opposition to abuses of power (Levitsky, 2000, Szusterman, 2000). O'Donnell (1994) argues that it also reinforced certain practices and conceptions about the proper exercise of political authority that led in the direction of "delegative" not representative democracy.

² The regulation of the Law was through the Executive Decree 379/93

³ Each 2 year 50% of the chamber is renewed.

'Delegative democracy rests on the premise that whoever wins election to the presidency is thereby entitled to govern as he or she sees fit, constrained only by the hard facts of existing power relations and by constitutionally limited term office. The president is taken to be the embodiment of the nation and the main custodian and definer of its interests. It has a paternal figure and is supposed to take care of the whole nation' (1994, pp. 59-60)

In O'Donnell's explanation about what makes delegative democracy different from its representative cousin there is an important element about accountability. He argues that representation entails accountability and that in institutionalized democracies, accountability runs vertically, making elected officials answerable to the citizens, and horizontally, across a network of relatively autonomous powers (i.e. judiciary, legislature). Consequently, horizontal accountability (key characteristic of representative democracy) is extremely weak or non-existent in delegative democracies.

'...since delegative president sees the institutions that make horizontal accountability effective as unnecessary encumbrances to their "mission", they make strenuous efforts to hamper the development of such institutions. Delegative democracy gives the president the apparent advantage of having practically no horizontal accountability' (O'Donnell, 1994 pp. 61)

The analysis of Menem's administration style of leadership and way of doing politics suggests that the horizontal accountability was weak, leaving parliament as a secondary actor in the political arena. From the start of his first term he showed disdain for parliament and its procedures has been blatant (Munck, 1997). In his first four years in office president Menem took advantage of a clause in the constitution that allows the president to issue decrees under exceptional circumstances, but Menem routinised their use, thereby reinforcing Argentina's strong presidentialism (Munk, 1997). While his predecessors issued fewer than 30 such decrees between 1853 and 1986, he issued 336 in his first five years (Munck, 1997, Levitsky, 2000). Furthermore, although the constitution required ex post facto consideration of the decrees that were ever submitted to congress, only 4% went through the full ratification process (Goretti and Ferreira Rubio, 1993). It seems that the legislature was nothing more than nuisance that came attached to the president (O'Donnell, 1994).

Levitsky (2000) suggests that these relatively pessimistic assessments of the regime have tended to obscure a range of other dimensions on which the regime fared rather well. On the dimension of horizontal accountability, he argues that the "delegative" nature of the Argentine regime may have been overstated because it was just during its first 18-24 months in office when he issued the most controversial decrees. However, the fact that Menem had issued less decrees in his second term does not necessarily mean that the parliament had a more powerful voice. On the one hand he did issue more decrees during

those years and as Szusterman (2000) points, in the last part of his administration instead of being neglectful of the parliament he sought to manipulate it.

V.2 In what activities women have been involved?

As discussed in the previous section, the quota law has brought more women to parliament in Argentina. INSTECO (2001) presents two type of analysis trying to measure the impact of the higher participation of women in the Chamber of Deputies. Firstly, it has gathered the information about which commissions women have participated in and secondly what kind and number of law projects they have presented. Although, the novelty of the analysis,

From table 2, it can be seen that between 1992-99 the total number of commissions has increased from 43 to 50. Each commission has a president and women have increased the number of presidencies from 1 to 9 in the same period. By presenting the commissions with female presidency INSTECO (2001) is trying to show where women were gaining space in the chamber. However, obtaining the presidency of a commission does not necessarily mean that they have more power than the other members. At the end of the day the laws are approved in the chamber sessions. Additionally, table 2 also shows that women have tended to concentrate in certain commissions, especially those that are traditionally linked to female interests. This might be explained by two reasons. First, may be a signal that women reached power and started to represent women issues. Second, they have had to cope with a pre existing network of power relations mainly managed by men and since these are the areas that they have less problems with, they are willing to leave in female hands.

Table 2
Female presidency of ordinary and special commissions 1992-1999⁴

Year	Number of commissions *	Female presidency	Commissions under female presidency
1992	43 (9)	1	Women, family and minority
1993	41 (8)	2	Women, family and minority and Drogadiction
1994	46 (8)	3	Women, family and minority, Tourism, Natural Resources and Environment
1995	48 (10)	3	Women, family and minority, Tourism, Natural Resources and Environment
1996	47 (10)	5	Women, family and minority, of Petitions, powers and reglament, Tourism, Natural Resources and Environment, Human rights
1997	46 (6)	5	Women, family and minority, of Petitions, powers and reglament, Tourism, Natural Resources and Environment, Human rights
1998	51 (6)	9	Women, family and minority, of Petitions, powers and reglament, Tourism, Natural Resources and Environment, Human rights, Constitutional affairs, Education, Culture, Mining,
1999	50 (5)	9	Women, family and minority, of Petitions, powers and reglament, Tourism, Natural Resources and Environment, Human rights, Constitutional affairs, Disability, Culture, Mining,

⁴ Each commission is integrated by a subgroup of deputies who study and discuss in-depth specific projects. These projects are later debated by the whole chamber.

* Number in brackets shows the special commissions as different from the ordinary ones
Source: Adapted from INSTECO (2000)

It is difficult to evaluate these figures. It is not clear to what extent the presidency empowers them more, since it depends on the specific role of the president in each case. However, women did increase the number of presidencies in specific areas which affect directly women reality. Therefore, it has opened up the opportunity to make listened their voice which was absent before the quotas.

INSTECO (2001) also presents a long list of law projects that are summarised in table 3. Unfortunately this information cannot be compared with the number of projects presented in the same period in order to identify if they have presented relatively more or less projects than men and it does not allow us to know which of them have been approved. The topics also suggest that female deputies have been presenting projects more linked to women issues (and to the commissions presided by women). This information shows female deputies interests. However, as it is not possible to know what priority these projects have received in the chamber neither how many of them were approved and transformed in law, it remains difficult to know the influence of more women into the chamber.

Table 3
Laws projects presented by women deputies. Period 1991-1998

Topics	Number
Positive actions	17
Health	9
Housing	3
Subsidies and pensions	12
Violence and discrimination	16
Family and minority	10
Labor	4
Participation in decision spaces	7
Code reform	22
Total	100

Source: Adapted from INSTECO (2001)

VI Conclusions

The impact of the gender quota on the Argentine political context clearly illustrates some of the major difficulties involved in evaluating the actual impact of the introduction of gender quotas in political systems marked by strong presidential figures. The lack of horizontal accountability in Menem's government suggests that women have gained space in a weak democratic institution. The study suggests that without deeper institutional reforms, Argentine democracy would stay unconsolidated and measures like quota would not achieve the desired impact.

Although, the passing of the Quota Law has brought about a significant increase in the number of women in power space limited by the executive power, they did have the

opportunity to get presidencies in specific commissions and have presented projects related to women issues. It can also be argued that as a consequence of this important political measure, women have begun to make their voices heard in a political space that was traditionally controlled by men and this, in itself, constitutes a remarkable achievement.

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