

The Case for Gender Parity:

A New Policy Wave in Latin America?

*El caso de la paridad de género:
¿una nueva ola política en Latinoamérica?*

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Abstract

This article seeks to analyze gender policy, since this type of actions was disseminated in Latin America in two important waves: first, during the 1990s, when most Latin American countries passed from dictatorships to elected democracies. This era was characterized by the strong role of women's organizations, the significant power of regional and international conferences and leadership roles, from government leaders to women politicians who supported Non-Governmental Organizations (NGOs), the changes that affected the national political transformations of those countries that adopted gender quotas. On the other hand, a series of similar external factors led to a wave of gender parity in Latin America. However, the foregoing, it is important to bear in mind that there are still significant differences between quotas and parity. Beyond the figures (quotas varied from 20 to 40% and parity requires 50%), quotas that were introduced as balance mechanisms generally focused on legislatures, while parity systems have maintained this trend changes they have been permanent and broader, which, not only are attached to the legislative area but have also permeated the executive and judicial powers of governments. It should be noted that the defenders of gender parity have tried to incorporate this mechanism in private companies, corporations and beyond, making the second wave of parity may have more far-reaching consequences for women who exercise policies and whose current situation it is the central axis of the present text.

Key Words: Gender Equity, Government, Political Women, Non-Governmental Organizations, Parity

Resumen

El presente artículo busca analizar la política de género, ya que este tipo de acciones tuvieron su difusión en América Latina en dos importantes oleadas: primero, durante la década de 1990, cuando la mayoría de los países latinoamericanos pasaron de las dictaduras a las democracias electas. Dicha época se caracterizó por el papel importante de las organizaciones de mujeres, el poder significativo de las conferencias regionales e internacionales y los roles de liderazgo, desde las líderes de gobierno a las mujeres políticas que apoyaron a las Organizaciones No Gubernamentales (ONG), en los cambios que afectaron las transformaciones políticas nacionales de aquellos países que adoptaron cuotas de género. Por otra parte, una serie de factores externos similares llevaron a una ola de paridad de género en América Latina. No obstante lo anterior, es importante tener en cuenta que existen todavía diferencias significativas entre las cuotas y la paridad. Más allá de las cifras (las cuotas variaron de 20 a 40% y la paridad requiere 50%), las cuotas que se introdujeron como mecanismos de equilibrio generalmente se enfocaron en las legislaturas, mientras que los sistemas de paridad han mantenido esta tendencia, los cambios han sido permanentes y más amplios, los cuales, no sólo se adscriben al área legislativa sino además han permeado en los poderes Ejecutivo y Judicial de los gobiernos. Hay que destacar que los defensores de la paridad de género han intentado incorporar este mecanismo en empresas privadas, corporaciones y más allá, logrando que la segunda ola de paridad pueda tener consecuencias más trascendentales para las mujeres que ejercen la política y cuya situación actual es el eje central del presente texto.

Palabras clave: Equidad de género, Gobierno, Mujeres políticas, Organizaciones No Gubernamentales, Igualdad

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Since the return of democracy to Latin America, policies intended to promote the inclusion of women and other underrepresented groups have been increasingly adopted in the region. In particular, gender quotas have been one of the most popular and effective mechanisms employed in elections and other contexts in Latin America. Gender quotas provide women with a means to secure their participation in legislatures and have been employed worldwide. Their adoption in Latin America was influenced by both domestic and international phenomena (Piatti-Crocker 2011, 2015, 2017).

Argentina was the first country in the world to adopt a minimum thirty percent national gender quota for women legislative candidates' in 1991, and this mechanism led to very effective results after the law was implemented in 1993. This legislation led to a process of normative diffusion in the region, when quotas were adopted in 17 other Latin American countries. International and regional conferences and organizations, including the United Nations Conference in Beijing (1995), regional conferences, and other governmental and non-governmental organizations helped shape the diffusion of quotas in Latin America. Yet, domestic factors, such as women's campaigns, women legislators, and the role of bureaucracies and the president in a few cases, played a significant role in the adoption of legislative quotas regionwide (Piatti-Crocker 2011, 2017).

Within the first decade of the millennium, a new wave of quota activism emerged with force in Latin America. This time, proposals for parity systems that require alternation between male and female candidates in legislative elections, gender balance in public posts and the private sphere in some cases diffused throughout the region. Much like the quota movement a decade before, the discourse for gender parity was shaped by regional conferences, particularly by women's conferences sponsored by the Economic Commission of Latin America and the Caribbean (ECLAC). This led to the adoption of gender parity in eight Latin American countries so far and several other countries are considering parity bills. Distinct from

quotas, parity is based on the principle of equal representation: given that women comprise half of the population, it follows that they should hold half of the decision-making positions (Espino, 2011).

This paper is divided into two main sections. First, it will briefly discuss the literature on diffusion and will examine the external environments that helped shape gender parity in Latin America during the 2000s. A second section, will discuss briefly the countries adopting parity, their rationale, and implementation mechanisms. To explain diffusion of gender parity systems (from now parity), this paper employed both archival documentation and included interviews conducted by the author. Interviews with legislators and policy-makers were critical in this analysis of policy diffusion. As seen below, several of the interviewees argued that the adoption of gender quotas and later of parity in the region were shaped internally by the regional snowballing effect.¹

This article is also very relevant for this publication (*Cultura política*). As analyzed below, the adoption of policy innovation and the speed and rate of policy diffusion is intrinsically related to a cultural environment that is open to it. In other words, despite the significant role of the international and/or the regional contexts that may help shape norms and customs, internal developments (cultural and institutional) are key factors in promoting policy change. Substantively, the relative success of Latin American women in winning electoral office reflects global changes in gender roles and a major cultural shift in the region. Indeed, parity has been justified on the idea that women's greater political presence will, in turn, help transform a political culture in Latin America that has traditionally benefitted men (Huerta and Magar, 2006).

1. For example, in an interview with Crocker for her Ph.D. thesis (2005), Maria José Lubertino explained that she was invited to New York and the Philippines to talk about the Argentine experience with its gender quota law. Moreover, PROLEAD organized a conference in Mexico and one of the main topics of debate at the conference was the Argentine experience with gender quotas (Interview with Lubertino, May 13, 2003). In addition, Marcela Durrieu revealed that she was invited by the Inter-American Bank of Development (IBD) in early 1992 to a conference in Guadalajara, Mexico to explain the innovative Argentine gender policy. In addition, Durrieu asserted that Liliana Gurdulich, the Argentine representative to the Division of the Advancement of Women (DAW), spoke frequently at DAW meetings about the Argentine experience with its gender quota (Interview, June 6, 2003). For more on these interviews, see Crocker (2005) and Piatti-Crocker (2011).

Policy Diffusion in Latin America:

The Wave of Parity

In broad terms, diffusion refers to the process by which institutions, practices, behaviors, or norms are transmitted between individuals and/or between social systems. The process “involves a set of assumptions about the nature of systems, how they interact, and how the environmental context will affect the units studied” (Most *et al.* 1989:113). Diffusion models have been employed to interpret the spread of wars, democratic regimes, free markets, and gender mainstreaming (Piatti-Crocker 2011; True and Mintrom, 2001). However, the nature, forms, and consequences of the diffusion of policy are complex subjects because they can be studied at several levels of analysis and may refer to distinctive processes (Piatti-Crocker 2017). Most *et al.* (1989:138) assert that diffusion models may be conceived in a general framework, “where there are linkages between some state’s policy and other previously occurring factors, which are external to the state”. Interdependence has opened up the policy process within states to a broader array of groups, including groups that have been considered to be traditionally weak in both political and economic senses, such as those concerned with the advancement of gender issues (True and Mintrom, 2001:38). Increasingly those perspectives also claim that states learn and become embedded in global norms that help shape their domestic behavior and more particularly the conduct towards their citizens. Norms and practices are then transmitted “from one individual to another or from one state to another” (Florini, 1996:369). Indeed, many diffusion researchers (see for example Rogers, 2003), recognize the importance of cultural influences upon the diffusion process. In a globalized world where trans –and supranational networks, communication and the exchange of information gain in importance, national political decision making processes do not occur independently from each other (Schmitt 2013). This is significant and the main rationale on the speed and rate of diffusion on the region.

Although “emulation” is central to diffusion, the “emulating” social group does not necessarily adopt a given policy in an identical manner. Certainly, some similarity must be present, but in many cases, diffusion includes a process of adaptation that reflects the receiving group’s cultural or institutional circumstances.²

2. In Vargas’ (1998) view, the most important innovations at the Beijing conference were the call “for mainstreaming a gender perspective in all forms of policy-making.” In addition, the mechanisms created by this conference to “follow up” and assess the “mapping progress” were critical in establishing an international framework that explicitly advocated gender equality legislation (Interview with Marcela Rodríguez, June 4, 2004). For more on these topics, see Crocker (2005) and Piatti-Crocker (2011, 2017)

Rogers (2003:17) calls this adjustment process “re-invention” and shows that most adopters modify the emulated policy before adopting the innovation (Piatti-Crocker 2011; see also Table I). Indeed, in Latin America quota systems, percentages and mandates varied from country to country. Furthermore, the rate and success of quota implementation have been closely related to a country’s cultural and institutional context, especially its electoral system.³

Table I

Country	Date	Legislation
Argentina	1991	Law 24,012 (30%)
Bolivia	1997	Reform and Completion of the Electoral System Act (30 %). The 2010 Electoral Law established a parity system
Brazil	1995	A 20% quota was initially adopted by Law 9100 only for city councils. In 1997, Law 9504 expanded quotas to proportional elections at local, regional, and national levels and the minimum was increased to 30% In 1998, the federal Chamber of Deputies and state legislatures also adopted a 30% quota
Chile	2015	Requires all political parties competing in congressional elections to ensure that no more than 60% of candidates on the ballot in each electoral district are of the same sex
Colombia	2000	Law 581 established a quota but was later overturned by the Supreme Court; however, the Court subsequently validated a 30% neutral quota in 2011
Costa Rica	1996	Law 7653 established a 40% quota for parties and delegations in the Legislative Assembly
Dominican Republic	1997	Electoral Law 275/97 established a 25% quota; raised to 33 % in 2000
Ecuador	1997 d	Labor Protection Act (20%). Reformed in 2000: 30 % of candidates on electoral lists must be women, both for ordinary and supplementary seats The Constitution and Electoral Law (#26/2010) subsequently established a parity system

3. For more on this topic, please see: Piatti-Crocker *et al.* (2017), chapters one and eight.

Concerning gender policy, this sort of policy diffusion occurred in Latin America in two waves: first, during the 1990s when most Latin American countries transitioned from dictatorships to elected democracies. This wave was characterized by the strong role of women's organizations, the significant power of regional and international conferences, and the leadership roles –from presidents to women politicians and NGOs– in the domestic

The First Wave of Quotas

Country	Date	Legislation
El Salvador	2013	According to Article 37 of the Law on Political Parties (No. 307), women must comprise at least 30% of each party's list of candidates in elections to the Legislative Assembly.
Haiti	2012	Haiti's Constitution as amended in 2012 incorporates a minimum quota of 30% (reserved seats) for women at all levels, especially in public life (Article 17.1)
Honduras	2000	Equal Opportunity Law (30%). In 2012, Decree #54/2012 established a parity system
Mexico	1996	Amendment to the Federal Code on Electoral Procedures and Institutions passed in 2002 (30%) In 2008 a 40% quota was adopted In 2014, Mexico adopted a parity system
Nicaragua	2012	Electoral Law Reform #331 (#790/2012) established a parity system
Panama	1997	30% for party primary and general elections In 2012 the Electoral Code (#54/2012) established a parity system
Paraguay	1996	Law 834 Electoral Code (20%).
Peru	1997	Law 26,859 for national elections (25 %). Law 26,864 for municipal elections (25 %). In 2000, gender quotas were raised to 30 %. The quota also applies to regional elections, first held in 2002
Uruguay	2009	30% minimum quota for both genders
Venezuela	1998	Suffrage and Political Participation Act (30%). Law repealed in 2000. Parity was encouraged in 2008

Elaborated from *Inter-Parliamentary Union* (2016), *International IDEA* (2016), and *Piatti-Crocker* (2017).

politics of those countries adopting quotas.⁴ Similar external factors led to the wave of parity in Latin America. However, it is important to note that there are significant differences between quotas and parity. Beyond the numbers (quotas varied from 20 to 40%, and parity requires 50%), quotas were introduced as remedial mechanisms and have generally focused on legislatures, whereas parity systems have been permanent in nature and more comprehensive, targeting not only the legislature but the executive and judicial branches of government (Piscopo, 2014). Advocates of parity have attempted to incorporate this mechanism in private businesses, corporations, and beyond (ECLAC, 2016). Indeed, the more recent *parity wave* may have major consequences for women politicians, a subject to which we now turn.

The Road to Parity:

External Factors

Within the first decade of the millennium, a wave of quota activism emerged with force in Latin America. Proposals for parity that require alternation between male and female candidates in legislative elections and gender balance in public posts and even the private sphere diffused throughout the region. Seemingly rooted in the “Athens Declaration,” the concept of parity was invoked at the first “European Summit of Women in Power,” held in Athens in November 1992 (Eurogender Network, 2013), and later diffused to Latin America (Espino, 2011). Eight Latin American countries have adopted parity by legislation and several other Latin American countries have introduced parity bills in legislatures (Piscopo 2014, Piatti-Crocker 2015, 2017). Parity, is a principle that reaches beyond the need to “balance the representation of men and women” in position of political power, “It aims to democratize gender relations” (ECLAC, 2016). Accordingly, “equality between men and women is a human right which contributes to promote democracy and good governance, a key factor for the sustainable development of states” (PARLATINO, 2015). These arguments were made at both international and regional conferences, which helped shape the discourse internally.

4. In its Informe Nacional to the 1995 Beijing Conference, Argentina presented a 159-page study that included data concerning women, the establishment of national and provincial mechanisms to promote women’s integration in society on an equal basis with men, the creation of NGOs with similar objectives, and the adoption of legislation and constitutional provisions, including affirmative action. The report’s Chapter Three deals more particularly with the adoption of the gender quota law and its effects at the national level. Accordingly, the Informe asserts that the implementation of a 30% quota for national legislative candidates had unlocked a new debate in the chamber around gender and other social questions that had not been previously part of the national legislative agenda (Consejo Nacional de La Mujer 1995). For more on this Informe, see Crocker (2005) and Piatti-Crocker (2011).

As was the case during the first wave of quotas (Piatti-Crocker, 2011), ECLAC was one of the key organizations that helped shape the regional environment in favor of parity through its regional women's conferences. These conferences are convened every three years to identify women's needs and draft reports, also known as "consensuses" or "strategies" that include recommendations and activities to be carried out by member states. All 33 countries in Latin America and the Caribbean participate in these conferences. Furthermore, these women's conferences serve as forums for debate among member states, other IGOs, and NGOs (ECLAC, 2016). Starting with the 2007 women's conference and continuing with the three most recent regional meetings, these gatherings have been key in advocating parity as "a goal, a permanent governing principle of political activity" (Ferreira 2015:35) framed in the concepts of equality and non-discrimination. The documents resulting from these conferences—the Quito Consensus of 2007, the Brasilia Consensus of 2010, the Dominican Consensus of 2013, and the Montevideo Strategy of 201— are evidence of these outcomes (Archenti and Tula 2013, Archenti 2014, Piscopo 2014, Piatti-Crocker 2014 and 2017). The Quito Consensus of 2007 called upon the countries of the region to adopt all measures and mechanisms to achieve parity for women in public office and in political representative positions, and at the national and local levels (Piatti-Crocker 2017, Quito Consensus 2007).

Three years later, the Brasilia Consensus reaffirmed the need to "address the challenges to women's autonomy and gender equality" and the "elimination of the structural exclusion of women" (preamble). This consensus also encouraged parity beyond domestic legislatures to include regional parliaments, such as MERCOSUR and PARLATINO (Brasilia Consensus, Article 3g); private businesses; and corporate boards (*Ibidem*, Articles 3e and 3j).

The 2013 conference in the Dominican Republic and the resulting "Santo Domingo Consensus" promoted the need to secure gender equality as "the central thread running through all action taken by the State, given that it is a key factor in consolidating democracy and moving towards a more participatory and inclusive development model" (Article 21). This document reiterated the permanent and comprehensive nature of parity by ensuring "that women have equal access to decision-making positions in all branches of government and in local governments, through legislative and electoral initiatives and measures that guarantee parity of representation in all political spheres and a commitment to strategic agendas to achieve parity in political participation and gender parity as a State policy" (101).

Furthermore, this conference also emphasized the need for parity “in the public and the private spheres, and setting up mechanisms to punish non-compliance with such laws” (102). Thus, parity is to be extended beyond the public sector into private spheres (ECLAC, 2013).

Finally, the 2016 Montevideo strategy for the “Implementation of the Regional Gender Agenda within the Sustainable Development Framework by 2030” presses governments to adopt “laws and norms to ensure women’s equal access to political power, by fostering gender parity in participation throughout the public sphere” (14, 1k). In addition, ECLAC agrees to create or strengthen

monitoring systems, according to agreed criteria, that comprehensively and periodically evaluate the level of implementation of laws, norms, policies, plans and programs on gender equality and women’s rights at the regional, national and subnational levels (22, 10 A).

Other regional organizations have helped promote parity in Latin America. For example, in December 2014 the Latin American Parliament (PARLATINO) met in Panama to draft a Declaration on Parity Democracy, which was adopted by the member parties. The event entitled “Parliamentary Encounter. Women: Parity Democracy” was co-organized by U. N. Women and the National Forum of Women’s Political Parties of Panama, with the support of the Inter-American Development Bank (IDB). The declaration reaffirms the principles of parity evinced during the Quito Consensus as “key driving forces of democracy, aimed at achieving equality in the exercise of power, decision-making mechanisms of social and political participation, and in family relationships” (PARLATINO, Declaration 2015). It called upon member states “to adopt legislative and other measures necessary to achieve effective equal representation between men and women in public office in all branches and institutions of government, at all levels [...] as a determining condition for democracy” (PARLATINO, Declaration 2015). Finally, and like quotas before, gender parity has been encouraged within the UN (UN-swap) in order to empower women in politics and decision-making posts within UN bodies, such as UN Women and UNDP (CEB/2006/2, UNDP 2015). Indeed, in a first of its kind, 80 world leaders (including 12 from Latin America) convened in September 2015 at the UN to put forward the necessary mechanisms to end discrimination against women. This led to the “Step-Up” strategy, which encourages world leaders to provide for equal opportunities for girls and women by 2030 (UN Women, 2015) and to the adoption of the 2016 Montevideo Strategy discussed above.

Overall, regional and global organizations were crucial in stimulating debate over gender mainstreaming mechanisms and affirmative action, and parity in the 2000s, converting mere ideological aspirations to real phenomena. This networking provided opportunities to discuss experiences and adopt key resolutions that pressured national governments to modify policy in favor of women.

Parity in Latin America:

Internal Contexts

Whereas the external environment helped shape internal policies, several common patterns derived from the countries adopting parity in Latin America. First, the geographic effect of the wave; of the eight Latin American countries adopting parity systems only three are from South America. Indeed, most of the wave occurred in Central America and Mexico –though this wave seems to be taking hold in South America more recently. Second, parity was adopted in countries where ruling parties are identified with the ideological left (e.g. Bolivia, Ecuador, Nicaragua, and the more moderate left in Costa Rica). Yet, there are exceptions to this pattern; neither all countries with parity have left-wing governments (e.g. Argentina –though the bill was proposed by the left–, Panama, Honduras, Mexico) nor all countries with leftist regimes in Latin America have adopted parity (e.g. Uruguay, Paraguay). Third, all countries adopting parity shared a similar discourse, sponsored by the conferences and organizations mentioned previously; parity is based on the principle of equality of outcome, as a driving force of representative democracy and rooted on universally recognized principles of human rights. For example, the concepts of “equality,” “non-discrimination” and the “representative” quality of democracies, based on “international human rights standards” are some of the main common patterns that have been used in the parity discourse both regionally and domestically. Fourth, in most cases (with the exception of Nicaragua) parity was an end result, following one or more gradual increases after initial quotas were adopted. However, one important difference among countries adopting parity is the outcome: as it happened with quotas before, parity has not resulted in equal representation for women, due to institutional obstacles and electoral rules.

For example, there is broad consensus in the literature on electoral systems that list Proportional Representation (PR) is more propitious for the election of women than other systems used in single member districts (e.g. Matland, 2005:99-103; Reynolds, Reilly & Ellis, 2005:37, 61,

119-121). Under list PR a party can nominate a diverse list that includes greater gender balance to fill multiple seats and thus appeal to a broader electorate, while addressing internal pressures for equity within its ranks. Moreover, policies designed to favor women adopted by one party are more likely to spread to other parties (contagion) under list PR, where the risks of diversity are lower. In addition, other design mechanisms such as high district and party magnitudes, placement mandates and penalties for non-enforcement have been significant factors in achieving a proportion of women near or at parity levels (Piatti-Crocker, 2017; Archenti and Tula 2013, and see cases below).

Based on the notion that one of the basic principles of democracy is equality (Goyes, 2009) the first country to adopt parity in Latin America was Ecuador and soon after the Quito Consensus of 2007. According to Goyes parity has helped “close the huge inequality gap between men and women” that persists in the country and “may contribute to build a stronger democracy” in Ecuador (International IDEA 2009). Ecuador’s constitutional reform of 2008 (Article 65) required the government to promote gender equality in both elected and appointed public posts. Soon after this reform, the 2009 electoral law introduced parity. More particularly, Articles 99 (1) and 160 of the law requires that men and women legislative candidates alternate positions on the lists, and this include both principal and alternate candidates for PR elections in the National Assembly, as well as the Andean and Latin American Parliaments and regional/municipal/rural councils (ECLAC, 2016). However, the legal and constitutional changes have not resulted in achieving real parity. During the last legislative election of 2013 women gained only 41.6% of the seats. One of the main obstacles to gender parity in Ecuador is its Open List PR electoral system, which has shown to work negatively for women (Archenti, 2013).

In Bolivia, parity was also introduced after a constitutional reform of 2009, and under the leadership of Evo Morales, which requires women and men to alternate candidate seats. Parity was soon implemented for the upper house elections of 2009 but under a temporary clause, since the electoral legislation had not been reformed in time for the elections (Piatti-Crocker, 2011). In 2010, Bolivia modified its electoral law requiring that both principal and substitute PR candidate lists of its MMP electoral system alternate equal numbers of men and women (OAS, 2013). The new legislation also required that if a list was composed of an odd number of candidates, preference should be given to women. In single-member constituencies, the new legislation required that at least 50% of the candidates (principal and alternates) nominated in the total number of constituencies

be women (Centellas, 2015). This new legislation was first implemented for the Lower House in 2014 and reached the second highest proportion of women legislators in the world (IPU, 2018).

Costa Rica's legacy of gender equality is strong and decades long. Indeed, the Act Promoting the Social Equality of Women was adopted in 1990, even before the Argentine quota law. The law provided for the protection of women's rights in various fields, including a section on political representation. The electoral reform of 1996 led to the adoption of a mandatory gender quota that required a minimum of 40% of women in candidate party lists for legislative elections at both national and subnational levels but women remained well below that threshold. Indeed, it was not until the elections of 2002 when women legislators only reached (and actually surpassed) the quota after the inclusion of a placement mandate modeled after the Argentine 1993 mandate (Piatti-Crocker, 2011 and 2017). Almost a decade later, the Supreme Court of Elections to the Legislative Assembly raised the quota to parity, and with the reform of its electoral law in 2009, the principle of gender parity (Article 2) was formally established and enforced during the 2014 legislative elections but only 33.3% of women were actually elected. One of the obstacles to real parity in Costa Rica is the fact that its electoral districts are relatively small, which also work negatively in the election of women. Accordingly, parity of outcome cannot not be realized fully unless women lead the lists of major political parties in the country, which has not been the case thus far (Archenti and Tula, 2014).

Unlike the rest of the countries with parity, Nicaragua recognized the need for parity without a previous quota. Article 82 (4) of the 2012 reformed electoral law requires all political parties or the coalition of political parties which participate in the National Assembly elections to include in their electoral lists 50% men and 50% women candidates for national, municipal and the Central American Parliament elections (Law 648/2008). During the last legislative election of 2016, when the parity law was first enforced, women reached 45.7 % of the legislative seats (IPU 2017).

A very different outcome is the case of Panama; after its original 30% gender quota in 1997, a parity law was adopted in 2012 (Decree 244/2012). Yet, only 18.3% of women were elected using parity during the legislative election of 2014. One of the obstacles to the election of women is that parity is only required on the primary lists and internal party elections in Panama but not for the general legislative election (International IDEA 2016). Furthermore, the law allows parties to fill the vacancies with male candidates (UN/Women Watch 2014, UNDP, 2016) Honduras implementa-

tion of parity law has also been problematic as seen on Table II. According to a report by *Counterpart International*

[...] while there is an established quota for women candidates for publicly elected positions, there is a lack of measures to enforce compliance with this quota. In addition, electoral practices appoint women in secondary positions or even force them to quit in favor of a man from the same party (Counterpart International, 2013).

Much like Bolivia and Ecuador, Mexico's parity was introduced after its constitutional reform of 2014. The reform included a requirement for political parties to put in place “[...] rules to ensure gender parity in the nomination of candidates in federal and local congressional elections” (Baldenebro 2014). This was followed by the 2014 electoral reform, which established a parity system (Congreso de la Nación /Boletín 5520/2015). A product of broad political consensus, it was a central element of the so called *Pacto Por Mexico*, a political agreement signed by Mexico's then main political parties—the governing Institutional Revolutionary Party (PRI), the National Action Party (PAN), and the Party of the Democratic Revolution (PRD)—shortly after President Enrique Peña Nieto's assumed the Presidency in 2012 (El Horizonte 2015). During the most recent election (2018), when parity was first enforced in both chambers (this was the second time in the lower house), the Lower Chamber reached an unprecedented percentage of 48.2 women and even higher in the Senate with 49.2 percent of women.

The case of Argentina has been more complex: despite the introduction of several parity bills, both institutional and cultural factors hindered the passage of gender parity in this country (Piatti-Crocker 2017, UNDP 2015). Yet, the general climate in favor of parity at the national level began to change in 2016 and gender parity resurfaced on the national legislative agenda. The legal framework in support of parity was based on constitutional mandates (Article 37, 1994 Constitution), which upholds affirmative action mechanisms that guarantee “real” equality for women (interpreted as equality of outcomes) in the access to elective posts, and Article 75 (23) providing Congress with the task of promoting affirmative action with regard to children, women, the elderly, and persons with disabilities. In addition, much like other Latin American countries regional and international treaties and organizations helped shape the national debate on parity. Among those, the consensus sponsored by ECLAC, documents published by PARLATINO, conferences sponsored by the Inter-American Bank of Development, and UNWomen were all important supporters of gender parity. Finally, both subnational level parity legislation and gender

Table II
Countries with Parity in Latin America

Country	Law	Year	Outcome
Argentina		2017	2019 Pending Elections
Bolivia	Constitution / Electoral and Political Parties law	2009 2010	2014 Election Lower House: 53.1% Upper House: 47.2%
Ecuador	Constitution/ Electoral Law (#26/2010)	2009 2010	2017 Election 37.96 %
Costa Rica	Electoral Code (#8765)	2009	2018 Election 45.6%
Honduras	Electoral and Political Parties Law Decree #54/2012	2012	2017 Election 21.09 %
Mexico	Constitution Law of Political Parties	2014	2018 Election Deputies: 48.2% Senate: 49.2%
Nicaragua	Electoral Law Reform #331 (#790/2012)	2012	2016 Election 45.7%
Panama	Electoral Code (#54/2012)	2012	2014 Election 18.31%

International IDEA 2018, Inter-Parliamentary Union 2018.

parity in other countries within and beyond Latin America were influential in fast-tracking the legislative debate in Argentina. The bill in the Senate in October 2016 but the process in the lower chamber took more than a year to be placed on its legislative agenda. Under the initiative of Deputy Victoria Donda, daughter of missing parents during Argentina's dirty war (1978-1983) and member of the minority and ideologically leftist "Libres del Sur" Party; the deputy requested the bill to be voted *sobre tablas* (or

without debate). As the discussion dragged onto late hours of the night, Deputy Donda said “I want a vote. We are staying (in the chamber), we are not that tired” (Infobae, 2017). The discourse was similar to other previous contexts: “with greater parity comes greater democracy” said Deputy Donda, and UCR Deputy Alejandra Martínez stated “Let’s tell the truth, it is not the passage of time that will give us parity, only a parity law will do” (Infobae 2017). In its final vote the bill received the overwhelming support of 165 legislators and only four voted against the bill. The law will be first implemented in 2019.

Overall, the processes leading to parity later have followed similar patterns. Sponsored by international organizations, in particular the UN, and its regional conferences, the idea of parity emerged as a comprehensive and permanent mechanism, and has been adopted in eight countries thus far. In addition, the discourse leading to the adoption of parity was remarkably similar in all cases. Based on the idea that parity underlies democracy or that “equal representation between men and women in public office in all branches and institutions of government, at all levels [...] is a determining condition for democracy” (PARLATINO, 2015) seems to be the common ideological pattern for its advocates.

Apart from the eight countries with parity, others have been making serious attempts at establishing similar legislation. In Uruguay, women’s groups have stated that there is a need “to move towards the objectives of equality and parity” and in Paraguay a parity bill was introduced and passed in the Lower Chamber on March 8 (International Women’s Day) 2018, but the bill did not pass in the Senate (Perez 2015).

The Prospects of Parity

in Latin America

Within the last decade, there has been a growing consensus among political women in Latin America of the need to include gender parity in leadership, particularly in politics but also in business and other organizations such as unions and corporations. Parity has been also justified in the idea that women’s greater political presence will, in turn, help transform the political culture that has “traditionally benefitted men, as well as help change the content and priorities of the political agenda” (Huerta and Magar 2006) and rooted on the human rights principles of equality before the law and representativeness in democratic systems.

Even though legal reforms alone have been unable to bring about greater equity and equality for women, there has been serious progress since parity systems have become *the game in town* in the Latin American discourse. Substantive gains should ensue in the future since these measures support “women’s leadership in social and political organizations” (ECLAC 2016) and the promotion of parity-based participation enhances the functioning of democracy. In addition, by establishing mechanisms that guarantee participation on a parity basis by women in all public posts either elected or appointed and in all state-levels, parity is not limited in its application to the legislative branch, as has been the case of quotas before. Overall, it seems that legal improvements should be expected in the future, and the notion of gender parity by 2030 as envisioned by the last ECLAC women’s conference in Montevideo does not seem too farfetched.

Conclusion

Diffusion may be seen logically as both an external and internal processes. In the first case, external factors influence the domestic affairs of a state. In the second it is a subfield of linkage politics, where both internal and external events interact within a state (True and Mintrom 2001, Piatti-Crocker 2011). Thus, an appropriate explanation of diffusion should be given in terms both of the unit of analysis (e.g. states, individuals, or groups of individuals) and the social structures in which these units are embedded (e.g. world or regional systems). This paper dealt with both dimensions by emphasizing processes of international diffusion through global and regional socialization, and describing the internal factors that led to policy innovation in the region.

This paper claimed that since the first decade of this millennium, a second wave (after quotas in the 1990s) began taking hold in Latin America, leading this time, to the adoption of parity legislation in eight countries, also with some variance. Much like the previous wave, this was instigated by transnational organizations and conferences. In addition, various domestic factors, including the demands of feminist organizations, women legislators, presidents, and women’s governmental organizations were critical in shaping the internal process in both waves. However, the rationale behind the first quota movement is quite different from the most recent parity wave. Quotas were introduced as remedial mechanisms, limited-more often-to legislatures, and based on the idea that a “critical minority” in the legislature could lead to women substantive representation (Dahlerup 2006,

Piatti-Crocker 2011 and 2017). On the other hand, parity was introduced as a permanent mechanism, to be implemented in all branches of government and in private businesses (Piscopo 2014, and ECLAC consensuses), and rooted on principles of equality, non-discrimination, and representative democracies (Archenti and Tula 2013, El Protagonista 2015, PARLATINO 2015, Piatti-Crocker 2017). Overall, gender parity in Latin has become the “new game in town” for women politicians, in private businesses, and beyond and likely to continue through diffusion among Latin American countries in the near future.

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