ENDOGENOUS INSTITUTIONALISM AND THE PUZZLE OF GENDER QUOTAS:

INSIGHTS FROM LATIN AMERICA

MARIA LUIZA A. C. GATTO

ST ANTONY'S COLLEGE

ENDOGENOUS INSTITUTIONALISM AND THE PUZZLE OF GENDER QUOTAS: INSIGHTS FROM LATIN AMERICA

MARIA LUIZA A. C. GATTO, ST. ANTONY'S COLLEGE

Thesis submitted in partial fulfilment of the requirements for the degree of DPhil in Politics in the Department of Politics and International Relations at the University of Oxford.

September 2016

Word count: 99,803 (with footnotes); 88,456 (without footnotes).

ABSTRACT

Given their potential to negatively impact men's goal of staying in office, can gender quotas be aligned with the preferences of male legislators who adopt the policy? In other words, does the rapid spread of gender quotas worldwide challenge notions of the rationality of legislators as career-driven individuals? These are the main questions that drive this thesis. To answer these questions, I develop a prospect theory-based framework that accounts for how electoral security and political ambition impact legislators' behaviour in influencing the strength of gender quota designs. I argue that, faced with growing pressures to adopt gender quotas, male parliamentarians engage in the risk-taking process of assenting with gender quotas, meanwhile seeking to minimize the potential costs of the policy to their future careers by actively weakening quota designs.

To evaluate the plausibility of my theory, I employ a series of multi-method and multi-level analyses presented across five substantive chapters, each of which is respectively based on: 1) a cross-sectional analysis of Latin America countries; 2) an elite survey experiment with Brazilian state legislators; and, in-depth process tracing of the cases of gender quota adoption in 3) Costa Rica; 4) Brazil; and, 5) Chile.

The work makes three main contributions. Firstly, although previously identified, the resistance of male legislators towards gender quotas had never been systematically analysed in a comparative manner; focusing on the behaviour of male incumbents is thus a relevant contribution. Secondly, although various authors have provided explanations for the origins of gender quota adoptions, no work had ever comparatively assessed sources of the variation in gender quota designs. Thus, I move the study of gender quotas beyond the binary choice of adoption. Thirdly, I show that the static assumptions of endogenous institutionalism need to be modified by the introduction of risk, which can only be achieved by integrating the insights of prospect theory.

TABLE OF CONTENTS

LIST OF TABLES ..... **V**

LIST OF FIGURES ..... **VI**

ACRONYMS ..... **VII**

MEN, AMBITION & QUOTAS **1**
1.1. THE ARGUMENT 4
1.2. RESEARCH DESIGN 6
1.3. MAIN CONCEPTS 8
1.4. THESIS STRUCTURE 12

TO ADOPTION…AND BEYOND **14**
2.1. WHAT IS INSTITUTIONAL CHANGE? 14
2.2. WHAT IS ELECTORAL REFORM? 17
2.3. WHAT ARE GENDER QUOTAS? 18
2.4. EXPLANATIONS OF GENDER QUOTA ADOPTION AND DESIGN 20
2.5. MALE INCUMBENTS AND THEIR POLITICAL CAREERS 30
2.6. GENDER QUOTAS AND THREATS TO MALE INCUMBENTS 35
2.7 CONCLUSION 37

GENDER QUOTAS AND THE DOMAIN OF LOSSES **39**
3.1. RATIONAL CHOICE AND INSTITUTIONAL CHANGE 40
3.2. CONSIDERING SELF-INTERESTS, CHOICE, AND RISK: PROSPECT THEORY 41
3.3. ADAPTING PROSPECT THEORY TO SOLVE THE PUZZLE 48
3.4. HYPOTHESES 52
3.5. CONCLUSION 54

RESEARCH DESIGN **56**
4.1. AGGREGATE-LEVEL ANALYSIS 57
4.2. INDIVIDUAL-LEVEL ANALYSIS 58
4.3. CASE STUDIES 60
4.4. CONCLUSION 64

GENDER QUOTA DESIGNS **65**
5.1. MEASUREMENT OF GENDER QUOTA DESIGNS: EXISTING EFFORTS 66
5.2. THE INDEX OF GENDER QUOTA STRENGTH 68
5.3. MAPPING GENDER QUOTA DESIGNS 71
5.4. CONCLUSION 74

PROSPECT THEORY AND GENDER QUOTA DESIGNS **76**
6.1. DATA COLLECTION AND METHODS OF ANALYSIS 78
6.2. CAREER GOALS ACROSS LATIN AMERICA 85
6.3. GENDER QUOTAS AS THREAT: LEGISLATIVE RESISTANCE AND NON-LEGISLATIVE REFORM 90
6.4. INDIVIDUAL CAREERS IN THE COLLECTIVE: ANTICIPATED OUTCOMES? 94
6.5. CONCLUSION 106

INSECURE MEN **108**
7.1. DATA COLLECTION 109
7.2. INDIVIDUAL CAREER GOALS AND THE VALUE OF LEGISLATIVE SEATS 118
7.3. GENDER QUOTAS AND THE THREAT TO INDIVIDUAL CAREER GOALS 120
7.4. FUTURE CAREER PROSPECTS AND SURVIVAL CALCULATIONS 123
7.5. CONCLUSION 130

COSTA RICA **132**
8.1. VALUABLE POLITICAL CAREERS UNDER PARTY CONTROL 135

8.2. Party-System Changes, Threats to Electoral Security 138
8.3. Striking a Balance: Gender Quota as a Threat, Gender Quota as a Demand 151
8.4. Conclusion 163

BRAZIL 165
9.1. political ambition in a federal system 168
9.2. Insecure men, competitive Women 173
9.3. Cutting Future Costs, weakening gender quotas 182
9.4. Conclusion 193

CHILE 195
10.1. Long-Standing Incumbents, Limited Offices 199
10.2. Electoral Reform and Gender Quota Resistance in Two Systems 204
10.3. Binomial Out, Gender Quotas in 216
10.4. Conclusion 226

CONCLUSION 228
11.1. Case Studies and Theory Refinement 230
11.2. Main Contributions 233
11.3. Scope Conditions and Limitations 235
11.4. Future Directions 236
11.5. Final Remarks 237

APPENDIX 238

BIBLIOGRAPHY 247

LIST OF TABLES

Table 4.1. Costa Rica, Brazil, and Chile: key characteristics at time of quota adoption

Table 5.1. Index of gender quota strength

Table 6.1. Quota adoption in Latin America, in lower/single houses of national legislatures

Table 6.2. Political opportunities across Latin American countries, at time of respective quota adoptions

Table 6.3. Elite survey data and political costs of losing office across Latin American countries

Table 6.4. Elite survey data and material costs of losing office across Latin American countries

Table 6.5. Strength of policy revisions in Latin America, as measured by changes in the IGQS and its individual component scales

Table 6.6. Determinants of the strength of gender quota designs

Table 6.7. Determinants of gender quota adoption

Table 6.8. Summary of results

Table 6.9. Two-step Heckman, gender quota adoption and design

Table. 7.1. Incumbents' preferences on gender quota designs, OLS

Table 10.1. Roll-call voting on quota-related amendments, 13 August 2014 and 20 January 2015

LIST OF FIGURES

Figure 1.1. Male and female legislators at the time of quota adoption, Latin America

Figure 1.2. Variation in strength of legislatively adopted gender quota designs, Latin America

Figure 3.1. Prospect theory's domain of losses and domain of gains

Figure 3.2. Process of gender quota appreciation, in stages

Figure 5.1. Values of the IGQS, as distributed in Latin America

Figure 5.2. Values of the IGQS and its individual components, as distributed in Latin America

Figure 5.3. Strength of gender quota designs overtime, as distributed in Latin America

Figure 7.1 Distribution of electoral capital for Brazilian state legislators from the 2014-2018 legislature, Kernel density estimates

Figure 7.2. Predicted effects of competition for seats on IGQS-survey

Figure 8.1. Distribution of seats in Costa Rican National Assembly, by party

Figure 8.2. Proportion of seats in National Assembly occupied by re-elected deputies, by 1954–2014

Figure 8.3. Proportion of seats in National Assembly occupied by women vis-à-vis proportion of seats gathered by each party, 1990–2014

Figure 9.1. Incumbency and re-election: chamber of deputies 1990–2014

Figure 9.2. Individual-level electoral security among federal deputies, 2014

Figure 9.3. Proportion of female candidates and elected officials to the Chamber of Deputies, 1987 (1995)–2015

Figure 10.1. Incumbency and re-election: Chilean Chamber of Deputies 1990–2014

Figure 10.2. Proportion of female candidates and elected officials to the Chamber of Deputies, 1990–2014

ACRONYMS

COUNTRY ACRONYMS

AR	Argentina
BO	Bolivia
BR	Brazil
CO	Colombia
CR	Costa Rica
DR	Dominican Republic
EC	Ecuador
ES	El Salvador
HO	Honduras
MX	Mexico
NI	Nicaragua
PA	Paraguay
PE	Peru
PM	Panama
UR	Uruguay
VE	Venezuela

OTHER ACRONYMS

CEDAW	Convention for the Elimination of All Forms of Discrimination Against Women
CEP	Centro de Estudio Público (Public Study Centre)
CEPAL	Comisión Económica para América Latina y el Caribe (Economic Commission for Latin America and the Caribbean)
CFEMEA	Centro Feminista de Estudos e Assessoria (Feminist Centre for Studies and Advisory Services)
CUT	Central Única dos Trabalhadores (Unified Workers' Union)
DIAP	Departamento Intersindical de Assessoria Parlamentar (Inter-union Department for Parliamentary Consultancy)
DM	District Magnitude
EC	Electoral Capital
ENP	Effective Number of Parties
GEE	Generalized Estimating Equations
HDI	Human Development Index
IGQS	Index of Gender Quota Strength
IMA	Implicit Mediation Analysis
INAMU	the Instituto Nacional de las Mujeres (National Institute for Women)
INESC	Instituto de Estudos Socioeconômicos (Institute for Socioeconomic Studies)
LAPOP	LatinoBarómetro, Latin America Public Opinion Project
LH	Lower House
NGO	Non-Governmental Organisation
OLS	Ordinary Least Squares
PELA	Parliamentary Elites of Latin America database
PfA	Beijing Platform for Action
PR	Proportional Representation
SERNAM	Servício Nacional de la Mujer (National Women's Service)
SPM	Secretaria de Políticas para Mulheres (Secretariat of Women's Affairs)

TSE	Tribunal Superior Electoral (Superior Electoral Tribunal)
UN	United Nations
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNDP	United Nations Development Programme
V-DEM	Varieties of Democracy

BRAZILIAN POLITICAL PARTIES

PCdoB	Partido Comunista do Brasil (Communist Party of Brazil)
PDT	Partido Democrático Trabalhista (Democratic Labour Party)
PFL	Partido da Frente Liberal (Liberal front party)
PMDB	Partido do Movimento Democrático Brasileiro (Brazilian Democratic Movement Party)
PPS	Partido Popular Socialista (Popular Socialist Party)
PR	Partido da República (Republic's Party)
PRB	Partido Republicano Brasileiro (Brazilian Republican Party)
PSB	Partido Socialista Brasileiro (Brazilian Socialist Party)
PSDB	Partido da Social Democracia Brasileira (Brazilian Social Democracy Party)
PSL	Partido Social Liberal (Social Liberal Party)
PSOL	Partido Socialismo e Liberdade (Socialism and Liberty Party)
PT	Partido dos Trabalhadores (Worker's Party)
PTB	Partido Trabalhista Brasileiro (Brazilian Labour Party)
PTN	Partido Trabalhista Nacional (National Labour Party)
SD	Solidariedade (Solidarity)

CHILEAN POLITICAL PARTIES

MAS	Movimiento Amplio Social (Broad Social Movement)
PDC	Partido Demócrata Cristiano (Christian Democrat Party)
PPD	Partido por la Democracia (Party for Democracy)
PRSD	Partido Radical Sociodemócrata (Radical Social-Democratic Party)
PS	Partido Socialista (Socialist Party)
RN	Renovación Nacional (National Renewal)
UCC	Unión de Centro Centro (Union of the Centrist Centre)
UDI	Unión Demócrata Independiente (Independent Democratic Party)

COSTA RICAN POLITICAL PARTIES

FA	Frente Amplio (Ample Front)
ML	Movimiento Libertario (Libertarian Movement)
PAC	Partido Acción Ciudadana (Citizen Action Party)
PLN	Partido Liberación Nacional (National Liberation Party)
PUSC	Partido Unidad Social Cristiana (Christian Social Unity Party)

ACKNOWLEDGEMENTS

More than writing a thesis, these past few years have been fundamental in shaping who I am and want to become. I am fortunate to have had Tim and Dave as supervisors, to guide me through it all. So, first and foremost, I would like to thank Tim and Dave for their incessant mentorship and sincere advice. I am grateful for their time and commitment to my development as an academic and person, and for being role models to which aspire. I also want to thank Tim and Valéria for their friendship and for making Oxford feel like home from day one.

My support at Oxford extended far beyond. I would also like to acknowledge my Transfer of Status and Confirmation of Status assessors, Radek Zubek and Catherine Devries, and Ben Ansell and Laurence Whitehead, for pushing me to improve the project in significant ways. I am also indebted to Daniela Scur, Anna Petherick, and Julián López Murcia for their generosity and academic inspirations; and to Svitlana Chernykh for all advice and round-the-clock genuine support. I also cannot forget to thank Andrew Melling, without whom I would not know of any Oxford guidelines or complete any forms. I am thankful for Jason Stanyek's support (and patience!), as well as for bursars from the DPIR and St Antony's College.

Over the years, I presented the project at a number of events and received feedback from many scholars, namely Renato Perissinotto, Bruno Bolognesi, and others at the Brazil seminars at the LAC; participants of the Fórum Internacional Mujer y Democracia hosted by the University of Salamanca, especially Tomás Dosek and Mariana Caminotti; attendants of the 'Gender and Political Recruitment' track of the ECPR joint sessions in 2014; those with whom I spent countless hours discussing research design at the IQMR, especially Germán Bidegain and David Gill; attendants of the LAC's DPhil seminars, especially Kiran Stallone and Ezequiel Ocantos; and, most recently, Maria Escobar-Lemmon and others at the 2016 meeting of the APSA.

Numerous people were also fundamental in assisting me with different chapters of the thesis. I thank César Zucco for his suggestions on my survey design; and David Kohan for his inputs on developing a measure of electoral security. For my work on Costa Rica, I am particularly thankful to Tomás Quesada-Alpízar, for on-the-ground contacts and support as well as for reading and providing thoughtful comments on the chapter. I would also like to thank Steffan Gómez Campos from Estado de la Nación and everyone from the library of the Legislative Assembly, for their assistance in finding and accessing archival materials and data. In Chile, I am grateful to Sebastián Briones and Sofia for hosting me in their home and crisis-management support when things were falling apart. I am also thankful to Javiera Arce for data and archival materials, as well as for her important insights on an early chapter draft; and to Verónica Aranda for discussing and sharing her data. For my chapter on Brazil, I am thankful to Andreia Reis do Carmo, for her comments and suggestions; to Masra de Abreu from CFemea for archival material; and to Tim and César for sharing their data on party placements. I also thank anonymous interviewees and survey respondents who collaborated with the project. Furthermore, I am also indebted to Iona Mackenzie for her patience, kindness, and late night discussions on prepositions and sentence structure; and to Luísa Sette Câmara for restoring my computer files in desperate times.

Finally, I would like to thank my husband, Hylo, for being the most patient unpaid research assistant I could find, for putting up with countless sleepless nights, and for making sure I made it through the end. I also want to thank my friends and family for their encouragement and apologise for my absence or lack of calls. I also must thank Ola Sawicka and Finn Krüger for keeping me sane throughout these years and for helping me organise a wedding in the midst of it all. I am particularly grateful to my mother, Paula, for her unconditional on-going support. This thesis is dedicated to her.

CHAPTER 1

MEN, AMBITION & QUOTAS

THE PUZZLE

Scholars have long identified the desire to retain office as the main goal of politicians.[1] They have also argued that incumbents will use the information and tools at their disposal to maximize their political power and goals. Said rational, office-seeking politicians, however, have sometimes adopted policies that apparently go against their most commonly associated goal of retaining office. This is seen in cases of gender quotas for legislative seats at national-level.

Gender quotas for political office take many forms, but most often they define a certain proportion of candidacies for legislative offices to be reserved for women.[2] As positive discrimination in favour of female candidates, gender quotas limit the space for men—the clear majority of political incumbents. In a recent debate over a gender quota proposal in Brazil, Deputy Edson Moreira stated: 'If this rule passes, everyone will undergo sex reassignment surgery'.[3] The extremity of this claim exemplifies traditional rational choice expectations of legislative behaviour: to protect their seats, incumbents will seek to maintain the status quo or enact rules that increase *their own* chances—and not that of political outsiders—of retaining office. From this perspective, gender quotas would be the result of 'sub-optimal' choices, meaning that they are apparently at odds with the interests of insiders.

Despite this, gender quotas of some kind are now present in over 100 countries in the world.[4] They have been adopted as legislated national policies in roughly 50 democracies[5] through process that requires not only the leadership of a party to agree on

---

[1] Geddes, Barbara. 1994. *Politician's Dilemma: Building State Capacity in Latin America*. Berkeley and Los Angeles: University of California Press.

[2] As this study is concerned with whether incumbents resist to electoral reforms that may pose threats to their careers, it does not differentiate between quota laws and parity regimes, as both have the potential of being detrimental to the careers of male incumbents.

[3] Câmara dos Deputados. 2016. 'PEC 182/2007 - Projetos de Lei e Outras Proposições - Câmara dos Deputados'. *Camara.gov.br*. http://www.camara.gov.br/proposicoesWeb/fichadetramitacao?idProposicao=373327.

[4] Quota Project. 2015. 'Global Database of Quotas for Women'. *Quotaproject.org*. http://www.quotaproject.org/.

[5] Ibid. Also note that: a 'democracy' is here understood as passing the threshold of 5 on the Polity IV scale. See: Systemic Peace. 2014. 'Polity IV Project: Country Reports 2010'. *Systemicpeace.org*. http://www.systemicpeace.org/polity/polity4.htm

the value-necessity of adopting the policy, but also the votes of political incumbents who have career-driven goals of their own. A puzzle thus arises: given their potential to negatively impact men's goal of staying in office, can gender quotas be aligned with the preferences of male legislators[6] who adopt the policy? In other words, does the rapid spread of gender quotas worldwide challenge notions of the rationality of legislators as career-driven individuals?

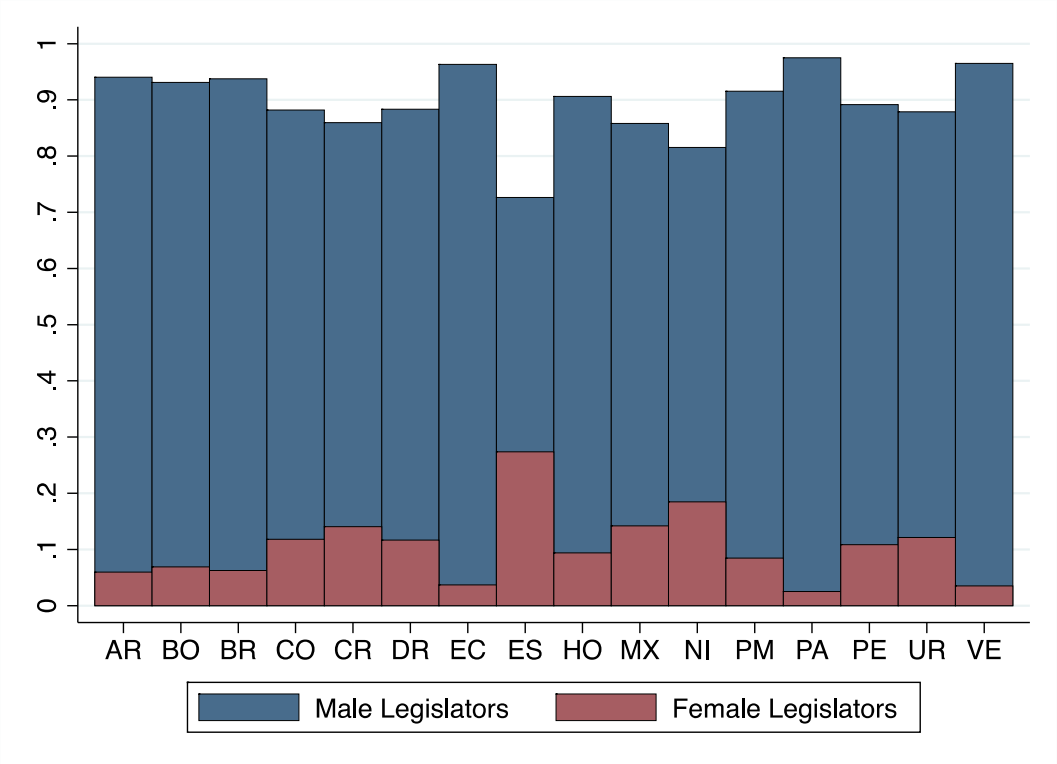


Figure 1.1. Male and female legislators at the time of quota adoption, Latin America

Source: Compiled by author. For details on sources, see Chapter 6.

So far, the existing literature on gender quotas has focused on answering *why* gender quotas are adopted. These works have provided convincing and plausible accounts of how socio-economic development, civil society groups, policy imitation, domestic institutional frameworks, and female legislators have contributed to processes of gender quota adoptions in several contexts.

[6] Although I understand the conceptual and theoretical distinctions between sex and gender. Throughout this thesis, gender and sex are employed interchangeably. This means that gender is used to refer to the binary male/female. Furthermore, distinguishing legislators based on their sex is important for this thesis, given that the theory proposed only applies to men. While in Portuguese or Spanish I could easily make this distinction by speaking of 'legisladoras' and 'legisladores', the same is not possible in English. As such, I employ 'female' and 'male' to distinguish legislators' sex.

One aspect about the process that has been largely under-theorised is the role of men. All legislatures were overwhelmingly dominated by men when they decided to adopt gender quotas (see Figure 1.1). Despite this, questions which pertain to the rationality of male legislators have rarely been systematically examined. Although the existing scholarship generally acknowledges male resistance towards gender quotas, its focus on a binary understanding of gender quota introduction/non-introduction or adoption/non-adoption has meant little theorising, and, especially, little empirical testing of the potential consequences of male resistance to gender quota legislation. [7]

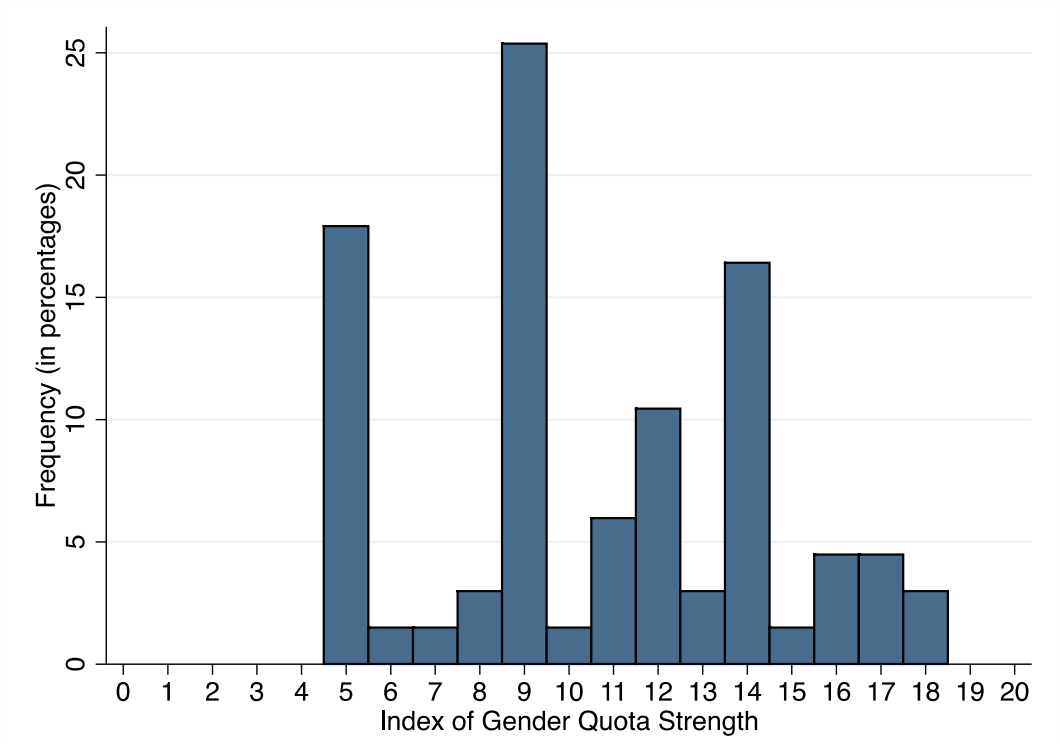


Figure 1.2. Variation in strength of legislatively adopted gender quota designs, Latin America

Source: Compiled by author, for details on the index, see Chapter 5.

By identifying different stages of the legislative process, the current work seeks to address this gap and solve the puzzle: I argue that although individual preferences of male legislators cannot fully explain the adoption of gender quotas, *they can explain the variation in strength of gender quota designs.*

[7] For an example a work that highlights this point, but does not empirically test it, see: Piscopo, Jennifer. 2015a. 'States as Gender Equality Activists: The Evolution of Quota Laws in Latin America'. *Latin American Politics and Society*. 57 (3): 27-49; Krook, Mona Lena. 2009. *Quotas for Women in Politics: Gender and Candidate Selection Reform Worldwide*. Oxford: Oxford University Press: 22

As Figure 1.2 suggests, gender quotas are not created equal. Although legislated gender quotas are all purposed to facilitate the entry of women into politics, pieces of legislation take various form: some may reserve 20 percent of candidacy nomination to women, while others reserve 50 percent; some quotas may include sanctions for non-compliance, while some others may benefit parties that conform; some may be bulletproof, while others leave loopholes widely open. Considering different provisos of gender quota which facilitate women's political representation, I derive the Index of Gender Quota Strength (IGQS) to measure the quality of gender quota designs.[8] Figure 1.2 uses this index to illustrate the variation in the strength of designs of gender quota policies adopted across Latin America.[9]

Although the available literature provides rich accounts of processes of gender quota adoption, it struggles to find clear patterns that explain variation in quota design.[10] Borrowing from prospect theory, I argue that when pressures towards quota adoption are too high, male legislators anticipate potential loss that would result from a gender quota and engage in the risky behaviour of supporting the policy—all the while seeking to control the content of the legislation and to cut potential future losses. While rational choice would predict that male incumbents always behave to prevent the adoption of gender quotas, prospect theory would predict that male incumbents engage in the counter-intuitive, risk-taking behaviour of adopting quota legislation in order to control the drafting process and to design weak policies. Variation in gender quota design, I argue, therefore results from the different levels of threat a gender quota poses to incumbents in a given system.

1.1. THE ARGUMENT

The current work has the objective of explaining the seeming incongruity and providing the missing link between the overwhelming dominance of male incumbents in policy-making and the rapid spread of gender quotas worldwide. To do this, I derive a modified framework based on prospect theory to show that the adoption of gender quota legislation does not signify a lack of incumbents' resistance towards the policy—although the absence of coverage in the existing literature could imply this. In short, I argue that male incumbents would prefer not to change the institutional status quo, but are thrown into the domain of losses when their options become limited by exogenous pressures and

[8] See Chapter 5 for detailed explanation on how I derive the index.
[9] See Chapter 4 for explanation on case selection.
[10] Krook, 2009: 4-5.

partisan ties. In such a scenario, male incumbents exert their preference through other means: by seeking to weaken gender quota design and diminishing the threat a gender quota could pose to their career. As such, I claim that understanding the introduction and adoption of gender quotas, per se, is less important than understanding variation in the strength of gender quota designs. That is because focusing on the latter allows for the assessment of how the micro-foundations of legislative processes—the preferences and actions of individual actors—impact policy. With this, I expect to not only provide a more comprehensive understanding of the origins of gender quotas, but also to solve Tsebelis' observer-problem,[11] which would label gender quotas as the result of sub-optimal choices.

My argument is grounded in the conceptual distinction between gender quota *introduction*, *design*, and *adoption*, which I view as different stages of legislative process. Here, *introduction* refers to the presentation of gender quota bills into a given legislature; this means the expansion of the available known institutional tools in a given context. Many gender quota bills may be introduced into a legislature but never become law. I conceptualise gender quota *design* as the language and provisos outlined in a gender quota bill and legislation. Finally, I understand *adoption* as referring to the actual voting and passing of gender quota legislation. I pose that the introduction of gender quotas is better explained by exogenous factors, such as cultural shifts in rhetoric, pressure group demands, and diffusion. The literature comprehensively covers this stage of the process. Meanwhile, I argue that the adoption of gender quotas reflects the absorption of these exogenous factors into the institutional logic of party systems, often influenced by female legislators and women in party leadership positions.

Both, introduction and adoption of gender quotas, however, do not reflect the preferences of male legislators. Male incumbents would, on average, always prefer to contain competition from political outsiders and maintain the status quo. Introduction and adoption of quotas are beyond individual-level control. As such, the one aspect of the legislative process that individual legislators have the power to influence is gender quota design; as a means of exerting their preferences at this stage, male incumbents draft weak

[11] Introduced by Tsebelis in 1990, the 'observer-problem' refers to the notion that certain outcomes may appear to be the result of actors' sub-optimal choices (i.e., the result of actors' irrational behaviours or miscalculations) when, in reality, they only appear as such to the observer because they are not aware of the multiple levels in which actors are playing. These multiple levels of actions are called 'nested games'. Throughout this thesis, I show that gender quotas are not the result of sub-optimal choices, but, instead, result from incumbents' careful calculations. See: Tsebelis, George. 1990. *Nested Games: Rational Choice in Comparative Politics*. Berkeley: University of California Press.

bills and/or weaken existing proposals, thus diminishing the potential future losses a quota could incur on them.

But gender quotas may pose unequally distributed levels of threat: some politicians have more to lose than others. Thus, I argue that the calculation of incumbents' future losses can be understood as a function of legislators' individual levels of *political ambition* and *electoral security*. As a result, I expect male politicians who are more electorally insecure to be thrown deeper into the domain of losses than their electorally safe counterparts; under this condition, I hypothesise incumbents to be more active in controlling and limiting the content of quota legislation, when their potential future losses are higher than that of 'safe' politicians. The caveat here, however, is that levels of electoral security only place incumbents in the domain of losses if they, in fact, have something to lose. In other words, when political ambition is high, I expect legislators to increase the threshold for adoption and resist gender quotas for longer, despite exogenous pressures. Finally, because gender quota designs result from the collective effort of politicians, I contend that these are a function of aggregate-level electoral security and the costs of losing office borne by individual male incumbents in a given legislature.

1.2. RESEARCH DESIGN

The chosen framework for my argument, prospect theory, is based on cognitive-psychological findings of individual decision-making. This poses benefits and challenges to the study of policy making. On the one hand, my theory is able to offer insights into the micro-foundations of decision-making thus shedding light into the causal mechanisms that lead to different policy outcomes beyond binary understandings of introduction or adoption. On the other hand, my theory has its foundation on the individual-level, but seeks to explain policies adopted collectively, thus at the aggregate-level. As Geddes explains, individual actions may follow rational decision-making patterns, while aggregate decisions may suffer from 'collective irrationality'.[12] Although this insight is derived for rational choice-based arguments and not ones based on prospect theory, it still holds given that her warning can be understood as pertaining to potential incongruence across levels of analysis.

[12] Geddes, Barbara. 1995. 'Uses and Limitations of Rational Choice'. In *Comparative Politics: Critical Concepts in Political Science*, ed. Howard Wiarda. London: Routledge: 386.

In order to both reap the benefits of adopting a theory based at the individual-level and address the challenges associated with it, I use a mixed-method approach to test my theory at two different levels: that of individual legislators (micro-level), and that of entire legislatures (macro-level). Cases from Latin America, the region that pioneered legislation of gender quotas, are used throughout my analyses. I test my theory backwards: first I show that comparatively, at the aggregate-level, political ambition and electoral security impact the strength of gender quota designs in significant ways. Then, I employ elite survey data to analyse whether micro-foundations are aligned with my expectations that preferences of individuals on gender quota designs are shaped by their career interests. Finally, I use three case studies to link my findings at the aggregate and individual levels. At this stage, I also consider the role of medium-level politics—namely, partisan and coalitional logic—as well as of non-legislative actors, in translating (or not) individual preferences into aggregate outcomes.

All my analytical chapters follow the same structure and logic. Based on implicit mediation analysis (IMA), I test my theory in three sequential steps. In doing so, I aim not only to test the argument itself, but also its underlying assumptions. I argue that the strength of gender quota designs is a consequence of the calculations of incumbents in respect to their future electoral prospects; more specifically, I contend that those who are more vulnerable to the effects of the gender quota will be more likely to prefer weak gender quota designs. I pose that incumbents' vulnerability is a function of their levels of political ambition and electoral security. As such, the argument stands on two assumptions: firstly, that incumbents aspire to continue in political office, and, more specifically, re-election to legislative seats—if the goal of incumbents was not to pursue political careers, then gender quotas would be electorally irrelevant; and, secondly, that gender quotas are threatening to goals of retaining political office—if gender quotas did not have the potential of adversely impacting the career plans of legislators, it is also unlikely that incumbents would actively seek to weaken the policy.

The analytical methods used are complementary to one another theoretically and empirically; the testing of different levels of analysis and the employment of different methods of investigation provide comprehensive empirical tests to the theory proposed. Despite my efforts to combine different types of approach, it is crucial to note that I cannot provide precise estimates of the calculations legislators make vis-à-vis their individual levels of political ambition and sense of electoral security. As Weyland explains in his own work, the first and only published book-length test of prospect theory in comparative politics,

when applying prospect theory to decision-making in political science one can only 'achieve plausibility' of the theory to the subject at hand and not 'a rigorous "scientific" test'.[13] Each of my tests thus seek to increase the likelihood of my theory holding.

1.3. MAIN CONCEPTS

The argument I pose is based on two assumptions: 1) that male politicians seek to retain office, and 2) that quotas are threatening to them. These assumptions inform, directly or tangentially, various literatures on political science and rest on the concepts of *political ambition* and *electoral security*. These concepts are employed throughout the thesis and operationalised across different levels and scopes in all my analytical chapters. It is therefore worth taking the time to define my understanding of these terms and their respective places in my theory.

1.3.1. POLITICAL AMBITION

In his seminal 1966 work, *Ambition and Politics*, Schlesinger built a typology of three types of political ambition and career choices. He coined the term discrete ambition to refer to politicians who only want to remain in office for one term; static ambition for those who wish to pursue a career in one sole office; and progressive ambition to label those who are first elected to one office and then seek higher positions.[14] Fenno and other authors followed by establishing the quest for re-election as one of the main career goals of incumbents, and the achievement necessary before seeking other basic goals; defined as influence in congress and good public policy.[15]

Institutional frameworks, however, shape the types of political ambition an individual may pursue; as such, career trajectories are contextual. For instance, unlimited consecutive re-election means that incumbents may run for the same office indefinitely, or, seek the other two types of ambition identified by Schlesinger (discrete or progressive). Alternatively, rules that prohibit consecutive re-election or that establish term limits restrict an incumbent's ambitions to only the discrete and progressive types.

As Carey explains, limits on consecutive re-election mean that political ambition theory needs to look beyond re-election as incumbents' main political goal, and instead

---

[13] Weyland, Kurt. 2002. The Politics of Market Reform in Fragile Democracies: Argentina, Brazil, Peru, and Venezuela. Princeton: Princeton University Press: 43.
[14] Schlesinger, Joseph. 1966. Ambition and Politics: Political Careers in the United States. Chicago: Rand McNally.
[15] Fenno, Richard. 1978. *Home Style: House Members in their Districts*. Boston: Little, Brown.

focus on other ways incumbents may seek to advance their political careers.[16] Thus, another aspect that should be considered is the amount of control parties have over an incumbent's political career and the career trajectories available in each context. For instance, incumbents may still aspire to secure political offices in systems that do not allow for re-election, and these offices are also finite.[17]

As such, the availability of elected office and non-elected office can restrict the types of ambition incumbents may seek. For instance, sub-national executive offices that are filled by a system of appointment rather than election may restrict politicians' option to progressive ambition. The same is true for systems with unicameral legislatures, in which incumbents cannot seek elevation to a higher chamber.[18] In sum, gender quotas may pose a lesser threat to incumbents in systems with multiple career options, than to those in systems where incumbents are restricted to limited options in the legislature—the branch to which quotas more often apply.[19]

Office options are not the only determinants of political ambition. Benefits of holding office may also influence incumbents' goal of securing political careers. These benefits can range from political powers over policy-making and government structures, to personal material gains. As Ferraro shows in his work on Chile, legislators may benefit from making 'friends in high places' and thus exert influence over public policy in significant ways.[20] Fairfield also finds that holding legislative office places incumbents in the position of being able to advocate and legislate with their own personal or business interests in mind.[21] Guevara Mann also concurs and suggests that economic gains and rules that protect politicians from criminal prosecution should not be overlooked as incentives

---

16 Carey, John. 1998. *Term Limits and Legislative Representation*. Cambridge: Cambridge University Press.
17 Ibid: 128.
18 Applying ambition theory to the case of Brazil, Samuels posed that, given the federal system and its wider range of political opportunities, Brazilian politicians would be more likely to have progressive ambition, and run for executive positions at the state and municipal levels. See: Samuels, David. 2003. *Ambition, Federalism, and Legislative Politics in Brazil*. Cambridge: Cambridge University Press; Samuels, David. 2000. 'Ambition and Competition: Explaining Legislative Turnover in Brazil'. *Legislative Studies Quarterly*. 25 (3): 481-497.
19 Note, however, that the discussion is more complex. For instance, Samuels contended that, because in Brazil stronger incumbents were likely to leave congress and run for executive positions, incumbents who remained in congress were weaker competitively—leading to high turnover rates in the lower house of congress. See: Samuels, 2000. Other scholars have challenged Samuels' claim, by showing that over 80 percent of lower house incumbents have sought re-election since re-democratization. See: Leoni, Eduardo, Carlos Pereira, and Lucio Rennó. 2004. 'Political Survival Strategies: Political Career Decisions in the Brazilian Chamber of Deputies'. *Journal of Latin American Studies*. 36 (1): 114. They pose that this is a result of costs associated with running for higher office, which restrict the options of political incumbents by granting them a higher chance of success if pursuing static ambition (ibid: 115).
20 Ferraro, Agustín. 2008. 'Friends in High Places: Congressional Influence on the Bureaucracy in Chile'. *Latin American Politics and Society*. 50 (2): 101-129.
21 Fairfield, Tasha. 2010. 'Business Power and Tax Reform: Taxing Income and Profits in Chile and Argentina'. *Latin American Politics and Society*. 52 (2): 37-71.

for office-seeking;[22] while Baturo adds that other benefits that may encourage political ambition include official remuneration; authorised expenses; material benefits for example residencies, vehicles; as well as informal benefits from corruption.[23]

1.3.2. ELECTORAL SECURITY

Most commonly, electoral security is understood as an incumbent's probability of achieving his political career goals. In the current work, I am mainly concerned about the levels of electoral security for *male* incumbents[24] in achieving their goals. A number of factors are considered predictors of electoral vulnerability[25] in this respect. Among them, the most commonly referenced is 'incumbency advantage'. In his 1975 work, Price used data from the United States Congressional cohorts between 1811-1905 to show the importance of incumbency as a predictor of electoral success. In his work, he found that at least 80 percent of congressional seats during each legislative cycle in this period were occupied by legislators who had previously held office at least once.[26] Although currently scholars discuss the potential decline in incumbency advantage,[27] this remains a factor considered in most studies of electoral security.[28] Incumbency advantage, however, does not render incumbents unassailable, nor does it impact all incumbents equally.

Individual capital is also at the centre of debates on electoral security. One aspect of individual capital is electoral: one's capacity of attaining personal (nominal) votes. This is often measured as share of votes gathered, when corrected for type of electoral system and district magnitude.[29] In other words, the better one's electoral performance, the more secure he is. That is, the more one can rely on his own nominal votes for elections, the less he needs to worry about the distribution of party votes, or his place within his party. Another aspect of personal capital is that of experience. Scholars have traditionally linked the level of congressional professionalization with incumbent security, for it decreases the

---

[22] Guevara Mann, Carlos. 2011. *Political Careers, Corruption, and Impunity: Panama's Assembly*, *1984-2009*. Notre Dame: University of Notre Dame Press.
[23] Baturo, Alexander. 2014. *Democracy, Dictatorship, and Term Limits*. Ann Arbor: University of Michigan Press: 109-110.
[24] Note that references to 'incumbents' or 'legislators' throughout this thesis should be understood as referencing male incumbents and legislators, unless otherwise specified.
[25] I use electoral 'insecurity' and 'vulnerability' interchangeably.
[26] Price, Douglas. 1971. 'The Congressional Career Then and Now'. In *Congressional Behavior,* ed Nelson Polsby. New York: Random House: 11.
[27] Jacobson, Gary. 2015. 'It's Nothing Personal: The Decline of the Incumbency Advantage in US House Elections'. *The Journal of Politics.* 77 (3): 861-873.
[28] Examples of recent research include: Eckles, David et al. 2014. 'Risk Attitudes and the Incumbency Advantage'. *Political Behavior.* 36 (4): 731-749; Erikson, Robert, and Rocio Titiunik. 2012. 'Using regression discontinuity to uncover the personal incumbency advantage'. Working paper; Trounstine, Jessica. 2011. 'Evidence of a Local Incumbency Advantage'. *Legislative Studies Quarterly.* 36 (2): 255-280.
[29] See, for one example of operationalisation: Leoni et al, 2004.

electoral capital and chances of challengers.[30] The more professionalised a given individual is into the system, the better name recognition, networks, and knowledge of the system he will have.

Competition is yet another factor considered to impact electoral security. Competition is relevant in two stages of the electoral process—at the stage of candidate selection, and at the stage of electoral campaigns. During candidate recruitment periods, an individual competes with his fellow party members for a place on the party list. Once nominated, competition refers to one's position vis-à-vis his running mates. The fewer individuals competing for a single seat (and the lower the level of competition), the more secure a candidate is, so the size of electoral districts is also significant.[31]

Beyond district magnitude, other formal institutional factors are a matter for electoral security. This is because electoral systems promote the cultivation of reputation, for either party *or* individual. Given that incumbents have more power to shape their own reputation than that of their party, and that legislators from party-centred systems may be likely to be less sure of their individual reputations and electoral chances, incumbents in party-centred systems are potentially less electorally secure than those in systems that cultivate a personal vote. This notion, based on the work of Carey and Shugart,[32] has been explored extensively.[33] Among the institutional factors important in determining whether a system cultivates personal or party reputations is the type of candidate lists employed. Open-list systems are associated with motivating campaigning around individuals, while closed-list systems are known for strengthening and revolving around party brands.[34]

---

[30] Herrick, Rebekah. 2011. *Representation and Institutional Design*. Lanham: Lexington Books: 30.

[31] Carey, John, Richard Niemi, and Lynda Powell. 2000. 'Incumbency and the Probability of Re-election in State Legislative Elections'. *The journal of Politics*. 62 (3): 671-700.

[32] Carey, John, and Matthew Soberg Shugart. 1995. 'Incentives to cultivate a personal vote: A rank ordering of electoral formulas'. *Electoral studies*. 14 (4): 417-439.

[33] Discussions on how the 'personal vote' (at times measured at the individual-level) impacts electoral security: Martin, Shane. 2011. 'Electoral Institutions, the Personal Vote, and Legislative Organization'. *Legislative Studies Quarterly*. 36 (3): 339-361; Ansolabehere, Stephen, James Snyder, and Charles Stewart. 2000. 'Old Voters, New Voters, and the Personal Vote: Using Redistricting to Measure the Incumbency Advantage'. *American Journal of Political Science*. 44 (1): 17-34; Coates, Dennis. 1995. 'Measuring the 'Personal Vote'' of Members of Congress'. *Public Choice*. 85 (3-4): 227-248. For a discussion that focuses on party reputation and the challenges it brings to incumbents' electoral security, see: Carson, Jamie et al. 2010. 'The Electoral Costs of Party Loyalty in Congress'. *American Journal of Political Science*. 54 (3): 598-616.
For arguments that use Shugart and Carey's measure of personal vote, see: Johnson, Joel, and Verónica Hoyo. 2012. 'Beyond Personal Vote Incentives: Dividing the Vote in Preferential Electoral Systems'. *Electoral Studies*. 31 (1): 131-142; Carey, John. 2007. 'Competing Principals, Political Institutions, and Party Unity in Legislative Voting'. *American Journal of Political Science*. 51 (1): 92-107; Hallerberg, Mark, and Patrik Marier. 2004. 'Executive Authority, the Personal Vote, and Budget Discipline in Latin American and Caribbean Countries'. *American Journal of Political Science*. 48 (3): 571-587.

[34] In open-list systems, voters can enact their preferences for certain individuals, and thus, influence the ordering of party lists; in closed-list systems, party-lists are pre-arranged, and voters vote for the party but cannot alter the order of candidates' placements. See also Carey and Shugart on 'Personal Vote': Carey, and Shugart, 1995.

1.4. THESIS STRUCTURE

Chapter 1 sought to introduce the puzzle that drives this study and briefly describe the main argument and concepts that are developed throughout this thesis. Chapter 2 reviews the existing literatures on institutional change and gender quotas and argues that the scholarship on gender quotas would benefit from an explanation of gender quota designs that is based on prospect theory and that is supported by endogenous assumptions and micro-foundations. Chapter 3 borrows insights from prospect theory to derive a novel framework for the analysis of gender quota designs and adoptions. The chapter delineates the main findings of prospect theory and how I modify its applications to answer the puzzle at hand. It also formalises the hypotheses I test throughout my analytical chapters. Chapter 4 provides justification for the cases used across my analyses. Chapter 5 wraps up the first part of the thesis by introducing the IGQS, the measure I derive to capture and comparatively assess variation of gender quota designs in Latin America.

Chapters 6 through 10 provide tests of my theory. In Chapter 6, I use original data from all democratically elected legislative cycles in Latin America since 1978[35] to examine whether proxies for political ambition and electoral security at the legislature-level impact the strength of gender quotas. In so doing, this chapter seeks to check the plausibility of my theory at the aggregate-level. My findings suggest that the theory holds at the macro-level and that my micro-level expectations can be extrapolated to explain the variance in gender quota designs, an outcome reached by collective individual choices.

In Chapter 7, I analyse data from a survey with Brazilian state legislators. This is done as a means of uncovering the micro-foundations of my theory and measuring otherwise partly unobservable calculations of individuals, given their levels of political ambition and electoral security. This is a more direct test of my micro-foundations and I find them solid: 1) the most common goal of incumbents is indeed to attain re-election; 2) gender quotas are perceived as threatening to this goal; and, finally, 3) incumbents' preferences for weaker gender quota provisos are shaped by their levels of electoral security.

I then analyse three separate case studies to provide thick accounts of my theory at work across different scenarios. To do this, I employ primary and secondary qualitative

---

[35] Hagopian, Frances, and Scott Mainwaring. 2005. *The Third Wave of Democratization in Latin America*. Cambridge: Cambridge University Press: 3; Mainwaring, Scott, and Aníbal Pérez-Liñán. 2005. 'Latin American Democratization Since 1978'. In *The Third Wave of Democratization in Latin America*, eds. Hagopian, Frances, and Scott Mainwaring. Cambridge: Cambridge University Press: 14.

and quantitative data to reconstruct the processes of gender quota adoption, resistance, and reform in my three separate case studies. This crucial step validates my argument, given that my theory is based on complex causal mechanisms that involve multiple actors and levels of analysis.

Chapter 8 is the first of my case study chapters seeking to link my individual and aggregate-level findings derived in Chapters 6 and 7. I reconstruct the process of gender quota adoption and revisions in Costa Rica across legislative cycles between 1978 and 2015. In doing so, I show that, even in a system where party-logic trumps individual-logic, my argument is still applicable and that political parties behave according to prospect theory predictions of political ambition and electoral security.

I continue to use the same method in Chapter 9, this time applying it to Brazil, which adopted its first gender quota policy in 1995. Analysing historical election data, plenary debates, elite survey responses, and roll-call votes, I also confirm the plausibility of my framework of prospect theory in the Brazilian context—my 'purest' case.

Finally, Chapter 10, my last analytical chapter, presents my third individual case study. Chile was the latest country in Latin America to adopt a gender quota policy, in January 2015. Applying the same method as in the previous two chapters, I show how my theory explains a case of high adoption threshold, in which traditional pressures do not trigger the process of adoption and a quota is avoided until legislators are thrown into the deep domain of losses.

In conclusion, Chapter 11 summarises the steps of my investigation, draws my main contributions, and, more importantly, outlines my main finding, that gender quotas are similar to other electoral institutions in that they are also a product of legislators' interests and calculations.

CHAPTER 2

TO ADOPTION…AND BEYOND

EXISTING LITERATURE AND ITS SHORTCOMINGS

This work demands that I assess different bodies of literature: one about institutional change and electoral reform, and another about gender quotas. After reviewing scholarly understandings of 'institutional change', 'electoral reform', and 'gender quota adoption', this review covers five types of arguments that have been applied to explaining institutional change, more generally, and gender quotas, more specifically, namely: 1) socio-economic development and cultural theory; 2) pressure group theory; 3) diffusion; 4) institutional congruence; and, 5) endogenous specialty-group bargaining—in this case, the role of female legislators and female party leaders.

Finally, I also discuss the few works that have employed micro-level frameworks and/or rationality-centred arguments to explain gender quota adoption and the strength of policy designs. I conclude by showing that the literature provides vast empirical support for the claim that gender quotas have the potential of threatening the careers of male legislators: that is to say, this type of institution has, on average, been effective in increasing the proportion of women elected to legislatures around the world, and, as such, displacing the men that previously occupied such posts. Thus, the current void in micro-level theories and analyses, combined with this empirical evidence of quotas as threats to the political careers of men, provides solid justification for the type of work I conduct in this thesis.

2.1. WHAT IS INSTITUTIONAL CHANGE?

Political institutions are the building blocks of political systems: they are the rules and practices that serve as basis for the stability of a given political structure and render the boundaries within which it is expected individuals will act. The notion that institutional change is prompted by exogenous shock was dominant until the last decade. More recently, scholarship that challenges this view emerged denoting that, in general, but particularly in new democracies, endogenous factors explain institutional design change better.

Traditionalists, who view institutional change as the result of exogenous processes and agent-prompted decisions, argue that critical junctures are crucial to processes of

institutional reform. Mahoney refers to critical junctures as 'moments of relative structural indeterminism when wilful actors shape outcomes in a more voluntarist fashion than normal circumstances permit' and argues that, during these times, the importance of agency becomes clearer'.[1] As Collier and Collier contend, however, no single exogenous factor is responsible for triggering a process of institutional reform. Following this logic, they define a critical juncture as: 'a period of significant change, which typically occurs in distinct ways in different countries (or other units of analysis) and which is hypothesized to produce distinct legacies'.[2] Thus, a similar processes may be triggered by different exogenous shocks, while equal factors may result in different outcomes.[3] Arguments of institutional change based on critical junctures pose that, when relaxed, different types of 'structural situations' (possibly economic, cultural, ideological, or organisational) may lead to periods of uncertainty and that this gives place for the emergence of processes of change; yet, these theories often fail to explain the opposite: why when the same structures are relaxed, no process unfolds and no institutional change takes place.[4]

Recently, scholars have begun to challenge exogenous accounts by posing that institutions are power-distributional structures, and, as such, subject to policy-makers' motivations and interests. As March and Olsen pose: 'Institutions empower and constrain actors differently and make them more or less capable of acting according to prescriptive rules of appropriateness'.[5] Ultimately, institutions set the 'rules of the game':[6] they establish how the delegation of power will take place within the political system, defining aggregate preferences, as well as incentives for collective action.[7] These rules include those controlling organisation of political, economic, social, and educational bodies such as legislative assemblies, regulatory agencies and electoral systems; trade unions and firms; clubs and churches; schools and universities.[8] Institutions therefore affect various different levels of interaction in a given system, impacting the types of relations that emerge in all of them. Precisely because they possess the power to organise social interactions within a

---

[1] Mahoney, James. 2001. The Legacies of Liberalism: Path Dependence and Political Regimes in Central America. Baltimore: Johns Hopkins University Press: 7.
[2] Collier, Ruth Berins, and David Collier. 1991. *Shaping the Political Arena*. Princeton: Princeton University Press: 29.
[3] Cortell, Andrew, and Susan Peterson. 1999. 'Altered States: Explaining Domestic Institutional Change'. *British Journal of Political Science*. 29 (1): 177-203.
[4] Capoccia, Giovanni, and R. Daniel Kelemen. 2007. 'The Study of Critical Junctures: Theory, Narrative, and Counterfactuals in Historical Institutionalism'. *World Politics*. 59 (3): 352.
[5] March, James, and Johan Olsen. 2006. 'Elaborating the "New Institutionalism"'. In *The Oxford Handbook of Political Institutions*, eds. Rod AW Rhodes, Sarah Binder and Bert Rockman. Oxford: Oxford University Press: 3.
[6] North, Douglass. 1990. *Institutions, Institutional Change, and Economic Performance*. Cambridge: Cambridge University Press: 5.
[7] Ibid: 3.
[8] Ibid: 3-5.

given system, political institutions are argued to be particularly susceptible to endogenous change.

Although scholars argue that political elites seek to shape institutions to their benefit, they also contend that this is not always possible. This is because institutions may lead to unintended consequences. Cortell and Peterson pose that unintended outcomes are 'those policy, procedural and/or institutional consequences[9] that diverge from the goals sought by the agents who originally established or altered the institution'.[10] According to the authors, this could happen as a result of complex bargaining processes that involve multiple interest groups in decision-making and require concessions to be made.[11]

Other scholars focus on social aspects of institutional change and their consequences: namely, they argue that preceding reform individuals in social interaction processes are motivated not by a personal agenda, but by 'templates' that result from the institutions in place, which shape individual understanding.[12] According to this perspective, institutional reforms are viewed as 'appropriate' or not, given the rules already in place. From this stance, then, institutional change may lead to unintended consequences when the rules of the game already in place are incongruent with the innovation being proposed.[13]

The idea that institutions can lead to unintended consequences thus does not negate the notion that professional legislators act strategically; instead, it shows how the complexities of the political system, including institutional layering, may morph otherwise calculated actions into incalculable consequences. Shvetsova argues precisely this: she recognizes that institutions both produce and are products of political choices, but identifies that 'when institutional choices are determined by the same political and social processes that they shape, institutions are endogenously selected'.[14] So, as gender quotas could be a consequence of exogenous interactions, instead, examining outcomes produced

---

[9] 'A policy is a behavioural action designed to achieve a specific outcome. By contrast, an institution is a decision rule that frames a particular aspect of the setting in which individuals act in the political system. As used here, a procedural change refers to a change in these rules; a procedural consequence then refers to how a rule affects an actor's role in a particular setting'. In Cortell, Andrew, and Susan Peterson. 2001. 'Limiting the Unintended Consequences of Institutional Change'. *Comparative Political Studies.* 34 (7): 771-772.
[10] Ibid: 771.
[11] Ibid.
[12] March, James, and Johan Olsen. 1996. 'Institutional Perspectives On Political Institutions'. *Governance.* 9 (3): 247-264.
[13] Cortell and Peterson, 2001.
[14] Shvetsova, Olga. 2003. 'Endogenous Selection of Institutions and their Exogenous Effects'. *Constitutional Political Economy.* 14 (3): 191.

by the process of adoption and design of gender quotas is more appropriate to capture the potential resistance of legislators.

2.2. WHAT IS ELECTORAL REFORM?

Electoral reform pertains to changes in electoral rules. As Norris describes, 'electoral reform' has been historically used to cover changes in a number of aspects surrounding elections: from the limitation or expansion of voting rights, to the design of constituency boundaries, and the role of electoral courts.[15] Other aspects falling under the 'electoral reform' umbrella include rules regulating campaign finance and spending, types of media and period for campaigning, venues for registration and voting, and, more fundamentally, the calculations used to translate votes into seats. Electoral reform can be concerned with one specific aspect—for instance, changing rules on re-election—or a bracket that more comprehensively tackles different factors of the electoral system at once.

Specific institutional configurations affect those interested in running for office differently. For example, no limits on campaign spending will give wealthy or connected individuals a starting advantage over those of more limited means, with respect to the power of that resource. Proportional representation or majoritarian systems, gerrymandering, and open- or closed-lists, have all been considered responsible for benefitting certain groups over others and, ultimately, influencing who gets elected.[16] In other words, electoral institutions influence electoral processes and outcomes in meaningful and significant ways.

Because electoral rules have extensive consequences for elections, changes in these rules are costly for political elites. As Htun and Powell explain: '[o]nce established, the constitutional framework develops entrenched interests from incumbent parties which benefit from the status quo'.[17] So, incumbents may be reluctant to change the rules of the game that allowed them to win in the first place. Incumbent parties are the ones

---

[15] Norris, Pippa. 1995. 'The Politics of Electoral Reform in Britain'. *International Political Science Review.* 16 (1): 66.

[16] See for examples: Gallagher, Michael, and Paul Mitchell. 2005. *The Politics of Electoral Systems*. Oxford: Oxford University Press; Schmidt, Gregory. 2003. 'Unanticipated Successes: Lessons from Peru's Experiences with Gender Quotas in Majoritarian Closed List and Open List PR Systems'. *IDEA, lc.*: 120-133; Hill, Kevin. 1995. 'Does the Creation of Majority Black Districts Aid Republicans? An Analysis of the 1992 Congressional Elections in Eight Southern States'. *The Journal of Politics.* 57 (2): 384-401; Erikson, Robert. 1972. 'Malapportionment, Gerrymandering, and Party Fortunes in Congressional Elections'. *The American Political Science Review.* 66 (4): 1234-1245.

[17] Htun, Mala, and Bingham Powell Jr. 2015. 'Between Science and Engineering: Political Science, Electoral Rules, and Democratic Governance'. In *Political Science, Electoral Rules, and Democratic Governance*, eds. Mala Htun and Bingham Powell Jr. Washington: American Political Science Association: 3.

responsible for enacting reform, so one could infer that electoral reforms should be scarce. As such, electoral reforms are always puzzling.

Electoral reforms have, nonetheless, been common throughout the world.[18] Although the study of outcomes of electoral rules has been vast, substantive questions about how electoral reforms come about have been less frequent.[19] More recently, however, there has been a call for greater account of institutional origins and consideration of endogeneity problems.[20]

Recent works show the promise of endogenous explanations for the study of institutional change. Endogenous approaches are all built upon the notion that the struggle for power will shape political institutions, especially electoral ones. Although gender quotas are policies with implication of unequal power-distribution, they have rarely been studied from this perspective. This leaves a disconnect between the emerging literature on institutional change and existing explanations of the origins of gender quota policies.

2.3. WHAT ARE GENDER QUOTAS?

Gender quotas are policies meant to facilitate the entry of women into institutions in which they are under-represented. Although they can be applied to leadership in non-political organisations, or to executive political offices, the focus of this thesis is on gender quotas for positions of legislative office. As such, the institutions concerned are those which may inscribe policies which mandate a proportion of candidates to legislative seats to be women.[21] Quotas, in theory, aim to promote the election of female candidates, with the end goal of raising the percentage of women in parliament or other government positions.[22]

Gender quotas break the monopoly of political parties to decide who runs for office by forcing elites to include female candidates, who are often neglected or under-

---

[18] See: Negretto, Gabriel. 2013. 'Latin American Constitutional Change Database'. *Centro de Investigación y Docencia Económicas*. http://www.la-constitutionalchange.cide.edu.
[19] Lichbach, Mark, Alan Zuckerman and Jonathan Rodden. 2007. 'Back to the Future: Endogenous Institutions and Comparative Politics'. In *Comparative Politics: Rationality, Culture, and Structure*, 2nd ed., eds Mark Lichbach and Alan Zuckerman. Cambridge: Cambridge University Press.
[20] Ibid.
[21] Quota Project. 2015. 'Global Database of Quotas for Women'. *Quotaproject.org*. http://www.quotaproject.org.
[22] Dahlerup, Drude. 2005. 'Increasing Women's Political Representation: New Trends in Gender Quotas'. In *Women in Parliament: Beyond Numbers*, 1st ed, eds Julie Ballington and Azza Karam. Stockholm: International Institute for Democracy and Electoral Assistance - IDEA: 141.

represented by the parties themselves, into the candidate selection process.[23] By this means, some of the burden of recruitment is transferred from women to the institutions which control this process, thereby forcing parties to reach out to a sector of society that was previously left out of the recruitment process.

According to Dahlerup's classification,[24] there are three general types of quotas: voluntary (individual parties voluntarily adopt an internal quota); legislated (where law mandates all parties to nominate a nationally established proportion of female candidates); and reserved seats (also law, in which a proportion of seats to be occupied by women is set out). The most common form in post-industrial countries is the voluntary party quota. The modal type of quota in Middle East, Africa and Asia is reserved seats, while there is a high concentration of legislated candidate-quotas in Latin America.[25] Given the regional scope of the current study, my focus will be legislated candidate-quotas. Voluntary party quotas are also relevant to my analysis, as they have often pre-dated legislated quotas and affected the costs and risks of some parties to enact legal measures; but they will not be studied as dependent variables. Reserved seats fall out of the scope of the current study.

As of 2016, quotas have been adopted in over a hundred states[26] and are now present in every region of the world. The rapid proliferation of gender quotas worldwide has generated scholarly interest in the policy, as well a large array of case-specific and cross-sectional data a combination yielding widespread research on the origins and consequences of gender quotas (especially the latter). Since the adoption of the first gender quota law in Argentina 25 years have passed, and the literature is now extensive. Scholars and activists have long argued for the need of women's descriptive representation and quotas have often been perceived as a short-cut to that. Although the fast proliferation of quota adoptions as well as the vast academic research being produced on the topic suggest a clear understanding of the purposes and consequences of the policy, patterns behind the vast

---

[23] Starr, Alexandra. 2010. 'More Nancy Pelosis, Please: Why the World Needs More Female Lawmakers – And Why Quota Systems Won't Necessarily Get Us There'. *Foreign Policy*. http://foreignpolicy.com/2010/03/24/more-nancy-pelosis-please/; Caul, Miki. 1999. 'Women's Representation in Parliament: The Role of Political Parties'. *Party Politics*. 5 (1): 79-98.

[24] Dahlerup, Drude. 2013. *Women, Quotas and Politics*. Hoboken: Taylor and Francis.

[25] Quota Project, 2015.

[26] Quota Project, 2015; Dahlerup, Drude, and Lenita Freidenvall. 2005. 'Quotas as a "Fast Track" to Equal Representation for Women: Why Scandinavia is no Longer the Model'. *International Feminist Journal of Politics*. 7 (1): 26-48; Childs, Sarah, and Mona Lena Krook. 2005. 'The Substantive Representation of Women: Rethinking the "Critical Mass" Debate'. Presented at the 2005 meeting of the American Political Science Association, Washington DC; Reynolds, Andrew. 1999. 'Women in the Legislatures and Executives of the World: Knocking at the Highest Glass Ceiling'. *World Politics*. 51 (4): 547-572.

differences in gender quota designs remain unclear—especially when noting that divergences arise in seemingly similar socio-cultural and even institutional contexts.

2.4. EXPLANATIONS OF GENDER QUOTA ADOPTION AND DESIGN

The study of political institutions and how they are shaped by and, in turn, influence political behaviour, has been ongoing since Plato and Aristotle. Understanding institutional change has therefore been a goal of political scientists at least since this time. However, the literature on gender quotas is much more recent. Within the latter literature, most focus is on quotas as an independent variable, so the origin of quotas has not yet been fully explained, especially in comparative terms. Nevertheless, the research agenda has been picked up more recently and, as other electoral reforms, explanations for their adoptions have varied widely.

To explain the adoption of gender quotas, scholars generally follow five types of rationale, three of which can be classified as exogenous approaches. They are: 1) socio-economic development and cultural theory; 2) pressure group theory; and, 3) diffusion—all of which follow the exogenous change logic, —as well as 4) institutional congruence; and, 5) cross-partisan efforts of female legislators and female party elites. All of these theories, to a lesser or greater extent, are relevant to the argument I make. A sixth type of explanation is, however, what I consider to be fundamental to solving the puzzle of gender quotas. In this explanation, I construct an endogenous framework that places the rationality of political actors at its centre and discard the view of them as the result of sub-optimal choice.

2.4.1. SOCIO-ECONOMIC DEVELOPMENT

The mixed character of literature on gender quotas and socio-economic development reflects the potential tension between the adversarial effects that level of development might have on adoption and strength of quota design. While levels of development might be negatively correlated with gender quota adoption, strong gender quota designs may be more likely to emerge in systems where development is high.

Inglehart and Norris argue that socio-economic development impacts gender roles in predictable ways: transforming society and giving women more opportunity at all levels

of governance.[27] As Adams and Orloff summarize, indicators that measure women's autonomy, freedom and participation in the education, business and political sectors are linked to capitalist industrialization, democracy and urbanization. Socio-economic development and the incorporation of women in different sectors therefore generate changes in the way gender is perceived by society.[28] Higher rates of women's education attainment and labour force participation, would thus equip women with more networks and financial capital to run for office.[29]

Legislated gender quotas, however, have been traditionally associated with systems where the incorporation of women into politics did not happen by force of socio-economic development. In other words, gender quotas are institutions that can facilitate the entry of women in politics *in spite* of women's incorporation in society. From this perspective, gender quotas should be more likely in countries that have not achieved high levels of socio-economic development.[30]

Although the adoption of gender quotas may be negatively associated with levels of socio-economic development, the strength of gender quota designs may be a consequence of comparatively higher levels of socio-economic development. This is due to the fact that the design of strong policies may be dependent on the acceptance of the need to promote gender equality, and not only to comply with international demands. In this line, Inglehart and Welzel argue that after a society surpasses a certain level of tolerance towards an idea which had previously been considered unacceptable (e.g. homosexuality, gender equality), then an 'institutional breakthrough' typically takes place to change the rules of the game in line with cumulative value change. For instance, progressive values towards homosexuality or gender equality could therefore result in the institutionalization of same-sex marriage and equal pay for women.[31] Per Meier, this process characterises the case of Belgium, where given general mass acceptance of gender-egalitarian values, gender quota adoption took place with little debate.[32] In order for value change to affect

---

[27] Inglehart, Ronald, and Pippa Norris. 2003. *Rising Tide: Gender Equality and Cultural Change Around the World*. Cambridge: Cambridge University Press.
[28] Adams, Julia, and Ann Shola Orloff. 2005. 'Defending Modernity? High Politics, Feminist Anti-Modernism, and the Place of Gender'. *Politics & Gender*. 1 (1): 166.
[29] Inglehart and Norris, 2003: 4; 10.
[30] Santacreu-Vasut, Estefania, Amir Shoham, and Victor Gay. 2013. 'Do Female/Male Distinctions in Language Matter? Evidence from Gender Political Quotas'. *Applied Economics Letters*. 20 (5): 496-497.
[31] Inglehart, Ronald, and Christian Welzel. 2005. *Modernization, Cultural Change, and Democracy*. Cambridge: Cambridge University Press: 40-45.
[32] Meier, Petra. 2000. 'From Theory to Practice and Back Again: Gender Quota and the Politics of Presence in Belgium'. In *Democratic Innovation: Deliberation, Representation and Association*, 1st ed., ed. Michael Saward. London: Routledge: 106-116.

institutional arrangements, however, value preferences cannot simply fluctuate, but have to shift and stabilize over the course of a process that is progressive and intergenerational.

Different levels of socio-economic development may play different roles in impacting the adoption and strength of gender quotas. Nonetheless, this view provides limited explanation of cases of strong gender quota adoption that *precede* significant levels of socio-economic development. A vast literature also shows that (strong) gender quotas are present in countries that have not experienced high levels of socio-economic development and do not generally hold gender-egalitarian values at mass level.[33] As a country that boasts a policy with a strong design, Bolivia is an example of this alternative path to gender equality.[34]

2.4.2. PRESSURE GROUP THEORY

Another branch of supporters of exogenous institutional change make arguments based on pressure group influence. For Becker, institutional change is the result of the diverging demands of various interest groups reaching equilibrium. In his 1983 work, the author conveys that '[p]olitical equilibrium depends on the efficiency of each group in producing pressure, the effect of additional pressure on their influence, the number of persons in different groups, and the deadweight cost'.[35] According to this rationale, institutional change is the result of bargaining and negotiation between both political and non-political groups. So far, pressure group theories have been developed to explain a great variety of institutional change, from tax reforms[36] to women-friendly policies.[37]

It is generally accepted that the influence pressure groups are able to exert on policies and institutional change depends on the political salience, electoral leverage, size, and level of resources of each group, as well as their capacity to mobilise society.[38] Thus, this type of theory prevails especially among scholars of economic policies, who show the importance of powerful industries exerting power to influencing policies that benefit their

---

[33] Jones, Mark. 1998. 'Gender Quotas, Electoral Laws, and the Election of Women: Lessons from the Argentine Provinces'. *Comparative Political Studies.* 31 (1): 3-21.
[34] Inter-Parliamentary Union. 2012. 'Women in Legislatures: World Classification'. *Ipu.org.* http://www.ipu.org/wmn-e/classif.htm.
[35] Becker, Gary. 1983. 'A Theory of Competition Among Pressure Groups for Political Influence'. *The Quarterly Journal of Economics.* 98 (3): 371.
[36] Becker, Gary. 1985. 'Public Policies, Pressure Groups, and Dead Weight Costs'. *Journal of Public Economics.* 28 (3): 329-347.
[37] Clemens, Elisabeth. 1993. 'Organizational Repertoires and Institutional Changes: Women's Groups and the Transformation of U.S. Politics, 1890-1920'. *American Journal of Sociology.* 98 (4): 755-798.
[38] Eckstein, Harry. 1960. *Pressure Group Politics: The Case of the British Medical Association.* Stanford, California: Stanford University Press: 126.

profits—such as the reform of tariffs.[39] Nonetheless, the study of the impact of marginalised groups on institutional change has also received vast attention, especially from scholars who focus on affirmative action plans, including anti-racial discrimination policies,[40] indigenous group demands[41] and domestic and international women's organisations.[42]

More directly, pressure from individual key women, women's groups, or feminist organisations has often been characterised as the most important factor in influencing the adoption of gender quotas.[43] Scholars that apply pressure group theory to gender quotas stress that pressure from women's groups precedes the discussion, and subsequent adoptions, of gender quotas at the party- or national-levels.[44] In *Women's Movements Facing the Reconfigured State*, Banaszak, Beckwith, Rucht and other authors come together to provide thick accounts of the influence of women's movements in numbers of cases of gender quota adoption.[45] Jenson and Valiente argue that lobbying for gender quotas became one of the most explicit demands of women's groups in Spain and France. They also highlight the role of women's groups in increasing party quota requirements particularly among left-wing parties, and in exerting pressure on their parties to propose bills on compulsory quotas.[46] Discussing the process that led Argentina to be the first to adopt a gender quota, Chama emphasises the prominence of feminist organisations.[47] Studying the case of Mexico, Bruhn also finds evidence to support the claim that pressure from activists had a larger impact on the implementation of quotas than electoral pressure.[48]

---

[39] Pincus, Jonathan. 1975. 'Pressure Groups and the Pattern of Tariffs'. *Journal of Political Economy.* 83 (4): 757-778.
[40] Htun, Mala. 2004. 'From "Racial Democracy" to Affirmative Action: Changing State Policy on Race in Brazil'. *Latin American Research Review.* 39 (1): 60-89.
[41] Yashar, Deborah. 1998. 'Contesting Citizenship: Indigenous Movements and Democracy in Latin America'. *Comparative Politics.* 31 (1): 23.
[42] Lovenduski, Joni. 1986. *Women and European Politics.* Amherst: University of Massachusetts Press.
[43] Araújo, Clara. 2003. 'Quotas for Women in the Brazilian Legislative System'. *The Implementation of Quotas: Latin American Experiences.* Presented at the International IDEA Workshop in Lima, Peru 23-24 February; Beckwith, Karen. 2003. 'The Gendering Ways of States: Women's Representation and State Configuration in France, Great Britain, and the United States'. In *Women's Movements Facing the Reconfigured State,* eds. Lee Ann Banaszak, Karen Beckwith, and Dieter Rucht. New York: Cambridge University Press: 169-202; Connell, Dan. 1998. 'Strategies for Change: Women & Politics in Eritrea & South Africa'. *Review of African Political Economy*. 25 (76): 189-206.
[44] Krook, Mona Lena. 2009. Quotas for Women in Politics: Gender and Candidate Selection Reform Worldwide. Oxford: Oxford University Press: 21.
[45] Banaszak, Lee Ann, Karen Beckwith, and Dieter Rucht. 2003. *Women's Movements Facing the Reconfigured State*. New York: Cambridge University Press.
[46] Jenson, Jane, and Celia Valiente. 2003. 'Comparing Two Movements for Gender Parity'. In *Women's Movements Facing the Reconfigured State,* eds. Lee Ann Banaszak, Karen Beckwith, and Dieter Rucht. New York: Cambridge University Press: 90-91.
[47] Chama, Mónica. 2001. *Las Mujeres y el Poder.* Buenos Aires: Ciudad Argentina.
[48] Bruhn, Kathleen. 2003. 'Whores and Lesbians: Political Activism, Party Strategies, and Gender Quotas in Mexico'. *Electoral Studies.* 22 (1): 102.

A pressure group perspective focuses on the importance of women's groups to push *for* the adoption of quotas. Nonetheless, some scholars[49] have shown that on a few occasions women's groups have presented the strongest opposition to the adoption of quotas arguing that the concept of quotas is against that of women's empowerment.[50] Opposition of individual women and/or women's groups to the adoption of quotas can ultimately have an effect on quota adoption. The display of fragmented opinion within women's movements with the lack of a common goal in respect to gender quotas has the potential to lead to low mobilisation.[51] Also, a very limited number of studies have also argued that international and non-governmental organisations (NGOs) can be a force against the adoption of gender quotas.[52]

Studies identifying the importance of pressure groups have been overwhelmingly based on individual case studies where country-specific context mattered. Furthermore, in assuming the adoption of gender quotas to be a step towards progress, the debate has often been teleological. Such conclusion includes lack of consistent consideration of the impact and role of women's groups opposing quotas and disregard of cases in which the pressure of women's movements did not lead to gender quota adoptions.

2.4.3. DIFFUSION THEORY

Exogenous institutional change has also been explained by diffusionist arguments. Eyestone defines diffusion as 'any pattern of successive adoptions of a policy',[53] hence theories that follow this reasoning are based on the notion that countries or states imitate policies implemented by their neighbours. This insight, in turn, derives from a series of observations that independent jurisdictional units often choose policies or institutions similar to their neighbours'. Although uncoordinated across units, adoptions often follow a pattern of geographical and temporal pattern creating spatial clusters, as well as temporal clusters, of institutional change.[54] These clusters result from processes of imitation in

---

[49] Krook, Mona Lena. 2007. 'Candidate Gender Quotas: A Framework for Analysis'. *European Journal of Political Research.* 46 (3): 370.
[50] Sacchet, Teresa. 2012. 'Representação Política, Representação de Grupos e Política de Cotas: Perspectivas e Contendas Feministas'. *Revista Estudos Feministas*. 20 (2): 399-431; Huang, Chang-Ling. 2002. 'Democracy and the Politics of Difference: Gender Quota in Taiwan'. Presented at the meeting of the American Political Science Association, Boston, MA.
[51] Quesada, Ana Isabel García. 2003. 'Putting the Mandate into Practice: Legal Reform in Costa Rica'. *The Implementation of Quotas: Latin American Experiences*. Presented at the International IDEA Workshop in Lima, Peru 23-24 February.
[52] Pires, Milena. 2002. 'East Timor and the Debate on Quotas'. In International IDEA Workshop "The Implementation of Quotas: Asian Experiences," Jakarta, Indonesia, September, vol. 25.
[53] Eyestone, Robert. 1977. 'Confusion, Diffusion, and Innovation'. *The American Political Science Review.* 71 (2): 441.
[54] Elkins, Zachary, and Beth Simmons. 2005. 'On Waves, Clusters, and Diffusion: A Conceptual Framework'. *The Annals of the American Academy of Political and Social Science.* 598 (1): 34.

which governmental units learn from the political experiences of one another, scholars posit. Often motivated by competition, these processes of imitation are characterised as instances of institutional diffusion.[55]

More than that, however, scholars of diffusion have contributed by showing that when 'prior adoption of a trait or practice in a population alters the probability of adoption for remaining non-adopters'.[56] This is because institutions are innovations. As innovations, once adopted by a single actor, they increase the options for consideration by consecutive actors. Theories based on the notion of diffusion have been developed to explain various types of institutional change, including the spread of regulatory agencies across Europe,[57] the reform of civil service agencies in US cities,[58] the spread of neoliberal tax policies outside the US,[59] the global convergence towards environmental regulatory agencies[60] and political practices mainstreaming gender worldwide.[61]

Transnational diffusion is also said to play a role in the process of quota adoption. When applied to the understanding of gender quotas, an approach such as that of Simmons and Elkins, suggests that processes of contagion or imitation may prompt the proliferation of gender quota adoptions.[62] According to this approach, in order to be imitated, quotas have to be seen by governments as positive attributes, or as institutions of 'best practices'.[63] Some scholars argue that the growing popularity of gender quotas is a consequence of international norms and transnational values that emphasise the agenda of promoting democracy and gender equality. Proponents of this idea, such as Norris and Dahlerup,[64] Krook[65] and Bush,[66] claim that international conferences and instruments such as the Convention for the Elimination of All Forms of Discrimination Against Women

---

55 Ibid.
56 Strang, David. 1991. 'Adding Social Structure to Diffusion Models: An Event History Framework'. *Sociological Methods & Research.* 19 (3): 325.
57 Gilardi, Fabrizio. 2005. 'The Institutional Foundations of Regulatory Capitalism: The Diffusion of Independent Regulatory Agencies in Western Europe'. *The Annals of the American Academy of Political and Social Science.* 598 (1): 84-101.
58 Tolbert, Pamela, and Lynne Zucker. 1983. 'Institutional Sources of Change in The Formal Structure of Organizations: The Diffusion of Civil Service Reform, 1880-1935'. *Administrative Science Quarterly.* 28 (1): 22-39.
59 Swank, Duane. 2006. 'Tax Policy in an Era of Internationalization: Explaining the Spread of Neoliberalism'. *International Organization.* 60 (4): 847.
60 Tews, Kerstin, Per-Olof Busch, and Helge Jorgens. 2003. 'The Diffusion of New Environmental Policy Instruments'. *European Journal of Political Research.* 42 (4): 569-600.
61 True, Jacqui, and Michael Mintrom. 2001. 'Transnational Networks and Policy Diffusion: The Case of Gender Mainstreaming'. *International Studies Quarterly.* 45 (1): 27-57.
62 Elkins and Simmons, 2005.
63 Power, Timothy, and Nicol Rae. 2006. *Exporting Congress?: The Influence of the US Congress on World Legislatures*. Pittsburgh: University of Pittsburgh Press: 3.
64 Norris, Pippa, and Drude Dahlerup. 2015. 'On the Fast Track: The Spread of Gender Quota Policies for Elected Office'. *HKS*. Working Paper N° 15-041.
65 Power and Rae, 2006.
66 Bush, Sarah Sunn. 2011. 'International Politics and the Spread of Quotas for Women in Legislatures'. *International Organization.* 65 (1): 103-137.

(CEDAW) from 1979, the Beijing Platform for Action from 1995, and the creation of United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) in 2010, as well as the efforts of other organisations promoting gender equality (such as the Inter-Parliamentary Union, the Commonwealth, and the African Union)[67] all contribute to the popularity and spread of quotas throughout the world. Scholars have also pointed to the role of NGOs, activists and scholars in further propagating this agenda.

At the party-level, it has been argued that voluntary quotas are more likely to spread after one party in the system adopts an internal affirmative action policy. This is because following the first adoption other parties would not want to be perceived as less women-friendly than the first adopter.[68] In her work on voluntary quotas across 71 parties in 11 advanced democracies, Caul finds that the presence of a quota in a system has a positive effect on the likelihood of other parties in the system adopting gender quotas.[69] Hassim argues that leftist parties are generally the ones to trigger this process, given that they are more likely to initially support internal gender quotas.[70]

For relying on a dichotomous understanding of quotas as adopted/not-adopted, these explanations fail to account for variation in the strength of gender quota designs. Yet, based on geographical binary distributions of quota/no quota and broad categories of quota 'types', diffusion explanations argue that the current scenario of the implementation of quotas worldwide depicts regionally clustered concentrations of specific types of quotas, thus supporting an explanation of institutional imitation occurring at the regional level.

Studies taking a diffusion approach, however, often ignore negative cases. While diffusion-based theories explain why certain units of analysis imitated others, they generally do not provide comprehensive accounts as to why similar units have not undergone the same path. Thus, diffusionist approaches show bias towards cases where quota legislation has been imitated. Furthermore, while theories of diffusion may explain how the *notion* of gender quotas transmits through countries and continents, it does not generate any reasoned explanation as to why the design of gender quota adoption varies extensively.

---

[67] Krook, Mona Lena. 2006. 'Reforming Representation: The Diffusion of Candidate Gender Quotas Worldwide'. *Politics and Gender*. 2 (03): 309.
[68] Bruhn, 2003.
[69] Caul, Miki. 2001. 'Political Parties and the Adoption of Candidate Gender Quotas: A Cross-National Analysis'. *Journal of Politics*. 63 (4): 1214-1229.
[70] Hassim, Shireen. 2002. '"A Conspiracy of Women": The Women's Movement in South Africa's Transition to Democracy'. *Social Research*. 69 (3): 693-732; Caul, 2001.

2.4.4. INSTITUTIONAL INCONGRUENCE

One of the most common explanations for the adoption or absence of quotas is based on institutional configurations. Simply put, these arguments rest on the notion that some systems are better suited for incorporating gender quotas than others. This is based on understandings of institutional layering: in the vast majority of cases[71] gender quotas are adopted into pre-existing systems, and, as such, interact with rules that are already on the ground. Sometimes, existing rules do not accommodate newer institutions well, either because these new institutions require a set of other rules to function, or because the interaction between new and existing institutions may lead to unintended, opposite, or unexpected outcomes.

The notion that gender quotas are more congruent with proportional representation (PR) than with majority/plurality systems is widely spread. In fact, it has been repeated so often it has been described as 'conventional knowledge'.[72] Confining discussion to PR systems for the purpose of detailing institutional configurations most fit for gender quotas, Norris does not even consider majoritarian/plurality systems, focusing instead on the distinction between PR systems with open or closed-lists.[73] Scholars and organisations alike pose the challenges of implementing such policies in systems other than PR with prominent authors, such as Dahlerup and Freidenvall, deeming the adoption of gender quotas in majoritarian, single-member districts as 'complicated'.[74]

As Christensen and Bardall claim, however, the greater presence of gender quotas in PR systems might be partly a result of, or be reinforced by, this very rhetoric—and not solely because of institutional incongruence.[75] As the authors show, the designs of quota policies in majority/plurality systems generally require different components from those incurred in PR systems, but that these differences do not make quotas in the former less effective than in the latter. India and Uganda are given as examples in which gender quota designs have been adapted to majority/plurality single-member districts systems yielding successful results.[76]

---

[71] Sometimes, gender quotas may be adopted as a part of a much larger electoral system reform that essentially modifies significant aspects of the institutional framework in a given system. The case of Chile is an example.
[72] Christensen, Skye, and Gabrielle Bardall. 2014. 'Gender quotas in single-member district electoral systems'. *EUI.* Working Paper RSCAS 2014/104: 1-22.
[73] Norris, Pippa. 2004. *Electoral Engineering.* Cambridge: Cambridge University Press: 187.
[74] Dahlerup, Drude, and Lenita Freidenvall, 2011. *Electoral Gender Quota Systems and their Implementation in Europe*. Brussels: European Parliament Directorate General for Internal Policies.
[75] Christensen and Bardall, 2014.
[76] Ibid: 10.

District magnitude is another related and often highlighted institutional configuration. In this matter, single-district magnitude systems are viewed as the most incongruent with quota implementation, but with the likelihood of quotas to be effective increasing positively with district magnitude [77] Baldez, however, points to the need of not being deterministic in this regard: although single-member district magnitude systems such as the United States seem to support the overwhelmingly accepted explanation, France and Mexico, for having adopted gender quotas in single-member districts, seem to disconfirm it.[78]

Furthermore, studies that focus on district magnitude generally consider average effects, failing to account for often significant nation-wide variation. This produces results that may not be on par with the experience of all incumbents. For example, this poses a huge problem for some countries, such as Brazil, for which district magnitude varies drastically across states, from eight to 70 seats.

Finally, within PR systems, those with closed-lists have been deemed more congruent with gender quota adoptions and strong designs than systems with open-lists. That is because closed-list systems more easily allow for the enactment of ranking systems, a measure often considered crucial for the strength of gender quota designs and the effectiveness of such policies.[79]

Institutional-based theories that focus solely on congruence are self-fulfilling in the sense that they end up reinforcing the skewed distribution of gender quotas towards closed-lists, high average district magnitude PR systems. More importantly, however, although often implied, many of these studies fail to account for the ways in which institutions shape electoral patterns and they rarely take note of how informal institutions may play a role in distinguishing between otherwise similar formal systems. As a result, they cannot explain the variation of gender quota designs in otherwise similar formal frameworks, or the non-adoption of quotas in systems with propitious institutional arrangements.

---

[77] Norris, 2004: 187

[78] Baldez, Lisa. 2004. 'Elected Bodies: The Gender Quota Law for Legislative Candidates in Mexico'. *Legislative Studies Quarterly*. 29 (2): 236; Quota Project, 2015.

[79] Htun, Mala, and Mark Jones. 2002. *Engendering the Right to Participate in Decision-Making: Electoral Quotas and Women's Leadership in Latin America*. Basingstoke: Palgrave; Jones, Mark. 2008. 'Gender Quotas, Electoral Laws, and the Election of Women: Evidence from the Latin American Vanguard'. *Comparative Political Studies*. 42 (1): 56-81.

2.4.5. FEMALE LEGISLATORS AND PARTY ELITES

The most common type of explanation for the adoption of gender quotas and the strength of quota designs is based on the collective action of female legislators or female party leaders to push for gender quotas. In an analysis of 12 advanced democracies overtime, Caul finds that the proportion of women activists within party structures are correlated with the likelihood of their respective parties to support and adopt gender quotas for candidate recruitment.[80] In previous work, I conduct on 18 Latin American countries over time, which uses proxies for the most commonly cited explanations for the origins of gender quotas (but not for the main variables of the current study), I find women's mobilization as legislative actors (measured as the proportion of women in parliament) to be the factor that most consistently explains the strength of gender quota designs for parliament. I also find that the presence of women in the legislature is more significant in strengthening placement mandates and in closing loopholes, precisely the aspects of quota policies deemed as crucial for effectiveness.[81]

In case study research, Baldez, Araújo, and Jones confirm this pattern. In her study of the Mexican case, Baldez explains that the bargaining power of female legislators increases when they engage in cross-partisan mobilization.[82] Araújo also attests to the role of women within parties in persuading their male colleagues to promote quotas and support female candidates in the case of Brazil.[83] Finally, Jones finds in the cases of both Costa Rica and Argentina that female party leaders impact not only quota adoption, but also that they play a crucial role in lobbying for stronger gender quotas.[84]

Reviewing several cases, Krook,[85] Caminotti,[86] and Piscopo,[87] all emphasise that strategic and cohesive action by female officeholders was crucial to drafting and passing gender quota legislation. The efforts of female legislators and party leaders in introducing quota proposals and acting as cross-partisan blocs have been noted in various occasions,

---

[80] Caul, 2001.
[81] Gatto, Malu. 2016. 'Understanding Gender Quota Designs: Characteristics and Impacts in the Context of Latin America'. In *Women, Politics, and Democracy in Latin America*, eds. Tomás Dosek, Flavia Freidenberg, Mariana Caminotti, and Betilde Muñoz-Pogossian. New York: Palgrave Macmillan.
[82] Baldez, 2004.
[83] Araújo, 2003.
[84] Jones, Mark. 2004. 'Quota Legislation and the Election of Women: Learning from the Costa Rican Experience'. *Journal of Politics*. 66 (4): 1203-1223; Jones, 1998.
[85] Krook, 2009.
[86] Caminotti, Mariana. 2014. 'Ideas, Legados y Estrategias Políticas en la Reforma de las Reglas de Selección de Candidatos: La Ley de Cuotas Pionera de Argentina'. *Revista Uruguaya de Ciencia Política*. 23.SPE: 65-85.
[87] Piscopo, Jennifer. 2006. 'Engineering Quotas in Latin America'. Working Paper Series (n. 23). University of California, San Diego: California Digital Library.

across regions, as one of the most important factors influencing gender quota adoption and strong gender quota designs.

These existing works, however, suffer from endogeneity when it comes to quota strengthening, given that women elected through the quota are often the ones involved in strengthening the policies that elected them in the first place. This is not a problem for studies that do not account for policy revisions, which is, in fact, the majority of works that are limited to understanding quota adoption. More importantly then, is that the overwhelming majority of these works do not contend that the presence of women in a given legislature may also lead to an alternative causal mechanism than that specified. It might be that the proportion of women in parliament positively correlates with quota adoption not (or not only) because, in a given system, the more women there, the fewer men are likely to be displaced by women upon a quota introduction—and therefore, most importantly, the lower the level of threat that a quota poses to men.

2.5. MALE INCUMBENTS AND THEIR POLITICAL CAREERS

Another view of how processes of institutional change take place focuses on aggregate individual preferences and their effects on collective action. Through bargaining, negotiation, coalition formation, and exchange, groups of actors would express their desires and establish institutions that reflect them.[88] This notion has developed from Quintal in 1970,[89] and Rokkan in the same year, to Levi in 1988,[90] Lijphart in 1992,[91] Geddes in 1996, Boix in 1999[92] and Taagepera in 2002,[93] with many others in between—but has not gained space in the gender quota literature.

This approach is based on the notion that politicians 'structure the world so they can win',[94] thereby making institutions endogenous to the pursuits of political incumbents. Rokkan's seminal 1970 work supports the view that the choice of electoral rules in advanced democracies had been a result of struggles for power between different

---

[88] Riker, William. 1962. *The Theory of Political Coalitions*. New Haven: Yale University Press; Downs, Anthony, and Rand Corporation. 1967. *Inside Bureaucracy*. Boston: Little, Brown: 264; Niskanen, William. 1979. 'Competition Among Government Bureaus'. *American Behavioral Scientist*. 22 (5): 517-524.
[89] Quintal, David. 1970. 'The Theory of Electoral Systems'. *The Western Political Quarterly*. 23 (4): 752-761.
[90] Levi, Margaret. 1988. *Of Rule and Revenue*. Berkeley: University of California Press.
[91] Lijphart, Arend. 1992. 'Democratization and Constitutional Choices in Czecho-Slovakia, Hungary and Poland 1989-91'. *Journal of Theoretical Politics*. 4 (2): 207-223.
[92] Boix, Carles. 1999. 'Setting the Rules of the Game: The Choice of Electoral Systems in Advanced Democracies'. *The American Political Science Review*. 93 (3): 609-624.
[93] Taagepera, Rein. 2002. 'Designing Electoral Rules and Waiting for an Electoral System to Evolve'. In *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy*, 1st ed., ed. Andrew Reynolds. Oxford; New York: Oxford University Press.
[94] Riker, William. 1986. *The Art of Political Manipulation*. New Haven: Yale University Press.

cleavages. Writing on Western democracies, Rokkan theorised that the emergence of strong cleavages during the Industrial Revolution limited the institutional arrangements that would allow parties to remain in office, leading them to adopt systems of proportional representation (PR) that allowed traditional parties to give space to emerging contenders without being replaced by them.[95] In his view, following the Industrial Revolution as a means to defend their position in power, the Right adopted PR systems, given that Left parties were on the rise.[96] Other scholars adopted similar theoretical frameworks to study institutional change. In his work on the origins of electoral systems in advanced democracies, Boix theorised that ruling parties anticipate how electoral changes will affect their positions and posited they only entertain the possibility of reforming electoral rules as the electoral arena changes in their disfavour (for instance, either through emerging voting groups or competitive new parties).[97] In the same year, Kitschelt's work on post-communist countries also found support for this perspective, furthering the idea that subjective political risks are calculated by incumbents who wish to maximize their political power given both institutions in place, and the institutions expected to emerge.[98]

In the 2000s, the scholarship of endogenous institutional change continued to grow, arguing that politicians make calculation of what impact existing institutional arrangements will have to their careers and whether or not changing the equilibrium would benefit them. These accounts are based on the notion that elites enact electoral reform in order to reach an equilibrium that benefits them, generally after some exogenous shock comprised their status quo.[99]

An endogenous micro-level approach based on rationality could help solve the puzzle of why male-dominated legislatures adopt institutions that are likely to threaten their careers. From this perspective, gender quotas are not suboptimal, but carefully designed by legislators who have the power to customise laws in a way that diminishes their electoral threats. Nonetheless, few authors have used endogenous rationality as a framework to understand gender quota adoption.

---

[95] Rokkan, Stein, Angus Campbell, Per Torsvik, and Henry Valen. 1970. *Citizens Elections Parties: Approaches to the Comparative Study of the Processes of Development.* Oslo: Universitetsforlaget.
[96] Rokkan et al, 1970.
[97] Boix, 1999.
[98] Kitschelt, Herbert. 1999. *Post-Communist Party Systems*. Cambridge: Cambridge University Press: 11.
[99] See: Greif, Avner. 2006. *Institutions and the Path to the Modern Economy*. Cambridge: Cambridge University Press: 88; Cusack, Thomas, Torben Iversen, and David Soskice. 2007. 'Economic Interests and the Origins of Electoral Systems'. *American Political Science Review.* 101 (3): 373-391; Colomer, Josep. 2005. 'It's Parties that Choose Electoral Systems (or, Duverger's Laws Upside Down)'. *Political Studies.* 53 (1): 1-21.

To some extent, the literature that highlights institutional incongruence also emphasises the role of electoral systems in impacting competition, and, consequently, the representation of women and the adoption of quotas. Since the 1980s it has been widely accepted that plurality/majority systems are unfavourable to women, while proportional systems enhance the chances of female candidates' election.[100] This understanding has been based on the notion that higher district magnitudes are associated with lower competition for seats, and, consequently, more space for the candidacy of outsiders, including women. Insights developed since then have implications for the quota literature: PR systems have been theorised as more beneficial to women's representation because plurality/majority systems pose zero-sum scenarios in which parties would have to substitute established male politicians for incoming female candidates. For decades, statistical studies show that single-member district systems are negatively associated with the likelihood of election of women. [101] This has been translated into the quota literature through arguments that pose that PR systems are more likely to adopt gender quotas than majority/plurality systems.

Besides PR, other aspects of electoral systems, have been associated with higher likelihood of quota adoption for their potential impacts on competition for seats. In a 2004 article, Baldez posits that re-election rules impact electoral competition and, thus, the adoption of gender quota policies. Baldez' hypothesis is that 'legislators might be more likely to support quotas if their chances of being re-elected are slim because such measures will not affect their future careers'. Baldez finds no support for this hypothesis in the case of Mexico, where the system allows for no re-election.[102] Even though Baldez found no support for this claim, I contend that the rationale for incumbents in systems that do not allow re-election are substantively different from the logic of electoral calculations of incumbents in systems that permit re-election. Thus, I pose that Baldez's notion that 'legislators might be more likely to support quotas if their chances of being re-elected are slim' is not generalizable without considering political ambition. In fact, from an electoral security perspective, we should expect incumbents, whose chances are slim, to be the least likely to vote for gender quotas *in systems that allow for consecutive re-election*, as their positions

---

[100] Rule, Wilma. 1994. 'Parliaments of, by, and for the People: Except for Women?' In *Electoral Systems in Comparative Perspective: Their Impact on Women and Minorities*, eds. Wilma Rule and Joseph Zimmerman. Westport: Greenwood Press: 18-19; 26.

[101] Matland, Richard, and Michelle Taylor Robinson. 1997. 'Electoral System Effects on Women's Representation: Theoretical Arguments and Evidence from Costa Rica'. *Comparative Political Studies*. 30 (2): 186-210; Norris, Pippa. 1985. 'Women's Legislative Participation in Western Europe'. *West European Politics*. 8 (4): 90-101; Rule, Wilma. 1981. 'Why Women Don't Run: The Critical Contextual Factors in Women's Legislative Recruitment'. *Political Research Quarterly*. 34 (1): 60-77.

[102] Baldez, 2004: 236.

in parliament are the most vulnerable and likely to be displaced by incoming women. Nonetheless, incumbents do not have the personal motivation of securing places for themselves as the system itself anticipates their displacement in systems that do not allow for re-election (to lower and upper houses). I thus expect strong gender quotas to be more likely present in systems that do not allow for re-election, such as that of Mexico. Although explanations based on institutional arrangements hint at the relationship between gender quotas and their potential threats to the careers of political elites, they are without foundation at the micro-level.

At the micro-level, the role of male legislators acting strategically to prevent the design of strong gender quotas has often been mentioned,[103] but rarely developed theoretically or tested empirically. In a recent 2016 piece providing a theoretical framework for the study of resistance to quotas post-adoption, Krook conveys: 'in nearly all cases, increasing the number of women in elected positions requires—mathematically—a reduction in the share of men. Quota reforms thus entail a "negative sum" game from the perspective of current and prospective male aspirants—men who must step aside or be overlooked in order to make way for women'.[104] In her cross-sectional analysis of the pros and cons of gender quotas, Baldez refers back to her knowledge of the Latin American experience to suggest that popular support for gender quotas is precisely a consequence of the notion that quotas can replace the existing, untrustworthy politicians in place, who are in vast majority, male.[105] This is not unique to Latin America; Besley et al. also describe a similar process taking place in Sweden, where the displacement of the weakest male contenders as a consequence of gender quotas became known as 'the crisis of the mediocre man'.[106]

Although various authors have tangentially identified the potential implications of gender quotas for the careers of male incumbents and noted on-the-ground male resistance towards gender quotas, very few have made it the focus of their investigations, formally

---

[103] Piscopo, Jennifer. 2015a. 'States as Gender Equality Activists: The Evolution of Quota Laws in Latin America'. *Latin American Politics and Society*. 57 (3): 27-49; Paxton, Pamela, and Melanie Hughes. 2015. 'The Increasing Effectiveness of National Gender Quotas, 1990-2010'. *Legislative Studies Quarterly*. 40 (3): 335; Donà, Alessia. 2015. 'Will the Year 2015 Bring the Return of Electoral Gender Quotas? The History About How the Lack of Political Will Troubled the Road to Gender Equality in Italy'. EUI Department of Law Research Paper No. 2015/26.

[104] Krook, Mona Lena. 2016. 'Contesting Gender Quotas: Dynamics of Resistance'. *Politics, Groups, and Identities* (forthcoming): 5.

[105] Baldez, Lisa. 2006. 'The Pros and Cons of Gender Quota Laws: What Happens When You Kick Men Out and Let Women in?'. *Politics and Gender*. 2 (01): 105.

[106] Besley, Timothy, Olle Folke, Torsten Persson, and Johanna Rickne. 2013. 'Gender Quotas and the Crisis of the Mediocre Man: Theory and Evidence from Sweden'. *IFN*. Working Paper N° 985. Research Institute of Industrial Economics (IFN) Stockholm.

theorised, or empirically tested these observed patterns. One exception is the work of Fréchette, Maniquet and Morelli. Using the case of France, the authors produce a formal model to explain the gender parity law that is based on assumptions of incumbents' goal-maximising principle.[107] To them, the fact that deputies unanimously voted for the parity law (with the possibility of pay-per-violation fines), while senators voted against it, shows that incumbents anticipated the threat of gender quotas to their respective levels of electoral security. According to the authors, incumbents in the lower chamber anticipated that passing the parity law in their single member district system would increase their individual electoral advantage—as incumbents, they calculated, they would have a higher change of being elected against new female faces.[108] Their conclusion is that the adopted gender quotas served the interest of male deputies. The work provides an interesting departure from the overwhelming majority of the literature, which focuses on macro-level arguments to explain gender quota adoptions; it has been largely criticised, however.

In assessing their piece, Murray, Krook, and Opello make important contributions to correct Fréchette et al.'s model, and argue that: 1) individual-level logic is often mediated by party-logic, meaning that individual decisions are heavily influenced by party lines and thus cannot be understood in a vacuum; and, even most importantly, 2) their assumption that voter bias would make women less successful competitors than men does not hold when taking certain conditions, such as seat effects, into consideration.[109]

My thesis departs from a similar micro-level approach and expands on this niche of work by going beyond the analysis of the simple adoption or non-adoption of gender quotas to focus on how resistance towards gender quotas may impact the timing of policy adoption and intensity of their design. Unlike the work of Fréchette et al., however, my work rests on the assumption that gender quotas are indeed threats to male incumbents and that women are contenders that can displace male legislators.

---

[107] Fréchette, Guillaume, Francois Maniquet, and Massimo Morelli. 2008. 'Incumbents' Interests and Gender Quotas'. *American Journal of Political Science.* 52 (4): 891-909.
[108] Ibid.
[109] Murray, Rainbow, Mona Lena Krook, and Katherine Opello. 2012. 'Why are Gender Quotas Adopted? Party Pragmatism and Parity in France'. *Political Research Quarterly*. 65 (3): 529-543.

2.6. GENDER QUOTAS AND THREATS TO MALE INCUMBENTS

Several studies have found that once women campaign, voter bias does not have a negative effect on their election.[110] It seems, however, that during the recruitment stage women still face biases when this stage is controlled by party leaders and other political elites.[111] Quotas have been one of the mechanisms used to break the party monopoly of the recruitment process and thus serve an instrument to counter this bias. Precisely because women seem to suffer not from voter bias but rather recruitment bias, an instrument that seeks to address the latter could be a threat to men's political dominance.

In their 2006 article, Tripp and Kang found that: 'Quotas emerge as a most consistently predominant explanatory factor for female legislative representation,' and, could thus be the single most threatening political institution to male incumbents.[112] Per the authors, the implementation and proliferation of gender quotas worldwide drastically impacted women's political representation. Tripp and Kang closely link the rise or fall in the proportion of women in legislatures worldwide to the introduction or removal of quota legislation.[113] They explain the decline in the proportion of women in Europe post-1980s, as a consequence of the removal of quotas that were in place in the former Soviet Union. Conversely, the authors attribute the increase of women in parliament in Asia, Latin America, the Middle East and North Africa and Sub-Sahara Africa between the 1990s and 2010 to the incorporation of quotas in countries in each region.[114] The vast majority of democracies that have a high proportion of women in their legislatures have adopted some type of gender quota[115]—but this is not always the case.

Studies show that depending on the framing of the legislation quotas can prompt more or less change in the proportion of women in parliament. Schwindt-Bayer finds that although all quotas that mandate women to be on party candidate lists increase the number of women in parliament, this increase can be larger or smaller depending on other

---

[110] See, for example: Engeli, Isabelle, and Georg Lutz. 2012. 'When Women Campaign, do They Win?'. Presented at the Second International Conference on the Comparative Candidate Study, Mannheim, January; Black, Jerome, and Lynda Erickson. 2003. 'Women Candidates and Voter Bias: Do Women Politicians Need to Be Better?'. *Electoral Studies*. 22 (1): 81-100; Smith, Eric, and Richard Fox. 2001. 'The Electoral Fortunes of Women Candidates for Congress'. *Political Research Quarterly*. 54 (1): 205-221.

[111] See, for example: Norris, Pippa, and Joni Lovenduski. 1995. *Political Recruitment*. Cambridge: Cambridge University Press; Matland, Richard. 2005. 'Enhancing Women's Political Participation: Legislative Recruitment and Electoral Systems'. In *Women in Parliament: Beyond Numbers,* ed. Azza Karam. Stockholm: International IDEA: 93-111.

[112] Tripp, Aili Mari, and Alice Kang. 2007. 'The Global Impact of Quotas: On the Fast Track to Increased Female Legislative Representation'. *Comparative Political Studies*. 41 (3): 357-358.

[113] Ibid: 342.

[114] Ibid.

[115] Ford, Lynne. 2011. *Women and Politics*. 3rd ed. Australia: Wadsworth Cengage Learning.

legislation characteristics. One characteristic is that of the proportion of candidacies and/or seats reserved for women. The author also claims that mandatory high placements impact the effectiveness of quotas.[116] Such is the case of Argentina, which mandates that a woman is nominated as one of the first three names on the candidate list. Since without such stipulation parties could comply with quota requirements by nominating women to hardly electable positions at the bottom of their lists, for effectiveness this type of mandate is considered a necessary corollary to the quota. After analysing the situation of women in the legislatures of sixty-four countries, Schmidt concludes legislation that guarantees female and male candidates to be organised in alternating places on party lists is associated with the success of quotas adopted in closed-list PR.[117] The works of Mateo Díaz[118] and Baldez[119] support these findings.

The presence of sanctions—setting punishments for political parties that do not comply with gender quota conditions—is another mechanism that has been found to be important for the effectiveness of quota laws and is often mentioned as one of the main aspects for gender quota effectiveness.[120] However, challenging this notion Fréchette, Maniquet and Morelli show that quotas may remain ineffective even in the presence of economic sanctions, since rather than risk losing their political space incumbents may choose to pay the penalty required for violating quota requirements.[121] Furthermore, a way by which parties may minimise the threat new female candidates pose to its male incumbents is by the nomination of token female candidates. That is: one of the ways in which parties manage to comply with law while not truly expanding the power of women in government is by nominating women who do not have a chance of winning, or the wives and daughters of party bosses, as tokens.[122]

Legitimacy of quota legislation across government branches is also found to be an important characteristic for policy effectiveness. Although the notion is important to

---

[116] Schwindt-Bayer, Leslie. 2009. 'Making Quotas Work: The Effect of Gender Quota Laws on the Election of Women'. *Legislative Studies Quarterly.* 34 (1): 5-28.
[117] Araújo, Clara, and José Eustáquio Diniz Alves. 2007. 'Impactos de Indicadores Sociais e do Sistema Eleitoral Sobre as Chances das Mulheres nas Eleições e Suas Interações com as Cotas'. *Dados.* 50 (3): 535-577; Schmidt, Gregory. 2005. 'Is Closed List PR Really Optimal for the Election of Women? A Cross-National Analysis'. Presented at the 2005 meeting of the American Political Science Association, Washington, DC.
[118] Mateo Diaz, Mercedes. 2002. *Are Women in Parliament Representing Women?* Louvain: Universite catholique de Louvain.
[119] Baldez, 2004.
[120] Quota Project 2015; Dahlerup and Freidenvall. 2011.
[121] Fréchette et al, 2008.
[122] Wylie, Kristin, and Pedro dos Santos. 2016. 'A Law on Paper Only: Electoral Rules, Parties, and the Persistent Underrepresentation of Women in Brazilian Legislatures.' *Politics & Gender* 12 (03): 415-442; Starr, 2010; Dahlerup, Drude. 2008. 'Gender Quotas: Controversial but Trendy'. *International Feminist Journal of Politics.* 10 (3): 322-328; Krook, 2007.

authors such as Baldez, the role of courts in the process of quota law implementation has not been thoroughly explored.[123] Emphasising the importance of courts she reports quotas can, and have, been interpreted as unconstitutional.[124] Thus enforceability by the judicial system is crucial to the effectiveness of a quota law.[125]

2.7 CONCLUSION

So far, most of the existing research on gender quota adoption has been conducted at the macro-level. This means that works have not directly targeted the notion that quotas, as an institution with the potential to impact incumbents unequally, could be a result of the calculations of the same male legislators who adopt them.[126] Although previous works have provided plausible explanations for gender quota adoptions, they have consistently lacked systematic theorising and testing of how the individual choices of political actors influenced the outcomes of gender quota adoptions; in other words, most available works do not identify or test the micro-foundations that underline their endogenous assumptions.[127] The puzzle of gender quota adoption, posed in different language by various authors,[128] rests on individual behaviour; a solution to this puzzle should therefore do the same.

In sum, two main aspects of gender quotas remain largely unexplained in the existing literature: 1) the role of micro-level foundations in the adoption and design of gender quotas; and, 2) the variation in strength of gender quota designs. Furthermore, the predominant approaches are teleological in that they present theories that explain adoption, but not non-adoption. To address these gaps, I examine gender quota adoption in one case that remained negative until 2015 and two positive cases that vary considerably in intensity of design, thus considering the full-range of values on my two dependent variables—adoption and strength of policy design. Finally, for attending to important concerns regarding the purposes of feminist scholarship, a considerable number of works on gender quotas have not communicated well with the relevant literature in mainstream comparative politics.[129] I seek to do this by joining feminist institutionalist scholarship and

---

[123] Baldez, 2004.
[124] As in the cases of Mexico and Venezuela, for example. Quota Project, 2015.
[125] Paxton and Hughes, 2015.
[126] Exceptions include: Fréchette et al, 2008; Baldez, Lisa. 2007. 'Primaries vs. Quotas: Gender and Candidate Nominations in Mexico, 2003'. *Latin American Politics and Society*. 49 (3): 69-96; Baldez, 2004;
[127] See, Piscopo, 2015a.
[128] Krook, 2016; Baldez, 2004.
[129] Walsh, Denise. 2013. 'A Feminist Approach to Quotas and Comparative Politics'. *Politics and Gender*. 9 (3): 322-328.

methodology with those of mainstream comparative politics. In the next chapter, I introduce my theory and hypotheses.

CHAPTER 3

GENDER QUOTAS AND THE DOMAIN OF LOSSES

TOWARDS A PROSPECT THEORY FRAMEWORK

Case studies and exogenous explanations have been fundamental in outlining detailed narratives of different pathways to gender quota introductions and adoptions. Levels of socio-economic development, pressure groups, and diffusion, as well as institutional configurations and the presence of women in legislatures, however, have yet not explained the wide variation in gender quota designs. Furthermore, the overwhelming concentration of studies that do not specify the role of male legislators has not allowed for a systematic analysis of legislators' resistance towards gender quotas and that of their potential consequences.

Since male legislators are the majority of actors involved in designing and approving legislation, understanding their behaviour towards this type of policy is crucial for solving the puzzle of whether the rapid spread of gender quotas worldwide challenges notions of the rationality of legislators as career-driven individuals. In accepting the importance of the role of male legislators, I argue that gender quota adoptions, and, mainly, the strength of gender quota designs, are endogenous. On their own, however, endogenous explanations are also unfit to explain the emergence of gender quotas. This is because they assume institutions to be 'sticky'[1] given that they provide equilibrium and benefit those who are part of the status quo; as such, electoral change would happen only if expected to strengthen the position of those in power. This is not the case of gender quotas.

By weaving together implications from exogenous and endogenous explanations, I provide a novel theory for assessing the adoption of gender quotas, and, more importantly, variation in quota designs. By incorporating notions of legislators' political ambition and levels of electoral security, I transform an otherwise static model that would predict no

[1] For explanation, see: Jones, Bryan, Tracy Sulkin, and Heather Larsen. 2003. 'Policy Punctuations in American Political Institutions'. *American Political Science Review*. 97 (1): 151-169.

change, into a dynamic model that can explain the otherwise 'irrational' behaviour of male legislators seemingly acting against their interests.

I argue that gender quotas do not defy the notion of legislators as career-seeking, rational individuals and that they are aligned with the preferences of male legislators who adopt the policy. The argument advances from my understanding that male legislators' behaviour towards gender quotas is a function of their calculations regarding potential future losses; in other words, it is a behaviour that results from an individual's identified goal of securing political office in the future and his calculations regarding his chances of achieving this goal.

The most obvious framework to study strategic decision-making in political science is rational choice theory. In this chapter I discuss the premises of rational choice and show that prospect theory, which rests on many of the same assumptions of rational choice but corrects expectations based on findings from cognitive-psychology experiments, provides a more comprehensive framework for the task at hand. I then explain how I interpret the applications of prospect theory and modify it to the explanation of legislative processes. Finally, I provide formal hypotheses for my two dependent variables (*adoption* and *strength of quota design*) across my two levels of analysis (individual male legislator and aggregate legislature).

3.1. RATIONAL CHOICE AND INSTITUTIONAL CHANGE

Expected utility theories, such as rational choice, derive utility functions based on predetermined assumptions of preferences. Rational choice assumptions dictate that individual preferences can be determined *a priori*, that individuals can rank their preferences, that they will always choose an option with higher probabilities of guaranteeing an outcome provided that the outcome is the preferred one, and that these choices do not change based on framing.[2] Under these assumptions, expected utility functions weight available choices as they pertain to their expected utility and respective probabilities, and, in doing so, determine decision-making choices that lead to maximising outcomes in situations of uncertainty. In sum, expected utility theories dictate that, under specified circumstances of uncertainty, individuals always prefer higher utility, once they

[2] In their 1944 work von Neumann and Morgenstern concluded that five assumptions should hold for expected utility functions to be meaningful. These conditions, which applied to individual preferences, were: 1) completeness; 2) transitivity; 3) continuity; 4) monotonicity; and, 5) substitution. For their detailed explanation, see: Von Neumann, John, and Oskar Morgenstern. 1953. *Theory of Games and Economic Behavior*. Princeton: Princeton University Press.

weight the respective probabilities of their possible options. Rational choice is thus a normative theory.[3]

Expected utility theories originate from the work of mathematicians and their application to the social sciences is broad, although their validity is limited to some scopes. Given that expected utility theories require a very specific set of assumptions to be met, including information about value and outcome probabilities, they only apply to settings in which salience of issues and information are available.[4] Geddes points out the grounds are right and the validity of this approach increases when elites are involved in the process as assumptions are met: goals are defined *a priori*, information is available, and issues are salient.[5]

However, in applying expected utility theories to the social sciences salience of information and context are not the only barriers; one major criticism challenging rational choice's applicability stems from the fact that predictions derived from expected utility functions are often empirically violated in real world situations.[6] As Briggs puts it, for being normative, rational choice predictions should be interpreted as explanations of how decision-making *should* be made and not of how decisions *are* made.[7]

3.2. CONSIDERING SELF-INTERESTS, CHOICE, AND RISK: PROSPECT THEORY

While rational choice is based on ideal behaviour, prospect theory is derived from regularities observed in repeated psychological experiments on human choice.[8] Although providing ample useful guidelines to the study of politicians' behaviour, rational choice assumes linear expected-utility regardless of changes in the status quo of individuals. Prospect theory considers other aspects of decision-making, including the framing of choices, and predicts behaviour in terms of relative gains and losses, instead of focusing on final absolute values.[9] This outlines actual decision-making patterns, as observed in

---

[3] Briggs, Rachel. 2014. 'Normative Theories of Rational Choice: Expected Utility'. In *The Stanford Encyclopedia of Philosophy (Fall 2014 Edition)*, 1st ed., ed. Edward Zalta. Stanford: Stanford University.
[4] Other circumstances listed by Tsebelis are: when learning takes place; when we assume the heterogeneity of actors; when we assume natural selection; and, finally, given statistical notions of population mean. Tsebelis, George. 1990. *Nested Games: Rational Choice in Comparative Politics*. Berkeley: University of California Press: 33-39.
[5] Geddes, Barbara. 2003. *Paradigms and Sand Castles*. Ann Arbor: University of Michigan Press: 383.
[6] Briggs, 2014.
[7] Ibid.
[8] Weyland, Kurt. 2002. The Politics of Market Reform in Fragile Democracies: Argentina, Brazil, Peru, and Venezuela. Princeton: Princeton University Press: 37.
[9] Ibid: 39.

repeated laboratory experiments.[10] As such, prospect theory is a *descriptive* theory, from which predictions can be made.[11]

Prospect theory elaborates on the foundation of rational choice, but offers two important distinctions. First, it challenges the rational choice notion that expected-utility is linear. In seeking to explain violations of rational choice expectations, psychologists Kahneman and Tversky found in laboratory that individuals do not react to gains and losses in an equal but opposite way, rather that they are more averse to loss (understood as negative deviations from their respective reference points) than they are attracted to gains.[12] As Weyland explains, the reason for this tendency in behaviour is that, even when equal magnitudes are considered, loss causes greater departure from one's psychological status quo than gains.[13] This is called the 'instant endowment effect', and, as described by Dusso refers to 'the findings that the value associated with giving up a good is larger than the value associated with receiving it'.[14] By arguing that individuals react differently to changes in their 'reference points' (their respective status quos) and how they are set to gain or lose from these changes prospect theory thus corrects expected-utility theories. That is, while rational choice sees utility as *value*, prospect theory sees it as *changes* in value.[15]

Prospect theory thus indicates that diverging levels of distress caused by gain or loss will significantly affect behaviour. Because loss causes more distress than gain, individuals are willing to take risks to avoid a loss, but are more likely to avoid a risk to protect gain. This is illustrated by the value function in Figure 3.1, first printed in Kahneman's and Tversky's introduction to the theory.

As displayed in Figure 3.1, the curve is steeper for negative values, signifying risk acceptance as an attempt to avoid loss. This is the second major difference between expected utility models and prospect theory. While expected utility theories model decisions based on probability functions, prospect theory models decisions based on a weighting function in which 'low probabilities are overweighed, moderate and high probabilities are underweighted, and the latter effect is more pronounced than the

---

[10] Montier, James. 2002. 'Darwin's Mind: The Evolutionary Foundations of Heuristics and Biases'. *SSRN Journal*: 20. http://ssrn.com/abstract=373321.
[11] Briggs, 2014.
[12] Tversky, Amos, and Daniel Kahneman. 1981. 'The Framing of Decisions and the Psychology of Choice'. *Science*. 211 (4481): 453-455.
[13] Weyland, 2002: 39.
[14] Dusso, Aaron Philip. 2010. The Psychology of Institutional Development: How Parties' Willingness to Accept Risk Affects the Districts They Draw and the Seats They Win. PhD Thesis, The George Washington University: 30.
[15] Cornell, Bradford. 1999. The Equity Risk Premium: The Long-Run Future of the Stock Market. New York: Wiley: 148.

former'.[16] This means that individuals are more likely to behave in a risky manner if they are threatened with loss than if they have something to gain; and if they have something to lose then they are more likely to act to avoid that risk than to disturb the status quo. As Levy explains, individuals in the domain of losses are willing to take risks 'even though the result may be even greater loss'.[17] The opposite is true for gains, given that inside actors, fearing loss, are unlikely to want to move away from their established statuses and thus the maintenance of the status quo is more likely. Kahneman and Tversky describe the patterns of risk aversion in the domain of gains and of risk seeking in the domain of losses as the 'certainty effect'.

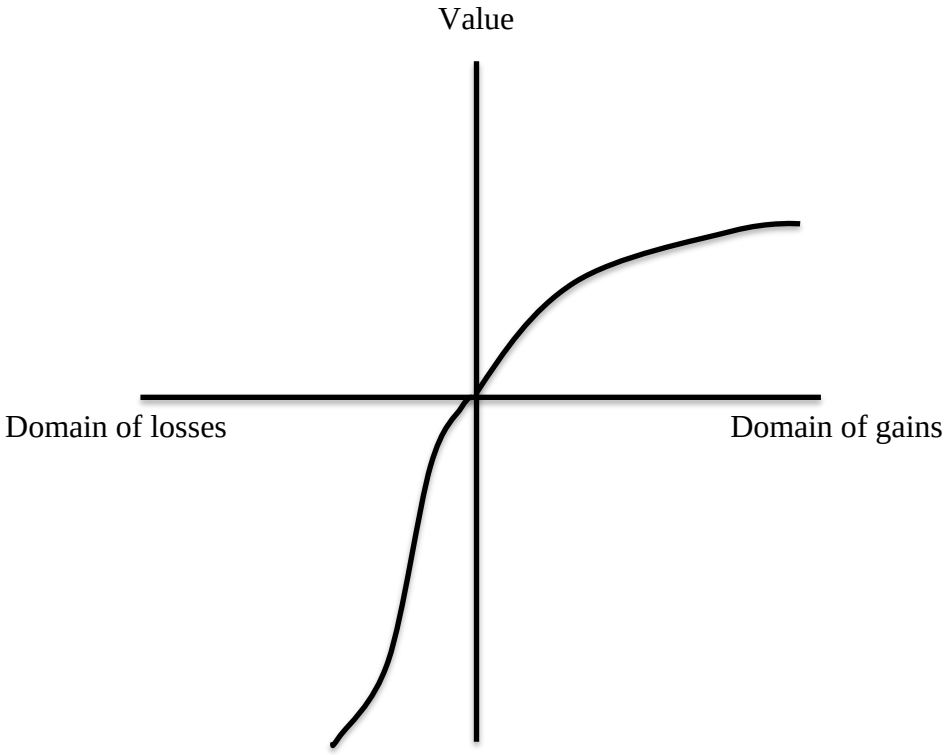


Figure 3.1. Prospect theory's domain of losses and domain of gains

Source: Kahneman and Tversky, 1981: 454.

Prospect theory's identification of behavioural bias in the domain of gains and losses also has another implication: the framing of choices affects an individual's decision-making. In their 1981 work, which further develops on their initial introduction of prospect theory, Kahneman and Tversky show that the framing of outcomes as positive

[16] Tversky and Kahneman, 1981: 454.
[17] Levy, Jack. 2003. 'Applications of Prospect Theory to Political Science'. *Synthese.* 135 (2): 217.

(leading to gains) or negative (leading to losses) can lead to a change in individual's behaviour—affecting their propensity to risk-averseness or risk seeking.

According to them, when gains or losses are at play, and an individual is free to choose between responses which are fundamentally the same, the framing of outcomes alone generates biased behaviour in regards to the individual's propensity for risk-aversion or risk-seeking. The authors designed tests which reveal the influence of framing on choice. They posed a battery of questions which while nonetheless framed differently ask effectively the same thing and sought respondents' choices of equivalent outcomes. They find, for instance, that when buying two items costing $125 and $15 respectively, if the $15 item is discounted by $5, 68 percent of respondents would travel for 20 minutes to another branch of the store to obtain the discount, but only 29 percent of respondents would make the same journey for a $5 discount on the $125 item—even though the savings and inconvenience would be the same in both situations. Similarly, they find that 88 percent of respondents would pay $10 for a ticket to a play upon realizing they had lost a $10 bill; but that only 46 percent of respondents would pay $10 for a ticket to a play upon realizing they had lost a previously purchased $10 ticket to the same play.[18] The context of loss and the calculation of relative gains plays a role framing the two aforementioned experiences. They show that individuals use framing as shortcuts that simplify evaluation and that decisions are aligned with intuitions derived from these framings.[19] This means that individuals' perceptions about whether they are in the domain of gains or domains of losses matters.

Findings from prospect theory also have implications for those who are not impacted by the domain of losses, but are still impacted by changes in the status quo. 'Prior-option bias' (or 'status quo bias') predicts that individuals who are unlikely to lose from a change are risk-averse and prefer to maintain the status quo. The effect of this on policy-making is that established incumbents are more likely to only tinker with existing policies, instead of taking risks that could have consequences to them. Again, Weyland explains, this 'leads to excessive conservatism and greater persistence in policy-making than prospect theory alone would predict'.[20] As he puts it, however, prior-option bias applies not only to established incumbents, but also to 'designated successors'—

[18] Tversky and Kahneman, 1981: 457.
[19] Ibid.
[20] Weyland, 2002: 47.

individuals that are somehow bound to established policies.[21] As such, political outsiders are more likely to engage in risk acceptance behaviour than established insiders.

Finally, prospect theory is more dynamic than rational choice theory, as it allows reference points to shift, and with that, the preferences of individuals to change. Previous gains or losses push individuals into new reference points. Prospect theory poses that gains lead individuals to update their perceptions of their reference points, while individuals who incur losses tend to hold on to their previous reference points. This means that the former group of individuals will seek to maintain their new status (thus avoiding risk), while the latter will seek to restore their previous positions (engaging in risky behaviour to do so).[22] Succinctly Weyland describes: 'the uncertain hope to eliminate all losses triggers particular boldness'.[23]

Despite differences, the individual is the unit of analysis in both rational choice and prospect theories. To that extent, analyses at the aggregate-level, such as the decisions of entire legislatures, become more challenging. Nonetheless, Geddes contends that rational choice is still a useful framework in the study of the aggregate, as: 'A few actors may have goals that differ from the majority. For example, a few members of Congress may not care about re-election. If most do, however, the argument will still explain the behaviour of most of them and therefore the outputs of the legislature'.[24] This suggests that we can expect aggregate outcomes to reflect the behaviour of individual actors if we consider their combined reference point.

3.2.1. APPLICATIONS OF PROSPECT THEORY

Prospect theory emerged from the work of Kahneman and Tversky, two cognitive psychologists, as a direct response to expected utilities theories. As an alternative theory of decision-making under uncertainty that could predict real world problems instead of establishing ideal behaviour, the theory rapidly gained popularity beyond psychology. Wu et al. note that Kahneman's and Tversky's 1979 paper introducing prospect theory was the

[21] Ibid: 41-42.
[22] Ibid.
[23] Ibid: 42.
[24] Geddes, Barbara. 1995. 'Uses and Limitations of Rational Choice'. In *Comparative Politics: Critical Concepts in Political Science*, ed. Howard J. Wiarda. London: Routledge: 386.

'second most cited paper in economic during the period, 1975-2000'.[25] The paper had been cited 36,172 times according to Google Scholar until July 2015.[26]

Among the social sciences, economics has been the field more opened to applying the approach. Benartzi and Thaler apply prospect theory to understanding why the average return of the US stock market has consistently been higher than that of Treasury bills. They find that this gap results from investors' loss-averse behaviour. Treasury bills are safe assets, while the US stock market fluctuates at a high dispersion, so investors will only choose to invest on US stock market shares if they have a significantly higher average return.[27] In his study of households' insurance decisions, Snydor also finds that if risk aversion is not taken into account, the decision of households to pay a higher premium with a lower deductible is irrational.[28] In an experiment framed around individuals' willingness to pay money for a mug or giving up a mug for money, Kahneman, Knetsch, and Thaler show that framing matters. The authors find that there is a significant difference between the values individuals are willing to pay for the mug versus the amount they would accept for giving up the mug. More specifically, individuals were only willing to pay roughly half for the mug than they were willing to accept for giving it up.[29] In these studies, prospect theory served to explain behaviour that would otherwise be deemed irrational.

The application of prospect theory has been less common in political science, although it has been applied in international relations. In the volume on international conflict edited by Farnham, she and other authors use prospect theory to explain the willingness of states to pursue and maintain seemingly suboptimal or irrational foreign policy decisions, citing such examples as the United States efforts in Vietnam, or the conflict between Great Britain and Argentina over the Falkland Islands.[30] In this volume, McDermott applies prospect theory to explain the risky decision taken by United States' President Jimmy Carter in 1980 authorising a rescue mission of American hostages in Iran. According to the author, the hostage crisis placed Carter in the domain of losses, thus triggering his willingness to engage in risky behaviour as an attempt to end the crisis and

---

[25] Wu, George, Jiao Zhang, and Richard Gonzalez. 2004. 'Decision Under Risk'. In *Blackwell Handbook of Judgment and Decision Making*, 1st ed., eds. Derek Koehler and Nigel Harvey. Malden: Blackwell Publishing Ltd: 404.
[26] According to a Google Scholar search for: Kahneman, Daniel, and Amos Tversky. 1979. 'Prospect Theory: An Analysis of Decision Under Risk'. *Econometrica: Journal of the Econometric Society*: 263-291.
[27] Benartzi, Shlomo, Alessandro Previtero, and Richard Thaler. 2011. 'Annuitization Puzzles'. *Journal of Economic Perspectives*. 25 (4): 143-164.
[28] Sydnor, Justin. 2010. '(Over)Insuring Modest Risks'. *American Economic Journal: Applied Economics*. 2 (4): 177-199.
[29] Kahneman, Daniel, Jack Knetsch, and Richard Thaler. 1990. 'Experimental Tests of the Endowment Effect and the Coase Theorem'. *Journal of Political Economy*. 98 (6): 1325-1348.
[30] Farnham, Barbara. 1994. 'Introduction'. In *Avoiding Losses/Taking Risks: Prospect Theory and International Conflict*, 1st ed., ed. Barbara Farnham. Ann Arbor: University of Michigan Press.

return to the status quo.[31] Haas also uses prospect theory to understand policy choices enacted by the US and Soviet governments during the Cuban Missile Crisis. He finds that risk-taking in the domain of losses is a better predictor than rational choice of decision-making by both governments during this period.[32] The works above depict how prospect theory is useful in explaining policy-making that otherwise seems irrational. Seemingly sub-optimal policies however, are not exclusive to foreign policy. They are often enacted domestically.

Prospect theory, however, has rarely been applied in comparative politics. In *The Politics of Market Reform in Fragile Democracies*, Weyland provides the first and only published book-length application of prospect theory in comparative politics. In his work, the author seeks to solve the puzzle of why political leaders choose to enact profound (and risky) market reforms that could further denigrate their support among voters. Using cases from Latin America, Weyland argues that in times of economic crises profound market reforms are the result of risk-taking behaviour. According to this view, deep economic crises led political elites (and voters) into the domain of losses, allowing executives to take bold and costly actions in the 1980s and 1990s. Weyland's work confirms that prospect theory can be applied to processes of decision-making that do not directly revolve around economic gains and suggests that comparative politics is a promising ground for the application of prospect theory.[33] For his PhD thesis, Dusso also applies prospect theory to explain how parties draw districts in the United States. He argues that in redistricting, parties desire to maximise number of their seats and protect their incumbents; he then uses prospect theory experiments to test whether perceptions of gains and losses have effects on the strategic behaviour of parties negotiating re-districting.[34]

Reviewing the impact of prospect theory to economics, Barberis argues that, although popular, its application has been limited because 'while prospect theory contains many remarkable insights, it is not ready-made for economic applications'.[35] He identifies the lack of guidance in how to determine a 'reference point' as one of the challenges to applying prospect theory. Some researchers, he also poses, have overcome this obstacle by

---

[31] McDermott, Rose. 2015. 'Prospect Theory in International Relations: The Iranian Hostage Rescue Mission'. In *Avoiding Losses/Taking Risks: Prospect Theory and International Conflict*, 1st ed., ed. Barbara Farnham. Ann Arbor: University of Michigan Press: 73.
[32] Haas, Mark. 2001. 'Prospect Theory and the Cuban Missile Crisis'. *International Studies Quarterly*. 45 (2): 241-270.
[33] Weyland, 2002.
[34] Dusso, 2010: 33.
[35] Barberis, Nicholas. 2012. 'Thirty Years of Prospect Theory in Economics: A Review and Assessment'. *National Bureau of Economic Research*. 27 (1): 174.

providing clear definitions of gains and losses and testing expectations through laboratory and field experiments.[36] In the next sections, I outline how I seek to overcome potential conceptual challenges of applying the framework to explain policy-making, and outline how my interpretation of prospect theory applies to decision-making on gender quotas.

3.3. ADAPTING PROSPECT THEORY TO SOLVE THE PUZZLE

In my introductory chapter, I identified the following puzzle: does the rapid spread of gender quotas worldwide challenge notions of the rationality of legislators as career-driven individuals?

In my first two chapters, I have argued that, because they have the power to change electoral results, gender quotas are susceptible to the calculations of individuals inside the system: men are the overwhelming majority in legislatures at the time gender quotas are adopted and thus are the ones shaping policy, but they are also the ones more likely to suffer from such policy adoption.

I contend that there are three stages to the policy-making process: 1) introduction of gender quota bills; 2) drafting and amendments of gender quota bills; and, 3) voting of bills and policy adoption. The first stage is outside the strategic legislative domain and is thus influenced by exogenous factors; the two latter stages, nonetheless, are subjected to male resistance and are the stages that my theory seeks to explain. In other words, my theory begins explaining gender quotas once they are subjected to legislative decision (i.e., to shelve/not to shelve; to amend/not to amend; to vote for/ to vote against).

The literature provides five main explanations to gender quota introduction and adoption: explanations based on levels of socio-economic development, pressure groups, diffusion, institutional congruence, and the presence of female legislators/party leaders. Although my main aim in this work is to test the explanatory power of a sixth theory, I do not neglect earlier work. In fact, I argue that exogenous pressures are part of the explanation, as they determine the threshold point at which the marginal costs of not adopting a quota outweigh the costs of adopting it—thus triggering a process of change.

International organisations, regional agreements, electoral observing missions, and domestic groups have all increasingly monitored countries' efforts to promote gender equality in the public sphere and have promoted affirmative action policies as a way of

[36] Ibid.

achieving that. As such, I theorise that existing explanations are particularly important in impacting the first and third stages of the gender quota process: the introduction of bills and the adoption of gender quota policies. Nonetheless, I contend that none of these propositions are good predictors of gender quota *designs*.

3.3.1. EXOGENOUS FACTORS

I conceive exogenous pressures as necessary conditions leading to the introduction and adoption of gender quotas. While men constitute the overwhelming majority of legislatures, under circumstances of no demand, enacting an affirmative action policy to favour women is illogical. This is to say: if politicians seek to retain office, it is inconceivable to argue that they would spontaneously adopt policies to make it easier for political outsiders to challenge their incumbencies. As such, I argue that legislators' consideration of gender quotas does not take place in a vacuum: it is influenced by external pressures, which include levels of socio-economic development, pressure from women's groups and international organisations, transnational diffusion, as well as endogenous factors, such as institutional fit and demands from female legislators and party leaders.

The situation of women has gradually shifted throughout the years nearly everywhere in the world. In many countries now women and men attain similar levels of education and labour market participation, and notions of gender equality are increasingly normalised. Domestic women's groups and international organisations have also been crucial in offering consultation and strategic advice to legislators proposing and supporting gender quotas. Recommendations from the CEDAW in 1979, and the Beijing Platform for Action in 1995, which specifically cite affirmative action policies as a fast-track to gender equality in political domains, are often named in academic works and legislative debates to legitimise gender quota proposals. The status of neighbouring countries and their quota policies are also often referenced during legislative debates on quotas, suggesting that diffusion is at play. Finally, individual female legislators, women's caucuses, and female party leaders have been identified as the main actors in introducing gender quota policies and strategizing their adoption.[37] I argue that, although all of these factors are important in setting the ground for gender quota introduction and adoption, they do not guarantee gender quota adoption, and, more importantly, they cannot explain variation in the strength of gender quota configurations. In sum, they are insufficient.

---

[37] All of these factors have been covered in detail in Chapter 2.

Nonetheless, these factors are important in triggering a process that leads male legislators to find themselves into the domain of losses. Prospect theory is contingent upon factors that vary. So what prompts changes in male legislators' reference points? I deem that exogenous pressures, combined with the strategic collective action of female legislators and their influence on parties, can limit the scope of options for male legislators (i.e., limit their choice to not adopt quotas) and force their hand on quota adoption. More specifically, when female legislators act together to influence party positions and parties orient their representatives to vote in a certain way, male legislators will be restricted in their voting behaviour. These circumstances limit the options available to male legislators forcing them to consider their potential future losses. As prospect theory predicts, once in the domain of losses, male legislators become risk-taking and adopt a gender quota whose content and strength they can control. Institutions are sticky, and the passage of an originally weak gender quota may thus either permanently diminish or delay incumbents' future losses by preventing the introduction of stronger gender quotas or reforms from being approved instead.

3.3.2. THE DOMAIN OF LOSSES

Insights from prospect theory shape my theoretical expectations. Nonetheless, in my application of prospect theory I modify two important traditions: 1) my study is limited to actions in the domain of losses; and, 2) individuals are expected to make calculations about their future, and not present, losses.

My theory conceptualises the aspiration to retain political office as motivation and the goal of individuals. The population concerned is male legislative incumbents and the exogenous shift is the pressure to adopt gender quotas. The availability of political offices in any given system is finite—and, traditionally, at the time of gender quota adoptions, men occupy the overwhelming majority of seats (as illustrated in Figure 1.1, Chapter 1). From this perspective, men are already too high up in the domain of gains and their only possible outcome is to lose. This means that although prospect theory is bi-directional—in that pressures can result in shifts towards the domain of gains or the domain of losses—my application of it is unidirectional: it is a *modified* understanding of prospect theory which considers the theory's insights of the domain of losses only.

Prospect theory expects recent changes to drive a shift in an individual's reference point in the present. The same insights, however, have also been successfully applied to

models that assume recent changes to lead to shifts in reference points in the future.[38] In these models, a change in the present prompts individuals to consider the potential outcomes of their present actions to their reference points in the future and calculate accordingly. This application of the model is the most appropriate for the task at hand. In my model, male legislators are confronted with events in the present that could only affect them in their future: a gender quota would not affect them at the time it is adopted, rather only after it is implemented and incumbents are up for re-election, or election to other offices. As such, legislators' calculations do not pertain to shifts in their immediate reference points into the domain of losses, but their potential future reference points. This has an important consequence: although legislators' options may be constricted by exogenous forces in regards to the adoption of gender quotas, they still have the opportunity to shape their future reference points by attempting to weaken gender quota designs and, in doing so, cut down their potential future losses.

3.3.3. RISK PROPENSITY AND UNINTENTIONAL CONSEQUENCES

The adoption of a gender quota does not threaten all male legislators equally. This can be the result of a number of possibilities: certain legislators have the ambition to stay in the legislature, while others do not (or cannot, because of limitations imposed by electoral rules); certain legislators are more established and electorally safer than others and unlikely to be replaced by a newcomer. This is to say that electoral vulnerability and costs of losing office are assumed to determine the extent to which one would be affected by the adoption of a gender quota and, thus, what is his propensity towards risk-taking.

More specifically, I expect legislators without future career ambition to pose the least resistance to gender quotas. This is because, entering the domain of losses is, by default, a function of having something to lose; if one does not have something to lose, his reasoning for adopting/not adopting a gender quota may fall beyond the grounds stipulated here and may follow a different logic. Put simply, I expect the desirability of offices to raise the threshold for adoption. I also expect electoral security to affect individual behaviour towards quotas. This is because electorally insecure politicians would likely be the most vulnerable to an increase in candidate competition from women. I thus anticipate electorally insecure politicians to be the most engaged in efforts to restrict their potential future risks. These actions include proposing amendments to a given bill with the

---

[38] See: Kőszegi, Botond, and Matthew Rabin. 2009. 'Reference-dependent Consumption Plans'. *American Economic Review*. 99 (3): 909-936.

means of significantly weakening it. Once proposals are modified and weakened, I hypothesise that electorally insecure legislators will be the most likely to vote for the bills, in this way guaranteeing that a weaker policy is passed instead of a potentially stronger future proposal.[39]

Policymaking is a consequence of the sum of individual actions. Although individuals have personal preferences, their actions have consequences at the aggregate-level. As such, I claim that the proportions of legislators in a given system who 1) have the ambition to remain in legislative office, and, 2) are electorally insecure and thus vulnerable to increased competition—all matter for aggregate outcomes. In other words, although I argue that male incumbents will resist gender quota adoption in all systems, regardless of types of institutions and their respective electoral incentives, what leads to variation in the strength of gender quota designs observable at the aggregate-level is the *distribution* of political ambition—the value of office—and electoral vulnerability.

I also contend however that, paradoxically, in seeking to restrict the impact of gender quotas to secure their current reference points, legislators may end up unintentionally setting the stage for design of stronger gender quotas, and in consequence negatively impacting their future reference points. Legislators may not be the only actors engaged in processes of gender quota adoption; and, in creating loopholes or weak policies, legislators may end up inviting other actors into the process. These actors may be from outside the scope of risk, such as actors from the executive branch, or electoral courts. Because the future of these non-legislative actors will not be influenced by legislative quotas, their actions will not be based on calculations of their future reference points. In this way, non-legislative actors may be responsible for addressing the loopholes left by legislators and render legislators in a worse-off position.

3.4. HYPOTHESES

Prospect theory is silent about legislative process. Based on my modified interpretation of prospect theory, I derive hypotheses for my dependent variables (strength of gender quota designs and gender quota adoption). These dependent variables are associated with the last two stages of the policy process, namely: 2) drafting and amendments of gender quota bills; and, 3) voting of bills and adoption. Once adopted, however, gender quotas may be

[39] The effect of these predictions, however, may not be significant in systems in which party loyalty traditionally determines voting behaviour.

later reformed and another policy-writing process may begin. Figure 3.2 summarises my theoretical predictions about the process leading to the adoption of a gender quota policy, and formal hypotheses are outlined subsequently.

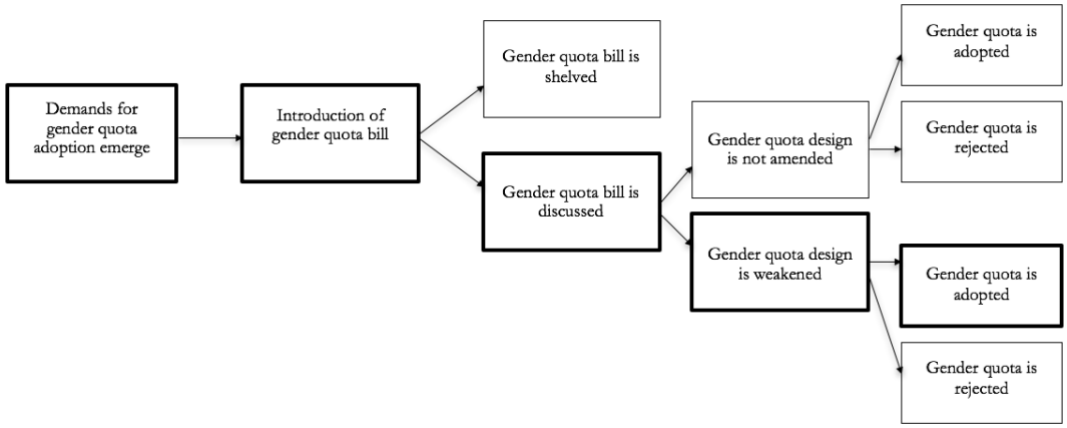


Figure 3.2. Process of gender quota appreciation, in stages

Source: Compiled by author.

The main hypothesis I seek to test throughout the thesis is that the behaviour of legislators in regards to gender quotas, can be explained by their calculations of how the policy would affect their career prospects. Formally, I hypothesise that:

> **H**: The strength of gender quota designs and the adoption of the policy are a consequence of the calculations of incumbents in respect to their future electoral prospects; more specifically,
>
> > $\mathbf{H_A}$: Political ambition is negatively associated with the strength of gender quota designs;
> >
> > $\mathbf{H_B}$: Levels of electoral security are positively associated with strong gender quota designs;
> >
> > $\mathbf{H_C}$: Political ambition is negatively associated with gender quota adoption;
> >
> > $\mathbf{H_D}$: Levels of electoral security are negatively associated with gender quota adoption.

In other words, I expect that the costs of adopting a gender quota would be higher for individuals who have the ambition of retaining office (legislatures with a high concentration of ambitious incumbents); as such, I anticipate those driven to stay in office to be more likely to prefer weaker gender quota designs, to actively engage in weakening gender quota proposals and to pass weaker gender quota legislation. Furthermore, I expect

electorally insecure legislators (legislatures with a high concentration of insecure legislators) to be more likely to prefer weaker gender quota designs, to actively engage in weakening gender quota proposals, and to vote for/approve weaker gender quota designs.

In respect to gender quota adoption, I also theorise the effect of political ambition is negatively associated with quota adoption. I theorise the higher the value incumbents place on legislative office, the higher the threats a gender quota would pose; political ambition is thus crucial firstly to determining the level of risk that the policy could potentially pose to incumbents, and secondly to raising or lowering the threshold for which the costs of succumbing to non-electoral pressures are higher than the costs of adopting a gender quota. Perhaps counter-intuitively, I expect electorally insecure legislators and legislatures dominated by insecure legislators to be more likely to vote in favour of a gender quota proposal, once such proposal has already been weakened. I expect the direction of the effect of electoral security on quota adoption to be opposite to that of the strength of gender quota designs. Nonetheless, in systems in which parties have strong control over their representatives' voting behaviour this effect will be weaker.

The hypotheses outlined predict that electorally insecure legislators are both, more active in weakening gender quota designs and more likely to vote for (already weakened) gender quota proposals than established legislators. That is because established legislators are prone to prior-option bias, which renders them more risk-averse. This means that legislatures in which the majority of legislators are vulnerable are more likely to have weak gender quotas *and* to adopt gender quotas than legislatures in which the majority of legislators are established. In legislatures for which the majority of legislators have very little to lose, strong gender quota designs are also more likely to be adopted. That is because, in such cases, exogenous pressures and demands of female legislators to adopt quotas do not throw male legislators into the deep domain of losses—and their policy preferences towards gender quotas are thus shaped by additional factors, such as political ideology.

3.5. CONCLUSION

Gender quotas have sparked the interest of many scholars and the literature covering this type of institution is now extensive. Many of these works have provided excellent insights into certain stages of policy-making in specific case studies and are examples for rigorous qualitative research; others have highlighted the benefits of feminist institutionalism to political science as a whole. The literature has been somewhat narrowly circumscribed,

however, leaving space for new frameworks to be devised. Assessing gender quotas from an endogenous perspective, which is currently gaining space in the literature of electoral change, and is thus a contribution to both literatures.

My theoretical framework contributes to the literature in the following ways: first, it provides a causal explanation for gender quota adoptions that is based on solid micro-foundations; second, it moves beyond binary understandings of introduction/adoption and also considers how male resistance impacts the strength of individual policies and variation of gender quota designs; and, third, it provides a non-teleological framework for the study of gender quotas that can be applied in both small-N and large-N research designs. Importantly for the field, to my knowledge, this is only the third book-length application of prospect theory in comparative politics, of which only one so far has been published. As such, the current work also provides another test of prospect theory, an approach that has gained wide acceptance in cognitive psychology and mainstream economics, but has had limited reach in political science, especially comparative politics.

There are limitations to this framework, however. The theory developed is neither directly concerned with the philosophical origins of the notion of gender quotas nor with the consequences of gender quotas to women's political representation. As such, it can neither explain the introduction of gender quota bills, nor the consequences of gender quota legislation to women's descriptive representation. Furthermore, this work is generally unconcerned with the behaviour of female political incumbents, and the actions of female legislators are not analysed or theorised in depth. Moreover, my predictions do not consider voluntary party quotas, which are the most common type of gender quotas adopted worldwide; the theory presented in the current work, however, could easily be testable for voluntary quotas at the party-level, if party ideology and party system conditions are considered and further elaborated.

CHAPTER 4

RESEARCH DESIGN

OUTLINING TESTS OF A NEW THEORY

The argument that I defend throughout the thesis is that gender quota adoption does not represent incumbents' acceptance of a threat to their careers, but, instead, that variation in gender quota designs reflect modal system-wide resistance to quotas on a strategic electoral-basis. In other words, I argue that the strength of gender quota designs varies in accordance to the level of threat that quotas pose to incumbents' political ambition.

I contend that this argument stands on two assumptions: first, that the main goal of legislative incumbents is to retain political office; and, second, that gender quotas pose a threat to the career goals of incumbents (in other words, gender quotas render legislators more electorally insecure). Political ambition and electoral security are partly unobservable, something that poses a challenge for any research strategy. Furthermore, although the outlined assumptions relate to the effect of quotas on individuals, these conditions are largely shaped by system-wide institutions; the relationship between the individual and aggregate levels is also relevant in that I am interested in analysing the observed outcomes (gender quotas) of the aggregate decisions of individual legislators.

My research strategy should be fitting with these observations, and, thus, multi-method and multi-level. Accordingly, I test my hypotheses across different levels of analyses and case studies of varied institutional configurations. That is: 1) parliament-level, cross-sectional statistical analyses of legislative cycles across all Latin American countries since democratisation; 2) an elite survey on individual legislators' preferences for gender quota designs; and, 3) case studies of gender quota designs and adoption processes in the cases of Costa Rica, Brazil and Chile. Throughout, I employ a framework of Implicit Mediation Analysis (IMA). IMA tackles causation by breaking theory-driven causal chains into ordered conditions (mechanisms) that can be individually tested.[1] As such, for each of my analytical chapters, instead of directly testing my hypothesis that political ambition and electoral security impact the strength of gender quota designs in predictable ways, I assess each of my two assumptions before testing the plausibility of my main hypothesis. More

[1] Gerber, Alan, and Green, Donald. 2012. *Field Experiments: Design, Analysis, and Interpretation*. London: WW Norton.

specifically, I test whether each of the following three conditions hold on their own: 1) the main goal of legislative incumbents is to retain political office; 2) gender quotas pose a threat to the career goals of incumbents (in other words, gender quotas render legislators more electorally insecure); and, my hypothesis, 3) male legislators behave to protect their career plans by adopting (previously weakened) gender quotas. I use IMA across all chapters to provide a rigorous framework for systematic tests.

The first type of analysis I employ assesses my hypotheses at the aggregate-level, by engaging in cross-sectional analysis that covers data from 125 legislative cycles across 18 democratically elected legislatures in Latin America. Given that endogenous prospect theory is based on assumptions at the individual-level, I expect this first stage to be an *exploratory test* of the plausibility of the theory and an assessment of whether micro-level behaviour accumulates to be reflected in congruent aggregate-level outcomes.

The second stage of my investigation seeks to get closer to the original tests of prospect theory. At this stage, I employ data collected through an online survey with legislators from Brazil's 27 sub-national state and district legislatures. By analysing data on individuals' preferences on gender quota designs against experimental tests and objective measures of electoral security this stage thus seeks to demonstrate the micro-foundations of my theory.

Finally, in the third stage of my investigation, I link my macro and micro findings by reconstructing the processes of gender quota adoptions in Costa Rica, Brazil and Chile. Employing a mixed-method of analysis I examine archival and fieldwork-collected materials, including: official transcripts of legislative debates on gender quota proposals, roll-call votes on gender quota bills, executive proposals, judicial decisions, media coverage, survey data, and interviews with key actors.

Before my analytical chapters, I first provide an overview of the study by introducing and methodologically justifying my choice of cases. Following the organisational logic of my analytical chapters, I delineate the choice of cases for my aggregate analysis, the choice of a target population for my survey, and, finally, justify my choice of case studies. I then set out the analytical strategy applied throughout my analytical chapters.

4.1. AGGREGATE-LEVEL ANALYSIS

In my first examination of the theory I employ cross-country statistical models that use legislative cycles as the unit of analysis; these observations are limited to Latin America, and thus only encompass legislatures in the region. The choice to focus on legislatures from Latin America is not based merely on my interest in the region, but, rather is primarily grounded on methodological

considerations that seek to diminish potential threats to external validity due to selection bias as well as on theoretical relevance. Argentina is the world's precursor of both voluntary party quotas and legislated gender quotas. This makes Latin America the frontrunner in using institutional mechanisms to achieve gender equality in political representation.[2] Since Argentina's adoption, the overwhelming majority of Latin American countries have adopted legislated gender quotas. In fact, almost 90 percent of the 18 countries in the region currently have a gender quota in place, and all but one country (Guatemala) has adopted a gender quota at some point. This makes Latin America the region with the highest density of gender quotas in the world. Furthermore, the seventeen countries in Latin America that have or have previously adopted a gender quota represent almost one-third of all democratic countries in the world that have adopted gender quotas in the form of legislation. Gender quotas in Europe represent almost 30 percent of legislated gender quotas in democratic countries—although the region has considerably more countries than Latin America, with 50 states.[3] Latin America therefore provides rich ground for this research.

Propitiously, all gender quotas in Latin America are targeted at regulating candidate lists which allows for cross-sectional comparison. Furthermore, although the type of gender quotas in the region remains constant, limitations on political ambition and electoral security e.g. re-election rules, availability of sub-national office, type of lists, district magnitude, emphasis on personal or partisan vote, and/or institutional incentives vary substantially in the region. This, combined with the region's shared political, economic, and cultural histories, places Latin America in a unique position for the testing of my outlined hypotheses and alternative explanations. Finally, several data sources especially ones pertaining to public opinion of civil society and elites, are region-specific. Focusing on Latin America therefore makes sense as the region provides a relevant set of cases that allow for some control of factors relevant to alternative explanations, while varying in institutional aspects and for which appropriate data are readily available.

4.2. INDIVIDUAL-LEVEL ANALYSIS

The selection of a population for the survey was a challenging exercise. To maintain internal consistency, survey respondents had to be embedded in equal institutional settings and so the target population had to be limited to legislators in one country. Of course, this, is incongruent with the goal of the thesis, which is to provide an argument that explains the behaviour of legislators across Latin America. Taking this into account, the population of choice also had to

---

[2] Jones, Mark. 2008. 'Gender Quotas, Electoral Laws, and the Election of Women: Evidence from the Latin American Vanguard'. *Comparative Political Studies*. 42 (1): 56-81.
[3] Quota Project. 2015. 'Global Database of Quotas for Women'. *Quotaproject.org*. http://www.quotaproject.org.

allow for the generalizability of findings to the entire region. To increase the generalizability of my findings, the target population had to allow for variation across my main independent variables, as well as across proxies for alternative explanations. Finally, the population reached also had to be sufficiently large to allow for enough degrees of freedom, despite potentially low response rates. Considering these pre-requisites, the most obvious selection was the population of Brazilian state legislators.

Brazil is a federation comprising of 27 federal units, 26 states and the federal district. Respectively, it has 27 state legislatures that are elected through the same rules of proportionality that are used for the lower house of National Congress. This means that legislators are all elected through open-list proportional representation. Brazil offers a long-ladder of political ambition; from sub-national legislative office to positions in national legislatures or sub-national executives. Perhaps unsurprisingly, the costs of losing office and electoral security vary widely across the country. For instance, although re-election rules are constant across the country, competition for seats varies widely across states—partly a consequence of the size of legislatures, which ranges from 24 seats in 11 states[4] to 95 seats in São Paulo.

Besides allowing for variation in my main variables of interest while maintaining important institutional configurations constant, targeting Brazilian state legislators also allows me to assess the explanatory power of my alternative explanations in a manner that is generalizable to the broader region.

For example, levels of human development vary extensively across Brazilian states. The Human Development Index (HDI), a proxy often used to measure socio-economic modernisation, expresses values above 0 (indicating next to no socio-economic development) and below 1 (indicating ideal development). In their values of HDI, Brazilian states range from 0.631 in Alagoas to 0.824 in the Federal District in the latest state-level data available (2010). This is comparable with variation in the region: Nicaragua has a HDI value of 0.614 and Chile scores 0.822 in the most recent country-level data available (2014).

Brazilian state legislators are also prone to be exposed to pressure from relevant interest groups to varying degrees. Women's groups and feminist organisations represent the types of civil society groups most likely to exert pressure for gender quota adoption. Women's organisations are also most likely affiliated with left-wing parties than with right-wing politicians. As such, I contend

[4] Acre, Amapá, Amazonas, Distrito Federal, Mato Grosso do Sul, Mato Grosso, Rio Grande do Norte, Rondônia, Roraima, Sergipe, and Tocantins.

that left-wing legislators are more prone to pressures to adopt quotas than their right-wing counterparts. Given that Brazilian state legislators overwhelmingly belong to political parties represented in the federal National Congress, I can also account for varying degrees of exposure to pressure group demands, as affiliations with political parties from the entire spectrum of the left-right ideology placement, allow me to assess whether a given individual would be more or less likely to have women's groups and feminist organisations in his core constituency.

Diffusion, of course, stays constant throughout the country, but the proportion of female legislators, another important factor influencing gender quota designs, varies significantly across sub-national legislatures in a way that is comparable to wider Latin America. The women of Amazonas have shyest presence, occupying 4.17 percent of the seats, while Amapá is the state with the highest proportion of women elected to its legislature with 33.33 percent of seats. Across all 27 legislatures, the mean proportion of seats occupied by female legislators in 12 percent. The Latin America range varies between roughly 10 percent in Brazil and 53 percent in Bolivia, with most countries falling within the range between 15 percent and 25 percent.

Another potential threat to external validity in surveys is non-response bias. Online surveys depend on voluntary opt-ins, which means that representativeness is hindered if there is insufficient uptake. I cannot directly address this issue, but made efforts to increase response rates. Together, the 27 Brazilian state legislatures have a total of 1,064 legislators, considerably higher than any other national legislature in the region or the sum of any other country's sub-national legislatures. Given the large population, a sample of 100+ responses (just over 10 percent) was estimated to be a plausible expectation.

4.3. CASE STUDIES

Costa Rica, Brazil and Chile are comparable to each other and complementary since the countries have similar values on variables characterised as important to alternative explanations, although they exhibit considerable variation in institutional configurations and objective proxies associated with political ambition and electoral security.[5]

As summarised in Table 4.1, the first reason for choosing the cases of Costa Rica, Brazil and Chile is that these cases maintain values for alternative explanations to gender quota adoption

[5] Mahoney argues that: 'whereas cross-national statistical researchers commonly risk violating assumptions of causal homogeneity by arbitrarily selecting large samples of nations, comparative historical analysts assess necessary and sufficient conditions in carefully formulated populations of cases where assumptions are more sustainable'. In Mahoney, James. 2003. 'Strategies of Casual Assessment in Comparative Historical Analysis'. In *Comparative Historical Analysis in the Social Sciences*, 1st ed., eds. James Mahoney and Dietrich Rueschemeyer. Cambridge: Cambridge University Press: 351.

relatively constant, while varying considerably in institutional incentives/limitations to political ambition and electoral security. For instance, at the time of quota adoption, Costa Rica and Brazil had similar values on proxies for socio-economic development, pressure group, and diffusion. Brazil and Chile were similar in regards to at least one aspect relevant to institutional congruence explanations, while Costa Rica and Chile had the same proportion of women in their respective legislators. This allows me to concentrate on whether my theory can predict gender quota design variation with much more precision.

Moreover, beyond difference in values across my main proxy variables, these three cases also provide the full range of variation in my dependent variables: a) adoption and non-adoption (until 2015 in Chile); and, b) strength of gender quota designs ranges from a value of 5 to 17 (including original adoptions and subsequent reforms). This selection strategy follows suggestions by King, Keohane, and Verba[6] for being selected based on the distribution of key independent variables, yet including variation on the values of the dependent variable—thus avoiding bias that could arrive from issues of underestimation or overestimation of explanatory power of the independent variables.

Among the three countries, Costa Rica's closed-list PR renders the focus of elections on parties, motivating the cultivation of party, and not personal, reputations. As such, it is not surprising that Costa Rica had the lowest rate of electoral volatility at the time of adoption, meaning that Costa Rican parties were safer in regards to their electoral prospects than their Brazilian and Chilean counterparts. More specifically, while party volatility in Costa Rica was low, partisan vote has been consistently high, suggesting that parties but not individual legislators are electorally secure; furthermore, electoral law prohibits consecutive re-election for the unicameral legislature and this restricts the political ambition of legislators. Because legislative incumbents in Costa Rica are forced to step-down for at least one term before running for re-election, it is unlikely that quotas would diminish the political ambition of incumbents in regards to their legislative careers.

[6] King, Gary, Robert Keohane, and Sidney Verba. 1994. *Designing Social Inquiry*. Princeton: Princeton University Press.

Table 4.1. Costa Rica, Brazil, and Chile: key characteristics at time of quota adoption

	Costa Rica (1996)	Brazil (1997)	Chile (2015)
Socio-economic Development			
Human Development Index	0.663	0.590	0.800
Pressure Group Theory			
Women in Civil Society	0.936	0.892	0.801
Diffusion Theory			
Countries with Quotas in Region	0.055	0.055	0.833
Institutional Congruence			
Mean District Magnitude	8.14	19	2
Type of Candidate Lists	Closed	Open	Open
Endogenous Women's Pressure			
Proportion of Female Legislators	0.140	0.062	0.142
Political Ambition			
Re-election	Non-consecutive	Unlimited	Unlimited
Political Opportunities	0.123	0.263	0.7667
Strength of Committees	2.835	2.979	2.940
Legislative Corruption	1.576	2.564	1.628
Electoral Security			
Re-election Rate	0.28	0.58	0.63
Electoral Volatility	0.120	0.180	0.181
Gender Quota			
IGQS at adoption	12	5	10
IGQS in 2016 (if revisions)	17	5	10

Source: Compiled by author. Variables are coded based on year of original gender quota adoption. All data pertain to variables detailed in the methodology section in Chapter 6. Also note 'legislative corruption' is coded in such a way that higher values pertain to *lower* corruption.

That is, the careers of politicians in Costa Rica follow a different logic. In this scenario, the most frequent career ambition of incumbents is within their respective parties, meaning that individuals seek to climb up the leadership ladder within their party directives. On the one hand, the proportion of women in party leadership before quota adoption might thus make members of some parties more susceptible to accepting quota designs, given that incumbents seeking future appointments may not want to go against their party directives. On the other hand, the establishment of a strong gender quota could signify an increase in competition for within-party positions and party-based government appointments. Given these institutional incentives and limitations, I expect the calculations of Costa Rican incumbents in respect to their political careers to follow partisan logic and incumbents to resist gender quotas if and when the institution poses a threat to the constitution of their respective party's leadership.

While Costa Rica places the party at the centre of political careers, the opposite is true for Brazil, where the system is centred on individuals. Elections to the Brazilian Chamber of Deputies, the lower house of the National Congress, are based on high average district magnitude and a focus on personal vote, where candidates have to run for seats against members of their own party. The existence of a number of electable positions outside of legislature (in sub-national executive offices, for example), has often led scholars to describe the careers of Brazilian politicians as executive-driven; nonetheless, given the large number of legislative incumbents and the comparatively few relevant executive positions available, the modal career prospects of legislative incumbents is to remain in the legislature. This is arguably predominantly true for incumbents who are electorally weaker, prompting a scenario in which gender quotas can be particularly threatening to male incumbents, by increasing competition for those who are the most vulnerable.

Costa Rica and Brazil provide institutional scenarios that are complementary to each other, and thus useful for theory testing. Chile provides a scenario in which a case can be compared and contrasted with itself. Let me explain: despite previous attempts, Chile was one of the last two last countries in Latin America to adopt a gender quota. When the legislature eventually adopted the quota it did so while also making significant changes to its entire electoral system. So, analysing the case of Chile allows for the exploration of shifting levels of threat a quota could pose over time to incumbents, while maintaining some other contextual variables constant.

In pre-electoral reform Chile, the promotion of coalitional reputations meant that parties competed against each other for nominations under a system of very low district magnitude (two). This, combined with the limited number of opportunities at the sub-national level, and unlimited re-election terms for legislature, added up to high costs of losing office in Chile, for both individuals and parties. I argue that this explains the lack of quota adoption in the country until 2015.

Within the variety of Latin American cases available, some may question the absence of the case of Argentina in this research design. The case of Argentina will not be studied for a number reasons. First, the Argentine quota has been extensively investigated and covered by literature, and further work dedicated to it would make lesser contributions to the field. More importantly, however, as the pioneer adopter of quotas Argentina is an inherently different case to those of subsequent adopters since Argentina is the only case not subject to diffusion effects. To compare the cases of Costa Rica, Brazil and Chile thus makes more methodological sense: excluding Argentina eliminates the introduction of elements unique to it that might otherwise distort analysis.

One of the criticisms that could arise from focusing on three case studies is that the choice of a small number of cases poses a threat to external validity. This criticism is not as relevant for the purpose at stake, since the case studies of Costa Rica, Brazil and Chile are used to elucidate processes identified at the macro- and micro-levels in my previous analysis. The insights derived from case studies will therefore not be analysed in a vacuum, but alongside two large-N analyses.

4.4. CONCLUSION

The main argument I explore throughout the thesis is that, although male legislators' individual preferences cannot fully explain gender quota introduction or adoption, they can explain the strength of gender quota designs. This argument does not render itself easily to rigorous tests. It is concerned with the behaviour of individuals but observed at the macro-level, and my main independent variables are inherently partially unobservable. As such, any analysis that tasks itself with testing such a theory must necessarily be multi-level and methodologically thorough.

As such, I employ a strategy that incorporates testing at the individual and aggregate levels and uses quantitative and qualitative methods of analysis to exploit patterns across data in various form. The employment of different analytical approaches, however, could result in lack of uniformity and lead to challenges of interpretation. While the current work is concerned with providing a breadth of evidence supporting the theory outlined, by testing it across different methods, levels, and cases, it also seeks to maintain a systematic process of analysis throughout. The different levels of analysis, types of data and methods employed are all meant to increase the reliability of my findings. In doing so, I seek to rise to the task of providing a rich and fair assessment of my theory as well as of alternative explanations. Throughout, IMA provides a systematic framework for this analysis.

Implicitly, this strategy follows Bayesian logic in that each of the steps is meant as an opportunity to update my priors and improve the likelihood that my argument holds. In other words, if each of my widely distinct tests provides evidence to support my argument, then I can expect the probability that the argument holds to be higher than if only one test (or one type of test) had been conducted.[7]

---

[7] Bennett, Andrew. 2008. 'Process Tracing: A Bayesian Perspective.' In *The Oxford Handbook of Political Methodology,* eds. Rod AW Rhodes, Sarah Binder and Bert Rockman: 708-709.

CHAPTER 5

GENDER QUOTA DESIGNS

MEASUREMENT AND VARIATION

The current work seeks to solve the puzzle of the seeming incongruence in the adoption of gender quotas across predominantly male legislatures by arguing that the political ambition of male incumbents explains variation in gender quota designs. This, of course, requires an understanding of gender quota designs. As with any other policy, gender quotas have many components that can contribute to either their efficiency or their deficiency in achieving their stated goals. My argument assumes that legislators are aware of this. The main task of legislators is the making of legislation—in other words, considering and shaping policy designs. The design of a gender quota may be the difference between a policy 'on paper' (that is not effectively implemented and leads to no change in the status quo)[1] or a policy that leads to a significant increase in the proportion of women in legislature—and the displacement of an equal proportion of men.

Assessing the variation of gender quota designs implies the comparative analysis of policies. This, in turn, requires some type of measure. Currently, there is no widely accepted measure of gender quota designs. Although various authors have noted the importance of certain policy characteristics, a standard measure to comparatively assess design variation has yet to emerge. This prompted me to develop my own measure.

In the current chapter, I review previous efforts to measure gender quota designs, describe their employed methodologies, and assess previous considerations. Then, I explain choices I deliberated over when devising an index to comparatively measure quota designs. Finally, I employ the measure to map gender quota policies in Latin America and discuss the variation in design strength in both time and space. Throughout, I seek not only to provide a deeper understanding of the separate components of gender quota policies, but also to highlight the need for a debate about variation in policy design which goes beyond dichotomous understandings of presence or absence of a given policy.

[1] Wylie and Dos Santos, 2016.

This chapter proceeds accordingly. In the first section, I revise measures employed in the literature; in section two, I describe what I borrow from the literature and detail the framework I develop to code gender quota policy designs and explain the factor analysis I conduct to build the index. In section three, I use this index to illustrate the variation of gender quota policy designs in the region and highlight initial indications of my explanation at work. Finally, I conclude by discussing the potential implications of my initial observations for the prospect theory argument I propose.

5.1. MEASUREMENT OF GENDER QUOTA DESIGNS: EXISTING EFFORTS

Given their understanding of the different configurations of gender quota legislations, Archenti and Tula do not quantitatively analyse the simple presence or absence of quota in their examination of legislated candidate quotas in Latin America. Instead, the authors operationalise this variable by differentiating 'de facto quotas' (i.e., simple presence of quotas) from 'effective quotas'.[2] For them, the term 'effective quotas' has also been interpreted to refer to the 'number of female candidates required by a given quota for each district as a proportion of the total list'.[3] The authors warn about the methodological problems of this operationalisation, however, given that it is based on the assumption that parties fully comply with quota requirements which is often not true.[4]

To measure quota-compliance, other authors suggested frameworks that account for design characteristics including sanctions. In a 2007 article, Schwindt-Bayer operationalises quota strength by employing three characteristics of gender quota designs as separate independent variables, namely, 'quota size' (proportion of nominations reserved for women), 'placement mandate' (i.e., presence of proviso that establishes female candidates should be placed in 'electable' positions), and 'enforcement mechanism'.[5] Krook supports this package and argues that, when analysing the effectiveness of gender quota policies, the aspects to investigate should be: ambiguity (whether language of the legislation is clear); requirements (size of quota); and, presence of non-compliance institutions (economic or political sanctions for non-compliance).[6] In other words, Krook and Schwindt-Bayer both emphasise the size of gender quotas, as well as placement

[2] Archenti, Nélida, and María Inés Tula. 2007. 'Cuotas de Género y Tipo de Lista en América Latina'. *Opinión Pública.* 13 (1): 198.
[3] Ibid.
[4] Ibid.
[5] Schwindt-Bayer, Leslie. 2009. 'Making Quotas Work: The Effect of Gender Quota Laws on the Election of Women'. *Legislative Studies Quarterly.* 34 (1): 5-28.
[6] Krook, Mona Lena. 2009. Quotas for Women in Politics: Gender and Candidate Selection Reform Worldwide. Oxford: Oxford University Press: 11

mandates and sanctions as important aspects of gender quota designs. Other authors, such as Guldvik,[7] have suggested similar classifications.

Another aspect of quota designs that has been deemed important is their applicability to different offices. While many quotas are applicable to both lower and upper houses (in bicameral legislatures), some are only valid for lower houses. As Freidenberg and Caminotti[8] emphasise, considering 'office reach' as part of the analysis on quota designs is important particularly when it comes to *suplentes* (alternatives), given that designs that do not apply quotas to *suplentes* create the possibility for parties to nominate only men as alternatives.[9] Piscopo also argues that the applicability of quotas to party leadership is a relevant component of office reach, given that party leaders influence ballot access and candidate recruitment.[10]

Some authors also highlight that quota designs may contain all the provisos conducive to strength in gender quotas, but still fall short due to loopholes. For example, Jones categorizes gender quotas as well-designed or poorly-designed (i.e., 'lax'). According to him, lax refer to design with loopholes that nullify or substantially diminish the application of gender quotas in practice. Aspects that render a design lax include provisos that allow gender quotas to be avoided in cases in which primaries are conducted.[11] Similarly, in their recent study of sub-national quotas in Argentina and Mexico, Freidenberg and Caminotti also consider 'exception clauses'.[12]

In sum, previous studies identify five types of provisos as important characteristics promoting strength in gender quota designs. They are: 1) size of quota requirements; 2) placement mandates; 3) compliance mechanisms; 4) office applicability, and 5) obstacles to implementation.[13]

---

[7] Guldvik, Ingrid. 2011. 'Strong and Weak Gender Quota Regimes'. *Nordic Journal of Feminist and Gender Research.* 19 (3): 181-197.
[8] Freidenberg, Flavia, and Mariana Caminotti. 2014. 'Federalismo Electoral, Fortaleza de las Cuotas de Género y Representación de las Mujeres en Argentina y México'. Paper presented at the *XXXII Meeting of the Latin American Studies Association (LASA)*. Chicago: Latin American Studies Association (LASA).
[9] Possibly resulting in a situation like the one in Mexico, where parties used women as placeholders. The *Juanitas*, as they became known, would be elected and then forced to step down to given way for their male *suplentes* to take office. See: Vidal Correa, Fernanda. 2014. 'Federalism and Gender Quotas in Mexico: Analyzing Propietario and Suplente Nominations'. *Representation.* 50 (3): 321-335.
[10] Piscopo, Jennifer. 2015a. 'States as Gender Equality Activists: The Evolution of Quota Laws in Latin America'. *Latin American Politics and Society.* 57 (3): 27-49.
[11] Jones, Mark. 2008. 'Gender Quotas, Electoral Laws, and the Election of Women: Evidence from the Latin American Vanguard'. *Comparative Political Studies.* 42 (1): 62-63.
[12] Freidenberg and Caminotti, 2014. For a discussion of the implication of party primaries for the implementation of gender quotas in Mexico see also: Baldez, Lisa. 2007. 'Primaries vs. Quotas: Gender and Candidate Nominations in Mexico, 2003'. *Latin American Politics and Society.* 49 (3): 69-96.
[13] Another type of proviso that could enhance candidates' electability under open-lists systems is party-funding allocated for the training or campaign of female candidates (Ferreira Rubio, Delia. 2012. 'Financiamiento Político, Género, y Equidad en la Competencia Electoral'. *Revista Andamios.* 7 (8): 78-86). This type of proviso is more pertinent to the campaign of female candidates and not to the process of candidate recruitment. This is confirmed through factor analysis conducted with a sixth dimension for party-funding. As such, this dimension is not included in the index.

Although some of these provisos have been examined concurrently, to the best of my knowledge, they have never been put into one-sole factor.[14] Schwindt-Bayer's paper of May 2015 directly refers to gender quota designs as strong and weak, and accounts for most of the factors included in my index. But unlike my current work, Schwindt-Bayer does not derive scales for each component of the policy design or conduct factor analysis to compile an index with one factor.[15]

5.2. THE INDEX OF GENDER QUOTA STRENGTH

One of the challenges in exploring the comparative strength of gender quota designs is its operationalisation. First, the five types of provisos identified do not easily render realistic or meaningful scales of measurement; and while the size of a quota requirement could be treated as a variable that can be expressed in interval-levels, it is not clear how to express quantification or measurement of others. To address this issue, I create 5-point scales ranging from 0 to 4 for each type of proviso. In doing so, I treat all dimensions as ordinal-level scales and assign values based on the perceived efficacy of a given configuration to increase the proportion of women in legislative office. For instance, since studies have found that financial loss is not a deterrent assuring that parties will comply with quota law, on the scale measuring efficacy of compliance mechanisms, electoral sanctions are assigned a higher value than financial sanctions.[16]

A second challenge is that the rules of an electoral system sometimes impact the types, or extents of provisos that can be incorporated to the given context. For instance, placement mandates, one of the provisos emphasised as an important component of gender quota designs, can only apply in systems with pre-determined candidate lists. That is, this type of proviso is incompatible with open-list (preferential voting) systems in which list-order is determined by popular vote instead of pre-ordered by parties.[17] Simply as an outcome of institutional design, quotas in open-list systems are bound to be weaker than those in closed-list systems. As a result, given that I dedicate one parameter of my index to placement mandates, the highest value

---

[14] Measuring the strength of sub-national quotas in Argentina and Mexico, Freidenberg and Caminotti also create scales for five dimensions and assign each scale values that range from 0 to 1, producing a measure of gender quota designs that ranges from 0 to 5, although they do not test whether this falls into one scale. My efforts and that of Freidenberg and Caminotti in creating an index to measure the strength of gender quota designs have taken place concurrently. Preliminary findings from both papers were first presented in the same conference, the *Foro Internacional Mujer Política y Democracia* hosted by the Universidad de Salamanca in March 2014. Beyond differences in conceptualization and measurement, our indexes also differ in scope: while their study considers design characteristics of sub-national quotas in two countries, mine are applied to national-level quotas across all countries in the region. See: Freidenberg and Caminotti, 2014: 16.

[15] Schwindt-Bayer, Leslie. 2015. 'Chile's Gender Quota: Will it Work?' Research Paper. James A. Baker III Institute for Public Policy, Rice University. http://bakerinstitute.org/research/chiles-gender-quota-will-it-work/.

[16] Fréchette, Guillaume, Francois Maniquet, and Massimo Morelli. 2008. "'Incumbents" Interests and Gender Quotas'. *American Journal of Political Science*. 52 (4): 891-909.

[17] Observations coded as open-list systems are: Argentina (1991, 1993); Brazil (1997, 2009, 2010); Chile (2015); Colombia (2011); Ecuador (2000, 2008); Peru (1997, 2000, 2003); Uruguay (2009); Venezuela (2005).

attainable for open-lists is different to the highest value attainable for closed-lists systems. The only way I can address this issue while still providing a cross-country measure for the strength of gender quota designs is by advising the employment of robustness checks across two sets of cases.

Finally, note that I do not distinguish between parity regimes and quota laws, apart from issuing them different values on the parameters measuring 'size requirements' and 'placement mandates'. Although I recognise the debate surrounding the philosophical differences between gender quota laws and parity regimes, I still treat them equally for I consider that the five aspects of the IGQS may be common to both.[18]

To develop the index, I first rely on secondary sources to identify all instances of gender quota adoption or revisions. These sources include the *Global Database of Quotas for Women,*[19] the *Observatório de Género* (Gender Observatory) of the *Comisión Económica para América Latina y el Caribe* (Economic Commission for Latin America and the Caribbean, CEPAL),[20] as well other country-specific secondary sources. I then use primary sources—congressional decisions, executive decrees, and judicial rulings—to individually hand-code each design in accordance with the operationalisation guidelines I outline for the IGQS, summarised in Table 5.1.

The IGQS compounds the scores of all five dimensions into a 21-point scale in which 0 signifies the lack of a quota, 1 signifies the weakest and 20 the strongest gender quota designs. The index is constructed in this way to allow for analysis of an unrestricted sample of cases, including negative observations for which gender quotas have not been adopted.[21] I perform factor analysis of all observations of policy adoption and revision in Latin America and conclude that the five parameters fall into one sole factor.[22]

---

[18] For a discussion on the differences between gender quotas and parity regimes, see: Cárdenas, Jesús Ibarra. 2013. 'Cuota de Genero vs. Regla de Mayoría: El Debate Constitucional'. *Cuestiones Constitucionales* 28: 141-169; Piscopo, Jennifer. 2015b. 'Democracy as Gender Balance: The Shift from Quotas to Parity in Latin America'. *Politics, Groups, and Identities.* 4 (2): 214-230.

[19] The database can be accessed at: Quota Project. 2015. 'Global Database of Quotas for Women'. *Quotaproject.org.* http://www.quotaproject.org.

[20] The database can be accessed at: CEPAL. 2016. 'Observatorio de Igualdad de Género de América Latina y el Caribe'. *Cepal.org.* http://oig.cepal.org/es/leyes/leyes-de-cuotas

[21] Given length restrictions, detailed coding choices are not included in the appendix but codebook is available upon request.

[22] Factor analysis assesses the consistency of measures of complex concepts by testing whether observed variables associated with such concepts (here, gender quota designs) correlate jointly and thus fall into one sole 'factor' (i.e., could potentially represent one sole latent—or unobserved—variable). See Appendix A for note on robustness.

Table 5.1. Index of gender quota strength

Scale	Size Requirements	Placement Mandates	Compliance Mechanisms	Office Applicability	Obstacles to Implementation
0	None: no quota, or no established requirements.	None: no quota, or no type of ranking placement.	None: no quota, or sanctions	None: no quota, or no defined office applicability	No quota
1	Women should be between 20% and 29% of candidate nominations	Ambiguous ranking (i.e., uses phrases such as ‘ with real chances’ without specifying provisions)	Weak: Financial benefits for compliance or public announcement of party infringement.	Unicameral house OR Lower house	Existence of loopholes that allow for the non-application of the quota (i.e., quota exemption through use of primaries/internal party elections; non-compliance in cases of ‘ lack’ of interested female candidates; possibility of compliance by nominating
2	Women should be between 30% and 39% of candidate nominations	Somewhat ambiguous ranking (i.e., specifies list placement based on parties’ previous electoral results, or that 1 in 4 or 5 candidates should be a woman)	Medium: Financial sanctions	Unicameral house plus one other domain (i.e., internal party leadership or *suplentes*) OR Lower house plus one other domain (i.e., Upper house, internal party leadership or *suplentes*)	Provisions that substantially weaken the quota (i.e., non-permanent status/applicable only for a determined number of electoral cycles, proportional increase of candidate nomination in such a way that it surpasses or is equal to quota, require female politicians to file own complaints with electoral courts to seek enforcement)
3	Women should be between 40% and 49% of candidate nominations	Clear ranking placement (i.e., establishes that 1 in every 3 positions or 2 in every 5 positions should be occupied by woman)	Strong: Electoral sanctions	Unicameral house plus two other domains (i.e., internal party leadership and *suplentes*) OR Lower house plus two other domains (i.e., Upper house plus internal party	Provisions that somewhat weaken the quota (i.e., gradual application of established requirements over a number of electoral cycles, application of quota to only a proportion of total seats in available)
4	Women should be 50% of candidate nominations	Effective ranking placement (i.e., establishes that lists should alternate between male and female candidates)	Very strong: Electoral sanctions plus financial sanctions	Lower house plus three other domains (i.e., Upper house plus internal party leadership and *suplentes*)	No loopholes or provisions that weaken quota

Source: Compiled by author. Coding based on primary sources accessed through *Global Database of Quotas for Women*, the *Observatório de Género* of CEPAL, as well as documents collected with national congresses

5.3. MAPPING GENDER QUOTA DESIGNS

A total of 40 gender quota designs have been adopted in Latin America between 1991 and 2015. This includes laws resulting from legislative processes, executive decrees and judicial decisions. Of the 17 countries from the region that have adopted some type of gender quota, 12 have subsequently revised their respective policies at least once. I thus recognise that there are two types of quota policies: original quotas and subsequent revisions.

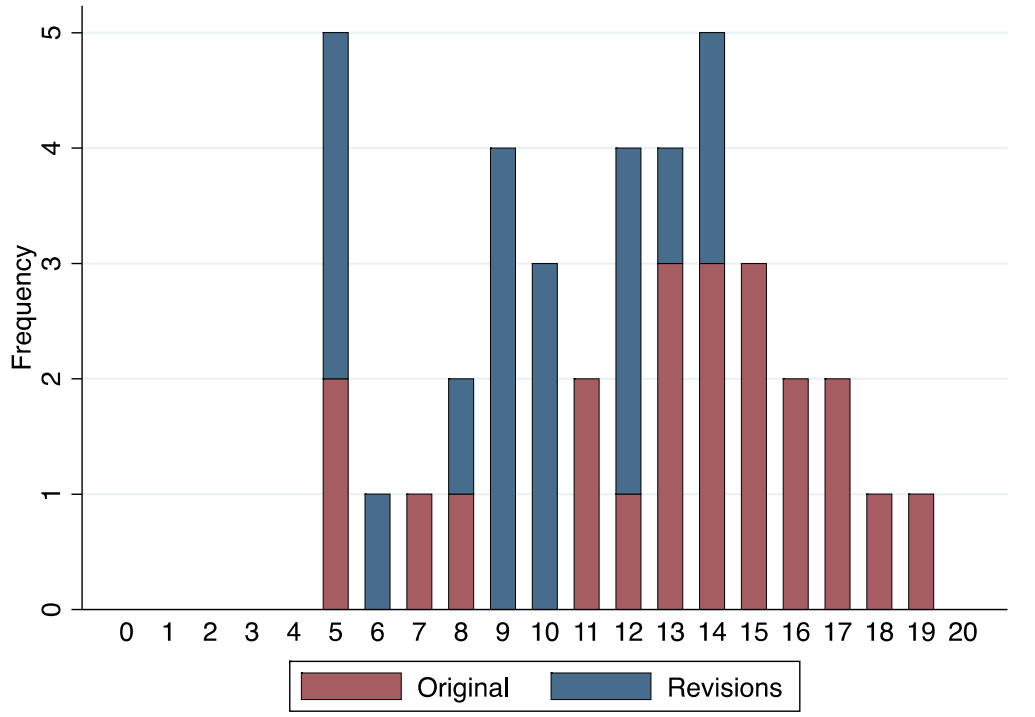


Figure 5.1. Values of the IGQS, as distributed in Latin America

Source: Compiled by author.

Given that policy revisions frequently amend only one aspect of the preceding legislation, I consider nett/overall quota designs (i.e., the total design of a given country's quota, after a given policy adoption/revision). In other words, in a given system policy designs are not coded as if they emerged in a vacuum, but rather as to how they change the status of gender quotas previously in place. As such, quota revisions are not independent of original quota adoptions—as they depart from original designs they strength or weaken quota provisos previously in place. Generally, over time, gender quota designs have strengthened although less frequently instances of policy weakening have occurred.

Figure 5.1 provides a further illustration of how values of the IGQS are distributed across all 40 designs implemented in the region overtime and breaks down this distribution by original adoptions and revisions. As illustrated, the distribution of the values of the IGQS is skewed left,

meaning that overall, policies in the region most frequently score higher than lower values on the IGQS scale; the most common values for the IGQS are 5 and 14, and the distribution produces a mean of 11.5 and a median of 12, also reflecting this distributional tendency towards higher values. This suggests that, on average, quota designs in Latin America are above the midpoint of the IGQS scale and closer to higher values, characteristic of strong policy designs.

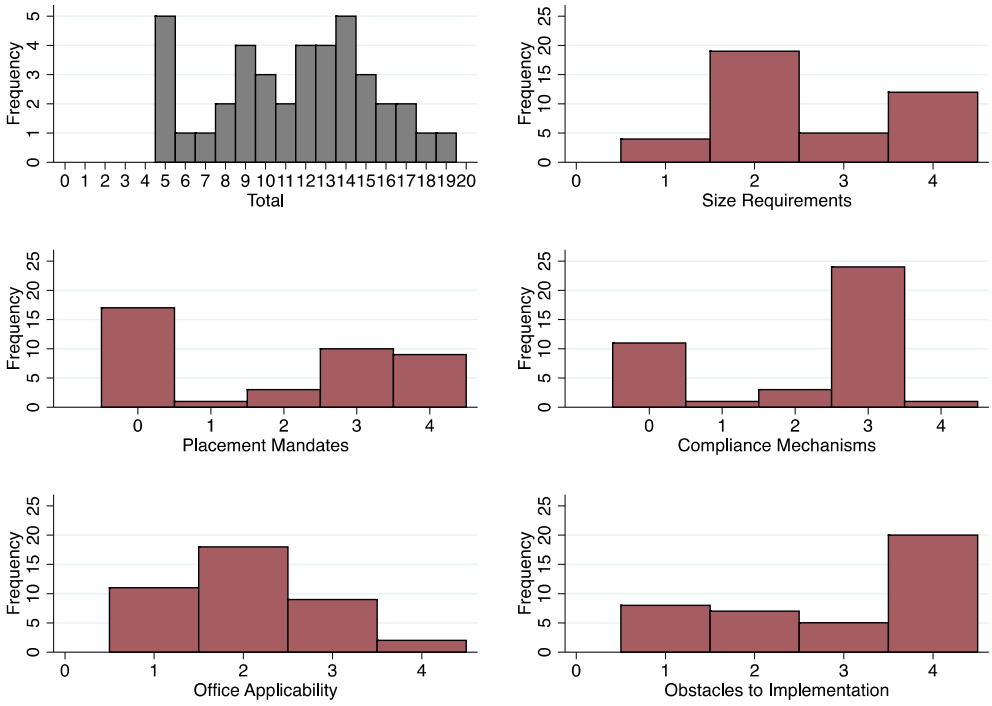


Figure 5.2. Values of the IGQS and its individual components, as distributed in Latin America

Source: Compiled by author.

Figure 5.2 illustrates on the five-point scale the disaggregation of the IGQS into each of its individual components. As illustrated, only on two of these scales do components produce a mean above the scale midpoint (2.5). These are the scales for size requirements, showing a mean of 2.625, and that of obstacles to implementation, which produces a mean of 2.925. This suggests that these two are the scales that, on average, most significantly contribute to the strength of gender quota designs in Latin America. This makes sense given that many gender quotas have been recently transformed into parity regimes, thus increasing the size requirements of policy designs,

and that many original quotas have been revised (through legislative means or by executive decrees, and court resolutions) to address pre-existing design loopholes.[23]

The other three scales produce lower means: placement mandates scale has a mean distribution of 1.825; for compliance mechanisms, the mean is 2.075; while for office applicability the mean is 2.050. The literature emphasises the presence of placement mandates as well as sanctions as crucial for the efficiency of gender quotas (i.e., the increase of female legislators, and, consequently, the decrease of male legislators).[24] In fact, Dahlerup and Freidenval argue that without placement mandates and sanctions for non-compliance, quota policies are 'completely symbolic'.[25] Systems of ranking order prevent parties from complying with the numeric demands of quotas by placing female candidates in unelectable positions and/or withholding campaign funding or other types of party support. While placement mandates are considered important instruments to safeguard the effective distribution of party resources or position in party lists across female and male candidates, sanctions serve as the mechanism that ensures party compliance with the policy. As such, these two aspects of gender quota designs.

The aggregate analysis of gender quota designs also prevents the assessment of the transformation of designs over time. A number of authors have depicted early gender quota adoptions in Latin America as symbolic gestures to showcase legislators' commitment to gender equality while avoiding increased electoral competition.[26] Others have argued that although presumably weak, early gender quota policies served as the basis of entrance for women in legislature, who could then challenge weak designs and strengthen quotas from within the system.[27]

Figure 5.3 illustrates the strength of gender quota designs over time and for each case identifies whether it was an original adoption or a subsequent revision. Although no clear pattern emerges to describe the variation in the strength of gender quota designs among early gender quota adopters in the period between 1991 and 2000 with the variation ranging from 5 for Brazil to a value of 14 for Bolivia, a pattern does become clear for late adopters. Indeed, as Figure 5.3 shows, weak gender quota designs are more common among early adopters. No original quota designs are present in the lower right quadrant of the graph, suggesting that more recent original adoptions

[23] Piscopo, 2015a.
[24] Krook, 2009: 3; Karam, Azza. 1998. *Women in Parliament*. Stockholm, Sweden: International IDEA: 150.
[25] Dahlerup, Drude, and Lenita Freidenvall, 2011. *Electoral Gender Quota Systems and their Implementation in Europe*. Brussels: European Parliament Directorate General for Internal Policies: 37.
[26] Araújo, Clara. 2003. 'Quotas for Women in the Brazilian Legislative System'. *The Implementation of Quotas: Latin American Experiences*. Presented at the International IDEA Workshop in Lima, Peru 23-24 February.
[27] Piscopo, 2015a: 36.

are stronger than those enacted between 1990 and 2000, with no country other than Nicaragua adopting a quota design scoring less than 10 on the IGQS scale after 1998.

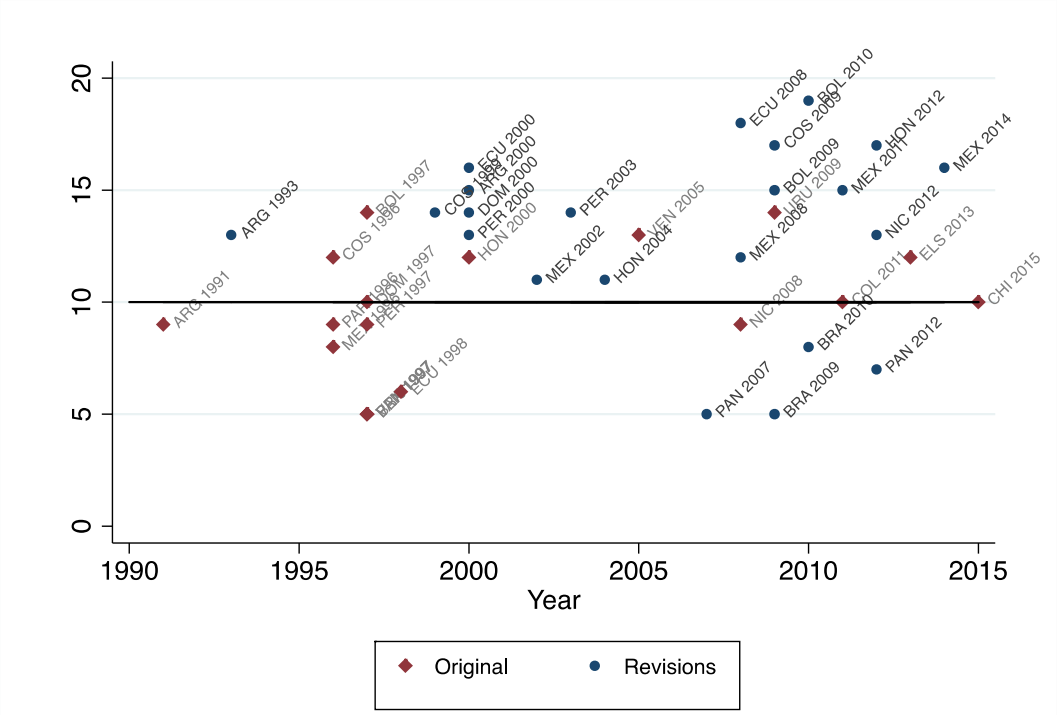


Figure 5.3. Strength of gender quota designs overtime, as distributed in Latin America

Source: Compiled by author.

After also taking revisions into account, four cases are placed in the lower right quadrant, but they represent policies in two countries only: Brazil and Panama. By contrast, the upper right quadrant displays a high concentration of revisions, suggesting recent strengthening of gender quota designs across the region. Overall, Figure 5.3 once again illustrates the regional trend towards increasingly high values of gender quota designs.

5.4. CONCLUSION

In this chapter, I developed a measure of gender quota designs, the Index of Gender Quota Strength, and mapped original and revised gender quota policies enacted throughout Latin America. The index developed was found to be both internally and externally reliable, and should be further tested to confirm its validity. Some could dispute the construction of the index and its individual components. The index is a step forward in allowing for the comparative analysis of gender quota policies across time and space in a way that is methodologically and theoretically manageable, although the measure may be imperfect. Such an index, if largely adopted by scholars of gender and politics, would make the comparative empirical assessment of gender quotas as

either dependent or independent variable more meaningful from an institutionalist perspective. Furthermore, although there could be different interpretations as to how the index should be constructed, what it captures is incontestable and useful: there is a wide variation in the strength of gender quota designs in the region.

In mapping the characteristics of gender quota laws in the region, I show that although all of these policies may fit inside the one category of 'legislated candidate-quotas', at the same time a more detailed review sensitive to granular differences between policies can pick out considerable variation in policy designs. And overall, the passage of time makes gender quotas stronger. This is happening both through adoption of more recent gender quotas, as well as through reform of existing, older adoptions.[28]

In general, two policy aspects seem to fall behind: placement mandates and sanctions. This could also support the notion that legislators are seeking to minimise the risks posed by gender quotas, if these lower means result from incumbents' perception that placement mandates and compliance mechanisms have the highest potential of increasing the proportion of women in legislature—and are thus more threatening to them. No conclusion can be made at this point, however, since data analysed include quota designs enacted by non-legislative actors. Furthermore, the lower mean distributions for placement mandates and office applicability could merely reflect how institutional variation limits possibilities for gender quota designs.

Chapter 6 differentiates between policy designs enacted by legislative and non-legislative actors, and explores whether and how the variation in institutional configurations across the region are associated with shaping types and levels of political ambition and electoral security

[28] This is further elaborated in my forthcoming chapter: Gatto, Malu. 2016. 'Gender Quotas, Legislative Resistance and Non-legislative Reform'. In *Latin American Law and Policy: Transforming Courts, Institutions and Rights*, eds. Pedro Fortes et al. London: Palgrave Macmillan.

CHAPTER 6

PROSPECT THEORY AND GENDER QUOTA DESIGNS

A CROSS-SECTIONAL ANALYSIS OF LATIN AMERICN CASES

The main puzzle I seek to answer is why we observe the counter-intuitive phenomenon of male-dominated legislators adopting gender quotas, considering this institution has the potential of rendering seats scarcer and threaten or kill the political careers of some of the male legislators who vote to approve these policies; more specifically, I ask whether and how these policies can be in line with the preferences of male incumbents.

I argue that the adoption of gender quota policies can be explained by prospect theory predictions if we consider that pressures to adopt gender quotas lead male incumbents to consider potential future losses and to seek to diminish these losses through policy-design. The key to solving the identified puzzle is thus to move beyond a dichotomous understanding of gender quota adoption and instead to explore factors that explain the variance in gender quota designs. This is precisely what I begin to do in this chapter. To explore the plausibility of my hypotheses introduced in Chapter 3, I analyse data across 125 legislative cycles from 18 Latin American countries[1] since 1978.[2]

Latin America has the highest density of legislated gender quotas in the world. The prevalence of the policy in the region is not entirely surprising, as different types of quotas were pioneered in the region. In 1951, just a few years after contributing to the debate on women's suffrage in Argentina which passed in 1946, Eva Perón used her political influence to establish informal gender quotas to guide the candidate recruitment of the Peronist Party, the party in

[1] A minimum of three observations (parliamentary cycles) is used for each country.

[2] The year 1978 has been largely used by Latin Americanists as a critical juncture to represent the beginning of the third wave of democratization, which goes roughly from 1978 with the first democratic election of the Dominican Republic, to the end of the Chilean military dictatorship in 1990.
See: Hagopian, Frances, and Scott Mainwaring. 2005. *The Third Wave of Democratization in Latin America*. Cambridge: Cambridge University Press: 3.

government at the time.[3] In 1976 and 1978, gender quota bills were introduced in the Brazilian Chamber of Deputies, but did not pass; in 1989, a similar bill was presented in the Costa Rican Congress. After decades of testing with voluntary gender quotas and gender quota-related bills in countries across the region, in 1991, Argentina once again took the lead in advancing women's political representation in the world by adopting a national piece of legislation that mandated all parties to reserve 30 percent of candidate nominations to the lower house of legislature for women.

Table 6.1. Quota adoption in Latin America, in lower/single houses of national legislatures

Country	Quota Presence	Adoption Year
Argentina	Yes	1991
Bolivia	Yes	1997
Brazil	Yes	1997
Chile	Yes	2015
Colombia	Yes	2011
Costa Rica	Yes	1996
Dominican Republic	Yes	1997
Ecuador	Yes	1997
El Salvador	Yes	2013
Guatemala	No	N/A
Honduras	Yes	2000
Mexico	Yes	2002
Nicaragua	Yes	2000
Panama	Yes	1997
Paraguay	Yes	1996
Peru	Yes	2003
Uruguay	Yes	2009
Venezuela	Yes, but retracted	1997-2000

Source: Compiled by author with data from Quota Project (2015).

In the meantime, other Latin American countries also discussed the possibility of adopting gender quotas. In 1996, Costa Rica became the second country in the region to legislate a national gender quota. Since then, the adoption of gender quotas began to spread more quickly (see Table 6.1). In the year that followed, six countries from the region adopted gender quota policies. During the 2007 Tenth Regional Conference on Women in Latin America and the Caribbean, Latin American countries signed the Quito Consensus, which considered 'political participation and gender equality at all levels of decision-making processes' one of the most important strategies for the region.[4] In July 2010, the Brasília Consensus ratified the Quito Consensus, signalling once again

[3] Jones, Mark. 2008. 'Gender Quotas, Electoral Laws, and the Election of Women: Evidence from the Latin American Vanguard'. *Comparative Political Studies.* 42 (1): 56-81.
[4] Archenti, Nélida, and María Inés Tula. 2013. 'Las Mujeres al Poder? Cuotas y Paridad de Género en América Latina'. Seminario de Investigación, Instituto de Iberoamérica – Universidad de Salamanca.

the region's stated efforts to promote gender equality in government. By 2010, fifteen Latin American democracies had adopted gender quotas for legislatures (although Venezuela retracted the policy in 2009), and another two have adopted the policy since. This means that only one country in the region, Guatemala, has not followed the regional effort to promote gender equality in government through affirmative action. All policies from the region establish quotas at the candidate-recruitment level, with the implied goal of breaking the recruitment monopoly of party leaders and increasing the proportion of female candidates in party lists.

As shown in Chapter 5, however, gender quota designs vary across the region—as do institutional restrictions and incentives to stay in legislative office. This variation, in turn, could represent the level of threat that gender quotas pose to legislators' careers. This chapter uses institutional proxies traditionally associated with political ambition and electoral security to begin explaining variation in the strength of gender quota policies adopted across the region. To do so, it splits the investigation into three steps, as defined in my IMA framework: firstly, it assesses whether legislative seats are valuable to incumbents; secondly, it asks whether quotas could pose a threat to incumbents' careers, and thirdly, it analyses whether incumbents act upon this threat by adopting policies with weak designs.

The chapter will proceed as follows: section 6.1 details all data used in this chapter. Section 6.2 addresses the first stage of my IMA analytical framework by exposing how variation in institutions that shape political ambition renders legislative seats across the region more or less valuable. Section 6.3 furthers the argument by showing that one of the ways to assess whether quotas pose a threat to legislators' careers is to differentiate between the roles of legislative and non-legislative actors in processes of gender quota drafting, adoption and revision. Section 6.4 addresses the last condition of the IMA strategy by investigating whether political ambition and electoral security can be associated with the strength of gender quota designs. Finally, section 6.5 concludes by summarising my findings and explaining how the remaining chapters of this thesis advances my analysis.

6.1. DATA COLLECTION AND METHODS OF ANALYSIS

To analyse my theory cross-sectionally, and yet account for country-specific electoral changes and relevant observed outcomes, I define my unit of analysis as a 'legislative cycle'. The focus on legislative cycles seems, at first, a poor fit with my framework based on prospect theory assumptions, given that the unit is a collective but the approach is inherently a theory of individuals. Yet, it is not individual behaviour, but the aggregate actions of legislators that define legislation. Although analyses of individual choice would naturally be conducted at the level of the

individual, my theory seeks to explain the adoption and strength of gender quota designs, which are, by construct, a product of collective decision-making. Thus, it is also important to test whether my hypotheses hold at the aggregate-level.[5]

Nonetheless, I understand that any test at the aggregate-level is bound to be imperfect. The imperfection, firstly, will be due to the existing mismatch between the level of theoretical specification and the level of tests carried out at this stage; secondly, because any analysis based on the aggregate-level has to use proxies that assume all individuals in a given system have equal levels of costs of losing office and electoral security; this of course, is not true. Thirdly, costs of losing office and electoral security are multi-faceted and can be manifested in a number of ways. As such, any and all proxies are imperfect. To diminish problems of measurement that arise from the aforementioned issues, I employ several proxies that capture different aspects of costs of losing office and electoral security.

The first gender quota legislation was adopted in 1991. To provide a balanced and reliable analysis, data were collected for each democratically elected legislative cycle in Latin America since the year 1978. Electoral processes are dynamic despite the general stability of formal institutions; as such, it is important to construct a dataset based on multiple legislative cycles rather than one particular date for all democratic countries. As Remmer points out, 'electoral shifts, whether introduced exogenously or endogenously, create incentives for politicians with the requisite political power to revise pre-existing electoral rules'.[6] This means that there is not a unique or single date by which it would be more or less propitious for all countries to adopt or not adopt a gender quota law.

Some may question the extension of the dataset to 1978, given that the first gender quota adoption only took place in 1991.[7] This extension is due to the fact that gender quota policies were already being presented in congresses in the region by this date, and that enabled the possibility of an early adoption. So, exclusion of early observations could skew the analysis towards adoption. Given that my analyses rely on variables that are calculated based on changes two legislative cycles (e.g., re-election rates and party volatility), I collect data from 1978, but only include in my analyses observations from the countries' second democratically elected legislature onwards.

---

[5] Geddes, Barbara. 1995. 'Uses and Limitations of Rational Choice' in *Comparative Politics: Critical Concepts in Political Science,* ed. Howard Wiarda. London: Routledge: 386.
[6] Remmer, Karen. 2008. 'The Politics of Institutional Change: Electoral Reform in Latin America, 1978 2002'. *Party Politics.* 14 (1): 8.
[7] Nonetheless, as a test of the reliability of my findings, I run restricted models that exclude cases prior to 1991. In Appendix B.

Given that my unit of analysis is legislative cycles, I cannot include observations that are right-censored; in other words, for legislative cycles that have not yet ended. As such, in section 6.4 of this chapter I do not include legislative cycles that started but have not concluded before 1 January 2016. This results in the exclusion of some significant observations, including that of the current legislature in Chile, under which the gender quota was adopted. In total, the data used in this chapter are compiled at the legislature-level and the universe of cases is composed of democratically elected legislative cycles for lower-houses or single-houses of national legislatures in Latin America that were concluded before 2016. Given these restrictions, I end up with a dataset of 125 observations, which allows me to conduct quantitative analyses with enough degrees of freedom.

There are many possible interpretations for how political ambition and electoral security should be measured at the legislature-level, especially since any aggregate-level variable is fixed by country with the implied assumption that these impact individual legislators in an equal manner. This assumption is unlikely to hold true, and is precisely the reason that other chapters of this thesis focus on the individual-level. Below, I outline my measures of political and ambition, electoral security, and alternative theories.

6.1.1. POLITICAL AMBITION

Institutional configurations that restrict or extend options of incumbents to maintaining legislative office shape political ambition in significant ways. For instance, legislative seats may be particularly valuable in systems that limit the career options of incumbents—restricting their career ambitions to retaining seats in the legislative sphere. Similarly, legislative seats may be more valuable in systems that are propitious for the solidification of long-term careers. I use two variables to measure career options associated with political ambition.

First, I contend that the threats of a gender quota may be higher in systems that allow for consecutive re-election and that do not impose term limits, in contrast to systems where re-election is not an option (in which case, displacement is the default). I therefore expect the possibility of re-election to be negatively correlated with the adoption and strength of quota designs. I also anticipate that gender quotas pose lower threats to incumbents under political systems that do not allow consecutive re-elections and thus force all legislators to step down for at least one cycle before running for office again. This is measured as a categorical variable, *ease of re-election*, for which systems that allow for unlimited consecutive re-election are coded as 1, and systems that prohibit consecutive re-election are coded as 0. This variable barely varies across countries—with only

Costa Rica, post-1994 Ecuador, and Mexico taking values of 1—and observations for all other countries taking a value of 0.[8]

I assume that after reaching the status of national legislator in a lower or single house of congress, legislators want to retain political office but that office could be outside the lower or single house. This is in line with the extensive literature on progressive ambition.[9] I thus expect the variable to be positively correlated to the propensity to adopt quotas or pass a strong gender quota design. My second variable, *political opportunities*, captures this; it measures the availability of opportunities for political office beyond the lower or single house of the national legislature; more specifically, it accounts for the number of seats in the upper house, executive positions in municipal capitals (mayors), and executive positions in states (governors), as a proportion of the number of seats in the lower house or single house. The variable is continuous, ranges from 0 to 1.043 and has a mean of 0.357.[10]

Political ambition may also be driven by the benefits of holding office. These benefits can range from political powers over public policy to material gains. I expect the political ambition to hold office to be higher in systems that offer high returns in terms of these criteria; to account for different aspects of these potential incentives to seek office, I include two proxies both of which were derived from the Varieties of Democracy (V-Dem) dataset. Both were coded by Fish and Kroenig and values pertain to averaged expert-based coding on their perceptions about legislatures in a given country. My first proxy, *strength of committees*, was coded using the V-Dem variable 'v2lgcomslo'. The variable reflects expert views about the strength of committees in the lower or single house of legislature. Experts were asked to rate the strength of committees in lower or single houses using a scale of 0 to 3, in which 0 represents 'there are no committees', and 3 refers to 'there are permanent committees that have strong influence on the course of policymaking'.[11] I expect that, the greater the power and benefit of a legislative seat, the more valuable it will be to incumbents, and the higher the threat a gender quota would pose to them. As such, I expect this variable to be negatively correlated with the strength of gender quota designs and gender quota

[8] Data for this variable were retrieved from Georgetown University. 'Political Database of the Americas'. *Georgetown.edu*. http://pdba.georgetown.edu/elecdata/elecdata.html.
[9] For a discussion, see: Harrington Jr., Joseph. 2015. 'Progressive Ambition, Electoral Selection, and the Creation of Ideologues'. *Economics of Governance*. 1 (1): 13-23; Leoni, Eduardo, Carlos Pereira, and Lucio Rennó. 1999. 'Political Survival Strategies: Political Career Decisions in the Brazilian Chamber of Deputies'. *Journal of Latin American Studies*. 36 (1): 109-130; Rohde, David. 1979. 'Risk-Bearing and Progressive Ambition: The Case of Members of the United States House of Representatives'. *American Journal of Political Science*. 23 (1): 1-26. For a discussion of progressive ambition and gender, see: Burt-Way, Barbara, and Rita Mae Kelly. 1992. 'Gender and Sustaining Political Ambition: A Study of Arizona Elected Officials'. *The Western Political Quarterly*. 45 (1): 11-25.
[10] Data for this variable were retrieved from Georgetown University.
[11] Coppedge, Michael et al. 2016. 'V-Dem Codebook v6.' *Varieties of Democracy (V- Dem) Project*: 186.

adoption. The variable is continuous, ranges from 1.855 to 2.979 and has a mean of 2.602. It is partly fixed per country.

Similarly, my second proxy for office benefits, *legislative corruption*, was coded using the V-Dem variable 'v2lgcrrpt' and measures expert views on the extent to which legislators benefit from corruption, including: receiving bribes, being awarded government contracts, 'doing favours in exchange for the opportunity of employment', and 'stealing money'. Possible answers range from 0 to 4, with 0 referring to 'most legislators probably engage in these activities' to 4, 'never, or hardly ever'.[12] Given that lower values are associated with greater gains, I expect the variable to be negatively associated with the strength of gender quota designs and the adoption of gender quotas. Across my cases, this variable ranges from 0.398 to 3.674 and has a mean of 1.501. It is partly-fixed per country.[13]

6.1.2. ELECTORAL SECURITY

I theorise that while costs of losing office are significant for increasing the threshold for gender quota adoption, electoral security is particularly relevant in impacting the strength of gender quota designs. I use two variables to test this. The first variable, *re-election rate*, captures the proportion of seats in the lower house of legislature occupied by re-elected incumbents. I assume that successful re-election indicates a higher degree of electoral security. That is, based on the notion that legislators seek to retain office, high rates of re-election suggest that a large proportion of incumbents secure their career goals. Thus, higher rates of re-election (lower turnover) should indicate higher levels of electoral security. In this line, I expect *re-election rate* to be negatively associated with the adoption of gender quotas but positively associated with the strength of gender quota designs. The variable ranges from 0.032 to 0.703 and has a mean of 0.281. Data for this variable derived directly from each country's respective legislatures/electoral agencies.[14]

I understand, however, that individuals are not the only ones at stake in elections; parties also are. As such, gender quotas could also threaten the electoral survival and/or competitive advantage of political parties. My second measure of electoral security, *party volatility*, accounts for this. Volatility refers to net gains and losses of political parties in a party system in a given legislative cycle; it measures whether and by how much the preferences of voters change from one election

---

[12] Ibid: 177.

[13] For the sake of interpretation, for both variables, I employed the transformation coded as '_osp', which refers to 'original scale posterior prediction', meaning that the variables were transformed to match their original scales. This facilitates the interpretation of substantive effects. I also verified my results by employing the variables' non-transformed values. See: Ibid: 32-33.

[14] Despite numerous attempts, data could not be collected for 37 of my 125 observations. As to not lose cases due to missing data, I replace missing values for the most time proximate value available for each country. I also conduct robustness checks dropping cases with missing data and report results in Appendix B.

to the next. Higher volatility implies lower electoral security, as parties are less certain about their competitiveness in the party system in which voters are less loyal to political parties. Electoral volatility, although a more direct measure of the electoral security of parties themselves, has also been linked to the career survival of incumbents.[15] Data for this variable were retrieved from Alcántara. Given that the dataset covers elections up to 2009, results for most recent legislative cycles were retrieved from Georgetown's Political Database of the Americas and individually calculated using Pedersen's formula.[16] Across my cases, the variable ranges from 0.0421 to 0.690 and has a mean of 0.260.

6.1.3. ALTERNATIVE THEORIES

Given that gender quotas seek to increase the proportion of women in legislatures, I expect levels of socio-economic development to positively associate with gender equality and to directly correlate with the likelihood of gender quota adoption and strength of design. To operationalise this, I employ the variable *HDI*, a measure of social and economic development which considers life expectancy, education, and standards of living of a given country.[17] I include this variable because societal development has often been associated with the promotion of gender equality and opportunities for women in education and employment, and, consequently, in politics. I thus expect *HDI* to positively correlate with the adoption and strength of gender quotas. In my population of cases, the variable ranges from 0.456 to 0.833 and has a mean of 0.640.

To account for the pressure of women's groups I employed the V-Dem variable 'vx2_gencs', which I call *women in civil society*. As with my other V-Dem variables, this measure reflects expert views on women's participation in civil society, as answers to the question: 'Do women have the ability to express themselves and to form and participate in groups?'. Experts gave binary answers with 0 representing 'no' and 1 representing 'yes'. I anticipate this variable to be positively associated with the strength of gender quota designs and gender quota adoptions.

---

[15] Examples include: Wilkins, Arjun. 2012. 'Electoral Security of Members of the US House, 1900–2006'. *Legislative Studies Quarterly*. 37 (3): 277-304; Jacobson, Gary. 1987. 'The Marginals Never Vanished: Incumbency and Competition in Elections to the US House of Representatives, 1952-82'. *American Journal of Political Science*. 31 (1): 139.

[16] Alcántara, Manuel. 2012. 'Elections in Latin America 2009-2011: A Comparative Analysis'. *Kellogg Institute for International Studies*. Working Paper 386; Georgetown University. 'Political Database of the Americas'. *Georgetown.edu*. http://pdba.georgetown.edu/elecdata/elecdata.html.

[17] I recognize that this is a problematic proxy; HDI does not directly measure the latent concept of society-level stock of gender egalitarian values. Nonetheless, the variable has often been used as a proxy for value change theory (see, for example: Norris, Pippa. 2004. *Electoral Engineering*. Cambridge: Cambridge University Press; Rosen, Jennifer. 2013. 'The Effects of Political Institutions on Women's Political Representation a Comparative Analysis of 168 Countries from 1992 to 2010.' *Political Research Quarterly*. 66 (2): 306-321; Kouba, Karel, and Petra Poskocilová. 2014. 'Los Efectos de las Reglas Electorales sobre el Éxito de las Mujeres en las Elecciones Presidenciales en América Latina.' *América Latina Hoy*. 66: 17-46.

Values for each country thus reflect average expert views. For my cases, the variable ranges from 0.234 to 0.944 and has a mean of 0.731.

Since the adoption of gender quotas characterise institutional innovation, the widening of institutional repertoires may be significant from a diffusionist perspective. As a means testing this approach, I use the variable *diffusion*, which measures the proportion of countries in Latin America that have adopted a legal quota until the year preceding the year of start of a given legislative cycle. Other authors have used similar coding schemes to convey diffusion effects.[18] The variable ranges from 0 to 0.888 and has a mean of 0.419.

Finally, I also employ two variables to measure the effects of endogenous dynamics that are complementary but not exclusive to my theory. Firstly, to assess the impact of arguments focused on institutional incongruences, I employ a measure of *district magnitude* (DM). Scholarship on gender quotas and women's representation anticipates that gender quotas are more likely to be adopted in systems with higher DM.[19] The rationale is that women's candidacies may be more diluted in higher DMs, meaning that an increase in competition would not necessarily impact incumbents directly.[20] To capture this, I employ a measure of the average number of seats available for a country's election in a given electoral district. This variable has been used extensively as a proxy for electoral competition.[21] The measure is continuous, and is calculated by dividing the assembly size by the number of districts in simple PR systems; it ranges from 1.64 to 120 and has a mean of 7.822.[22]

To assess the role of internal special-groups relevant to the policy at hand, in this case, female incumbents, I employ the variable *female legislators*, which captures the proportion of women in a single or lower house in a given legislative cycle. Several authors have highlighted the work of

---

[18] This approach is used to measure diffusion of other types of electoral rules in Negretto, 2013.

[19] See: Jones, 2008.

[20] However, some scholars have argued that incumbents in districts with more seats (with higher average district magnitude) experience higher levels of electoral insecurity. This is based on the notion that multi-member districts (MMDs) are more likely to hold contested elections than small districts (Carey, John, Richard Niemi, and Lynda Powell. 2000. 'Incumbency and the Probability of Re-election in State Legislative Elections'. *The Journal of Politics*. 62 (3): 671-700; Herrick, Rebekah. 2011. *Representation and Institutional Design*. Lanham: Lexington Books: 30.) and that this leads to higher returns of incumbent advantage for legislators in small districts (Cox, Gary, and Scott Morgenstern. 1995. 'The Incumbency Advantage in Multimember Districts: Evidence from The U. S. States'. *Legislative Studies Quarterly*. 20 (3): 329-349), given that competitors are more likely to arise in MMDs (Squire, Peverill. 2000. 'Uncontested Seats in State Legislative Elections'. *Legislative Studies Quarterly*. 25 (1): 131-146; Dunk, Emily Van, and Ronald Weber. 1997. 'Constituency-Level Competition in the U.S. States, 1968-1988: A Pooled Analysis'. *Legislative Studies Quarterly*. 22 (2): 141-159) Previous research has also posed that legislators in higher DMs may be less likely to connect with voters or show them their contribution to their district, which could make it difficult for voters to reward incumbents with their votes.

[21] See: Baldez, Lisa. 2004. 'Elected Bodies: The Gender Quota Law for Legislative Candidates in Mexico'. *Legislative Studies Quarterly*. 29 (2): 236; Tavits, Margit. 2005. 'The Development of Stable Party Support: Electoral Dynamics in Post-Communist Europe'. *American Journal of Political Science*. 49 (2): 289; Matland, Richard. 2005. 'Enhancing Women's Political Participation: Legislative Recruitment and Electoral Systems'. In *Women in Parliament: Beyond Numbers*, ed. Azza Karam. Stockholm: International IDEA: 103; Botero, Felipe, and Lucio Rennó. 2007. 'Career Choice and Legislative Re-election: Evidence from Brazil and Colombia'. *Brazilian Political Science Review* 1 (1): 102-127.

[22] Data for this variable were retrieved from: Negretto, 2013.

congresswomen in presenting and pushing for adoption and revisions of gender quota bills. As such, they are the interest group that could more directly impact the processes of gender quota adoption and revision. Furthermore, given that female incumbents could partly fill quota requirements, reducing the number of incumbents to potentially be threatened by newcomers, I expect legislatures with larger proportions of female legislators to be more likely to adopt gender quotas and strong gender quota designs. This variable is continuous, ranges from 0 to 0.400, and has a mean of 0.145.[23] The variable is endogenous, however, because while the presence of female legislators may affect the first instance of gender quota adoption in a given country, gender quotas, once adopted, are also likely to influence the proportion of women in parliament. Nonetheless, variance inflator factor tests confirm that the inclusion of the measure does not lead to a level of collinearity that renders models unstable.[24]

6.1.4. DEPENDENT VARIABLES

I employ two dependent variables. Firstly, to assess the strength of gender quota designs, I employ the *Index of Gender Quota Strength*, developed in Chapter 5. As previously detailed, the IGQS is a summative index with a range from 0 to 20 composed of five different dimensions ranging from 0 to 4 and in which higher values pertain to stronger gender quota designs. The index accounts for both original quotas as well as revised policies. As such, it captures whether a revision that alters the strength of an original policy was adopted during a given legislative cycle. In my population of cases, the IGQS ranges from 0 to 18 and has a mean of 5.162.

I also use the variable *adoption* to measure the presence or absence of a gender quota adoption during a given legislative cycle. This variable is binary and a value of 0 signifies the lack of a legal gender quota adoption during a given legislative cycle, while 1 means the presence of a legal gender quota. In 69 of my 125 cases, adoption takes a value of 1 and in 56 cases it takes a value of 0.

6.2. CAREER GOALS ACROSS LATIN AMERICA

The first condition identified in IMA is that incumbents must perceive legislative office as valuable. This has one obvious implication: the value of legislative office is not the same for all countries in Latin America. In this section, I assess the extent to which this condition holds for countries throughout the region; the main takeaway is that, although the value of legislative office varies

[23] Data for this variable were retrieved from: Inter-Parliamentary Union, 2012.
[24] The estimated mean variance inflator factor score for the model is of 2.10, with the highest individual scope holding a value of 3.36 for HDI.

throughout, political careers, to lesser or greater extents, are valuable in all countries in the region. This poses an interesting situation: although gender quotas may not yield a direct threat to incumbents who do not desire or are institutionally prohibited for running for re-election, the policy may still threaten the careers of incumbents given that opening the space to female legislative candidates is also opening the space for competing candidates for party and/or appointed offices.

There is wide variation in Latin America in respect to institutions traditionally associated with the value of congressional seats and the political career ambitions of incumbents. Such institutions include re-election rules and term limits, as well as opportunities for elected office within and outside the lower house of national legislatures. For example, although most countries in the region allow for unlimited consecutive re-election to legislative office, some prohibit consecutive re-election (e.g., Costa Rica, Mexico). Term limits, in turn, shape the career prospects of legislative incumbents. For instance, given that they sit-out for at least one legislative cycle, the most common career objective of Costa Rican legislators is to establish themselves within their parties so as to gain party-appointed positions.[25] In this scenario, the imposition of term limits forces legislative turnover, which creates an opportunity for political outsiders to enter legislative races. Gender quotas are rules established precisely to impose the entry of a category of traditional outsiders, women, into candidacies.

The availability of political career opportunities inside and outside legislatures can also impact the ambition of politicians. In other words, the fewer electable-seats there are available to incumbents, the more valuable their seats—and positions within party structure—are likely to be. There is wide variation in the region in this regard. For instance, some countries provide ample electable-opportunities at local-level, providing incumbents the possibility of pursuing progressive ambition in local-executives or regressive ambition in the local-legislatures. Opportunities also vary within the national legislature: some legislatures are bicameral, while others are unicameral, restricting incumbents' pursuit to static ambition. Limits imposed on the political career options of incumbents make legislative seats more valuable. Table 6.2 summarises the variation of these institutions across the region. Of course, the aforementioned aspects are in place simultaneously and thus interact—with themselves and with other system configurations—deeming parliamentary seats as either the modal goal of politicians or as a stepping-stone in incumbents' careers. Thus, a system that has a unicameral congress and no electable opportunities at the local level, while maintaining unlimited re-election terms, provides the greatest incentives for incumbents to stay in

[25] Carey, John. 1998. *Term Limits and Legislative Representation*. Cambridge: Cambridge University Press.

office. This scenario is present in Panama, a system in which I would expect gender quotas to pose a high threat.

Table 6.2. Political opportunities across Latin American countries, at time of respective quota adoptions

Country	Ease of Re-election	Political Opportunities
Argentina	Unlimited	0.181
Bolivia	Unlimited	0.277
Brazil	Unlimited	0.263
Chile	Unlimited	0.766
Colombia	Unlimited	1.012
Costa Rica	Non-consecutive	0.122
Dominican Republic	Unlimited	0.409
Ecuador	Unlimited	0.292
El Salvador	Unlimited	0.166
Guatemala	Unlimited	0.134
Honduras	Unlimited	0.134
Mexico	Non-consecutive	0.256
Nicaragua	Unlimited	0.188
Panama	Unlimited	0
Paraguay	Unlimited	0.987
Peru	Unlimited	0.200
Uruguay	Unlimited	0.697
Venezuela	Unlimited	0.505

Source: Compiled by author. Given that Guatemala has not adopted a quota, data pertain to most recent electoral cycle in the analysis (2011).

These patterns are confirmed by survey data with legislative elites. Elite surveys are rare; elite surveys conducted in multiple countries and that can be used in comparative studies are even rarer. One source of such data is the *Parliamentary Elites of Latin America* database, based on data collected by the University of Salamanca.[26] Aggregating answers to questions for each country allows for a rough comparison of how the views of legislators vary across the region. The survey does not contain any direct questions about the political value of legislative seats; nonetheless, there are questions about the range of offices occupied by parliamentary elites and the number of times they have run for legislative office. Table 6.3 summarises this using the most recent data available for each country. The table confirms some of the aspects discussed previously, in regards to institutional incentives/limitations; higher proportion of incumbents occupy other elected offices in countries where more offices are available (for example, in Colombia, a country with a bicameral national legislature and elected offices available for local executives and legislatures, 71.1 percent of deputies occupied other elected office).

[26] Observatorio de Élites Parlamentarias en América Latina. 2016. 'Parliamentary Elites of Latin America database (PELA)'. Universidad de Salamanca. http://americo.usal.es/oir/elites/bases_de_datos.htm.

Table 6.3. Elite survey data and political costs of losing office across Latin American countries

Country	Other offices	Legislative career
Argentina	47.6%	20.1%
Bolivia	30.7%	7.2%
Chile	38.2%	62.2%
Colombia	71.1%	35.0%
Costa Rica	26.3%	12.3%
Dominican Republic	26.4%	36.1%
Ecuador	37.8%	36.7%
El Salvador	33.8%	59.6%
Guatemala	34.5%	32.9%
Honduras	25.7%	35.2%
Mexico	55.4%	19.4%
Nicaragua	36.2%	36.2%
Panama	30.9%	35.3%
Paraguay	48.8%	13.9%
Peru	-	17.9%
Uruguay	48.1%	35.7%
Venezuela	-	36.3%

Source: Compiled by author with data from PELA. Columns refer to the following: 'other offices' capture the proportion of respondents interviewed that have occupied elected office other than legislator in lower/single house of parliament; 'legislative career' captures proportion of legislators that have occupied legislative office more than once; and, 'financial returns' pertains to the proportion of legislators who answered their salaries were 'superior' or 'considerably superior' to their salaries before legislative office. Data are not available for Brazil, and incomplete for Peru and Venezuela, thus not listed.

Another way to understand the value of legislative seats across the region is to compare the material value of holding office across the region. As shown in Table 6.4, a considerable proportion of legislators in all countries attest to their salaries as legislators as higher or considerably higher than that of their previous positions. The variation, however, is still quite significant. In Argentina, over 66 percent of respondents attested to making more or considerably more as legislators. This suggests that the costs of losing office are high for Argentine politicians, given that losing office would also incur losing significant income. Per the data, Costa Rica is the country with the lowest financial returns to office, with 22.8 percent of respondents attesting to receiving higher salaries previous to holding legislative office. This result could be partially a reflection of the fact that the majority of Costa Rican legislators are loyal party members with political careers that extend beyond legislative office and that the likelihood that respondents previously occupied government positions with similar salaries is high; given that Costa Rica does not allow for re-election, it is plausible that the system would not merit deputies significantly more than officials that occupy other government positions (elected or appointed) so as to not discourage members from occupying all sorts of positions. This is to say, although the data provide interesting insights into the variation of material benefits throughout the region, interpreting the

results require a greater understanding of the interaction between political limitations and material benefits—as well as the consideration of political careers beyond elected office.

Table 6.4. Elite survey data and material costs of losing office across Latin American countries

Country	Financial returns
Argentina	66.3%
Bolivia	31.1%
Chile	44.4%
Colombia	54.0%
Costa Rica	22.8%
Dominican Republic	23.9%
Ecuador	26.5%
El Salvador	56.4%
Guatemala	26.0%
Honduras	26.4%
Mexico	53.5%
Nicaragua	40.5%
Panama	38.2%
Paraguay	29.2%
Peru	34.4%
Uruguay	55.3%

Source: Compiled by author with data from PELA. Column refers to the proportion of legislators who answered their salaries were 'superior' or 'considerably superior' to their salaries before legislative office. Data are not available for Brazil and Venezuela, thus not listed.

This section sought to provide a brief overview of the variation of institutional configurations in the region and how they might impact the value of legislative office and thus the political ambition of incumbents. It is worth noting that there are other factors, beyond institutional limitations and incentives, that may impact the career of legislative incumbents and the value of legislative seats across the region. These factors include informal institutions as well as party system dynamics.

This is not to say, however, that legislators will openly support quotas when the value of legislative office is low—but simply that they are less likely to oppose pressures for adoption, and thus to pass stronger designs. This is because, I expect male incumbents in all systems to be resistant to the adoption of gender quotas, albeit to different levels: in facilitating the entry of female candidates, gender quotas are essentially promoting the chances of political outsiders—and thus disrupting the status quo of elites—regardless of whether their main goal is to stay in office. The argument thus is that gender quota designs will vary in accordance to the level of threat that quotas pose to incumbents—but that, lacking external pressures, male incumbents across systems would prefer to not upset the status quo and thus to not adopt quotas.

Ultimately, however, the final design of gender quotas may be partly exogenous to legislative control. That is because legislators are not the only ones effectively legislating in Latin America: executives and courts play an important role in generating bills, enacting legislation, as well as implementing or reinterpreting the implementation of existing laws. Assessing the contribution of non-legislative actors to the strength of gender quota designs in the region may assist in elucidating the level of threat that gender quotas pose to legislators and their consequent reluctance to designing strong policies and adopting them.

6.3. GENDER QUOTAS AS THREAT: LEGISLATIVE RESISTANCE AND NON-LEGISLATIVE REFORM

The second condition that should be assessed under my IMA framework is that gender quotas are a threat to the careers of legislative incumbents. Whether incumbents perceive gender quotas as threatening is unobservable, particularly at the aggregate-level. To assess this condition, I must thus rely on observable processes. I do this by contrasting the behaviour of legislative and non-legislative actors in processes of gender quota adoptions and revisions. I contend that a sign of whether legislators perceive gender quotas as threatening is whether they resist strong gender quota designs more than their non-legislative counterparts.

Although the overwhelming majority of original gender quota policies have been adopted by legislatures, either as specific bills or as parts of larger electoral reforms, gender quota policy revisions have sometimes taken place outside congressional rooms. That is, 16 original gender quota policies have been introduced through legislative processes, one by executive decree and one by judicial ruling; meanwhile, legislators have been responsible for 17 subsequent policy revisions, executives for two and courts for four.[27] This means that non-legislative actors were responsible for 11.1 percent of original gender quota adoptions and 26 percent of revisions, including one quota retraction.

Six policy revisions enacted in the region have not been led by legislative actors; of these, one retracted the existing quota; none addressed size requirements; two strengthened placement mandates; one enacted sanctions for non-compliance; two increased office reach; and, two addressed loopholes. This brief summary suggests that the role of legislative actors in strengthening gender quota legislation has been most prominent and that non-legislative actors may have had only a marginal influence in this process.

---

[27] My analyses exclude the sentence enacted by the Venezuelan Constitutional Court in 2000, which deemed the original 1997 policy unconstitutional. I exclude this case because given that I am only concerned with policy designs, including a case in which a gender quota policy is lacking would only add noise to the analysis.

Simple descriptive statistics, however, show that although reforms led by non-legislative actors have been few, they have been significant in magnitude. Table 6.5 summarises the changes in policy strength for the IGQS and all of its individual components, as enacted by legislative and non-legislative actors. The values in the table refer to the means of policy differences, disaggregated by the type of policy authorship. These values are calculated by first taking the difference in policy strength between a given policy revision and the score of the policy that preceded it (e.g., the Mexican quota policy of 1996 received a score of 8 and its 2002 revision a score of 11; 11-8=3, thus the difference in policy strength as enacted by revision equals three), adding-up all of the policies differences and then dividing the result by the number of policies considered.

Table 6.5. Strength of policy revisions in Latin America, as measured by changes in the IGQS and its individual component scales

	IGQS	Size	Placement	Sanctions	Office	Obstacles
Mean of Δ	2.68	0.45	1.23	0.41	0.27	0.23
Mean of Δ Legislative	2.70	0.58	1.35	0.35	0.18	0.06
Mean of Δ Non-Legislative	2.60	N/A	0.80	0.60	0.60	0.80

Note: Compiled by author based on 22 cases: 17 enacted through legislative means and 5 by non-legislative actors (not considering case of quota retraction in Venezuela).

When disaggregated by type of policy origin, this measure allows for the analysis of the relationship between the substantiality of quota revisions and their respective authors. Engaging in this exercise, I find that, on average, non-legislative reforms have led to greater strengthening of policy designs in three of the five dimensions of the IGQS: compliance mechanisms, office applicability, and obstacles to implementation. Although the mean for the overall IGQS is higher for the distribution of cases enacted through legislative action, this is driven by changes in placement mandates and size requirements; this suggests that although legislative reforms are more frequent, they are also less ambitious in addressing weaknesses in policy designs—especially in regards to sanctions and obstacles, aspects considered by the literature as crucial for the effective implementation of gender quotas. These findings could be a consequence of the tension between the unwillingness of male legislators to adopt strong gender quotas and increase electoral competition and the pressure felt by executive and judicial actors to uphold normative values promoted by domestic and international pressure groups.

Non-legislative actors have been particularly important where original adoption has been the weakest. Brazil, Panama, Ecuador, Mexico, and Venezuela originally adopted quotas with very weak designs; Brazil, Panama and Venezuela produced original IGQS scores of five, while Ecuador

and Mexico produced designs of scores six and eight, respectively. In three cases, Brazil, Mexico, and Venezuela original policies were reformed (or substituted, in the case of Venezuela) by stronger designs enacted by non-legislative actors. Brazil adopted a quota policy of 30 percent for the lower house of its national congress in 1997. Despite the efforts of female legislators and women's groups, the quota was only approved by the Brazilian legislature after the inclusion of loopholes: in passing a 30 percent gender quota, parties managed to simultaneously increase the proportion of candidacies a party could nominate from 100 to 150 percent, as well as given the possibility of not complying with the gender quota in case not all candidacies were filled. Needless to say, the inclusion of this provision drastically challenged the implementation of the Brazilian gender law. The quota was only reformed again in 2009, when the executive established a tri-partite commission to draw proposals to be submitted as part of a larger electoral reform; many of the commission's proposals were stripped down and weakened during legislative debates, but their proponents managed to secure changing the language of the legislation from 'reserve' to 'fill', thus implying that it was no longer enough for parties to comply the quota by 'reserving' extra candidacies for female candidates but not recruiting women to fill them. This change gave way for non-legislative actors to intervene more directly in 2010; by ruling that party lists that did not include at least 30 percent of female candidates would not be registered, the electoral tribunal stipulated electoral sanctions for political parties that did not comply with the quota.

In Mexico, the actions of the judiciary were even more emphatic in addressing policy loopholes. Mexican political parties had been avoiding gender quota compliance in two ways: firstly, by selecting candidates via party primaries, thus forgoing the need to respect the quota, and second by electing women who, upon election, would step-down and be replaced by men (*Juanitas*, as they became known). In 2011, Mexico's electoral court ruled that neither tactic could be used to avoid the gender quota, closing the loopholes that for years challenged the implementation of the Mexican quota law. Finally, in Venezuela, the original quota repealed by the constitutional court in 2000, was replaced by an 11-points stronger one enacted via a judicial ruling of the Venezuelan electoral tribunal in 2005. Through legislative means, Panama and Ecuador were also able to strengthen the policy designs of their original quota policies. Nevertheless, it took Panama two policy revisions through the legislature to strengthen its original policy by only three points on the IGQS scale—resulting in what is today one of the weakest gender quota policies in the region. Ecuador, on the other hand, managed to extensively revise its original quota, increasing its

policy strength from seven to 18 in just two years, a process done as part of the country's efforts to establish general election laws in 2000.[28]

Not only have their revisions been more encompassing, but non-legislative actors have also been quicker to address weaknesses and/or loopholes in gender quota designs than legislative actors. While revisions enacted by legislative actors have taken an average of 5.88 years to take place, revisions by non-legislative actors have happened on average within 3.5 years of an earlier policy. Delays to act can have real consequences for quota policy design. This can be illustrated by many cases, Honduras being the most obvious. Honduras first adopted a gender quota in 2000, scoring 12 on the IGQS scale. It then enacted its first reform in 2004, weakening the design of its original policy by decreasing the quota size requirement from 50 percent to be reached gradually to 30 percent and by getting rid of its ranking system. Its subsequent reform, concluded by the legislature in 2012, repaired what had been lost in 2004 and produced a quota 5 points stronger than the original design established in 2000. In sum, through legislative revisions, it took 12 years for Honduras to strengthen its policy design by five points. The Peruvian gender quota, originally adopted in 1997 with a score of nine, has undergone two legislative reforms, one in 2000 and another in 2003; in the course of six years the policy was strengthened by five points, but policy developments have stalled ever since, making the Peruvian quota comparatively weak by current standards.

By descriptively comparing the overall strength of gender quota policies and its five individual components, this section finds support for the proposition that legislators perceive gender quotas as threatening. This conclusion derives from the following observations: firstly, policy revisions carried out by non-legislative actors are, on average, stronger than those enacted by legislative actors for three of the five components of the IGQS, even though the latter has been the most frequent; second, non-legislative actors respond more rapidly to policy weaknesses than their legislative counterparts. Furthermore it is likely that my findings actually undermine the efforts of non-legislative actors, as my empirical analysis cannot fully grasp their impact: their role also extends to, among other things, publishing policy recommendations, drafting and presenting bills to the legislature, providing expertise to legislative actors, and granting constitutional legitimacy to the status of quota laws.

[28] Note that quota policies originally drafted by non-legislative actors have also been strong. The original parity law enacted by executive order (Decreto No 29-2010) in Nicaragua in 2010 scored 11 on the IGQS scale, while the Venezuelan quota enacted by the electoral court in 2005 (CNE Resolución No 050401-179) scored 17. Given that non-legislative intervention has only led to the adoption of original gender quotas twice, I do not discuss this aspect at length.

6.4. INDIVIDUAL CAREERS IN THE COLLECTIVE: ANTICIPATED OUTCOMES?

Although quota policies have been strengthened by non-legislative actors, the overwhelming majority of quota legislation is still discussed and adopted in congressional rooms. This goes against traditional rational choice assumptions that incumbents will seek to protect their seats. In this section, I assess the third condition outlined in my IMA framework: that incumbents' level of resistance towards the adoption of strong gender quotas varies in accordance to their respective levels of political ambition and electoral security. This, I contend, renders the variation in the strength of gender quota designs that can be observed at the aggregate-level. In the current section, I test this preposition by employing a number of regression strategies for two dependent variables, the *IGQS* and *adoption*.

First, I use generalized estimating equations (GEE), with a Gaussian family, an identity link and an independent correlation to specify the models in which I use the IGQS as my dependent variable. This is a more appropriate model than a traditional ordinary least squares (OLS) model given the values of my indicator of gender quota designs are not normally distributed, as confirmed by residual tests, thus not complying with one of the assumptions of OLS. When I assess the best transformation schemes using the ladder of powers (and skewness tests for normality),[29] I find that identity is the best option for normalizing the data. Furthermore, the GEE option also corrects for the fact that the data employed are unevenly distributed panel data.

Then, I use a binary measure of presence of gender quotas and logistical models to explore gender quota adoptions. I employ binary logistical models. At this stage, I expect exogenous factors, such as level of development, pressure groups, and diffusion, as well as district magnitude and the presence of female legislators, to be stronger explanations of the variance. Since I employ panel data clustered by countries, which are likely to be group-based heteroskedastic, I correct standard errors by applying cluster-robust variances.[30]

In this section, I assess the third condition established in my IMA framework and finally test whether incumbents act on their calculation of political ambition, impacting the strength of gender quota designs. I do this in three steps: firstly, by assessing the explanatory power of my

---

[29] See Appendix B.

[30] Given that some variables are country-fixed I do not apply fixed-effects. In any case, given the panel characteristics of my data, and the lack of sufficient variance within country clusters, estimating the model with fixed effects has not proven possible. Substantial data variance within clusters is one of the necessary conditions, posed by Allison, for successfully conducting fixed effects logit models. Since many of my variables measure electoral institutional variables, which vary, although not frequently, within country clusters, estimating the model with fixed effects becomes unfeasible. Allison, Paul. 2005. *Fixed Effects Regression Methods for Longitudinal Data Using SAS*. Cary: SAS Institute.

independent variables when applied to gender quota designs, then to gender quota adoptions, and finally to models that conceive that the strength of designs and adoptions are interrelated and part of the same processes.

6.4.1. ASSESSING THE DETERMINANTS OF GENDER QUOTA DESIGN

In this first step, I test the following hypotheses (outlined in Chapter 3): political ambition is negatively associated with the strength of gender quota designs (H1A); and, levels of electoral security are positively associated with strong gender quota designs (H1B).

The theory used in this work is dynamic; it is based on the notion that the choices of professional legislators are bound not only by their calculations of electoral security, but also by the institutional restraints of the electoral systems they act within—including the existence of gender quota laws. As such, this chapter seeks to cover not only the aggregate behaviour of legislators towards first time gender quota adoptions, but also their aggregate choices on amendments responsible for changing the strengths of gender quota designs. I capture the dynamism of the model by including a lagged dependent variable in my models predicting the strength of gender quota designs.[31]

I present five models estimations: a complete model with all variables and controls that does not include a lagged dependent variable; a complete model with a lagged dependent variable; as well as a model restricted to measures of institutional configurations that impact political ambition and controls; another with proxies for benefits that motivate political ambition; and, finally, a model restricted to measures for electoral security. Table 6.6 summarises my findings.

Two of my five measures for alternative explanations received consistent empirical support. My proxy for socio-economic theories, *HDI*, produced mostly positive signs, as expected, albeit the variable did not yield statistically significant coefficients in any of my models. *Women in civil society*, my proxy for pressure group theories, also produced positive statistically insignificant coefficients in all but one model. My measure for diffusion yielded positive and statistically significant coefficients throughout. For my complete model 1, an increase from the lowest value of diffusion, 0, to the highest value of diffusion, 0.888, is associated with an increase of 6.248 on the scale of IGQS (from 0.868 to 7.116).[32] Yet, this partly captures the effect of the lagged variable; the significantly smaller coefficient size produced by this variable in model 2 supports this. This

[31] This is not feasible in my logistical models, given that a lagged dependent variable for adoption would predict it perfectly. The variable, of course, explains much of the variation of the DV. As such, I only include the variable for robustness purposes, but exclude it from the majority of my models.

[32] Holding interval and continuous variables at their means and binary variables at their reference points.

finding matches previous scholarship on the spread of gender quotas in the region. The variable also indirectly captures the passage of time. This is in line with my earlier observations (in Chapter 5 about the strengthening of gender quotas designs over time.

District magnitude and *female legislators* were used to operationalise alternative explanations that also have a role in my theory. Scholars that emphasise institutional fit to explain the adoption of gender quotas, often refer to single or low district magnitudes as impediments to the policy. The direct effect of district magnitude on electoral security is not clear-cut. On the one hand, women's candidacies could be more diluted in high magnitude districts, thus posing lower threats to incumbents; on the other hand, competition for seats may also increase in high DMs, thus making legislators more electorally insecure.[33] The positive coefficients produced in all of my models are thus more aligned with the first argument, which is the one most often defended by gender scholars. Nonetheless, the substantive effects are not very large. An increase from the lowest value of DM, 1.64, to 18.63 (the variable's value for the 95th percentile of the distribution)[34] is associated with a small increase on the scale of IGQS from 3.774 to 4.712.

Unsurprisingly, my measure for the role of endogenous pressures from female legislators also yielded statistically significant coefficients for all, except one, of my models. This is consistent with my predictions as well as that of the existing literature. Gender quota scholars often emphasise the cross-partisan efforts of female legislators in pushing for the adoption of quotas. From an endogenous institutionalist perspective, I also expected the variable to have a positive effect on the strength of gender quota designs, as the presence of existing female elites would decrease the threat of displacement a quota would pose to male incumbents. The variable produces sizable substantive effects: an increase in *female legislators* from its minimum value of 0 to its highest value of 0.400 is associated with an increase on the scale of IGQS from 1.768 to 6.868. Yet, the variable loses statistical significance and changes sign in model 2, which includes the lagged dependent variable. This suggests that the effect of the variable is endogenous and is not capturing the role of female legislators in pressuring for gender quotas, but, instead, the effect of an effective gender quota already being in place in a given system. Thus, the effects of this variable should be interpreted cautiously.

[33] This is not always the case, however, as is illustrated in Chapter 7. The size of Brazilian sub-national legislators is only weakly and not statistically significantly correlated with competition for seats.
[34] This thus exclude an estimation with DM in Peru, with value 120.

Table 6.6. Determinants of the strength of gender quota designs

	GEE, DV: IGQS				
	Complete **Model 1**	Complete **Model 2**	Career Options **Model 3**	Benefits of Office **Model 4**	Electoral Security **Model 5**
Ease of Re-election	2.150*	0.562	-1.032		
	(1.157)	(1.005)	(1.237)		
Political Opportunities	-3.642**	-1.916	-3.206*		
	(1.508)	(1.300)	(1.766)		
Strength of Committees	-3.424**	-2.781**		-5.422***	
	(1.411)	(1.197)		(1.560)	
Legislative Corruption	1.452**	0.976*		0.947	
	(0.680)	(0.580)		(0.772)	
Re-election Rates	-15.994***	-6.927***			-15.125***
	(2.712)	(2.631)			(2.502)
Party Volatility	-5.487*	-2.337			-4.776*
	(2.855)	(2.457)			(2.861)
HDI	0.296	-1.923	1.029	2.523	-1.443
	(7.158)	(6.065)	(7.373)	(7.557)	(6.100)
Women in Civil Society	5.045**	2.251	2.938	2.315	3.563
	(2.565)	(2.207)	(3.001)	(2.761)	(2.551)
Diffusion	7.809***	4.071***	5.643***	5.202***	7.800***
	(1.506)	(1.381)	(1.697)	(1.565)	(1.505)
District Magnitude	0.059**	0.054**	0.044	0.050*	0.069***
	(0.025)	(0.021)	(0.028)	(0.027)	(0.026)
Female Legislators	12.749**	-0.900	22.717***	27.670***	14.559**
	(5.632)	(5.146)	(6.179)	(5.760)	(5.658)
Lagged IGQS		0.606***			
		(0.086)			
Constant	8.636*	9.137**	-0.885	8.708	3.830
	(4.490)	(3.800)	(3.950)	(4.756)	(3.359)
Chi-squared	1845.900	1321.870	2576.580	2433.560	2064.210
N	125	125	125	125	125

Note: Compiled by author. T-statistics in parentheses, * p<0.10, ** p<0.05, *** p<0.01

In sum, *diffusion*, *district magnitude* and *female legislators* were the only proxies for alternative theories that yielded statistically significant coefficients throughout. Yet, the substantive effects of diffusion and female legislators were partly if not entirely endogenous, something that is captured in model 2; while the substantive effects of district magnitude did not capture endogeneity but were less significantly sizable. The low level of explanatory power provided by proxies of alternative explanations indicate that the strength of gender quota design may not result from the processes and pressures most commonly identified in the literature. In sum, alternative explanations do not seem to be enough to explain variations in gender quota designs.

I also tested seven proxies for my prospect theory-based argument divided into three brackets: 1) institutional career options, 2) benefits of legislative office (both of which I understand as functions of political ambition), and 3) electoral security. I employed the variables *ease of re-*

election and *political opportunities* to capture the first, and the variables *strength of committees* and *legislative corruption* to capture the latter. I also employed two variables, *re-election rates* and *party volatility,* as proxies for electoral security. Each one of these variables was included in three of the five models in Table 6.6. *Ease of re-election* produced coefficients of mixed signs and only one statistically significant coefficient, at the 10-percent level. My second proxy for career options, *political opportunities*, produced coefficients with the opposite expected sign; coefficients for the variable were also statistically significant in two of my models. In sum, my institutional measures for career options provide no or contradicting support to my expectations. Yet, given that these variables are largely fixed per country, this could be the result of them capturing fixed country effects.

Both of my proxies for the benefits of legislative office produced the anticipated coefficients. *Strength of committees* produced statistically significant coefficients for all three models and *legislative corruption* produced significant coefficients for two models. The consistent signs and strength of statistical significance provide strong support for the notion that these variables are correlated with the strength of gender quota designs in the predicted ways. Considering outputs for model 1 and holding all other variables at their means or reference categories, an increase on the scale of *strength of committees* from its minimum value of 1.589 to its maximum value of 2.928 is associated with a decrease of roughly four points on the scale of the IGQS, from 6.694 to 2.404. Conversely, an increase in legislative corruption from 0.398 to 3.674 (meaning *less* corruption) is associated with an increase on the scale of IGQS from 2.519 to 7.166, almost five points. This means that legislatures that are more corrupt are likelier to adopt gender quotas with weaker designs. These findings suggest that the benefits of office are a consideration in legislators' political ambition calculations—and that the higher the benefits of office, the weaker the strength of gender quota policies.

Both of my measures of electoral security, *re-election rates* and *party volatility*, produced negative coefficients, although I only expected one of them to do so. *Re-election rates* produced statistically significant coefficients in two of my models, although the sign of the relationship it suggests, negative, is the opposite than that anticipated in my theory. As a measure of electoral security *re-election rates* measures the level of success or failure of incumbents in securing the goal of staying in legislative office. Thus, I anticipated that higher rates of re-election, indicative of higher electoral security, would be positively associated with greater strength of gender quota designs—given that those with higher levels of electoral security are less likely to be threatened by gender quotas. Nonetheless, as I explore in my case study chapters, high rates of incumbent re-election may mask dynamics of electoral processes that would be drastically disturbed by the introduction of a gender quota. My measure of *party volatility* produced coefficients significant at

the 10-percent level in two of my models. An increase in volatility from its lowest (0.042) to highest (0.690) values, is associated with a decrease of roughly three points on the scale of IGQS, from 5.333 to 2.041. This suggests that not only individual-level electoral security, but also party-level dynamics matter for the strength of gender quota designs.

As expected, given the mismatch between the level of theoretical foundations and empirical analysis, my findings are not clear-cut: proxies for legislative benefits of office do seem to have the expected effects on the strength of gender quota designs, but the impacts of *ease of re-election*, *political opportunities*, and *re-election rates* are not as initially anticipated, and the effects of political ambition and electoral security are thus not well established. As anticipated, however, the effects of proxies for alternative explanations are less substantively significant in determining the strength of gender quota designs, than proxies for legislative benefits. This is consistent with my argument that variation in strength of gender quota policies is endogenous to the career calculations of incumbents, and that this can be observed at the aggregate-level. This is further explored in the next section.

6.4.2. ASSESSING THE DETERMINANTS OF GENDER QUOTA ADOPTION

In regards to gender quota adoption, I test the following two hypotheses: political ambition is inversely associated with gender quota adoption (H1C); and, levels of electoral security are positively associated with strong gender quota designs (H1D). I expect legislatures where political ambition is high to be negatively associated with the adoption of gender quota, and, in consequence, to raise the threshold for the policy. Nonetheless, I also anticipate that legislatures dominated by electorally insecure legislators to be *more* likely to support the adoption of gender quotas than those where political ambition is high. This is the core of my prospect theory-based argument: threatened by the policy but pressured to adopt it, legislators would engage in the risky behaviour of considering gender quota bills, weakening the proposals, and then adopting them—in order to cut their future losses. At the adoption stage, there are several intervening factors that may matter. As such, I expect my proxies for political ambition and electoral security to be less relevant predictors of gender quota adoption than of the strength of gender quota designs, and proxies for alternative explanations to be the most prominent. Table 6.7 summarises my findings.

As anticipated, four of my five proxies for alternative explanations produce statistically significant coefficients in at least one of the models of gender quota adoption. Besides *diffusion* and *district magnitude*, which continue to be the most consistent explanatory variables among my proxies for alternative explanations, *HDI* also produced positive and statistically significant coefficients

for three of my models, while *female legislators* produced positive and statistically significant coefficients for one of the models.

Theories based on socio-economic development are contradictory in their expectations of the ways in which levels of development associate with the adoption of gender quotas. My results suggest that levels of development positively associate with quota adoption—and that socio-economic development might be more relevant to the adoption than to the strength of gender quota designs. As per my complete model, model 6, an increase on the scale of HDI from its lowest (0.456) to highest (0.833) values is associated with an increase in the likelihood of adoption from 0.48 to 86.98 percent.

Diffusion also produced a positive, statistically significant coefficient across my models, suggesting that the spread of gender quotas in the region is an important predictor of subsequent adoptions. The effect is also substantive and the probability of gender quota adoption is predicted to increase from 5.39 percent to 71.40 percent as diffusion increases from 0 to 0.888.

As expected, higher average district magnitudes associate with the increasing probability of adopting gender quotas. This is not only in line with theories of institutional incongruence, but also with my argument that in systems with higher district magnitude, women's candidacies may be more diluted and campaigns more expensive, thus making incumbents more secure—in which case I expect systems of lower average district magnitude with incumbents that are more electorally insecure to be more likely to adopt gender quotas. As *district magnitude* increases from 1.640 to 18.63, the likelihood of quota adoption increases from 2.79 percent to 96.59 percent.

Although *female legislators* did not produce a statistically significant coefficient in my complete model, it did produce statistically significant results in two of my partial models. In these models, the substantive effects of the variable are significantly sizeable. This supports studies on gender quotas that highlight the presence of female legislators as providing endogenous pressures for gender quota adoption—however, the inconsistency of the statistical significance of the variable implies that this might not be the most relevant predictor of quota adoption.

Among my proxies for career options, *ease of re-election* was only significant in my complete model, while *political opportunities* was not significant in either model. The variables also maintained the opposite signs of that predicted. Neither one of my proxies for benefits of office produced statistically significant coefficients, with *legislative corruption* producing coefficients with the opposite predicted sign.

Table 6.7. Determinants of gender quota adoption

	Logit, DV: Quota Adoption			
	Complete	Career Options	Benefits of Office	Electoral Security
	Model 6	**Model 7**	**Model 8**	**Model 9**
Ease of Re-election	2.439***	0.111		
	(0.888)	(1.087)		
Political Opportunities	-1.153	-1.275		
	(2.227)	(2.072)		
Strength of Committees	-0.781		-0.961	
	(1.446)		(1.425)	
Legislative Corruption	-0.282		-0.792	
	(0.509)		(0.506)	
Re-election Rates	-14.285***			-13.217***
	(3.288)			(2.727)
Party Volatility	-5.799			-5.101
	(3.538)			(3.350)
HDI	24.089***	9.543	15.661***	16.280***
	(5.481)	(7.252)	(5.266)	(4.016)
Women in Civil Society	2.319	1.261	0.478	2.653
	(2.046)	(2.511)	(2.019)	(1.795)
Diffusion	4.724***	1.867*	1.707	5.370***
	(1.413)	(1.062)	(1.158)	(1.255)
District Magnitude	0.431***	0.160**	0.232***	0.414***
	(0.110)	(0.062)	(0.075)	(0.108)
Female Legislators	4.713	10.018**	11.110**	6.024
	(5.722)	(4.644)	(5.485)	(6.084)
Constant	-15.623***	-9.453**	-9.997**	-12.419***
	(4.068)	(4.309)	(4.106)	(3.088)
Pseudo R-squared	0.599	0.377	0.410	0.564
N	125	125	125	125

Note: Compiled by author. T-statistics in parentheses, * p<0.10, ** p<0.05, *** p<0.0.

Of my measures of electoral security, only one produced statistically significant results, meaning that, it is the only of the seven proxies for my theory that receive empirical support—a considerable contrast with findings reported in Table 6.6. I find my measure of *re-election rates* to be negative and statistically significant across both of my models. This was my anticipated result. High re-election rates suggest high levels of electoral security. As outlined in my prospect theory-based framework, I expected that the more electorally insecure incumbents are the more likely they would be to pre-emptively act to diminish their potential future costs, and thus the more likely it would be they adopt a gender quota. This is precisely what the negative coefficients predict. The predicted effects of the variable are also substantially sizeable: an increase in re-election rates from 0.032 to 0.703 is associated with a decreased likelihood of adoption from 93.63 percent to 0.27 percent.

All in all, the findings summarised in Table 6.7 provide partial overall support for my theory. On the one hand, proxies for alternative theories produced the consistent expected coefficients. As anticipated, proxies for these alternative theories were also more relevant to explaining gender quota adoption than they were to explaining gender quota designs. Meanwhile my proxies for political ambition all yielded insignificant coefficients. Yet, re-election rates expectedly produced negative coefficients that are consistently statistically significant and that provide the largest substantive effects.

The evidence supporting my theory is stronger than anticipated. I contended that my proxies for costs of political ambition and electoral security would be better predictors of the strength of gender quota designs, but I found a proxy of my endogenous theory to be consistently statistically significant and the most sizably substantive predictor of adoption across my models. The reliability of these findings is confirmed in a number of robustness checks (see Table 6.8). As such, my prospect theoretical assumptions do seem plausible, and electoral security does seem particularly relevant to the study of gender quota adoptions.

This initial test already suggests that my prospect theoretical framework may have important implications relevant to the literature. Nonetheless, the models discussed make no connections between the strength of gender quota designs and gender quota adoptions, even though they are part of the same processes—and their interrelation is an important component of my theory. The next section begins to tackle this.

Table 6.8. Summary of results

	DV: IGQS									DV: Adoption						
	Sign	M1	M2	M3	M4	M5	1991	Original	FE	**Sign**	M6	M7	M8	M9	1991	Original
Ease of Re-election	–	+*	+	–			+	+*	+**	–	+***	+			+**	+**
Political Opportunities	–	–**	–	–*			–***	–	–***	–	–	–			–	–
Strength of Committees	–	–**	–**		–***		–***	–	–*	–	–		–		–	–
Legislative Corruption	+	+**	+*		+		+***	+	+*	+	–		–		–	+
Re-election Rates	+	–***	–***			–***	–***	–**	–***	–	–***			–***	–***	–**
Party Volatility	–	–*	–			–*	–**	–	–**	+	–			–	–	–
HDI	+	+	–	+	+	–	–	+	+	+	+***	+	+***	+***	+***	+***
Women in Civil Society	+	+**	+	+	+	+	+***	+	+	+	+	+	+	+	+	+
Diffusion	+	+***	+***	+***	+***	+***	+***	–		+	+***	+*	+	+***	+	+
District Magnitude	+	+**	+**	+	+*	+***	+**	+	+**	+	+***	+**	+***	+***	+**	+***
Female Legislators	+	+**	–	+***	+***	+**	+*	+	+**	+	+	+	+**	+	+	+
Lagged IGQS			+***													

Note: Compiled by author. T-statistics, * p<0.10, ** p<0.05, *** p<0.0. ‘ Sign’ refers to the hypothesised sign for each variable. Models reported in this chapter are numbered and are here referred to as M1, M2, and so on. Columns labelled ‘ 1991’ pertain to robustness checks with reduced sample of observations starting in the year 1991; those labelled ‘ original’ refer to robustness checks with sample reduced to original adoption only; and the column labelled ‘ FE’ pertains to robustness check that account for fixed effects of time.

6.4.3. DESIGN AND ADOPTION IN A TWO-STEP PROCESS

Strength of designs and adoption are obviously connected as steps of the same process. Previously, when I applied my prospect theory framework to estimating the presence of gender quotas and the strength of gender quota designs, I found that my expectations are plausible. Given that I estimated separate models for variables that are essentially different steps of the same process, I did not untangle the relationship between the two dependent variables themselves however. Based on the steps of the legislative process I outlined in Chapter 3, the drafting of gender quota designs *precedes* the adoption of gender quota policies, which, because they would incur lower potential future losses to incumbents, means that weaker gender quota designs would be more likely to be adopted than stronger gender quota designs.

Nonetheless, it is also unlikely that the steps of the legislative process are clearly defined. It is plausible that after giving into exogenous pressures legislators decide that they will adopt gender quotas and the decisions to adopt and weaken policy designs thus become intertwined. Modelling this statistically is not easy; not attempting to do so would leave my theory free from appropriate testing, however. Furthermore, my models on the strength of gender quotas may suffer from omitted variable biases that result from the non-adoption of quotas. Selectivity bias is a concern in my models because the strength of gender quotas is truncated (it equals zero) for all cases that have not adopted gender quotas. In other words, the lack of a gender quota does not allow for variation in the strength of gender quota designs. To correct for potential biases arising from model misspecifications, I employed a Heckman estimation.

The Heckman specification seeks to correct for potential biases arising from non-random selection of the sample in behavioural relationships. It does so by producing predicted probabilities that correct the biases generated when estimating by OLS and/or other methods that do not consider the truncation of a given dependent variable. As such, the Heckman model assesses the predicted probabilities of gender quota adoption, and then uses the values of predicted probabilities derived from this stage to predict the strength of gender quota designs. In other words, the Heckman model estimates how the variables tested so far impact the strength of gender quotas if the determinants of gender quota adoptions are first considered. Table 6.9 summarises my results.

Given the predictions of my theory, I would expect the coefficients for my electoral security measures to change sign in the second step of my model. Nonetheless, this was not the case for either one of my electoral security variables; this is likely a result of misspecification:

Heckman estimations assume sequencing. For Heckman, adoption is characterised as the first step and strength of design as the second step, when in my theoretical framework the opposite is the case.

Table 6.9. Two-step Heckman, gender quota adoption and design

	First-Step DV: Adoption	Second-Step DV: IGQS
Ease of Re-election	1.397**	-1.746
	(0.667)	(1.138)
Political Opportunities	-0.468	-4.073***
	(0.691)	(1.520)
Strength of Committees	-0.441	-8.954***
	(0.700)	(1.593)
Legislative Corruption	-0.215	3.527***
	(0.388)	(0.710)
Re-election Rates	-7.825***	-4.882*
	(1.713)	(2.721)
Party Volatility	-2.955*	-2.418
	(1.691)	(2.737)
HDI	13.665***	
	(4.093)	
Women in Civil Society	1.142	
	(1.398)	
Diffusion	2.485***	
	(0.873)	
District Magnitude	0.238***	
	(0.062)	
Female Legislators	2.963	
	(4.087)	
Constant	-8.795***	33.595***
	(2.600)	(3.984)
Wald Chi-squared	56.93	
N	125	

Note: Compiled by author. T-statistics in parentheses, † p<0.10, * p<0.05, ** p<0.01, *** p<0.001

Noticeably three of the proxies for alternative explanations produce statistically significant coefficients in the first-step of the model, *HDI*, *diffusion*, and *district magnitude*. This confirms the consistency of effects of the last two variables, which have yielded the expected statistically significant coefficients for the overwhelming majority of my model specifications.

Among the proxies of my theory, *strength of committees* and *legislative corruption* remain the ones that produce the expected and statistically significant coefficients. *Re-election rates* also produces the expected results in the first-step of the model; the sign of the coefficients for this variable are opposite to that anticipated in the second-step, however. *Ease of re-election* produces a statistically significant, positive coefficient in the first-step, contrary to my expectations, but consistent with my previous models. The variable changes sign and produces the expected coefficient for the

second-step of the model, but the coefficient is not statistically significant. *Political opportunities* does produce a statistically significant coefficient, but with a sign that is contrary to my expectations.

The sequencing imposed by the Heckman specification is opposite to my theoretical framework. Yet, the Heckman model provides further support for the notion that the calculations of incumbents in regards to their levels of political ambition and electoral security are crucial components of explanation for gender quota adoption and variation in policy designs. Model outputs also suggest that analyses that consider gender quota designs and adoption as part of the same process might be able to better capture the nuanced effects of parallel effects. This is the strategy employed throughout my case study chapters.

6.5. CONCLUSION

In this chapter, I began to explore whether applying a prospect theory framework to explaining the strength of gender quota designs and gender quota adoption is plausible. Given that my theory is primarily a theory of individuals and that my empirical analyses were operationalised at the aggregate (legislature) level, I expected this to be a weak test of the theory primarily intended to assess the plausibility of my assumptions and their potential consequences to the aggregate-level.

To do so, I applied my IMA framework to tackle the analysis in three stages. By comparing the institutional frameworks in place across Latin America in the first, I showed that career options and the benefits of legislative office vary considerably across the region, thus providing fruitful ground for evaluating whether variation in the strength of gender quota designs across the region is due to distinct levels of political ambition. Secondly, by surveying quota designs in the region I found that non-legislative actors have been crucial to addressing weaknesses in gender quota designs instituted by legislative actors. Finally, by employing regression estimates, I found that proxies for political ambition and electoral security significantly correlate with the strength of gender quota designs and the likelihood of gender quota adoptions as anticipated by my theory.

Because this thesis is concerned with the actions of legislative actors, the statistical tests I conducted in section 6.4 restricted the data to gender quota designs adopted through legislative means. Cases in which gender quotas were revised by executive or judicial actors were only reflected in the dataset through values of the lagged IGQS, which included the strength of revisions enacted through non-legislative means, as subsequent legislative changes reflected amendments to policies revised by other branches as well. This means that my findings could in fact overemphasise the role of legislators in these processes—if not for the interference of non-

legislative actors the resistance of male incumbents could have consequences to gender quota designs that are more negatively drastic.

Two main questions thus arise: firstly, do my aggregate-level findings hold at the level of the individual?; and, secondly, what causal mechanisms are in place during the steps of the legislative process analysed that link gender quota designs and gender quota adoptions? Chapter 7 aims at answering the first, while Chapters 8 through 10 seek to tackle the latter.

CHAPTER 7

INSECURE MEN

INDIVIDUAL CALCULATIONS AND GENDER QUOTAS

Isolating the preferences or behaviours of individual legislators is a difficult task, which may explain the lack of studies in this area. For instance, male legislators may be hesitant to admit that their individual career interests shaped their preferences in regards to gender quotas, and may use ideology or values to justify their positions. Given that legislators act within parties, party directives and partisanship may also mask the opinions and preferences of individual legislators. Disaggregating individual preference may, thus, be particularly difficult in party-centric system where loyalty is high and legislators vote according to party lines, or where drafting of legislation takes place largely behind closed doors. This means that the goals, calculations, and individual preferences of legislators are partially unobservable and occur in circumstances in which individuals are unlikely to be candid and to openly state their preferences.

To test my argument that incumbents design weak gender quotas when their career ambitions are threatened in, this chapter combines demographic and biographical data from the Brazilian *Tribunal Superior Electoral* (Superior Electoral Tribunal – TSE) with existing datasets and data collected through an original elite survey with Brazilian state legislators to analyse the stated preference of legislators. In other words, I more directly test my argument that gender quotas align with the preferences of male legislators not because quotas are adopted, but because their designs reflect the level of threat posed to incumbents in a given system. This chapter thus complements Chapter 6 by testing my theory at a different level of analysis, before engaging in in-depth analyses of specific case studies. In doing so, I hope to uncover evidence to improve the likelihood of my argument holding.

Following my previously detailed research strategy of IMA, my argument is tested in three steps. Given that the main goal of this chapter is to verify that the micro-foundations of my theory are indeed at work, greater emphasis is put into the third stage of my framework. I briefly go over my first and second conditions to show that my assumptions are also at play at this level of analysis and that they apply to the population of sub-national legislators, but I dedicate most of this chapter to the ways in which measures of political ambition, both non-objective and objective, and electoral security explain individual preferences for gender quota design.

I find that all my conditions hold at the micro-level: incumbents' responses point to legislative seats being indeed highly desirable. An assessment of objective measures of electoral security suggests gender quotas have the potential to threaten the career plans of legislators; and quantitative analyses show that it is plausible to argue that incumbents' behaviour is moved by prospect theoretical assumptions. That is, gender quotas place legislators into the domain of losses and endogenous conditions, more specifically levels of ambition and competition for seats, shape legislators' preferences for weaker gender quota design.

This chapter proceeds as follows: section 7.1 describes the data collection process and outlines the operationalisation of the variables employed. To assess the claim that legislative seats are the political goal incumbents most commonly seek I rely on descriptive statistics with primary data and secondary literature and report on this in section 7.2. To test the second condition defined in my IMA framework I employ data from the TSE and survey responses, and report on this in section 7.3. In section 7.4, I investigate whether political ambition and electoral security are associated with individual's preferences on the strength of gender quota designs. And finally, a concluding summary of the contribution this chapter makes to the testing of my theory is presented in section 7.5.

7.1. DATA COLLECTION

The targeted population under analysis in this chapter is Brazilian state legislators. As explained in Chapter 4, this choice was made with concern for internal and external validity foremost, including keeping important institutional incentives constant, while providing variation across independent variables that is comparable to levels of variation throughout the region. Another benefit of analysing this population is that a considerable amount of reliable data on the demographic and biographical characteristics of the relevant individual legislators is readily available from the official records of the TSE.

Besides data retrieved from official records, the chapter relies on existing datasets and, mainly, on my original survey data. The survey was conducted during the months of October 2015 and February 2016 through the online platform *Lime Survey*. The target population of all Brazilian state legislators who took office in January 2015 totalled 1,064 in number. Roughly 10 percent of the population responded, meaning that the number of observations for analysis is 101.[1] Sections 7.1.1 and 7.1.2 detail the variables employed and their respective sources.

[1] This low response rate (10 percent) is likely a consequence of the survey being on the field at a time of deep political crisis in Brazil.

7.1.1. INDEPENDENT VARIABLES

As with analyses conducted in Chapter 6, this chapter seeks to not only understand the explanatory power of variables associated with my main theory, but also to integrate this with existing alternative explanations: namely socio-economic development theory; pressure group theory; diffusion; institutional incongruence; and the presence of female legislators. Given that the survey reached a population of legislators within a single country, it did not make sense to include tests for diffusion-based explanations, but my analysis employs proxies for all other alternative theories. Wherever possible, I employ proxies that are equivalent to those used in my cross-sectional analyses (from Chapter 6) as a means of making my findings comparable throughout the thesis.

As a control for theories based on levels of socio-economic development I employ sub-national values of the Human Development Index, compiled by the United Nations Development Programme (UNDP). This variable, *HDI*, was coded using the latest (2010) data for Brazil's 27 federal units.[2] Development-based theories suggest that gender egalitarian values are more pronounced in societies with higher levels of human development and in which men and women have similar educational, professional and resource-related opportunities. I thus expect *HDI* to positively associate with preference for strong gender quota design. Across my cases, the variable ranges from 0.631 to 0.824 and has a mean of 0.731. This variable is fixed by state.

I use a measure of legislators' left-right ideological placement to account for the role of pressure groups. A direct measure for the level of civil society pressure for gender quotas is inexistent at this level of analysis. Nonetheless, I allow that placement in the spectrum of left-right political ideology is a plausible proxy for legislators' constituencies, and, thus, for the level of pressure to which legislators may be exposed from relevant interest groups. Women's groups are most often associated with left-wing politicians and, as such, are more part of the constituency of left-wing politicians than of those in the right. This means women's groups and feminist demands may be more relevant to left-wing politicians. Thus, I expect those in the left to be more likely to support strong gender quota designs as not doing so could cost them the electoral support of key groups. Self-identification on the left-right scale is unlikely to be a good proxy for pressure groups. Various studies confirm Brazilian politicians have a tendency of placing themselves to the left of their party ideology, a pattern called '*direita envergonhada*' (ashamed right) by Power and Zucco.[3] Given this tendency a measure of left-right ideology based on self-placement would likely

---

[2] For more information: United Nations Development Programme. 2016. 'Human Development Index (HDI)'. *Hdr.undp.org*. http://hdr.undp.org/en/content/human-development-index-hdi.

[3] Power, Timothy, and Cesar Zucco Jr. 2012. 'Elite Preferences in a Consolidating Democracy: The Brazilian Legislative Surveys, 1990– 2009'. *Latin American Politics and Society*. 54 (4): 1–27.

underestimate the role of pressure groups. A more reliable alternative is to employ Power's and Zucco's index of ideological placements for Brazilian political parties. The variable, here called *left-right placement*, ranges from -1.657 to 1.945 and has a mean of 0.358, with negative values representing left-wing parties and right-wing parties taking positive values. It is generated using survey data responses collected in the Brazilian Legislative Surveys (BLS) and is a rescaled measure calculated using the mean score of a given party as provided by legislators who do not belong to that party.[4] Data employed are from the most recent (2013) wave of the BLS.[5]

Seats to all state legislatures in Brazil are distributed in accordance with the electoral system of open-list proportional representation. However, the number of seats in each state legislature varies considerably. As a control for institutional incongruence theories I employ the number of seats available in a respondents' respective legislative assembly (termed *seats in legislature*) as one of my variables. Based on institutional incongruence findings of the association between district magnitude and quotas, I expect this variable to positively correlate with respondents' preferences for strong quota designs. The variable ranges from 24 to 94 and is fixed by state.

To account for the presence of female legislators I use a measure of the proportion of women elected to the respondent's respective state legislature in the latest 2014 election. In Chapter 6, I justified the inclusion of a similar measure as a test for explanations that highlight the importance that female legislators have in pushing and negotiating for the adoption of gender quotas. In this chapter, the inclusion of the variable *female legislators* follows a different logic given that here I test my theory on sub-national legislators—actors who do not have the power to enact constitutional amendments, such as electoral reform. The proportion of women in a state legislature thus does not directly translate into a gauge of women's level of bargaining power; instead, the women in legislatures represent the space in legislatures that are already occupied by women. Given that in such scenarios as where women are legislators quotas would represent a lower threat to incumbents as fewer individuals would potentially be displaced by the policy, in respect to my theory, it is plausible to hypothesise that the higher proportions of women in a given legislature would positively associate with a higher strength of gender quota design. Based on this

---

[4] Ibid: 8.

[5] See: Power, Timothy, and Cesar Zucco Jr. 2009. 'Estimating Ideology of Brazilian Legislative parties, 1990–2005: A Research Communication'. *Latin American Research Review*. 44 (1): 218–246. Although all large parties are account for, scores for the PEN, PHS, PRB, PRP, PRTB, PSC, PSL, PTdoB, PTN, and PROS are not available. I generate scores for missing party placements based on parties' origins, membership and partners. For the PROS, the score is calculated as the average of scores of the PSB and PSD, parties from which the founding members of the PROS departed. All other parties with missing values are known to be clientelistic parties from the centre-right. For these parties, I assigned a score calculated as the average scores of similar parties, the PTB, PR, and PP. This is also a method employed in: Pereira, Carlos, Frederico Bertholini, and Eric Raile. 2014. 'All the President's Men and Women: Coalition Management Strategies and Governing Costs in a Multiparty Presidency'. *APSA 2014 Annual Meeting Paper*.

rationale, I expect the proportion of women in a given state legislature to positively associate with preferences for strong gender quota designs. Measured using data from the TSE this variable ranges from 0.042 to 0.208. This variable is fixed by state, meaning that all respondents from the same sub-national legislature were assigned the same value.

My measure of political ambition is derived from legislators' answer to a survey question about their short-term career plans. The question asked was: 'Do you have the intention to run for office again in the elections of 2016 or 2018? If so, for what office?'. It included the following possible answers: a) I do not have the intention of running for office in the 2016 or 2018 elections; b) In 2016, I have the intention of running for mayor/vice-mayor; c) In 2018, I have the intention of running again for State/District Deputy; d) In 2018, I have the intention of running for Federal Deputy; e) In 2018, I have the intention of running for Senator; f) In 2018, I have the intention of running for Governor/Vice-Governor and, g) I do not know/would rather not answer. Given that gender quotas in Brazil apply to legislative office only, I transform responses in a way that captures ambition to stay in legislature. As such, I assign a value of 0 to respondents with no ambition to run for office in 2018 or who stated their plans to run for executive offices; I assign a value of 1 to those with static ambition to stay in sub-national legislatures, and a value of 2 to those with the progressive ambition to run for national legislature the Chamber or the Senate.

I employed two variables of electoral security, *electoral capital* and *competition for seats*. I used raw data retrieved from the TSE to develop the variable *electoral capital* to measure and appropriately capture individual-level electoral security while still considering the performance of parties and or coalitions in the context of a given state. The measure conceptualises electoral security in terms of electoral performance and is calculated using three components of election results: an individual's nominally acquired votes (I); the number of votes gathered by the individual with the least number of votes elected by a given party or coalition (L); and, the electoral quota in the individual's respective state (QE) which happens to be the threshold to be surpassed for a party or coalition to be awarded one seat. Based on these three components I calculate electoral capital (EC) using the following formula:

$$\mathrm{EC} = \frac{(\mathrm{I} - \mathrm{L})}{(\mathrm{QE} - \mathrm{L})}$$

This measure was developed with many considerations in mind. One concern was to capture the electoral weight of individual electoral capital vis-à-vis party or coalition capital; or, in other words, to measure how much success in election is attributable to the candidate's own appeal

and how much is due to the appeal of the party or coalition of the candidate. The measure also allows for the calculation of electoral security for both, elected and unelected candidates.

Because of its design, values are easy to interpret: negative values correspond to candidates that were not elected, values between 0 and 1 correspond to candidates elected with the help of the votes of their parties or coalitions, and values above 1 correspond to candidates whose individual nominal votes, without party or coalition votes, suffice to elect them. To summarise: higher values of EC associate with higher levels electoral security. As such, I expect *electoral capital* to positively correlate with individual preference for strong gender quota design. Given that the population concerned only consists of successfully elected individuals, the variable only takes positive values; it ranges from 0 to 2.141 with a mean of 0.220.[6]

As in my aggregate-level chapter, I employ a measure of competition for seats as a second proxy for electoral security. I assume that the higher the level of competition faced by an individual the greater the level of electoral insecurity, and the more difficult it is to secure a seat. Using raw data from the TSE the variable *competition for seats* is calculated by dividing the number of candidates in a given state-race by the number of seats available in said race. Given the above assumption, I expect this variable to negatively associate with preference for strong gender quota design. The variable ranges from 6.75 to 40.79 and has a mean of 16.83. The variable is fixed by state.

Due to the anticipated unequal impact of gender quotas on female and male incumbents, I also expect men to be less likely to support strong gender quota design. Using data from TSE, I employ the binary measure *male*, in which 0 is the reference category and refers to female legislators and 1 to male legislators.

7.1.2. DEPENDENT VARIABLES

I employ three types of dependent variables, for each stage of my IMA framework. To assess whether legislative office is valuable to incumbents, I first employed the variable *political ambition*. In the second stage of IMA, I tested whether quotas have the potential to threaten incumbents' career plans. For this analysis, I employed my measures of electoral security: *electoral capital* and *competition for seats*. Finally, in the third stage of analysis, I investigated whether legislators' individual levels of political ambition and electoral security associate with their preference on gender quota design by measuring respondents' preference on the policy's

[6] The range and mean pertain to sampling and not population distributions.

characteristics. To assess this I considered responses from three survey questions that together covered all the components included in the IGQS.[7] The questions used are outlined below:[8]

a) In your opinion, what percentage of the list of candidates should be reserved for women?

- *There should not be places reserved for women in lists of candidates.*
- *No more than 20 percent of places in the list of candidates should be reserved for women.*
- *Between 20 percent and 30 percent of places in the list of candidates should be reserved for women.*
- *Between 30 percent and 40 percent of places in the list of candidates should be reserved for women.*
- *Fifty percent of places in the list of candidates should be reserved for women.*

b) About the implementation of a gender quota in Brazil, do you agree or disagree with a gender quota for what political spheres? (Mark all that apply).

- *The gender quota should be applied to the municipal legislatures.*
- *The gender quota should be applied to the state legislatures.*
- *The gender quota should be applied to the Chamber of Deputies.*
- *The gender quota should be applied to the Senate.*
- *The gender quota should be applied to partisan leadership.*

c) Now, thinking about specific aspects of a gender quota, with which aspects listed below do you agree or disagree? (Completely agree, Partially agree, Partially disagree, Disagree).

- *In closed-list systems, the gender quota should establish that women occupy at least one of the first names on the list.*
- *There should not be sanctions/punishments for parties that disrespect the law.*
- *In cases of non-compliance with the law, parties should pay a pre-established fee.*
- *In cases of non-compliance with the law, electoral tribunals should reject party lists.*

[7] Developed in Chapter 5 and employed in the analysis in Chapter 6.
[8] Full survey scripts are available upon request and not included in the appendix due to length restrictions.

- *The gender quota should be maintained for an unlimited period, until the proportions of women and men in politics is balanced.*

I assigned values 0-4 for answers to a) and 1-4 for answers to questions b) and c), with lowest values representing preferences for weaker designs. I then used respondents' answers to statements pertaining to the five components of the *IGQS*: size requirements; office applicability; placement mandates; compliance mechanisms; and, obstacles to implementation, and produced an additive index consistent with the *IGQS*, which I call *IGQS-survey*. Factor analysis confirmed that *IGQS-survey* is internally consistent and that its components all fall into one factor as indicated by a high scale reliability coefficient of 0.844; with factor loadings for all components that are above 0.669, and an Eigenvalue of 3.118. I am thus confident in employing this combined measure instead of its separate individual components.

7.1.3. EXPERIMENTAL COMPONENT

I also used the survey as an opportunity to test the application of an experimental component to capture individuals' preferences on gender quota design when prompted to consider themselves into the domain of losses. Given prospect theory's origins in psychology, experiments have been the most common way of testing the predictions of the theory. Experimental designs have always held high status in causal inference: the increased application of survey experiments in the social sciences reflects scholars' trust in the capacity of survey experiments to adapt experimental design to platforms that can be easily applied to large target populations reached through various means (e.g., online, post, telephone). Survey experiments combine an important aspect of experiments—namely, the randomisation of treatments—with traditional survey design characteristics. In survey experiments a treatment group is generally given additional tasks or information that has the potential to influence respondents in their answers to subsequent questions. Due to randomisation, observed difference in response of treatment and control groups can confidently capture whether the effect of the stimulus given to half of those surveyed influenced their subsequent responses. With this embedded in the design, survey experiments allow researchers to quantify the impact of factors of individual decision-making that otherwise are unobservable.[9]

To include an experimental component to my elite survey, I randomly assigned legislators from each state into two groups: treatment and control. Of respondents, 51 were in the control

[9] Lavine, Howard. 2002. 'On-line versus Memory Based Process Models of Political Evaluation'. In *Political Psychology*, ed. Kristen Monroe. Mahwah: Lawrence Erlbaum Associates: 242.

group and 50 received the treatment. To provide a test of for my prospect theory-based framework, before asking respondents their preferences on gender quota designs, I provided those in the treatment with information that attempted to simulate a scenario of the domain of losses. The language and framing of the treatment were carefully selected to avoid issues of external validity and non-compliance. An important consideration for the treatment was that it should be externally valid; in other words, to be similar to real world experiences. Legislators undertake routine calculations when considering bills, so, with the framing of the question I sought to mimic conditions of policy considerations.

Another issue that is particular to survey experiments is that of non-compliance. This can happen if individuals in the treatment group do not in fact take the treatment. Horiuchi explains the phenomenon as it occurred in his work: 'In political science experiments, researchers often do not have full control over their human subjects, and thus, noncompliance and nonresponse often coexist. In our experiment, some voters did not visit the designated website(s) even when they were instructed to do so (non- compliance)'.[10] I addressed this by writing my treatment in the form of a question that respondents had to answer before moving into the next question.

The treatment given, translated from Portuguese, is outlined below:

> *There's currently in Brazil a debate about reforming the gender quota law for the legislature. Gender quota laws determine that parties have to reserve a certain proportion of places in their candidate lists for women. In regards to this debate, the academic literature on political science indicates that gender quotas:*
>
> - *Tend to reduce the number of seats occupied by men;*
> - *Generate significant changes in the composition of political elites in detriment of men in Europe, Africa, and Latin America; and,*
> - *Affect the capacity of male legislators with smaller electoral bases to become candidates.*
>
> *On a scale of 0 to 10, in which 0 indicates 'no knowledge' and 10 indicates 'full knowledge', how would you classify your level of knowledge about the academic results summarized above?*

Thus, in my analyses I include the variable *treatment* as an independent variable to account for whether a respondent was randomly selected into the treatment or control groups. For this

[10] Horiuchi, Yusaku, Kosuke Imai, and Naoko Taniguchi. 2007. 'Designing and Analyzing Randomized Experiments: Application to a Japanese Election Survey Experiment'. *American Journal of Political Science.* 51 (3): 674.

variable, a value of 0 was assigned to respondents in the control group and 1 to those who received the treatment.

7.1.4. SAMPLE REPRESENTATIVENESS

The sample of respondents, although affected by self-selection, resembles the population in several ways but it differs, albeit expectedly so, in significant others. To list comparable characteristics: gender—an important variable for the current study—13.86 percent of the sample is composed of women, while they represent 12.07 percent of the population of Brazilian state legislators. In regards to educational attainment, the sample mean is 7.50 on the 1-8 scale of education, while the population mean is 7.40. In regards to legislators' ages the sample also resembles the population—the average age for legislators in the population is 48.58, while the mean for the sample is 49 years. Finally, another characteristic of legislators crucial to the study is their individual levels of electoral capital. Using my measure of electoral security, I find that the sample has a mean EC of 0.220, while the mean value in the population for EC is 0.230.

The largest disparities between the sample and the population by far, however, are in regards to state and partisan representations. Legislators from one of the 27 legislatures (Amapá) are not represented in the sample and representatives from Bahia, Goiás, Maranhão, Pará, Pernambuco, Piauí, Rio Grande do Norte, Rondônia, and Roraima are under-represented. Meanwhile, legislators from the Distrito Federal, Espírito Santo, Mato Grosso, Pará, and Sergipe are over-represented among respondents. This is likely associated with the large variation in levels of institutionalization and professionalization of legislatures throughout the country. Fortunately, the under-representation and over-representation of legislators from these aforementioned states, did not compromise my sample distribution of HDI, my proxy for socio-economic development-based theories. While HDI has a mean score of 0.715 among the population, the mean for the sample is 0.732.

But the under-representation and over representation of legislators from certain political parties did render the sample unbalanced in a significant aspect: left-right ideological placement. The *Partido Democrático Trabalhista* (Democratic Labour Party, PDT), *Partido Socialismo e Liberdade* (Socialism and Liberty Party, PSOL), and *Partido dos Trabalhadores* (Worker's Party, PT) are over-represented in the sample, while the *Partido da República* (Republic's Party, PR), *Partido Republicano Brasileiro* (Brazilian Republican Party, PRB), *Partido Social Liberal* (Social Liberal Party, PSL), *Partido Trabalhista Brasileiro* (Brazilian Labour Party, PTB), and *Solidariedade* (Solidarity, SD) are under-represented. While the population mean for left-right partisan placement for the population is 0.550, the mean for the sample is 0.346. Thus, the prevalence of left-wingers in the sample is

considerably different to the disposition of the population. To overcome this issue, I generate weighted scores based on population party distributions and conduct my analyses accordingly, as explained later.

In the next sections, I employ the variables described to cover the three stages of my IMA framework before summarising the ways in which this chapter refines my theory and contributes to the overall likelihood of the argument holding at the individual-level.

7.2. INDIVIDUAL CAREER GOALS AND THE VALUE OF LEGISLATIVE SEATS

The first condition I investigate is whether the main goal of legislative incumbents is to retain political office. My entire argument is based on the notion that incumbents seek to weaken gender quotas because this institution has the potential to pose threats to their career plans: by forcing parties to nominate candidates who were otherwise political outsiders, gender quotas may increase competition for legislative seats. The implication is that gender quotas would only pose a threat to incumbents if their ambition is to remain in legislative office; that is, the policy as stipulated in Brazil and the overwhelming majority of Latin American countries applies only to the legislative sphere. In all my other chapters, this assumption is tested for national, not sub-national, legislators. In this section of this chapter I will briefly evaluate the career goals of sub-national legislators and assess whether my first IMA condition holds at this level.

Similarly to the lower house of the National Congress, terms for seats at state legislatures are four-years long and there are no limits on re-election; unlike the National Congress, state legislatures are unicameral. The size of state legislatures in Brazil varies widely. Eleven of the 27 state legislatures have 24 seats, while others are significantly larger, with the legislature of São Paulo, the largest one, having 94 seats. These numbers correspond to the size of the constituency/populations within states, and are determined in the Constitution according to the number of seats each state elects to the lower house of the National Congress. For states that elect between eight and 12 federal deputies, state legislatures have triple the number of seats; meanwhile, the size of state legislatures for those states with over 12 seats in the Chamber of Deputies are calculated by taking the difference between national deputies and 12 and then by adding 36. That is, if X is the number of deputies a state elects to the national legislature, then the number of seats in its legislative assembly is (X – 12) + 36. Seats to all 27 state legislatures in Brazil are allocated according to the same set of electoral rules, namely open-list proportional representation.

Although research on the political goals of Brazilian national legislators is vast, knowledge about the career trajectories of sub-national legislators is less sizable.[11] There is a significant debate among Brazilianists about whether the most common final goal of a politicians' political career is in the legislative sphere;[12] nonetheless, it is somewhat accepted that state-level legislators seek static or progressive ambition to the national legislature as a natural progression to establish their careers within their states and at the national-level—even if their long-term ambition is in the executive. Scholarship by Santos, as well as by Anastasia, Correa, and Nunes, conveys that the majority of state legislators who take office in a given period of time do so as a result of re-election; nonetheless, these studies also find that a substantive number of incumbents who attempt re-election are not successful and that this 'renewal' has become more significant from 1998 onwards.[13] As Santos contends, legislative seats in Brazil are neither 'easily accessible nor politically irrelevant' and both, national and sub-national legislative offices serve as a 'platform for the launching, final objective, and safe base of political careers'.[14]

Data collected from my survey allow for a more direct understanding of state legislators' career ambitions. When asked about their plans for the 2016 municipal and 2018 general elections, the overwhelming majority of respondents conveyed that they would seek a seat in legislature. These results are consistent with the notion that legislative seats are valuable. More specifically, there is a clear preference among state legislators to seek re-election to their respective state legislatures in the following electoral cycle: 56.44 percent replied that they would seek re-election in races for state legislatures. Another 5.94 percent of respondents said they would seek office in the national legislature, either by running for a seat in the Chamber of Deputies, or in the Senate. This means that roughly 62 percent of respondents have the short-term ambition of pursuing legislative careers. As Miguel poses, the calendar of elections that combines races for the state and national legislatures means that state-level deputies may be particularly risk-averse, given that seeking higher office could mean losing and ending up without elected office.[15]

Roughly 20 percent of the sample attested to not yet know or to not want to seek elected office in the 2016 or 2018 elections. These figures are significantly high and seem to understate

---

[11] Santos, Fabiano. 1999a. 'Recruitment and Retention of Legislators in Brazil.' *Legislative Studies Quarterly*. 24 (2): 212.
[12] For example, see: Samuels, David. 2003. *Ambition, Federalism, and Legislative Politics in Brazil*. Cambridge: Cambridge University Press.
[13] Santos, Fabiano. 2001. *O Poder Legislativo nos Estados: Diversidade e Convergência*. Rio de Janeiro, Brasil: FGV Editora; Anastasia, Izabela Correa, and Felipe Nunes. 2008. 'Caminhos, Veredas e Atalhos: Legislativos Estaduais e Trajetórias Políticas'. In *O Legislativo Brasileiro: Funcionamento, Composição e Opinião Pública,* ed Rachel Meneguello. Brasília: Senado Federal.
[14] Santos, Fabiano. 2010. 'Câmara dos Deputados e a Estrutura de Oportunidades Políticas no Brasil: Alguns Apontamentos Acerca das Eleições de 2010'. *Cadernos Aslegis*. 40: 109-126.
[15] Miguel, Luís Felipe. 2003. 'Capital Político e Carreira Eleitoral: Algumas Variáveis na Eleição'. *Revista de Sociologia e Política*. 20 (20): 126.

the preference for re-election—especially considering historical trends on re-election attempts. Given that 2015 was the first year of the four-year term of state legislators, it is possible that many respondents were not yet thinking about running, or that some have inflated notions about their future electoral prospects: if they were asked in the last year of their term in office the proportion of those attesting to plans to seek re-election would likely be higher. It is also possible that the political crisis taking place at the time of survey led incumbents to be more uncertain about their electoral prospects than they would have been otherwise.

Another way of assessing respondents' career goals is to analyse their past political activities. Among my respondents, only 20 percent had never held previous office in state legislatures; a total of 80 percent previously held a seat in state legislature for at least one term, with 47 percent of the sample previously occupying the office for two or more terms. That the overwhelming majority of incumbents previously occupied the same office further suggests that careers in the legislature are indeed desirable and that securing a seat in the legislature is not a provisional activity, but a long-term career goal.

This is further highlighted by the fact that respondents' previous occupations in other types of offices were not as prominent. Just over 40 percent of respondents previously served as municipal council members, and less than 20 percent previously occupied mayoral offices. Only five percent were deputies to the federal Chamber of Deputies, and less than one percent once were senators. The prominence of respondents' careers in state legislatures suggests that incumbents have an interest in building careers in this branch and that these offices are valuable to them.

In this first section, I briefly explored whether legislative office is valuable to incumbents; I showed not only that the most common goal of respondents is to seek re-election, but also that incumbents' most frequent career trajectories is in legislatures. Preference for legislative office renders the possibility that a gender quota does pose a threat to the goals of male incumbents. This would most likely be true if incumbents do not have solid competitive levels of electoral security. This second condition is explored in the next section.

7.3. GENDER QUOTAS AND THE THREAT TO INDIVIDUAL CAREER GOALS

As per my IMA framework, the second condition to be tested is whether a gender quota could pose a threat to the career goals of incumbents. Gender quotas would be threatening to incumbents if the adoption of the policy posed a risk to their chances of retaining legislative seats. As such, the electoral security of legislators matters. The more secure they are that they can achieve

re-election, the less of a threat a gender quota would be to them. One of the ways of evaluating whether a gender quota could pose a threat to legislators is by analysing levels of electoral security across the population. Another point to consider is the observed levels of success of female incumbents vis-à-vis their male counterparts.

Brazilian state legislators rarely owe their election solely to their own votes. In their work on the state legislatures of Ceará, Minas Gerais, and Rio Grande do Sul over three electoral cycles (1994, 1998, and 2002), Anastasia and her co-authors show that few candidates were able to secure enough nominal votes to surpass the electoral threshold and get elected on their own; the majority depended on the transfer of party and/or coalition votes to secure their seats, they found.[16] This is confirmed by Santos who shows that many candidates heavily depend on the votes of their coalition. This makes it difficult even for candidates themselves to identify the source of their votes and base of support with precision.[17] In other words, these findings suggest that the majority of candidates, regardless of their incumbency status, are electorally insecure: they depend on votes other than their own to be elected. This is corroborated in my analysis.

Given that raw data on electoral results are available for all state legislators and not only those in my sample of respondents, I need not rely on my reduced sample. Using my measure of *electoral capital* calculated for all 1,064 state legislators elected to the 2015-2018 legislative cycle, I find that only a small percentage of incumbents are elected solely based on their own nominal votes. In fact, only twenty-four incumbents have *electoral capital* scores equal to or above 1, meaning that roughly only two percent of incumbents did not need their parties and or coalitions to get elected. The mean score of *electoral capital* for the population is 0.230, thus confirming this trend of low average electoral security. Figure 7.1 depicts the Kernel density estimates for the values of *electoral capital* across my population, disaggregated by gender; long right-tailed distributions further illustrate the fact that only a minority of incumbents are electorally secure.

Low average levels of individual *electoral capital* suggest that gender quotas could pose a threat to male incumbents. This would be particularly true if female incumbents are more electorally successful than their male colleagues. The notion that women are under-represented in elected office because of voter bias is widespread: i.e., the perception that voters are less likely to vote for women is common. If true this would make gender quotas *less* threatening to male legislators as their levels of viable competition would not increase, despite the entry of female

---

[16] Anastasia, Fátima, Izabela Correa, and Felipe Nunes. 2008. 'Caminhos, Veredas e Atalhos: Legislativos Estaduais e Trajetórias Políticas'. In O Legislativo Brasileiro: Funcionamento, Composição e Opinião Pública, ed Rachel Meneguello. Brasília: Senado Federal.

[17] Santos, Fabiano. 1999b. 'Instituições Eleitorais e Desempenho do Presidencialismo no Brasil'. *Dados*. 42 (1): 117-118.

candidates produced by the quota. In fact, if male candidates with moderate to high levels of popular support were challenged by women with no solid electoral bases, gender quotas could *decrease* the levels of competition incumbents face. The opposite would be true if voters do not discriminate against women and female candidates are as effective as men in securing votes. Disaggregating the scores for *electoral capital* by gender of legislator, I find that women are as, if not slightly more, electorally secure than men. While men have an average *electoral capital* score of 0.229, women have a mean score of 0.233. Although the difference is small and statistically not significant, these observed outputs suggest that women do not suffer from voter bias. This provides support for the assumption that a gender quota would pose a threat to the political careers of male incumbents.

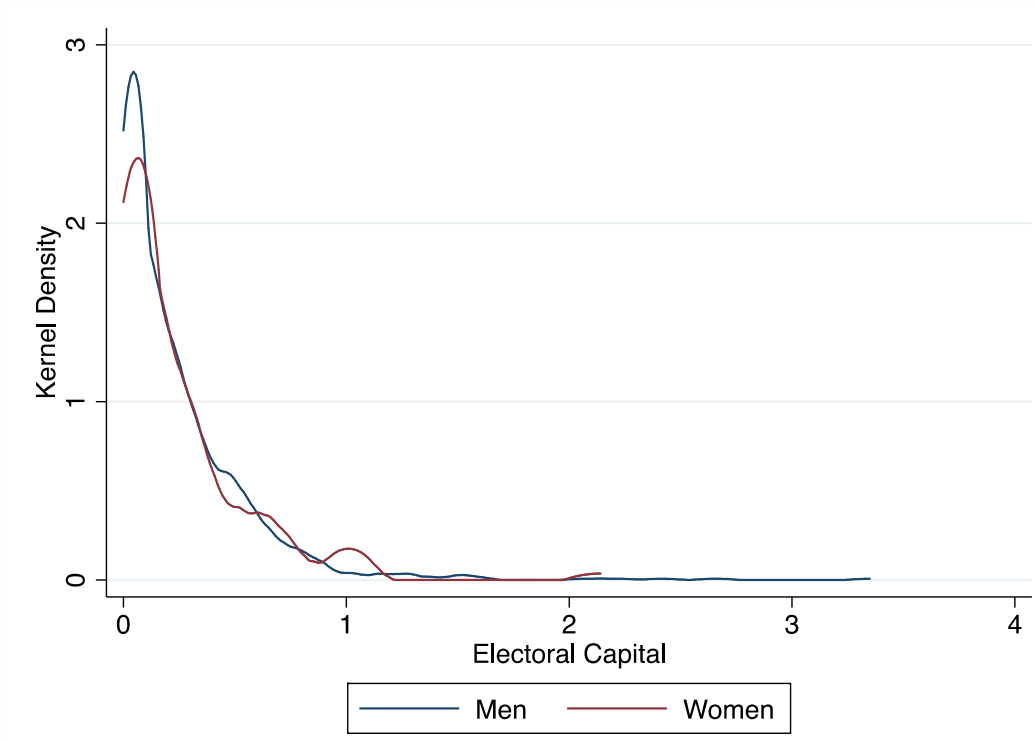


Figure 7.1 Distribution of electoral capital for Brazilian state legislators from the 2014-2018 legislature, Kernel density estimates

Source: Compiled by author.

Electoral insecurity may also derive from stark competition for seats. Competition can be thought of as the number of candidates seeking to attain a seat in a given legislature. By that measure, electoral competition in Brazil varies substantially but is high throughout. Using official TSE data from the latest 2014 elections I find that the lowest competition rate for a state legislature took place in the state of Sergipe, where 6.75 candidates ran for each seat, and that the highest rate of competition was in the Federal District, where 40.79 candidates ran for each seat. The average

number of candidates per seat in state legislatures from across the country was 14.88. These rates can be interpreted as particularly steep challenges to candidates in face of the Brazilian electoral system of open-list proportional representation that promotes inter- and intra- party competition. This is because seats are allocated to parties or coalitions based on the total number of votes gathered, but distributed to candidates in accordance to their own individual performances in the polls; voters need not cast votes for individual candidates with the overwhelming majority of votes being nominal;[18] as such, higher levels of overall competition likely also mean higher levels of intra-party competition.

In this section, I explored the second condition of my IMA framework: that gender quotas may be threatening to the careers of male incumbents. To evaluate this, I assessed the distributional levels of *electoral capital* and competition for the entire population of sub-national legislators, paying special consideration to gender differences. I showed that levels of *electoral capital* are low, overall, and that the overwhelming majority of incumbents rely heavily on the capital of their parties and/or coalitions. I also found that women do not seem to suffer from voter bias and that they are as electorally competitive, if not more so, than men. Now that I have established that legislative careers are valuable to incumbents and that gender quotas could increase incumbents' levels of electoral vulnerability, I tackle the final and main question of whether political ambition and electoral security shape the preferences of legislators in regards to gender quota designs.

7.4. FUTURE CAREER PROSPECTS AND SURVIVAL CALCULATIONS

The third condition outlined in my IMA framework is that electorally insecure male incumbents prefer weak gender quota designs, given that such designs would render a quota that is less threatening to their future political goals. This, in turn, would make quotas in line with the preferences of legislators—and thus not sub-optimal. As shown in Chapter 6, the relationship between political ambition and electoral security and gender quota designs seems to hold at the aggregate-level. Prospect theory, however, is centred on individual-level behaviour. In the current section, I employ two approaches to assess whether individual incumbents behave per my prospect theory-based predictions. First, I employ the experimental component of my survey, and test whether prompting respondents into the domain of losses changes their preferences on gender quota designs. This allows me to capture something non-objective: the calculation incumbents make in respect to their potential future losses. This is, however, an artificial test. To complement

[18] Wylie, Kristin. 2012. 'Strong Women, Weak Parties: Challenges to Democratic Representation in Brazil'. PhD dissertation. University of Texas-Austin: 87.

my analysis, I also employ OLS models with proxies for observable, objective measures of individuals' levels of political ambition and electoral security.

7.4.1. THE DOMAIN OF LOSSES IN A SURVEY EXPERIMENT

For this experimental component, I randomly assigned survey respondents to treatment and control groups. I provided those in the treatment with additional information pertaining to the potential impacts of gender quotas to their future electoral prospects, before asking them about their preferences on gender quota designs. I expected those who received the treatment to be less likely to display support for strong gender quotas—given that the framing of the question prompted respondents to consider the implication that a gender quota would push them into the domain of losses.

For survey experiments to work the counterfactual should be given and valid as the result of randomisation. In other words, treatment and control groups are expected to be equal in observable and unobservable characteristics. Due to self-selection, however, this is not what happened and my control and treatment groups ended up being significantly different across some crucial confounding variables, as confirmed by T-tests. Most threatening to my results, respondents in the treatment group were substantially and statistically significantly more to the left than those in the control group. This is a problem as left-wing politicians are expected to be more likely to support gender quotas; this unbalanced distribution therefore poses a threat to the counterfactual.

Assessing the effect of the treatment on my variable of interest, *IGQS-survey*, was thus not as straightforward as anticipated by my research design. When it comes to preferences for the strength of gender quota designs, T-tests show that there are no statistically significant differences between the treatment and control groups. In other words, my findings are null. This, however, seems to be precisely the consequence of the unbalanced distribution of respondents into the treatment and groups.

Despite the unbalanced data, I was still able to gain some insights into the effects of the treatment on participants when I stratified groups by categories of parties' ideological placements. Using *party placement* scores and scholarship on the left-right placement of Brazilian parties, I created a categorical variable with values of 0 (left), 1 (centre), and 2 (right).[19] When assessing the effect of the treatment across these three groups, I found that the treatment is indeed negatively

[19] Coded as left-wing parties were: PSOL, PCdoB, PSB, PDT, and PPS; as parties from the centre: PV, PROS, PMDB, and PSDB; as right-wing parties: PTB, PSD, PR, PEN, PHS, PRB, PRP, PRTB, PSC, PSL, PTdoB, PTN, SD, PP, and DEM.

associated with three of my two party classifications: being in the treatment group is associated with a decrease of 0.47 (from 14.45 to 13.98) on the scale of *IGQS-survey* for those in left-wing parties, and to a decrease of 0.91 (from 11.28 to 10.37) among those in centre parties. Surprisingly, the treatment leads to an unexpected *increase* in the preferences of respondents from right-wing parties. Although none of these differences are statistically significant, they refine the scope of my theory by suggesting that parties' ideological placements might not matter as much as their organisational and electoral strategies.

The Brazilian clientelistic, catch-all parties are on the right-end of the political spectrum and thus grouped under the 'right' category. Politicians are unlikely to be loyal to these parties and are more likely to switch parties than those on left-wing, programmatic parties. As such, for individuals who do not seek to build careers within party structures, parties' obligation to nominate female candidates might be considerably less threatening—which is plausibly the case for those in clientelistic parties. Furthermore, because of their ideological and electoral bases, parties on the left might be more likely to effectively comply to a gender quota and thus displace their male elites. As such, a quota might pose uneven effects across parties with unequal electoral strategies—making left-wing men more prone to displacement than male incumbents in right-wing clientelistic parties.

The experimental component of my survey was not as successful as anticipated. This is likely due to a combination of factors: the unbalanced nature of the data, resulting for un-normally distributed self-selection into the treatment and control groups; the level of sophistication of respondents, who might not have fallen for my artificial manipulation of their sense of security; the low response rate; and, finally, to the application of a survey experiment in and of itself—although there has been a push for political scientists to engage in experimental methods, few have been able to carry out survey experiments that yield anything other than null-results.[20] Although the method provides fruitful ground for testing prospect theory-based arguments, my findings are insufficient to draw any conclusions. In the next section, I employ objective measures of political ambition and electoral security to complement my analysis on how electoral vulnerability impacts individual preferences on gender quota designs.

[20] Malhotra, Neil. 2015. '80% of Survey Experiments Don't Fully Report Design Elements'. *The Plot – Politics Decoded*. 8 December. http://www.the-plot.org/2015/12/08/80-of-survey-experiments-dont-fully-report-design-elements/.

7.4.2. POLITICAL AMBITION AND ELECTORAL SECURITY AS DETERMINANTS OF PREFERENCES

Another way to gain insight into incumbents' preferences in the domains of losses is to employ their responses on gender quota designs as a dependent variable in OLS models that account for objective measures of individuals' levels of electoral security and political ambition. Accordingly, in this section, I continue to employ *IGQS-survey* as a dependent variable; as per my theoretical framework and model specifications of other chapters, I include in my models variables that capture the potential effects of alternative explanations to gender quota strength. I estimate three types of models: the most complete is applied to all my observations (N=101) and includes an interaction term between my measure of political ambition and that of the treatment.

That is because, as specified by my theory, I expect political ambition to serve as a threshold for quota adoption and a major deterrent for preferences for strong gender quota design. In other words, I should only expect gender quotas to be threatening to incumbents, if they are seeking legislative office. My second estimation is restricted to male respondents only, reducing the number of observations to 87. Finally, for robustness checks I produce a third model without the interaction term. Given that the sample is unbalanced in regards to partisan representation, I follow Zucco and Power and weight my models by partisan representation in the population.[21] This means that individuals from under-represented parties are given more weight and that those in over-represented parties are given less weight. Table 7.1 summarises my results.

Despite controls, *treatment* still yielded positive coefficients, something that seems to be driven by respondents from right-wing parties. Although the variable, on its own, does not contribute significantly to our understanding of the determinants of preferences for strong gender quota designs, it does begin to elucidate patterns once interacted with political ambition. Contrary to my theoretical expectations, both my measures of the treatment and of political ambition produce positive coefficients.

Investigating this interaction, I found that the treatment has a negative effect for those seeking static and progressive ambitions, but that this effect is much more pronounced for those with plans to run for higher office. Taking results from model 1, I find that the treatment is associated with a decrease of 0.244 on the scale of *IGQS-survey* for those seeking re-election to state legislatures, that is, a change from 4.225 from those in the control group, to 3.981 from those in the treatment group. For those seeking higher office in the National Congress, however, the

[21] See Codebook: Power, Timothy, and Cesar Zucco Jr. 2011. 'Brazilian Legislative Surveys (1990-2013)'. *Harvard Dataverse, V5*. http://hdl.handle.net/1902.1/14970.

treatment has a much more drastic effect: while those in the control group are associated with an average positive effect of 3.913 on the *IGQS-survey* scale, those in the treatment group are associated with a negative effect of -3.423 on the same scale: that is, a difference of 7.336. Given that elections for national and state legislatures take place concurrently, running for a higher office in the National Congress is a risky move.[22] As such, legislators who have the ambition to run for higher office are considerably more vulnerable than those seeking re-election. The much more prominent negative effect of the treatment among this group is thus justifiable.

Table. 7.1. Incumbents' preferences on gender quota designs, OLS

	Model 1	Model 2	Model 3
Treatment	3.973***	4.457***	0.776
	(1.487)	(1.642)	(0.910)
Ambition (State)	4.245***	4.567***	
	(1.232)	(1.331)	
Ambition (National)	3.913*	4.229	
	(2.032)	(2.144)	
Treatment*Ambition (State)	-4.217**	-4.351**	
	(1.841)	(2.058)	
Treatment*Ambition (National)	-11.309***	-12.189***	
	(3.475)	(3.741)	
Political Ambition			1.064
			(0.758)
Electoral Capital	0.623	1.959	0.123
	(1.265)	(1.899)	(1.331)
Competition per Seat	-0.228***	-0.221**	-0.158*
	(0.081)	(0.093)	(0.086)
Male	-3.025**		-3.787***
	(1.188)		(1.245)
Development	42.930***	45.652***	35.946**
	(13.142)	(15.158)	(13.959)
Left-Right Party Placement	-0.504	-0.571	-0.620
	(0.493)	(0.588)	(0.521)
Size of Legislature	-0.022	-0.021	-0.015
	(0.020)	(0.023)	(0.022)
Female Legislators	31.928***	32.209**	20.406
	(11.104)	(12.856)	(11.093)
Constant	-17.795**	-23.570**	-10.030
	(8.840)	(9.837)	(9.272)
R-squared	0.370	0.302	0.244
N	101	87	101

Note: Compiled by author. T-statistics in parentheses, * p<0.10, ** p<0.05, *** p<0.01.

[22] Miguel, 2003.

Only one of my two measures of electoral security is found to be statistically significant. *Electoral capital* produces coefficients that are in accordance with my predictions; this suggests that electorally secure legislators are more likely to support strong quota designs. Coefficients produced are not statistically significant, however. *Competition for seats*, which measures the degree of competition for seats experienced by a given legislator in her or his state, does produce statistically significant coefficients. The coefficients are negative and thus in accordance with my theory, which argues that competition is a proxy for electoral security: the higher the level of competition faced, the higher the electoral insecurity. As such, I expected those in contexts of high competition to be less likely to be supportive of strong gender quotas given that such a policy could increase the competition for seats even further. Using model 1 (with all respondents, N=101) and holding other variables at their means and *treatment, political ambition*, and *male* at 1, the impact on *IGQS-survey* for when competition increases from its lowest to its highest values is equivalent to a decrease of 15.637 to 7.869. This is a sizable effect as illustrated in Figure 7.2.

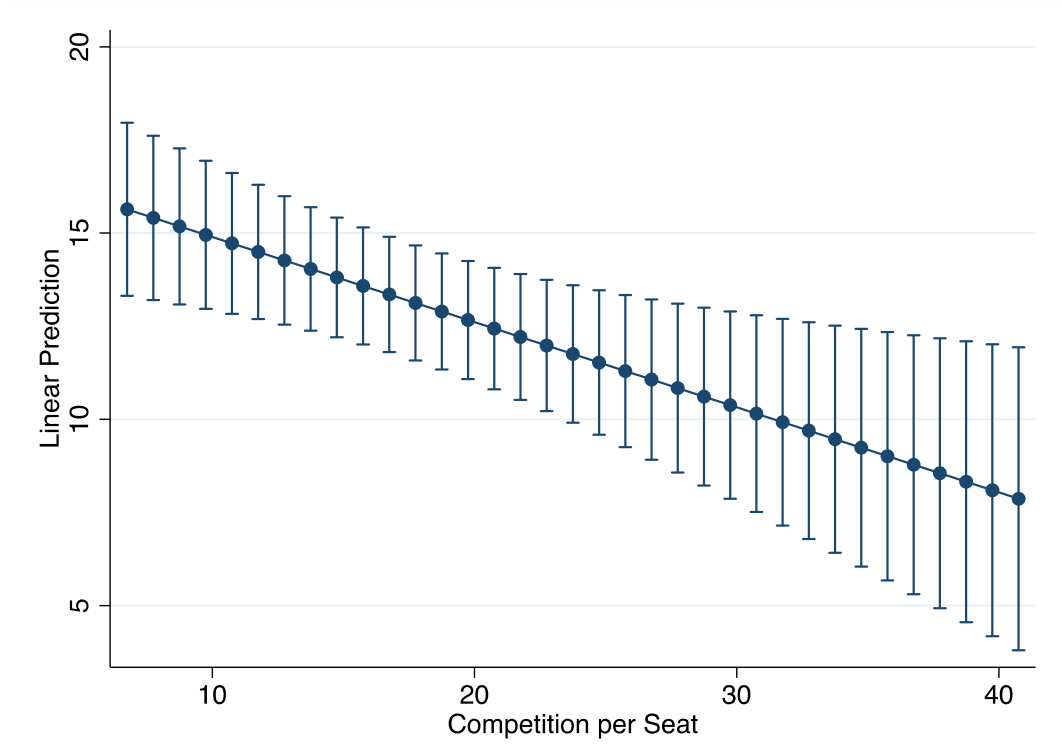


Figure 7.2. Predicted effects of competition for seats on IGQS-survey

Source: Compiled by author.

The core of my argument rests on the assumption that men will be less likely to support strong designs than women precisely because strong gender quotas would likely pose larger threats to them. My findings provide strong support for this claim. My binary variable for gender in which male is coded as 1 produces a negative and statistically significant coefficient, that suggests that

being a man is associated with preferences for a gender quota design that is 3.025 points weaker to the preferences of female legislators on the scale of *IGQS-survey*. This is evidence that male legislators are significantly less likely to support strong gender quota designs than women.

My proxy for the role of societal development, measured by HDI, produced statistically significant and positive coefficients for all models. This suggests that legislators from states with higher levels of human development are more likely to support strong gender quotas. The apparently sizable coefficients, however, need to be interpreted with the scale and range of HDI in mind: the distribution of HDI values across my cases is relatively small (going from 0.631 to 0.824), so, the effect of the variable holding all variables constant is an increase from an *IGQS-survey* value of 9.021 to a value of 15.460.

My proxy for pressure group theory, *left-right party placement*, yielded the expected negative coefficients in all models, but it is not statistically significant in any of my models. This reinforces the notion that, legislators may be less focused on left-right ideology and more concerned about the effects of party organisation and competitive electoral strategies on their individual performances when considering how gender quota designs may affect them.

Finally, my variable measuring the proportion of female legislators in a given state produces positive and statistically significant coefficients, as expected. As with *development*, *female legislators* produced large coefficients, but, given the small range of the variable, the predicted effect of the variable, holding other variables constant, is an increase from 10.997 to 15.786 on the scale of *IGQS-survey*. This is in line with my expectations that a quota would pose a lower threat to incumbents who are already embedded in a system with higher proportions of female elites. This interpretation for the found correlation is plausible given that: 1) the proportion of women in a given legislature is only weakly correlated with levels of development in its respective state (0.231); and, 2) the proportion of female candidates is measured at the state-level and not by party, meaning that the effect is unlikely to result from internal pressure from female party members.

The purpose of this section was to test the plausibility of my third IMA condition when applied to the level of individuals. That is, to assess the plausibility of the micro-foundations anticipated by my theory—namely, that legislators' behaviour towards gender quotas follows prospect theory predictions. I did this in two ways, first by assessing the effects of an experimental test, and then by estimating OLS models with objective measures of political ambition and electoral security as predictors of individual responses on gender quota designs.

7.5. CONCLUSION

This chapter relies on understanding the preferences of legislators regarding gender quota designs. In Chapter 6, I showed that system-level proxies measuring costs of losing office and electoral security are correlated with the adoption of gender quotas and strength of quota designs, as anticipated by my theory. Chapter 6 was an exploratory effort, however, in that its findings only go as far as confirming the plausibility of the argument but do not serve as evidence that it is the individual calculations of legislators, mediated by their career goals and their chances of attaining such goals with and without a gender quota, that impact gender quota adoption and strength of design.

Throughout the thesis, I highlight that one of the challenges in providing empirical support for my prospect theoretical expectations is that it is not sufficient to show correlations at the aggregate-level, or to observe that outcomes fit my predictions. As other individual-focused theories, my theory requires tests of micro-foundations. This chapter sought to address this need. As with my other analytical chapters, I conducted my analysis as per my three IMA stages: 1) that legislators value their seats and that incumbents want to retain their offices; 2) that quotas would increase the electoral vulnerability of incumbents and threaten their careers; and, 3) that incumbents' behaviour reflects the first two conditions and, as such, that they have preferences for weaker gender quota designs. I also contend that gender quotas would impact incumbents unequally; more specifically, I predict that quotas would be the most threatening to those with the ambition to run for office and who are the most electorally insecure. This third condition is the main focus of the thesis—and the one that would solve Tsebelis' observer-problem by showing that gender quotas result not from sub-optimal choices, but instead, reflect the summative preferences of individual legislators as pertaining to their levels of political ambition and electoral security.

After showing that the majority of Brazilian legislators seek to continue pursuing legislative careers, and that they are exceedingly electorally insecure, I turned to the third condition. First, as a means of capturing the calculation of incumbents when prompted into the domain of losses, which is something non-objective, I analysed the effects of the experimental component of my survey; second, I employed OLS regressions with measures of political ambition and electoral security to more objectively assess the relationship between these factors and individuals' preferences on gender quota designs. My artificial experiment only provided limited support for my theory. Regression analyses, however, provided strong evidence to suggest that political ambition and electoral security, more prominently, levels of competition, are important determinants of individual preferences on gender quota designs. In sum, the chapter provides

support that important elements of my theory are at work at the micro-level. All in all, the micro-level analyses conducted in the current chapter improve the likelihood that my argument is plausible.

The current chapter, along with Chapter 6, assessed the correlations between proxies for political ambition and electoral security and the strength of gender quota designs at macro- and micro-levels, showing that these correlations are aligned with my predictions. Nonetheless, these chapters did not cover the mechanisms through which exogenous and endogenous pressures for quota adoption change the frame of reference of male legislators, throwing them into the domain of losses, and leading them engage in the risky-behaviour of gender quotas. Chapters 8, 9, and 10 track the processes of gender quota adoption in Costa Rica, Brazil, and Chile as a means of uncovering such mechanisms.

CHAPTER 8

COSTA RICA

PARTY CENTRED CAREERS IN A CHANGING PARTY SYSTEM

Cases of successful policy adoption and implementation are the ones most often researched. The gender quota in Costa Rica, which bears one of the strongest designs in the region currently, has such a distinction. The Costa Rican quota has been the subject of extensive research by both domestic and international scholars, as well as being the focus of reports commissioned by international organisations.[1] Largely, such studies centre on the strengths of the design of the quota to effectively deliver its intended outcomes: that is, to increase the proportion of women in politics.

In many ways, the strength of the design of the Costa Rican quota is not a surprise. Costa Rica is the longest standing democracy in Latin America and, as such, has consolidated institutions; it has a history of political and economic ties with Western democracies; since the late 1980s it has boasted a large and extensive gender equality movement favouring affirmative policies for women; finally, it has in place a closed-list proportional representation electoral system, which is characterised as the most appropriate fit for gender quotas. This combination renders Costa Rica the 'most likely' to adopt a strong gender quota. However, the simple characterisation of the gender quota design in Costa Rica as successful conceals the long history that quotas endured of male resistance with multiple and consistent attempts on the part of male politicians to weaken the policy.

Yet, it is impossible to deny that throughout Latin America and, especially among my case studies, Costa Rica's success is noteworthy. It discussed a gender quota as early as 1988, approved a policy in 1996, and subsequently revised the policy's design multiple times so that now it has achieved one of the strongest gender quotas in the region. Currently, Costa Rica has a parity law that reserves 50 percent of candidacies for women, includes a ranking system based on alternation (applied vertically and horizontally), and electoral sanctions for non-compliance. But even the Costa Rican case shows that in the scenario most favourable to strong quotas my theory is still at

[1] Besides the works of scholarship published in academic journals, this includes several studies published by the TSE, Estado de la Nación, and INAMU, as well as works published by IDEA, IPU, and Quota Project—many of which are cited throughout this chapter.

play: actors resist the adoption of gender quotas until possible; and when, due to external pressures, the costs of non-adoption become so that high individuals assume the risk of adopting the policy, they simultaneously seek to weaken its provisos and minimise its effects—a strategy of 'damage control' anticipated by my framework based in prospect theory. I assess this through my three-step IMA framework.

Because consecutive legislative election is not allowed in Costa Rica, incumbents must step down for at least one term before returning to office. So, the first IMA condition proves a challenge in the Costa Rican case, suggesting that the argument does not apply. Indeed, to some, the low rate of non-consecutive re-election in Costa Rica may suggest that the system prevents professionalization in political office. This is not the case however: established professional politicians are still the norm in Costa Rica, but political careers in the country are not characterised by running for office in consecutive terms, but by moving up within party hierarchy and securing political appointments to both elected and non-elected offices.

What does this mean for my first condition? This suggests that because they are institutionally prohibited from doing so, incumbents cannot seek to retain legislative office, although they might still seek other types of offices upon finishing their time in the legislature. And this suggests that, for being finite and vastly sought out, these offices are highly valuable. The implication is that although gender quotas may not pose direct threats to incumbents' careers in the legislature, the policy may still pose threats to incumbents' careers within their respective parties and to their overall goal of maintaining office. So, although I expect the thresholds for gender quota adoption and strong design to be lower than those of Brazil or Chile, still I anticipate that individuals will resist the policy for fear that its effect may expand into domains that could more directly impact their future prospects; in party directives, executive nominations, and so on, for example. The study of gender quotas in Costa Rica thus goes beyond the legislature.

For my second IMA condition to be justified, I need to show that adopting a gender quota poses a threat to career prospects of politicians. The career goal of Costa Rican politicians is largely to gain influence within their own respective parties, and a quota has the potential to increase competition within party preferential treatment and nominations. In line with this, I anticipate that Costa Rican incumbents from parties with more established elites will display higher levels of resistance to quotas than members of emerging parties whose elites are still forming. My reasoning is that from their inception emerging parties are able to cultivate elites from both genders while parties with established elites would have to replace traditional elites as a means of achieving gender-balance.

The party-centric context of Costa Rican politics also suggests that gender quotas may pose a threat to parties themselves beyond posing a threat to individuals; thus, my second IMA condition may also be examined in regards to party-logic. Existing party structures may be more or less vulnerable to quota effects, depending on parties' electoral performance and the number of female elites within parties in the pre-quota adoption period. As a result, the threat that quotas pose at the party-level may vary on a party-basis, and observed individual behaviour may be illustrative of party-logic rather than individual calculations. Thus, I expect parties that are electorally insecure to be the most resistant to strong gender quota designs. I also anticipate parties that nominate larger proportions of women before the adoption of quotas to be less resistant to the policy, as they would displace fewer men to abide to quota rules.

Finally, for the third condition to hold, I must show that resistance towards gender quotas translates into the policy realm in the form of attempts to weaken gender quota designs. Party loyalty is high because parties are central mediators of individual goals; it is thus unlikely that I can fully capture resistance taking place at the individual-level. Nonetheless, I can assess the relationship between the electoral security of political parties and the weakening of gender quotas. This is a good indicator of party-logic working in the interest of their individual members in the process of drafting policy.

Overall, beyond illustrating the causal mechanisms through which my theoretical predictions unfold, the case of Costa Rica allows the theory to upgrade in two important ways: firstly, by evidencing that my predictions can also apply to and explain the behaviour of incumbents whose goals are not limited to legislative re-election, per se, but also to aspirations to secure broader political careers; and, secondly, by showing that the logic of my argument can apply to strategic thinking at the party-level: not only to individuals.

I divide the chapter into four sections. Firstly, I combine elite survey data and historical records on the political careers of Costa Rican elites to show that despite rules that prevent consecutive re-election for legislative office, deputies seek to continue in political careers after stepping down from their term in office. In this, I make clear that political careers in Costa Rica are valuable, offices are finite, and party elites are long established. Then, in section 8.2, I combine historical electoral data with transcripts of congressional debates, interview material, and archival research to show that incumbents perceive gender quotas as threatening to their political careers in party ranks. Thirdly, I analyse all the gender quota bills proposed to the Costa Rican legislature and the process of policy design development. This shows that legislative actors persistently engage in attempts to weaken gender quota designs, and that the most significant changes leading to the

strengthening of gender quota design do not result from actors who could be negatively impacted, but, instead, results from work of non-partisan actors, mainly in the *Tribunal Superior Electoral* (Superior Electoral Tribunal, TSE) and the changing party system. Finally, in section 8.4, I conclude by outlining the ways the Costa Rican case updates, refines, and challenges my theory.

8.1. VALUABLE POLITICAL CAREERS UNDER PARTY CONTROL

Costa Rica's limits on consecutive re-election do not imply lack of professionalization or political careers goals. Nonetheless, understanding the way in which quotas impact the careers of Costa Rican male legislative incumbents requires broader knowledge of the Costa Rican political context—beyond the Legislative Assembly. In this case, given that the country's gender quota now applies to a wide array of positions, the type of office actors may seek, including party directives, is of particular relevance. As such, although gender quotas for legislative office may not necessarily pose a threat to careers in the legislature, given that a career pursued solely in the legislature may be possible but interrupted, quotas may threaten broader goals of incumbents to maintain their political careers while in elected or non-elected offices.

Costa Rica's *Asamblea Legislativa* (Legislative Assembly) is a unicameral legislature elected through a system of closed-list PR. Every four years, 57 seats are distributed to candidates from seven sub-national constituencies (provinces), with district magnitudes that range from five (in Limón and Puntarenas provinces) to 20 in the capital province, San José. A modified Hare system allocates seats, taking into account the electoral quota (*cociente electoral*) and sub-quota (*sub-cociente*) and using the sub-quota as the threshold for seat allocation. In practical terms, this means that parties submit ordered lists of candidates for each province; voters cast their ballots for their preferred party, not candidate; the fraction of votes gathered by a given party is translated into its allocated number of seats; and finally, according to their place in their parties' and provinces' lists seats are then distributed to individual candidates. Legislative terms are four-years-long and, as previously pointed out, consecutive re-election is banned. This means that legislators need to step down from office for at least one term before running again for a seat in the Legislative Assembly. With this restriction the political careers of Costa Rican elites are not characterised by maintenance in any one given office.

Although trajectories of political careers in many contexts have been studied, they have been less explored in Costa Rica. Perhaps this is a consequence of the specific context of electoral rules in place. As per the country's constitution, consecutive re-election is not allowed for any electable posts; this necessarily interrupts the electoral careers of Costa Rican elites in any given elected office. The desirability of other types of office available in the country thus must also be

considered. Although there are no provincial-level governments in Costa Rica, there are municipal-level elected offices, party-level positions, and national-level executive nominations in which individuals might have interest. At the municipal-level the most important office is that of mayor, *alcalde*, of which there are 81 positions across the country—a high number for the small population and size of Costa Rica. Appointed positions in party leadership are more limited. According to articles 67 to 72 of the Electoral Code each party should appoint five delegates from each district to their respective canton's assemblies; five total delegates from different cantons for national assemblies in each of the seven provinces; and, finally the party's national assembly, the assembly with maximum authority within each party, composed on ten delegates of different provincial assemblies. The most important positions at the party-level, however, are only three: party president, general secretary, and the party's presidential candidate. At the national-level executive, besides nominations for president and vice-presidential offices (there are two of the latter), there are also 19 ministries and four ministerial-level institutions that offer appointed offices.[2]

Interviews and surveys with legislators support the proposition that political careers in Costa Rica are desirable and valuable. In interviews with 30 of the 57 legislators in the 1986 legislature, Taylor-Robinson found that among those not planning on retiring, 100 percent of respondents desired to continue in politics.[3] Survey responses from legislators in 1994, 1998, 2002, and 2006 suggest that in the decades following Taylor-Robinson's study the value of political careers in the country continues to be high.

Using data from PELA,[4] I find that the overwhelming majority of Costa Rican legislators have had long political careers before occupying seats in the Assembly. This supports the notion that elected office in Costa Rica is professionalised despite the imposed institutional limits on re-election. Among survey respondents (which in 2006 included all legislators and in previous years, 89 percent, 82 percent, and 91 percent, of the legislatures in 1994, 1998, and 2002, respectively), the majority entered politics between 20 to 30 years before occupying their seats in the legislature at the time the survey was conducted. This suggests, first, the predominance of life-long political careers; and, second, that being nominated and elected to the Legislative Assembly is not an easy task— and that it traditionally requires many years of previous political experience. My findings are also supported by previous research conducted by Carey, who, using data from the 1974–1990

---

[2] Torres García, Isabel. 2010. El Sistema Electoral de Costa Rica en la Participación y Representación Política de las Mujeres. Santo Domingo: INSTRAW: 63–82.
[3] Taylor, Michelle. 1992. 'Formal versus Informal Incentive Structures and Legislator Behavior: Evidence from Costa Rica'. *The Journal of Politics.* 54 (4): 1064.
[4] Observatorio de Élites Parlamentarias en América Latina. 2016. 'Parliamentary Elites of Latin America database (PELA)'. Universidad de Salamanca. http://americo.usal.es/oir/elites/bases_de_datos.htm.

cohort of Costa Rican legislators, finds that only 11 percent of them had never held office before becoming a deputy, while 48 percent had held elected office, and the remaining had previously occupied at least one political appointment.[5]

The majority of PELA respondents (especially in 1998 and 2006) attested to entering politics through political parties—strengthening the notion that these individuals pursue political careers in the traditional realm of formal politics and not through non-governmental organisations. In fact, more evidence of the value of political careers in Costa Rica stems from the high rates of party loyalty indicated in Taylor–Robinson's interviews. In these interviews, legislators attested that parties are gatekeepers that can advance or block their careers and that their time in the legislature is a chance to show their respective parties that they are worthy of future nominations. Of those interviewed by Taylor-Robinson, all saw elected office as an opportunity to prove their loyalty to the party and demonstrate their skills, for which service they expected to be later rewarded. In other words, although a seat at the Legislative Assembly may not be the end goal of a politician's career, holding a seat may be a step closer to the most common long-term goal of being nominated for a ministerial position in the executive or to preside over a national special agency.[6]

Analysing the trajectories of party elites between 1982 and 2010, I reach a similar conclusion. Politicians in Costa Rica generally move from one position to another intercalating elected posts with non-elected appointments and party leadership roles. I find that throughout their careers, individuals who reach the most traditionally desirable political offices in the country have had long political careers occupying other positions. Gómez Campos and collaborators identify 'top political elites' as officeholders from the national-, municipal-, and party-levels who have occupied at least one of nine posts, namely: president, vice-president, president of the Legislative Assembly, party leaders in the Assembly, mayor from province capital, municipal legislators from province capital (or *regidores*), party's candidate for president, president of political party, and party's secretary general. Given this cut, the investigators identified 358 'top political elites' in the country between 1982 and 2010.[7] Dropping all cases of *regidores* from the dataset,[8] I find that the majority of so-called top elites occupied multiple political offices before reaching their

---

[5] Carey, John. 1998. *Term Limits and Legislative Representation*. Cambridge: Cambridge University Press: 84.
[6] Taylor, 1992.
[7] Gómez Campos, Steffan. 2014. 'Base de Datos: Trayectoria de los Líderes Partidarios en Costa Rica 1982–2014'. Vigésimo Informe de la Nación en Desarollo Humano Sostenible.
[8] This reduces the sample to 189 cases. This is done because for a national legislator to occupy a municipal-level legislature, even if that of the province's capital, could be understood as a regressive career move (and I am mainly interested in how gender quotas would impact incumbents' prospective future gains).

most elite post.[9] More specifically, I find that roughly only 14 percent of the identified top elites occupied a single position before their top post, 53 percent had occupied two or three offices, and 33 percent had held four or more offices—with some having held more than ten positions before reaching their most elite post. Individuals' return and re-appearance in the political domain shows that the vast majority of Costa Rican political class is comprised of professional politicians.

In this section, I showed that although electoral rules limit an individual's candidacy for consecutive re-election, political careers in Costa Rica are not less desirable than elsewhere. Interview and survey data with legislators themselves as well as quantitative data on the occupation of posts across different levels of government in Costa Rica all point to the conclusion that my first IMA condition holds: individuals desire to pursue long careers in politics. The closed-list system in place and secondary evidence on the dynamics of candidate and nomination selection procedures suggest that the careers of individual politicians are largely determined by party elites and the respective status of the candidate's party. In other words, the career opportunities available to members reflect the electoral prospects of parties. For these reasons, studying the logic behind gender quota drafting and adoption in Costa Rica cannot be done without considering the implications gender quotas may have on political careers beyond the legislature which are, in turn, highly dependent on partisan rules and politics. The next section engages in such analysis.

8.2. PARTY-SYSTEM CHANGES, THREATS TO ELECTORAL SECURITY

In the first analytical section of this chapter, I showed that political careers in Costa Rica are indeed valuable to individuals despite electoral rules that prevent an extended continuous career in the legislature. In this section, I move onto my second IMA condition to show that the value of careers, combined with the changing characteristics of the party system in Costa Rica at a time in which traditional parties with established elites continue to lose ground, render within-party positions ever scarcer to men. This, I argue, makes quotas particularly threatening to the careers of individual politicians as well as to the competitiveness of Costa Rican political parties.

To show this, I divide this section into two parts. In sub-section 8.2.1, I use historical electoral data to outline the changing characteristics of the Costa Rican party system and its consequences to: 1) the careers of male politicians, and, 2) the electoral prospects of parties. In doing this, I convey in what ways a gender quota could upset the status quo. Subsequently in section 8.2.2, I analyse official transcripts of legislative debate on quota-related bills and archival

[9] Besides the aforementioned positions, Gómez Campos also took into account whether the identified party elites had ever been legislators—or nominated by their parties for the role of national deputies and placed in electable positions –, candidates for mayor, or party treasurers.

records to highlight instances when legislative incumbents opposed quotas expressly due to the policy's potential to threaten their careers.

8.2.1. THE DOMAIN OF LOSSES: THE PARTY SYSTEM AND ITS CHANGING DYNAMICS

The party-centric focus of political offices in Costa Rica rebound so that changes to the party system are relevant to the political careers of individuals. As Carey posits:

> [T]he absence of Assembly careers does not eliminate the prospect of political careers for Costa Rican deputies. Political careers subsequent to Assembly service are built through appointments to government posts. The likelihood of securing such appointments, moreover, is directly tied to the subsequent electoral success of a deputy's party.[10]

From its democratic reinstatement in 1953 up to the early 2000s, the party system in Costa Rica remained largely stable, revolving around two main parties, the *Partido Liberación Nacional* (National Liberation Party, PLN) and the *Partido Unidad Social Cristiana* (Christian Social Unity Party, PUSC).[11] This effective bipartisanship meant that although another 15-20 parties (from national through to provincial) ran in national legislative elections, the PLN and the PUSC together were the ones that consistently managed to occupy the overwhelming majority of seats in the Legislative Assembly with one of them generally securing a congressional majority. This changed in 2002, when members of the PLN left the party and along with members from other parties and organisations founded the *Partido Acción Ciudadana* (Citizen Action Party, PAC), which rapidly became a relevant third electoral contender. The PAC's emerging role in Costa Rican politics meant that elites from some parties gained space, as others lost ground. Figure 8.1 illustrates this.

The number of seats occupied by the PLN and PUSC dropped precisely when the PAC entered the race in 2002; although the PLN later regained some of its seats in subsequent elections the PUSC lost considerable relevance in the national legislature, reaching 2014 with fewer seats than some of the previously considered small (or yet non-existent) parties, such as the *Frente Amplio* (Ample Front, FA) and the *Movimiento Libertario* (Libertarian Movement, ML).[12]

---

[10] Carey, 1998: 72.

[11] The PLN was created in 1952 and, although the PUSC was only formally registered in 1977, the parties that formed a coalition to oppose the PLN were what later became the PUSC.

[12] Official electoral records (1978–2014) acquired with the TSE in 2014; Villalobos, Luis Diego, and Hugo Picado León. 2014. 'Evaluando la Paridad y la Alternancia'. *Revista de Derecho Electoral*. 18: 384-414.

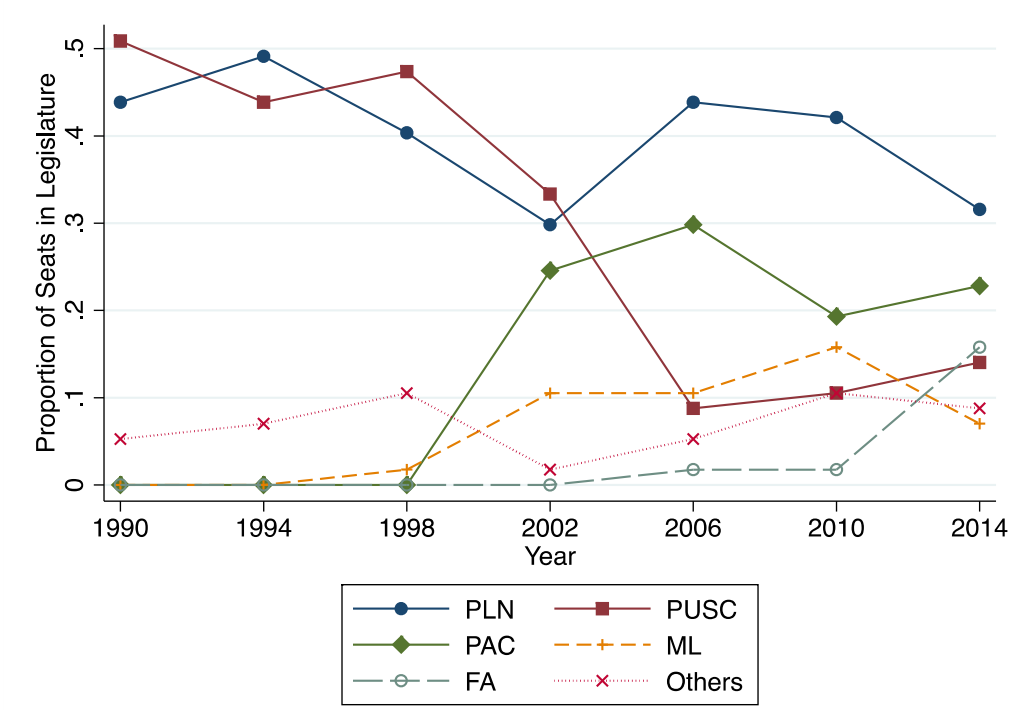


Figure 8.1. Distribution of seats in Costa Rican National Assembly, by party

Source: Compiled by author with data from Villalobos Brenes and Picado León.[13]

Another way of illustrating changes to the party system is by analysing historical data on the effective number of parties (ENP) with seats in the national legislature. From 1982, when smaller coalition partners consolidated into the PUSC, to 1998 the year of the last election before the creation of the PAC, the ENP was contained around at 2.2. In the 2002 elections, when the PAC joined the race, the ENP went up to 3.68. Thereafter other smaller parties also gained ground with the ENP reaching an all-time high of 4.77 in 2014.[14] Changes in the party system have led to the consolidation of electoral status for some political parties and to the instability of others. The greater number of effective parties suggests that competition for seats in the national legislature—as well as other national-level posts—is steeper; my argument would predict greater resistance towards strong gender quota designs in such a scenario.[15] This is because, in a context of higher competition, each party (or, at least, specific parties) is likely to lose seats in the legislature as well as in other offices, diminishing the number of elites whose positions are assured by the status quo.

[13] Ibid.
[14] Carey, 1998: 12.
[15] Villalobos, and León, 2014: 404.

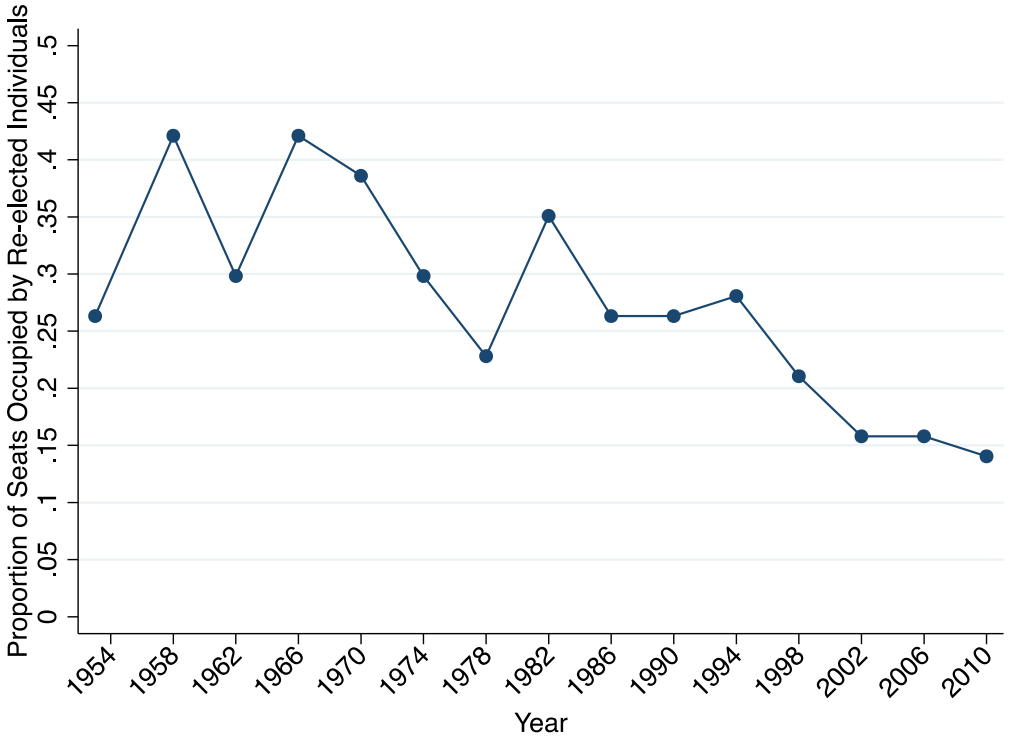


Figure 8.2. Proportion of seats in National Assembly occupied by re-elected deputies, by 1954–2014

Source: Compiled by author with data from Gómez Campos (2014).

Although the offices available to parties are generally tied to the occupancy of the presidency, still the consequence of party fragmentation for availability of seats can be observed at the legislative-level. Since 2002, the increase in party competition and consequent diminished rates of re-election has had an evident effect on the careers of elected individuals. Despite having rules that prohibit consecutive re-election, a number of individuals who previously held congressional seats is elected to the Assembly in every cycle. This demonstrates individuals' continuing political careers, as well as the stability of core party elites. Despite peaks in 1958, 1966, 1970, and 1982, re-election rates in Costa Rica have never been consistently high if compared to countries that allow for consecutive re-election; yet, historical data show a considerable drop since 2002 with fewer incumbents managing re-election since then.[16] Figure 8.2 illustrates this.

The recent pattern of lower re-election rates is further indication of the renewal of political elites that has been taking place in Costa Rica in the last two decades. These lower rates reinforce the fact that traditional parties now secure fewer positions than in previous electoral cycles, and that, often, parties no longer find even those individuals placed in the top positions of their

[16] Data compiled using the dataset: Gómez Campos, Steffan et al. 2014. 'Élites y Perfil de la Representación Política en Costa Rica 1949-2014'. Universidad de Costa Rica and CIEP.

candidate lists elected. As Gómez Campos defines: one way of identifying whether an individual is highly esteemed in party ranks is to see his placement on a given party's list of candidates for deputies.[17] That is because, at least before 2002, being placed on the top of the list of the PLN or the PUSC almost guaranteed one's election—meanwhile the likelihood of one being elected while occupying positions at the bottom of candidate lists was much lower or even null. This new scenario means that not even those with sufficient standing within the party to be placed on the top of candidate lists are now guaranteed office. The ability of individuals to secure political positions is inherently tied to their parties' electoral security; the electoral insecurity of parties thus also translates into uncertainty for individuals.

Party system dynamics in Costa Rica yield two important conclusions: first, the stability of a bipartisan party system for at least three decades led to the entrenchment of elites; and, second, recent fragmentation has led to the gradual downfall of many of these same elites. Combined with the conclusion of section 8.1 that political careers in Costa Rica are indeed valuable, this points in the direction that gender quotas may be threatening to the goals of politicians and that individuals and their parties may behave differently towards gender quotas depending on whether they could gain or lose from strong gender quotas. Nonetheless, in a party-centric context such as the one in Costa Rica gender quotas for legislative office may not place direct threats to the individual careers of legislators to the extent that they do in Brazil or Chile. Furthermore, so as to not be associated with anti-gender equality positions parties may not want to actively (or openly) oppose gender quotas.

Parties may also use gender quotas to their advantage. For instance, parties with greater shares of women elites may be at an advantage over those with fewer women, given that, for them, a gender quota would require replacement of fewer male elites than their contenders. It is also arguable that new parties in which elites are not yet formed may have less to lose—or, in fact, may gain—from a gender quota policy that forces traditional parties to displace some established male elites in order to incorporate female newcomers. Next, I show that the threat gender quotas pose to the careers of individual politicians and the aggregate gains of their parties cannot be surmised from observable data only, but that it is also confirmed through interviews and archival research.

[17] Ibid. CHECK CITATION

8.2.2. THE DOMAIN OF LOSSES: EVIDENCE OF RESISTANCE IN INTERVIEWS AND ARCHIVE

Costa Rican legislators were thrown into the domain of losses early-on, with a gender quota proposal being discussed in the Costa Rican Assembly as early as 1988. The event also marks the beginning of what would be decades of male resistance towards the policy. Although a gender quota has been adopted and revised multiple times since the first legislative debates on the matter, much rhetoric surrounding the policy has remained the same. This is captured in transcripts of legislative debates, as well as interviews with actors involved in different stages of the gender quota adoption and revision processes. Like the cases of Brazil and Chile, the resistance of male legislators towards gender quotas in Costa Rica was generally framed by rhetoric that characterised the policy as 'antidemocratic', 'unconstitutional', 'demeaning' towards women, or disrespectful of 'party autonomy'. Nonetheless, a closer analysis of the entire process of gender quota adoption and subsequent revisions makes it clear that the resistance can crystallise into what the policy represented, and continues to represent, to political elites and their parties: the sharing of political space; or, as one of my interviewees put it, gender quotas have been perceived, in fact, as '*cuotas de poder*' (power quotas).[18]

Gender quotas have been the central theme of government campaigns, media coverage, and civil society movements in Costa Rica. As such, the Costa Rican public is very much aware of the existence of the policy. The debate on gender equality, more broadly, and gender quotas, more specifically, has been engrained in Costa Rican politics to the extent that for a legislator or political figure to 'openly oppose' gender quotas would constitute 'political suicide' nowadays—as pointed out by an interviewee.[19] The entry of the PAC into Costa Rican politics in 2002, a party that has parity regime as one of its ideological pillars, also meant that a significant proportion of elites inherently accept the proposition. Furthermore, after multiple revisions by legislative and non-legislative actors, the quota has become very strong and a significant number of women have entered the legislative domain as a result; this has transformed the dynamics of gender quota reforms into an endogenous process in which women elected through a weak(er) quota actively engage in strengthening the instrument that facilitated their election in the first place. These three factors have rendered blatant resistance from male legislators less frequent. As such, although there is evidence of copious open opposition in 1988, since 2002 this has declined, and become rarer in recent years.

---

[18] See Appendix C.1.
[19] Ibid.

Nonetheless, despite the perceived overall acceptance of gender quotas in Costa Rica a reconstruction of the debate throughout the decades shows that male resistance, characterised by threats to future career losses, has remained the norm and can be seen, albeit to a lesser extent, even in current times. To confirm this, I rely on official transcripts of committee and plenary debates on gender quota-related bills debated in the Costa Rican Assembly. All gender quota bills, including those shelved, are analysed; they are, by chronological order: *ley* (law) 7.142; *expediente* (file) 11.618; *ley* 7.653; *expediente* 14.592; *expediente* 14.886; *expediente* 15.312; *ley* 8.765; and *expedientes* 18.904 and 19.010. It is worth noting that the use of substitute texts is one way in which gender quotas were either introduced or removed from proposed bills. Given that processes by which substitute texts are produced take place beyond committees or plenary grounds official records of those meetings are non-existent. So, I complement my analysis with data from interviews conducted with key actors in San José in August 2014, as well as archival research collected at the same time. Nonetheless, the lack of records for behind-the-scenes machinations on substitute texts means that much of the resistance towards gender quotas might not have be caught in the official records; what is captured may, in fact, under-estimatimate the actual level of resistance in place.

In 1988, Margarita Penón, in her capacity as First Lady, introduced to the legislature a bill entitled '*Ley de Igualdad Real para las Mujeres*' (or the Law of Real Equality for Women). The bill had been a campaign promise of her then-husband, President Óscar Arias, and received large support from the executive. The proposal sought to address gender inequality in various spheres, including labour market, health, and domestic violence. One of its chapters, in fact its first, was solely dedicated to addressing gender inequality in politics. Legislators' resistance towards the chapter on political rights was striking throughout the two years during which debate on the policy took place.

In the very first meeting about the bill this resistance was already explicit. On 18 May 1988, the *Comisión Permanente de Asuntos Sociales* (Permanent Committee on Social Issues), through the Committee's president, Deputy Carvajal Herrera, brought up a motion to give priority to the bill, given that it originated in the executive. During his remarks, Deputy Carvajal Herrera conveyed his disagreement with the bill's chapter on political rights and, especially, the quota. Even before any debate took place, the Deputy spoke of the need of making the bill 'better'. Contrasting with Deputy Carvajal Herrera's previously stated disagreement with the quota, this suggests that 'bettering' the bill would entail retracting the quota proposal. This idea of betterment was reinforced in future meetings.[20] The Committee resumed discussions on the bill on 25 May. The first to speak was deputy Molina Rojas who highlighted that the aspect of the bill that would

[20] Ley 7.142, archival records: 38.

remain most contradictory was the chapter on political rights. Elena Fallas, from the Department of Technical Services of the Assembly, was invited to the Committee to provide a technical interpretation of the bill given its already polemical status. In her intervention, she argued that articles 1 and 2—which established that a proportion of nominations should be reserved for women—could potentially pose constitutional challenges.[21]

After only a few hours of discussion on the bill and one technical opinion, Deputy Carvajal Herrera decided that the most appropriate manner of proceeding with the consideration of the bill and addressing the problems they had identified most significantly, the chapter on political rights, would be to introduce a substitute text. This quick sequence of actions suggests that in seeing the proposal included a quota within parties and for external nominations, as well as a provision establishing party funding for the promotion of women, members of the Committee considered ways in which the proposals could impact their own future goals. In assessing that these policies would likely have a negative effect on their careers, they attempted to be rid of them as soon as possible, rationalising their actions by arguing the provisions were 'unconstitutional' or detrimental to democracy.[22]

The Technical Department introduced the substitute text which made no mention of women's political rights on 7 June. That is to say, in under three weeks, the chapter completely disappeared from the bill.[23] Various experts were subsequently invited to the Committee to present their opinions on the bill, some of which made direct reference to the initial proposal to instate a gender quota. After one of the experts invited to the meeting of the Committee on 13 July suggested that there were women capable of participating in politics, and, using an anecdote about her own career in the judiciary implied that female potential contenders were under-represented due to discrimination, Deputy Villalobos Villalobos countered to elucidate how a quota could threaten the careers of male politicians. As he put it (my emphasis):

> [I]f in the last political campaign a participative woman had appeared, either in the people of Naranjo or in the political arena, [and who] not only had the background, but also actively participated in politics by going to meetings, organising groups and seeking after political parties, *I assure you that both Don Fabio and I would have seen our names shake in a party assembly, if this type of woman would have appeared against don Fabio['s candidacy] or mine.* Politics is something different, we cannot compare it with the opening of a body such as the judiciary because it implies participation, work of many years. In order to become a deputy I had a long track record [political] of work: from 1962 to 1978. So politics is something different. I agree with you that

[21] Ibid: 63-64; 67-70.
[22] Ibid: 70.
[23] Ibid: 143.

> parties should open, *but we cannot ignore the active participation [from those] within the political party*.[24]

Deputy Villalobos Villalobos's intervention explicitly highlights the threat that a gender quota would pose to the careers of Costa Rican male politicians: that, in order to accommodate women, men's political trajectories, years of work and ambition would be neglected, and thus threaten the plans to which they dedicated their working lives. This is strong evidence of the fear that legislators might have been hesitant to openly admit.

The potential threat a quota could impose to the careers of legislators was again referenced directly when female legislators were invited to the Committee on 31 August. As recorded in *Acta* 53, Deputy Guevara Fallas stated: 'The dispute that takes place within the parties is not a dispute between the sexes in parties' national assemblies, but a dispute of personal ambitions; there are many people who want to be deputy'. [25] The bill finally reached plenary on 19 February 1990, with text that reinserted the political chapter, now with significantly weaker provisos. During the plenary debate, Deputy Aguillar Sevilla provided yet more evidence of the threat quotas represented to male legislators (my emphasis):

> I see, and maybe it's because *to some extent us men have a degree of nervousness in regards to women competing with us at all levels*. It really is a great pleasure to see a Margaret Thatcher, and for a third term. You see a lot of women, vice presidents, deputies, ministers, are overcome *Could it be that we, in political parties, fear this competition?* I want to leave this question open, because we are all politicians here, all militant in parties and *I think this nervousness is logical* because it has been two thousand years of discrimination against women. And suddenly the feeling that women may overcome us, I feel that this causes nervousness to us all. You can hear comments in plenary as I say these words, *as men, we are the majority here*. If we were in the minority, things would change.[26]

Deputy Aguillar Sevilla painted a picture of a congressional room full of men, nervous with the prospect of a policy that would render seats scarcer and threaten to displace them. This is indicative precisely of the kind of behaviour my argument predicts: based on one's fear of increased competition, the opposition to quotas.

After many amendments in Committee and plenary, the bill was approved almost unanimously. Despite mass media exposure, executive pressure, and popular support for the original bill, the final text did not include a quota. Nonetheless, Deputy Carvajal Herrera who presided over the Permanent Committee on Social Issues where the discussion of the bill took

---

[24] Ibid: 402.
[25] Ibid: 621-626 for the entire speech.
[26] Ibid: 1048-1049.

place summarized the role of men as supporters of the bill as crucial for expanding spaces for women: 'the bill would not become law if the men in this plenary had not transcended themselves to give Costa Rican women new opportunities'.[27] This, once again, contrasts the gains in opportunities secured in the law, with the potential losses the men had conceded to incur.

A documentary produced by the *Instituto Nacional de las Mujeres* (National Institute for Women—INAMU; former *Centro de Mujer y Familia*) to commemorate the anniversary of *ley* 7.142 provides further insights into the types and extent of resistance proponents of the bill faced. In the video, Elizabeth Odio Benito, one of the women involved in the drafting and promotion of the bill, spoke about the importance of the section that guaranteed formal space for women in politics. According to Odio Benito, there were plenty of women in party politics, but they were generally charged with organising elections or making sandwiches for leadership meetings. She argued that the bill's initial focus represented precisely women's demands to change this, but that party bosses 'shut the door in their faces'.[28] She also described the efforts of proponents of the bill as 'not easy': 'we have had to fight strongly… [the men] did not want to understand or renounce their privileges'.[29]

The fear of having to renounce privileges is something multiple key actors in the documentary mentioned as the underlying reason for the high level of resistance they encountered when promoting the bill. The threat that a quota could potentially pose to male politicians was so well understood that it was the theme of a political cartoon published at the time and shown in the video. In the cartoon, two men are seen in an office and one says 'I can already see that in the future it will be a big feat to see a man in the Assembly'.[30] This is evidence that not only male legislators saw themselves in the domain of losses; the public also understood that a quota would change the status quo and shift future reference points for those already in office.

Rosemarie Karpinski Dodero, deputy elected through the PLN and first female president of the Legislative Assembly from 1986 to 1990 further attested to men's fear of the policy by recounting the following episode. She said that, after giving a plenary speech in support of the bill, her telephone rang and the person ringing her spoke, threatening 'we are calling to tell you that we

[27] Ibid: 1238.
[28] The original Spanish: 'nos deran con la porta en la nariz'.
[29] INAMU, 2011. 'Así lo vivimos: Mujeres Recuerdan su Lucha por la Igualdad'. Documentary retrieved from the archives of INAMU on 5 September 2014.
[30] The cartoon read in Spanish: 'ya veo que en el futuro sera una gran hazaña ver un hombre en la asamblea'.

put a bomb in the plenary because we do not want Costa Rica to approve this law that you are defending'.[31]

After this initial rejection, gender quota proposals continued to pop-up in the Assembly. In 1992, Deputy Gladys Rojas Prado proposed a quota, which was registered as *expediente* 11.618. The bill was only briefly debated, partly a consequence of its poor drafting, as highlighted in the opinion issued by the TSE on 26 May 1993. Nonetheless, the four male deputies and technical consultant who attended the meeting of the *Comisión Especial Mixta de Elecciones* (Mixed Special Commission on Elections) took-up the bill for few moments on 23 September 1993. In this occasion, Rodrigo Gutiérrez, the technical consultant in attendance argued: 'Our worry if we accept this bill is that when we come to it, indigenous populations and the black community will also be demanding proportional participation'. The deputies in attendance were all in agreement with the President of the Commission, Deputy Rodríguez Araya, saying: 'I make mine your words'.[32] This intervention directly attests to the worry of politicians that groups that were overwhelmingly under-represented in politics would begin demanding for rights of representation—which would translate into a significant change in the composition of party elites.[33]

In 1994 a quota bill was again introduced, this time by Deputy María Lidia Sánchez Valverde. The bill was never debated on its own, but only in the context of a larger electoral reform in 1996. Similarly to the debates from the previous decade, many deputies masked their opposition to the bill with arguments claiming it to be discriminatory, against the principles of meritocracy, unconstitutional, or detrimental to party independence. In contrast however, some passages of the transcribed debates document remaining concerns about the threats quotas potentially could pose to parties' competitiveness and legislators' individual political careers.

On 31 July 1996, during the first meeting of the the *Comisión Especial Mixta para Formular, Dictaminar y Recomendar la Legislación Necesaria en Material Electoral* (Special Mixed Committee to Formulate, Regulate, and Recommend the Necessary Legislation in Electoral Matters), Sandra Piszk Feinzilber, President of the Committee, argued that the proposal for a 40 percent gender quota could be 'a violent change' for some of her fellow deputies and says that a greater

[31] In original Spanish: 'aqui la llamamos para decirle que se puso una bomba en el plenario porque no queremos que en Costa Rica se apruebe esta ley que estas defendiendo'.
[32] Expediente 11.618, archival records: 25.
[33] Ibid: 21–27.

participation of women (and youth) is what comes to mind when there is talk about the need to renew the Costa Rican political class.[34]

Quotas were perceived not only as posing threats to the careers of individual politicians, but also as placing some parties in a competitive, advantageous position over others. In defending her proposals to strengthen the quota design in the substitute text, Deputy Sánchez Valderde showed that parties' willingness to accept the quota depended considerably on whether they were already likely to be able to abide to the quota (given the number of women in their party), or not:

> Here we have to say one thing, in the process of this law [we] have also made decisions on a political topic, in the sense that some say that for the PUSC this is all already guaranteed, that the 40 percent is already guaranteed, and that everything is ready because it is time for women, which in reality it is, and that they have no reason to "pull the chestnuts out of the fire" at the PLN, which in the last plenary assembly was not as open to take into consideration these reforms.[35]

As Deputy Sánchez, a member of the PLN herself, conveyed, the fact that the PUSC already had the number of women in the party structure (as members and candidates, but not as elected officials), allowed them to easily abide to proposed changes, putting them in an advantageous position vis-à-vis the PLN (and potentially other smaller parties). Despite resistance, the quota made it to the approved version of the electoral reform; it did not, however, include sanctions or ranking provisos.

In 2001, the TSE presented to the legislature a proposal for an electoral reform that included revisions to the gender quota. Finally, in 2004, the electoral reform began to be considered, and female deputies saw it as an opportunity for enacting their quota demands. On this occasion, the notion of a gender quota was already largely dispersed into Costa Rican politics, and society and parties had complied with the policy for several electoral cycles. Nonetheless, largely associated with the fact that parties insisted on nominating men to the top position of their lists across provinces, the quota persistently yielded sub-optimal results.

When the debate about electoral reform returned in 2004, female legislators demanded that the quota be transformed into a parity regime—or, expressly, a policy to establish that women would occupy 50 percent of candidate nominations. Not only that, but the discussion also reintroduced the TSE's 2001 proposal for a ranking system. Again, congressional debates indicate that reforming (strengthening) the quota was perceived as a threat to some parties and male legislators. Already by then representatives of the PAC occupied a substantive number of seats in

---

[34] Ley 7.653, archival records: 971.
[35] Ibid: 1511.

the Assembly, and the party already had (and enforced) such a policy internally. Thereafter resistance became less blatantly obvious, but was still present.

On 2 September 2004, Deputy Ronaldo Alfaro García exposed how, even though the quotas reserved 40 percent of elected nominations in party lists, increasing it to 50 percent would pose an additional threat to the careers of male legislators. In his words: '[T]his brings as a corollary discrimination towards a group of people that lose the opportunity to dispute in one of the electable posts, albeit they fulfil all of the requisites, just because they are not women'.[36] On the same day, as a result of reforming the quota, the potential loss in the level of competitiveness of small parties, was also raised. Deputy Alfaro García, a member of the ML, a party created in 1994 that held six seats in the 2002 legislature, argued that parties with an established machinery would be more equipped to tackling this potential challenge in recruitment and therefore were at an advantage. This is strong evidence that, despite 16 years having passed since the first debate on gender quotas took place in the Costa Rican National Assembly, the policy continued to threaten the career prospects of male politicians in similar ways. Moreover, that during that time parties did not care to transform their internal structures to allow for more female participation.

Most recently, in 2013 and 2014, two bills were introduced to propose the parity law be strengthened by incorporating the notion of '*paridad horizontal*' (horizontal parity)—the idea that parties should not be able to nominate men to all top positions of their lists, but instead should, across provinces, intercalate male and female candidates to top their lists. Although blatant comment about the level of threat quotas may pose to the careers of politicians and the electoral success of parties has become scarcer over the years, evidence of the threat that the policy continues to represent to male elites persists.

In this section, I sought to investigate the second condition of my IMA framework of whether gender quotas are threatening to the careers of Costa Rican politicians. I examined this in two stages. In the first part, I used historical election data to show that gender quotas had the potential of impacting the electoral prospects of individual politicians and political parties alike. In the second part, I argued that this threat is not only implied, but also directly evidenced in archival material and interviews in which legislators admit to opposing quotas because of their potential to displace male contenders and or disadvantage their parties. In the next section, I evaluate whether this threat is translated into the behaviour of legislators in the drafting of gender quota designs.

[36] Ley 8.765, archival records: 1420–1421.

8.3. STRIKING A BALANCE: GENDER QUOTA AS A THREAT, GENDER QUOTA AS A DEMAND

Unlike the quota process in Brazil fewer data types are available to cover the positions of individual legislators in Costa Rica. This may be at least in part a result of the fact that party loyalty is high among Costa Rican legislators and that, given that the policy has been a topic of extensive media coverage and executive and popular support in the country, any given party that publicly positioned itself against the policy would likely suffer electorally. Given the hesitation of parties to be associated with a vote against a policy to promote gender equality, and the fact that partisan discipline is very high, favourable votes on gender quota-related proposals were almost unanimous—so an evaluation of roll-call votes is also unhelpful.

As such, I engage in an analysis of the official records of legislative, executive, and judicial activities to reconstruct the *processes* of gender quota adoption and revisions in Costa Rica. I divide this analysis into two steps: in the first step, I outline instances that evidence the efforts of male individual actors and traditional parties to weaken original gender quota proposals via amendments and substitute texts. In the second step, I analyse the relationship between parties' electoral prospects and their respect for the adopted gender quota provisos. In both sections, I highlight the role of non-legislative actors, most importantly, judges of the TSE, in the *de facto* strengthening of the gender quota design.

I show that although the threats a gender quota posed in Costa Rica were not as direct or intense to the individual careers of male politicians as they were in Brazil or Chile, the potential impact quotas could have had on the displacement of entrenched party elites, or on the level of competitive advantage of new parties vis-à-vis their traditional parties still led to resistance towards gender quota adoption and to the weakening of gender quota designs. Unlike protagonists in Brazil and Chile, however, from the start Costa Rican legislators proposed more ambitious bills and were susceptible to the strengthening of gender quotas enacted by non-legislative actors. I also show that resistance to quota guidelines in the period post-adoption correlates with parties' levels of electoral gains and losses.

8.3.1. THE WEAKENING OF GENDER QUOTA DESIGNS

The preferences of male legislators for weaker gender quota designs trace back to the process of gender quota adoption and revisions since 1988. Throughout the decades, approved policies have consistently been weaker than their original proposals. Between 1988 and 2016, there were 13 instances of gender quota-related interventions in Costa Rica; eight of them took place within the Assembly, with the remaining being taken up by the TSE. Although bills generally were introduced

as proposals for individual pieces of legislation—in other words, were debated independently of other bills—they only ever became law as part of larger bills. It is significant that the quota introduced in 1996 as well its revision in 2009 were both part of larger electoral reforms, in which other, more controversial issues that could presumably be even more threatening to the careers of legislators were at stake. Nonetheless, in all instances, original proposals were weakened before the drafts of the bills were finalised.

Costa Rica ratified the United Nations' (UN) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1979, continuing its tradition of commitment to human rights and democracy, and thus its chapter that urged member states to engage in efforts to end discrimination against women in the public and political spheres. As a response to this first international incentive, in 1988, Carmen Naranjo, Minister of Culture of the government of President Óscar Arias, introduced to the Assembly a bill entitled *Ley de Igualdad Real para las Mujeres* (the Real Equality for Women Act). Explicitly based on the goals of CEDAW, this bill included a chapter seeking to promote women's political representation. At that time, no quotas had yet been adopted in Latin America, and voluntary party quotas in Scandinavia remained the model for affirmative action policy to promote women to elected offices. Exogenous pressures for the adoption of gender quotas were not yet significantly high. Yet, Minister Naranjo justified the introduction of a bill that included a provision for gender quotas on the basis that through CEDAW, Costa Rica had made a commitment to the international community. In presenting a bill that contained precisely thirty articles that paralleled the model presented in CEDAW, Minister Naranjo made a very clear statement in regards to the UN's influence on the proposal—and began to constrict the options of legislators in regards to *not* adopting a quota.

By a number of accounts[37] the bill received the full support of the President and First Lady, and the media followed suit, reinforcing the need for Costa Rica to become a more gender egalitarian society. In fact, in the bill's presentation it was also clear that the bill represented an area that was particularly important to the Development Plan of Arias's government.[38] The initial response to the bill was negative, not only among legislators, but also among civil society.[39] What followed was a strong and lengthy campaign enacted by the executive, along with a number of women, civil society groups and media outlets, to promote the bill. The campaign strategically sought to include citizens of all ages, genders, and backgrounds, through the use of jingles, TV

[37] A number of interviews with key actors were conducted in San Jose in the month of July 2014. An anonymised list of interviewees is available in Appendix C.
[38] Ley 7.142, archival records: 5–6.
[39] INAMU, 2011.

ads, street marches, pamphlet distribution in government service provision buildings, as well as children and adult workshops in parks and other public areas. The consequence of pressure from international organisations and civil society started to show. Two years of campaigning led to significant results and a survey conducted in 1988 showed that 57 percent of Costa Ricans supported the bill in its entirety.[40]

The popular support was mirrored in the Assembly, to an extent. After much debate, the bill passed almost in its entirety and without substantial amendments; the only controversial section of the bill was its chapter on political rights, which established a gender quota designed in such a way that in the following five consecutive electoral cycles, political parties would have had to present candidate lists in which the percentage of men and women candidates nominated were proportional to the percentage of men and women subscribed to their respective parties; the bill also established the same quota provisos for party leadership positions.[41] The drafting of the bill thus implied the already existing presence of women within party structures, but highlighted their lack of representation in parties' official ranks. The chapter also included provisions to reserve 25 percent of state funds transferred to parties for the promotion of women's representation.

In total, 30 amendments revising the original text of the chapter on political rights were introduced in committee and plenary. While a few sought to make the provisions stronger, most attempted to weaken this particular aspect of the bill, either by proposing the outright deletion of some of its articles, or by rendering the language less specific—and, as such, less implementable. Through debates, it became clear that weakening the quota proposal was justified as a way of keeping the overall bill alive, given that it needed a 2/3 majority vote to be approved, something that arguably would not have been possible with a more solid chapter on women's political rights. As a result the quota was rejected in parliament and the only mention of political rights expressed in the law published on 8 March 1990 with the title 'Law for the Promotion of Women's Social Equality' established that political parties would seek to modify their status to include 'effective mechanisms' to promote women's political participation. With this, no binding mechanism was established and Costa Rica's first attempt to adopt a gender quota was rejected.

In 1991, Argentina adopted a constitutional gender quota, becoming the first country in the world to have a legislated, mandatory quota for all political parties in a given system. Despite occurring after the pioneering work Costa Rica, Argentina's adoption of a gender quota policy

[40] INAMU, 2011.
[41] Ley 7.142, archival records: 8.

stands as an important milestone for the entire region since the adoption of the Argentine quota increased the pressure for other countries to meet the same standard of gender equity.

In 1992, a process to enact an electoral reform was launched in the Costa Rican National Assembly through *expediente* 11.504. Although this bill touched on various aspects of the electoral system, political representation of women was not a part of the bill. Discussion began in the *Comisión Especial Mixta de Electorales* (Special Mixed Committee on Electoral [proposals])—a Committee composed solely of male deputies. Meanwhile, female Deputy Gladys Rojas Prado, from PLN, introduced bill 11.618, a bill to establish gender quotas for candidate nominations to elected positions as well as party leadership roles. On 27 July 1993, the knowledge of this latter bill reached the Committee, as it requested to take into account gender quotas in its broader debate on electoral reform. Then, on 2 September 1993, the Committee met for the last time during the 1990 -1994 legislative cycle, but without again discussing the possibility of a quota as part of the electoral reform. On 3 May 1994 deputies from the new Assembly cycle filed requests to take-up the project. Full debate on the bill, however, only resumed on 23 April 1996, when the Executive approved that the bill should return to the legislature.[42]

Published just the year before the resumption of the debate, the Beijing Platform for Action contains a chapter that discusses the use of affirmative action policies to facilitate the entry of women in politics. Subsequently, the *Centro de Mujer y Familia*, —the government's branch for women's issues—became more heavily invested in backing quota proposals and gathered the 'national women's machinery'[43] to support the re-introduction of quotas into the electoral reform debate. Their goal was to reserve a proportion of candidate nominations for women, but also to assure that nominees would be placed in electable positions.[44] In the light of international pressures, the spread of gender quotas in the region, and this continued pressure from domestic organisations, the adoption of a gender quota in Costa Rica had momentum.

On 23 April 1996, the new electoral reform bill was read in plenary, and the bill included provisions for a gender quota. The draft substitute text was compiled by the six new members of the Special Committee, of whom two were women. No official record of discussions surrounding the substitute text was made, nor was there any official report on this process. Unlike the 1988 bill, this process was not characterised by a shower of amendments attempting to weaken the quota proposal. But this is less evidence of the lack of resistance for the proposal, and more a sign

---

[42] Ley 7.142, archival records: 825.
[43] Quesada, Ana Isabel García. 2003. 'Putting the Mandate into Practice: Legal Reform in Costa Rica'. *The Implementation of Quotas: Latin American Experiences*. Presented at the International IDEA Workshop in Lima, Peru 23-24 February: 3.
[44] Quesada, 2003: 4.

that the negotiation process on the quota preceded the text's arrival at the plenary floor. In this instance, Costa Rican legislators accepted the potential risks of adopting a quota, as long as it was not a strong policy.

Passages from the official transcripts of debates on the bill indeed suggest that the quota proviso included in the substitute text had already been negotiated and that the language used would not be up for further debate at the plenary. This is hinted in transcripts from the Committee's meeting on 20 September 1996, recorded in *Acta* 62. When discussing a motion by Deputy Maria Lídia Sánchez Valverde to include a placement mandate that would make the quota applicable to 'electable positions', the president of the Committee, Deputy Sandra Piszk Feinzilber, stated that while she was in favour of the amendment, she could not support it because revising the text of the bill would disregard 'political realism' and 'parliamentary pragmatism', and would make it impossible to reach the 38 votes required to approve the bill, putting the entire electoral reform at risk.[45] During the same session, Deputy León Blanco further exposed the process undertaken to arrive at such language:

> The product of what we have here is not casual, it is not whimsical, there have been serious and thorough research [conducted] by all political organisations in this country involved in this issue. There have been disparate views from all of the interested different organisations and it seems to me that the result achieved after such an analysis is valid.[46]

In the end, the provisos originally introduced through the alternative text were hardly changed, once again attesting to the rigidity of the text and suggesting that negotiation had already taken place behind closed doors. The electoral reform package passed almost unanimously.

The approval of the law meant that Costa Rica adopted its first gender quota legislation in 1996. The policy established that women should occupy at least 40 percent of positions in candidate lists for seats in district, provincial, and national assemblies. Although this signified an advancement in that the proportion of candidacies reserved for women was larger than that being adopted in other countries in the region during the same period, Costa Rican elites knew that the law would, effectively, not require parties to displace their preferred male candidates; in other words, they knew that the policy would not challenge the status quo.

That is because the proviso identified by Costa Rican legislators themselves as important for the effective implementation of the policy never made it into the law. As early as 1988,

---

[45] Ley 7.653, archival records: 1508.
[46] Ibid: 1509.

proponents of the bill argued that a strong quota design would have to include: 1) an enforcement mechanism, such as electoral sanctions for non-compliance; and, 2) a placement mandate that guaranteed the application of the quota to electable positions on candidate lists. But neither were part of the quota adopted. Furthermore, politicians and parties were accustomed to the political dynamics of elections under closed-list proportional representation in a stable two-party system and were aware of which seats they were likely to get and which seats were likely to be won by their opponents. As such, parties knew how they could safely abide by the quota requirements specified in the approved law without having to displace any of their male elites. This is precisely what happened in the first election to which the quota was applied and women's representation in the Assembly only increased from 14 percent in 1994 to 19 percent in 1998.

This, however, would not last long. Although the initial quota design approved in the Assembly may have been in line with the calculations of individual politicians and their parties, what came next was not. The INAMU continued its fight to make gender quotas effective by pressuring the TSE to interpret the legislation in a way that obliged parties to nominate women to 'electable' positions. In December 1999, the TSE issued a resolution establishing electable positions as based on the historic average of party gains. With this interpretation, the TSE revised the *de facto* application of the policy, rendering it considerably stronger than what parties and individuals had approved.[47]

This constitutes a good example of an unintended consequence of risk-taking behaviour: simply analysing the strength of the gender quota in Costa Rica could give the impression that resistance did not take place, when, in fact, the outcome is inconsistent with the calculation and anticipation of legislative actors due to the involvement of non-partisan actors—who did not have a direct stake in the consequences of the policy.

The TSE's decision is considered an important milestone in the development of the quota, given that the tribunal's interpretation, and not legislative drafting, was what ultimately transformed a weak piece of legislation into an effective one. With its ruling, the TSE essentially established a placement system and a sanctions mandate, both aspects of the policy design that pressure groups were not able to successfully demand from the legislative branch.

Meanwhile, the TSE and the executive branch proposed a broader electoral reform to the legislature, with *expediente* 14.268 from 13 February 2001. Among other things, this bill recognised

---

[47] Chavarría, Eugenia María. 2014. 'El Mecanismo de Alternancia en el Nuevo Código Electoral y su Aplicación'. *Revista de Derecho Electoral.* 17: 295-296.

the resistance of parties to place women on the top of lists, and established that the head of the list should be decided by 'luck'. In its initial form, the bill simply reinforced:

> The 40 percent minimal participation for women in party structures, and candidacies to assemblies is maintained. In regards to the nominations that are presented to national or local elections, they should take the form of alternation between men and women, deciding by luck the gender [of the candidate] who tops the list.[48]

The proposal was not immediately picked up.

In 2002, a new legislature was inaugurated. The TSE's ruling was effective and the proportion of women increased from 19 percent in 1998 to 32 percent in 2002—a bill strengthening the quota was never needed to be approved in the legislature. In the same year, the PAC entered the legislature, significantly impacting it. The party's internal regiment already established gender parity with alternation in lists; this meant the party had nothing to lose by advocating for gender quotas at the national-level. On the contrary, it could only gain by forcing other parties to displace their elites.

On its very first race, the PAC was already able to secure 24.6 percent of seats in the legislature. This means that the entry of the PAC also automatically resulted in a decrease in the level of threat gender quotas posed to the legislature as a whole—as the policy would not pose a threat to members of the PAC or to female legislators from other parties (22.8 percent of the Assembly in 2002). In sum, the entry of the PAC and the TSE's enforcement of its 1999 resolution, meant that, by 2002, 47.4 percent of the Assembly were not threated by the quota. As a result, overall resistance against the policy began to gradually decrease—albeit not disappear.

In 2003, Deputy Kyra de la Rosa Alvarado from the PLN, presented a proposal (*expediente* 15.312) to revise the 40 percent gender quota, and to substitute a parity law for it. The proposal revised articles 58 and 60 of the Electoral Code to reserve 50 percent of candidacies for women, with a clear ranking system that would force parties to alternate candidates of different genders on their candidate lists. The existence of these two concurrent bills led Deputy de la Rosa, with the support of Deputies Gloria Valerín (PUSC) and Margarita Penón (PAC), to submit proposals for them to become part of the larger electoral reform bill.

The bill began to be debated in 2004, but was only finalised during the following electoral cycle, which started in 2006. In this new legislature Deputy de la Rosa's proposal was stripped off the bill via a substitute text that made no mention of female political representation. Much like the

---

[48] See: Chavarría, 2014.

1996 bill, there are no records of the negotiations involved in the production of the substitute text, but the retraction of the new quota provisions from the bill is evidence of an attempt to maintain the quota in place without strengthening policy provisos which would allow it to be more effective in displacing the surfeit of male elites and in turn to establish gender balance.

The INAMU together with female deputies from various parties were nonetheless able to reinsert the proposal into the bill and legislators yet again resisted the ranking system proposed. As Haydee Hernández Pérez, author of the original proposal of *expediente* 15.312 and Chief of the Technical Unit of the National Assembly, described: the male deputies (‘*señores diputados*’) ‘threatened me, saying that if we did not eliminate this [the system of gender alternation] from the amendment, they would not vote for anything gender-related’.[49] Proponents of the bill to strengthen the quota, including Haydee Hernández herself, revised the proposal to be applied to party statutes and not electoral law and managed to see it passed on 18 November 2008; the bill was sanctioned into *ley* 8.765 on 19 August 2009. With the larger electoral reform passed a new parity law and a package guaranteed the placement mandate of alternation—although no requirements in regards to the person who headed the list—and a budget allocation for training female legislators and female prospective candidates.[50]

For the first time, the parity law was in effect in the 2014 elections. Perhaps unexpectedly, instead of solidifying the presence of women in the legislature, the policy led to a decrease in female representation; this was the result of parties’ unwillingness to nominate women to the first position in their lists, combined with an increasingly fragmented system in which each party gains fewer seats, as explained. To address this Deputy Jeannette Ruiz, from PAC, proposed to once again revise the quota and introduce the concept of horizontal parity.

The proposal, contained in *expediente* 18.904 from 2013, would force parties to abide to the parity law horizontally as well as vertically, meaning that the gender of the top candidate in a given party’s lists would have to alternate across provinces. This meant that at least three of the seven provincial party lists would be headed by women. This guaranteed a more egalitarian distribution of men and women in electable posts. The PAC’s behaviour is illustrative of what my argument anticipates: a party using the quota to increase its competitive advantage. The strengthening of the quota would not lead to any changes in the recruitment of the PAC—as the PAC already had a

[49] De Nieves, Arturo. ‘Entrevista de iKnow Politics com Haydee Hernández Pérez’. *iKnow Politics blog*. (2 December 2015). https://www.iknowpolitics.org/es/news/interview/entrevista-de-iknow-politics-con-haydee-hernández-pérez.
[50] Ley 8.786, archival records: 11130.

parity mandate with vertical and horizontal alternation as part of its internal regiment—but it would require other parties to change their strategies and displace some of their elites.

A subsequent proposal, established through *expediente* 19.010, was elaborated in 2014 within the legislative Committee for Women, presided by PLN member, Deputy Pilar Porras. The first text of the proposal to be approved by the Committee was finalised in March 2014, at the end of a legislative cycle. The bill then became the responsibility of the following Assembly. In the event legislative action was trumped by actions of the judiciary once again, however.

In October 2015, the *Sala Constitucional de la Corte Suprema de Justicia* (Constitutional Chamber of the Supreme Court) responded to a case brought by Haydee Hernández and Deputy Maureen Clarke, from the PLN. The Chamber's resolution changed the interpretation of the parity law in Costa Rica: instead of abiding only to vertical parity, starting in the 2018 elections parties will also have to respect the principle of horizontal parity.[51] As such, the decision annulled previous resolutions from the TSE that interpreted parity as vertical. Thereafter, *expediente* 19.010 continued to be debated in the Costa Rican Assembly with Deputy Emilia Molina, from PAC, as its main proponent—but the interpretation of the policy had already been determined and the TSE will still have to follow the mandate established by the Constitutional Chamber, despite the measure not having been approved through the legislature.

Before international organisations and neighbouring countries emphasised quotas in their policy agendas, Costa Rica was already discussing and campaigning for a quota to be adopted. In the lack of extraneous pressures, incumbents rejected the first bill. When the policy was once again considered, international, regional, and domestic exogenous pressures were much more pronounced. Although legislators considered the ways in which the quota would be detrimental to their careers since the first gender quota debate, they engaged in the risk-taking activity of adopting the policy, meanwhile attempting to minimise the effects the quota would have on their future careers; despite the fact that knowledge of what would constitute a strong quota was widely available to legislators, they preferred to pass a weak policy. The risk undertook by incumbents, however, ended up having higher costs than that anticipated, as non-legislative actors got involved in the process and strengthening the gender quota's effective design. The involvement of an emerging player—the PAC, a party that instituted a parity regime from its foundation—also substantively altered the aggregate-level of threat a quota posed to incumbents and political elites,

[51] Madrigal, Luis Manuel. 'Sala IV Orderna Aplicar Paridad Horizontal en Todos los Procesos Electorales a Partir de 2018'. *El Mundo*. (19 October 2015). http://www.elmundo.cr/sala-iv-ordena-aplicar-paridad-horizontal-en-todos-los-procesos-electorales-a-partir-de-2018/.

more generally. In the next section, I show that the behaviour of legislators in weakening gender quotas is consistent with observed outputs and party-level strategic logic.

8.3.2. PARTY COMPETITION, LOSSES, AND GENDER QUOTA RESISTANCE IN OUTCOMES

This final analytical section examines whether observed outputs and party behaviours are consistent with my argument. This is motivated by Collier's suggestion that '[f]ruitful theories generate multiple observable observations'.[52] For the current work, this means that if resistance to strong quota designs was a result of incumbents' fear to be displaced, I should also expect parties whose elites have the most to lose to promote the adoption of gender quotas, but be the most resistant to strong designs and the quota's effective application; I should also anticipate that parties can gain from the strengthening of gender quota designs, by forcing other parties to displace their elites. This is precisely what I observe.

The process of gender quota adoption was initiated by the PLN. Perhaps surprisingly, then, the PLN was hesitant to enact the necessary changes to abide to the quota after its adoption. This, seemingly counterintuitive behaviour, however, is very much aligned with my argument. According to my expectations, those that have the most to lose from gender quotas will anticipate their potential losses, and thus undergo risky behaviour—gender quota adoption—in an attempt to control the legislative process and minimise future losses.

In the 1994 elections, which returned the legislature that would adopt a gender quota, 12 percent of the PLN's nominated candidates were women, compared to 20 percent of PUSC candidates, a fact that was brought up during the quota debate explaining why the PLN would not be able to quickly adhere to the quota's requirements. This suggests that comparatively the quota could have a larger impact on the PLN than on the PUSC. In re-igniting the process of quota adoption at a time when the introduction of the policy seemed unavoidable, the PLN thus managed to take control over its drafting.

The weak drafting of the approved legislation allowed the PLN to overcome the need of making changes to its party structure which would displace at least some of their established elites. The first election in which the quota was applied, in 1998, showcases the resistance of parties to abide with the policy. Indeed, as determined by the quota, women's candidacies rose from 12 percent in 1994 to 39 percent in 1998. But this increase did not translate into seats in the legislature. In the same period, the proportion of seats occupied by women only rose from 14 percent to 21

---

[52] Collier, David. 2011. 'Understanding Process Tracing'. *PS Political Science and Politics*. 44 (4): 828.

percent (from 8 to 12 women). For the big parties—the PLN and the PUSC—this only meant one more female incumbent each. The outcomes, on their own, suggest that parties had no intention of bearing the costs of displacing male elites in order to further the careers of women.

In 1999, the TSE resolved that compliance with the law as it had occurred in 1998 (by accommodating the 40 percent quota, but placing women in the bottom of their lists) would no longer be permitted. In the period that followed, it became clear that neither this intervention nor the consequent strengthening of the quota had been part of the calculations of Costa Rican legislators and party leaders. The behaviour of the PLN is particularly illustrative of my argument at play: when faced with the unexpected consequence of a strong gender quota enacted by the TSE, the party that was most prominent in introducing and supporting gender quota proposals since 1988, became the most active in restricting the policy's reach. Between October 1999 and 2002, the PLN engaged in an internal review of its policy towards female candidates deciding just before the elections to reduce the number of women in first—and thus the most electable—positions on the ballots.[53] Quesada explains that this event was illustrative of a larger tendency:

> [W]ith the PLN, it was seen how men who have extensive knowledge of the rules that govern decision-making processes and elections (party and national), as well as negotiating skills, proved capable of overcoming any organised or unorganised effort by women to uphold a right that they had long struggled to attain.[54]

At length, the PLN changed the process of candidate selection by adopting a more direct approach and came to rely on internal elections which tend to benefit established elites over female newcomers. This is precisely what my argument would predict: anticipating the pressures to adopt a gender quota, the PLN proposed the introduction of such policy, but at the same time sought to control the process so as to diminish potential future threats such a policy could represent to the party and its elites.

The creation of the PAC, significantly changed the party system in Costa Rica and led the two traditional parties, the PUSC and the PLN, to lose considerable ground. This was particularly true for the PUSC, which over the years continued to lose its place as a major player in Costa Rican politics. The implication of this is that parties that previously were electorally safe, faced diminished electoral success. These changing dynamics placed the PLN and the PUSC in a difficult position: the more limited seats were in the legislature and offices elsewhere the fewer positions there were in which to accommodate party elites; the number of positions would be even more

[53] Quesada, 2003: 9.
[54] Ibid: 7.

restricted if quotas were to be taken into account. Quotas thus became even more threatening to established parties and the political careers of their respective elites.

The entry of the PAC in the 2002 race, however, was also significant on another front. One of the founders of the PAC was Margarita Penón, whose face and name became synonymous for the Law for the Promotion of Women's Social Equality in 1988 and thereafter. Expectedly, perhaps, the PAC's internal regiment established a 50 percent gender quota for all of the party's positions, including within-party roles, on candidacy lists, and as nominees. It also established a ranking system of alternation that took into account horizontal parity, meaning that all of the party candidate lists alternated candidates' positions by gender and that women were placed first in the lists of at least three of the seven provinces. This is in line with my expectations: without established elites, new parties have no reason to resist quotas. As a result of the PAC's internal mandate, the increase in the number of seats occupied by women in 2002 to 35 percent was mainly due to the number of seats won by the PAC, more so than to the other parties' willingness to further promote the careers of women within their parties.

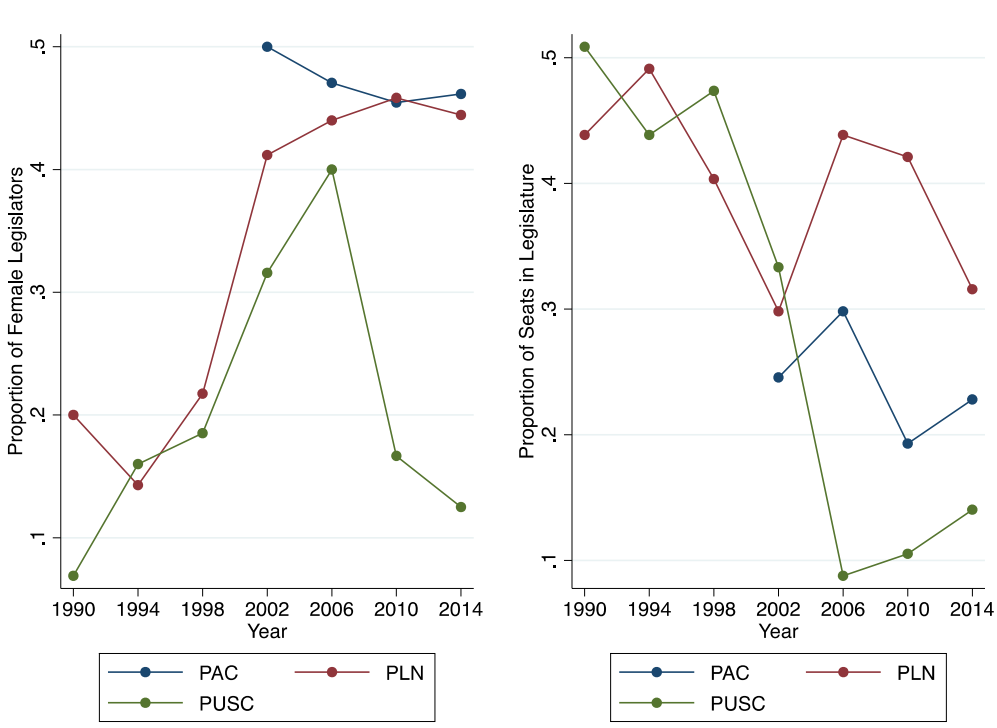


Figure 8.3. Proportion of seats in National Assembly occupied by women vis-à-vis proportion of seats gathered by each party, 1990–2014

Source: Compiled by author.

Starting in 2002—the first elections to uphold the gender quota law as interpreted by the TSE—parties consistently presented lists composed of at least 40 percent of women. Although

candidate lists complied with the quota's demands, the minimal increase in the proportion of female elected officials reflected parties' uneven levels of commitment to the quota. Not surprisingly, given the party's internal regiment since its foundation, the PAC has elected roughly equal numbers of men and women to office in all election cycles since 2002, with at least 40 percent of their legislators as women. The PLN, especially since 2006, when its electoral fate seemed no longer at risk, also managed to elect similar numbers of men and women to office. The PUSC's experience, however, depicts a different trajectory: the party shows a steady growth in its female elected officials until 2006; but as the party continues to lose ground in the Costa Rican electoral scene, mainly after the corruption scandals that jailed two of its former presidents, this number significantly drops (see Figure 8.3).

Nonetheless, from 2002, gender quotas increasingly become less of a threat to a significant proportion of Costa Rican legislators and political elites at large. This is largely a result of the creation and electoral relevance of the PAC, combined with the growing number of women elected to office, as prompted by the TSE's revised interpretation of the quota. Being a new organisation, the PAC did not have established elites; this allowed it to enact a 50 percent parity regime with alternation as a pillar of its foundation. The internal policy of the party meant that it could push for gender quotas for national elections without needing to displace its elites—while this forced their electoral contenders to do precisely that.

The PAC's inaugural year in office coincides with the first election in which gender quotas are enforced, as per the 1999 TSE ruling that forced parties to comply with the quota in their 'electable positions'. This translated into higher levels of female representation. This combination meant that the level of threat to strengthen quota diminished—and it was non-existent to PAC members who had to abide to an internal quota anyway. I argue that this explains the active engagement of the PAC in future quota negotiations, as well as the subsequent strengthening of the quota into a parity regime in 2009 and a push for horizontal parity since 2013. This is illustrative of my prospect theory account, which anticipates that gender quotas will be strengthened when they pose lower overall threats to male incumbents and their parties.

8.4. CONCLUSION

As the first of my case study chapters, the analysis of gender quota adoption in the Costa Rican case sought to explore whether my prospect theory-based predictions would be able to explain a case in which the adoption of a strong gender quota was the 'most likely'—and, thus, that the chance of resistance by male elites and that of observing my theory at play were the 'least likely'. Departing from my IMA framework, I showed that the theory works even in sub-optimal

conditions: when consecutive re-election is prohibited and the threat of quotas is not obvious, and in a system where party-logic often trumps individualised behaviour.

Using a wide array of data types and analyses, I showed that political office in Costa Rica is indeed valuable; that gender quotas do pose a threat to elites; that quotas are something to which legislators themselves admitted aversion in a number of instances; and, finally, that once pressures became extraneous, legislators take the risk to adopt a gender quota, but only one with a weak design—something attested not only by the letter or the law, but also in election results.

As such, I conclude that the strength of the gender quota design in Costa Rica is not only a result of the comparatively low threat that the policy directly posed to its incumbents, but also of the involvement of actors that were external to the domain of losses. In summary, the main factors leading to this outcome were: 1) the emergence of a key party that did not have established elites, and as a consequence could benefit from a change in the 'rules of the game'; 2) a changing political scenario, which increasingly rendered the quota less likely to displace of a large proportion of Costa Rican elites; and, 3) intervention from non-legislative actors, including judicial actors, which made gender quotas stronger in practice *in lieu* of legislative action.

The conclusions derived from this chapter serve two purposes. On the one hand, they provide thick evidence for my theory, thus improving the likelihood of it holding, especially in face of the identified causal mechanisms. On the other hand, they refine the scope conditions of my theory by showing that the strength of the policies may not be aligned with the preferences of male incumbents when non-legislative actors, or actors unaffected by equilibrium conditions, become involved—such as when a new political party without established elites develops followership.

CHAPTER 9

BRAZIL

VALUABLE SEATS, CONSISTENT RESISTANCE

Brazil was an early follower of Argentina, adopting a gender quota in 1997. Nonetheless, rates of women's representation in the Brazilian legislature have barely changed since the quota's adoption. The dramatic underperformance of Brazil's gender quota has been associated with the policy's poor design. Meanwhile, the policy's weak design, has generally been explained as a consequence of the institutional limitations imposed by Brazil's open-list proportional representation.

Institutional restrictions, however, cannot fully explain the weakness of the policy's design. For instance, in an open-list proportional representation system such as that of Brazil, the impossibility of placement lists could be (at least partly) overcome by the adoption of provisos that set higher financial campaign resources for women.[1] Brazil could also have followed its neighbours and increased the proportion of candidate nominations to 50 percent, or imposed sanctions that would prevent parties from abiding to the policy through the nomination of placeholders. Yet, none of this was done and, almost 20 years after its adoption, the quota maintains most of its original characteristics with one slight revision.

The first gender quota proposal in the Brazilian Congress, was introduced in 1976. During the military dictatorship (when women were rarely present in political office), the proposal (and its revised 1978 version) went to committee, was deemed unconstitutional based on interpretations of equality, and later shelved. After two decades under military rule, on February 1987, the Constituent Assembly (*Assembléia Nacional Constituinte*) was formed to guide the process of democratization and write the country's new constitution, which was approved in 1988. In 1991 a legislature was inaugurated with women taking six percent of the seats in the Chamber. On 1 December of the same year, the *Partido dos Trabalhadores* (Worker's Party, PT) held its first national-wide meeting in São Bernardo do Campo, in São Paulo. During this meeting, it was decided that the party would stipulate a 30 percent gender quota for party directorate positions.[2] This was the

[1] Kayuni, Happy, and Ragnhild Muriaas. 2014. 'Alternatives to Gender Quotas: Electoral Financing of Women Candidates in Malawi'. *Representation.* 50 (3): 393-404.
[2] Godinho, Tatau. 1996. 'Ação Afirmativa no Partido dos Trabalhadores'. *Estudos Feministas.* 4 (1): 148-151.

first gender quota to be adopted in Brazil. In 1993, the *Central Única dos Trabalhadores* (Unified Workers' Union, CUT) established a similar policy.

It did not take long before bills on gender quotas for elected office were introduced to the National Congress. Between 1995 and 2015, legislators presented numerous quota-related bills; the most recent attempt took place in June/July 2015, as part of considerations for a larger plan for political reform, in which not one but two gender quota proposals were considered. In the last two decades, four moments are worth highlighting: the passing of the first gender quota, which applied only to municipal legislatures, in 1995; the expansion of this law to national and state legislatures in 1997; the passing of amendments to quota provisions in 2009; and, finally, the proposal of a quota for reserved seat, for women, in 2015.

Throughout, the history of gender quotas in Brazil has been marked by the continued effort on the part of female legislators to increase women's representation through affirmative action and the resistance of male legislators to the possibility of any potentially effective policy from being approved. Thus, characterising the Brazilian institutional framework as 'unfit' for a strong quota thus avoids the need to explain the seeming inconsistency between legislators' prompt action in adopting a quota and their subsequent inaction in reforming the policy so that it could better deliver its intended outcomes.

In the current chapter, I argue that the adoption of a gender quota in Brazil is the result of an adversarial process characterised by external pressures and the efforts of female legislators in introducing bills and the role of male legislators in adopting an early quota to comply with these pressures, but resist future change. All in all, I also show that of my three cases Brazil is the one in which my theory can be illustrated with the least 'noise' and in its purest form: unlike Costa Rica, Brazil's electoral system is heavily personalist; differently from their Chilean counterparts, Brazilian legislators are not as contrived in their efforts to introduce and adopt legislation.[3] As such, Brazil provides a setting in which individuals' actions may better reflect their own interests and in which they have the means to enact these preferences. Among my cases, Brazil also represents the 'middle' case: electoral rules that permit unlimited consecutive re-election means that a gender quota could have direct effects on incumbents' goals of staying in legislative office, unlike in Costa Rica; its open-list PR with high average district magnitude, suggests that a gender quota would likely not pose a threat to displacement as significant as it would in Chile.

[3] Saiegh, Sebastian. 2005. 'The Role of Legislatures in the Policymaking Process'. Prepared for delivery at the Workshop on State Reform, Public Policies and Policymaking Processes, Inter-American Development Bank, Washington D.C., Feb. 28-Mar. 2.

For my argument to hold, three conditions must be fulfilled. First, incumbents must seek to retain office. Brazil is a federal system with three levels of government and a bi-cameral legislature, thus providing for ample political opportunities, which could deem legislative office unvalued; its electoral rules, however, do not limit consecutive re-election for legislative offices and formal and informal institutions provide high political and financial returns on office-holding. This combination suggests some possibilities: 1) the majority of Brazilian legislators perceive legislative office as a stepping-stone to executive sub-national offices, and thus do not act to protect them; or 2) despite opportunities for higher office elsewhere, legislative office is valuable and incumbents seek to retain their positions. If the first is true, then gender quota policies could not be a result of incumbents' self-interests.

Second, to justify strategic resistance towards gender quotas, a gender quota must pose a threat to incumbents' career goals. Candidates to the Chamber of Deputies are elected by open-list PR in states that have district magnitudes ranging from 8 to 70 seats. This results in widely different levels of competition across the country. This could either lead to a majority composed of an electorally secure pool of incumbents or to a majority of an electorally insecure pool of incumbents with few secure individuals. If incumbents are generally electorally secure, then gender quotas may not be a threat; if incumbents are vulnerable, however, then increased competition from political outsiders prompted by gender quotas may pose a risk to male incumbents' career goals.

If I find that: 1) incumbents seek re-election, and 2) they are indeed vulnerable to outside competition and gender quotas are threatening to their careers, then I still need to confirm a third condition: that male legislators act to protect their seats by weakening gender quotas proposed or designing weaker alternative gender quota bills (H1). As previously discussed, there are a number of aspects of gender quota designs, including sanctions and financial support for female candidates, which can improve the implementation of the policy and increase women's chances of being elected. During the process of legislative drafting in committees and plenary, male legislators can either accept the conditions stipulated on original bills, strengthen or weaken them; or propose alternative bills altogether. If the preferences and actions of male legislators in regards to gender quota designs are found to be equal to that of women, then it can be argued that men are not acting to protect their individual career goals. Nonetheless, if it can be shown that male legislators prefer weaker gender quota designs and enact their preferences by weakening gender quota proposals or introducing alternative weaker designs, then it can be argued that male legislators engineer quotas to serve their own interests.

In the current chapter, I show that all of my conditions hold: Brazilian male legislators do seek to retain office; incumbents are electorally insecure and perceive gender quotas as threatening; and, finally, incumbents prefer weaker gender quota designs both when introducing alternative bills and when confronted with proposals by women. To test whether each condition individually holds, I apply my IMA framework; within each step of the analysis, I combine process tracing and quantitative methods to evaluate different types of data, including records from plenary debates, electoral results, media coverage, elite-survey responses, interviews with key actors, and roll-call votes.

This chapter is divided into four main sections: I first employ historical data on static ambition to test the first condition—that incumbents seek to maintain their seats in the legislature. Then, in section 9.2, I combine data on electoral results and evidence from plenary debates to test the second condition and show that incumbents are vulnerable and that they understand gender quotas as a threat to their seats. In the third section, I combine survey data, roll-call votes, and textual analysis of gender quota-related bills to show that incumbents are actively engaged in weakening gender quotas. Finally, I bring together my findings to provide a complete analysis of the tests conducted and conclude that the evidence described further increases the plausibility of my theory holding true.

9.1. POLITICAL AMBITION IN A FEDERAL SYSTEM

In order to substantiate my argument, I must first establish the plausibility that legislators seek to maintain their seats. The overwhelming majority of gender quota bills proposed in Brazil applied to proportionally-elected seats in legislatures—the Chamber of Deputies at the national-level, as well as state and municipal legislatures. Debates surrounding the policy take place at the national-level and include both houses. Only one of those houses and its members, however, would directly be affected by quota policies, the Chamber of Deputies. This has important implications for my theory: when it comes to gender quotas, the stakes are higher for Deputies than for Senators, because gender quotas would only be adopted to the lower house; as such, Senators are more likely to be receptive of quotas than Federal Deputies. This chapter thus focuses on the behaviour of Federal Deputies towards gender quotas, although the actions of Senators will also be covered when relevant.

As hinted, the Brazilian National Congress is composed of two houses. Its lower house, the Chamber of Deputies, has 513 federal deputies elected for four-year terms. The number of seats allocated to each of Brazil's 26 states and the Federal District is calculated based on population. Given the large discrepancies in Brazil's federal units, district magnitude varies widely,

ranging from 8 seats in Acre (and another ten states) to 80 seats in São Paulo. Seats for the Chamber of Deputies are distributed through proportional representation using the d'Hondt formula, which stipulates the minimum threshold that parties/coalitions need to surpass to guarantee a seat. The National Congress's upper house, the Senate, is composed of 81 senators, three per federal unit. Seats are allocated through plurality system for eight-year terms—every four years one-third or two-thirds of seats are renewed. Despite being regulated by different systems, electoral races for both, the Chamber and the Senate are centred on personal vote. This is because although Brazilian electoral law stipulates that voters can cast ballots for individuals or parties, the overwhelming majority of voters cast nominal votes.[4]

The open-list proportional system used for the lower house thus results on party members competing against one another.[5] As Wylie describes, personalization increases with district magnitude, as 'candidates must differentiate themselves from the mass of candidates running in their party and others'.[6] Ultimately, this means that parties do not have control over the individuals who end up representing them in the Chamber of Deputies: party control is limited to candidate selection at the recruitment stage, with voters being the ones who decide which party candidates deserve seats. This is significant for the discussion on gender quotas, as this is an institution that has the potential of breaking the monopoly of parties in the candidate selection process by demanding them to seek viable political outsiders—who would then compete with their preferred candidates.

Some scholars have argued, however, that the office opportunities offered by a federal system such as the one in Brazil renders legislative office less desirable.[7] Data that track the proportion of Federal Deputies seeking re-election suggest otherwise. As Figure 9.1 illustrates, in each electoral cycle since 1990, an average of 80 percent of incumbents in the Chamber of Deputies ran for re-election. Roughly 60 percent of them were successful, leading subsequent legislatures to be on average 51 percent composed of re-elected members (and 49 percent of newcomers). This means that static ambition has consistently remained the most common goal of Federal Deputies, despite office availability elsewhere. This suggests that office in the Chamber of Deputies is indeed considered valuable and is overwhelmingly the most sought-out goal of incumbents.

---

[4] Wylie, Kristin. 2012. 'Strong Women, Weak Parties: Challenges to Democratic Representation in Brazil'. PhD dissertation. University of Texas-Austin: 87.
[5] Ames, Barry. 2001. *Institutions and Politics in Brazil*. Ann Arbor: University of Michigan.
[6] Wylie, 2012: 92.
[7] Samuels, David. 2000. 'Ambition and Competition: Explaining Legislative Turnover in Brazil'. *Legislative Studies Quarterly*. 25 (3): 481-497.

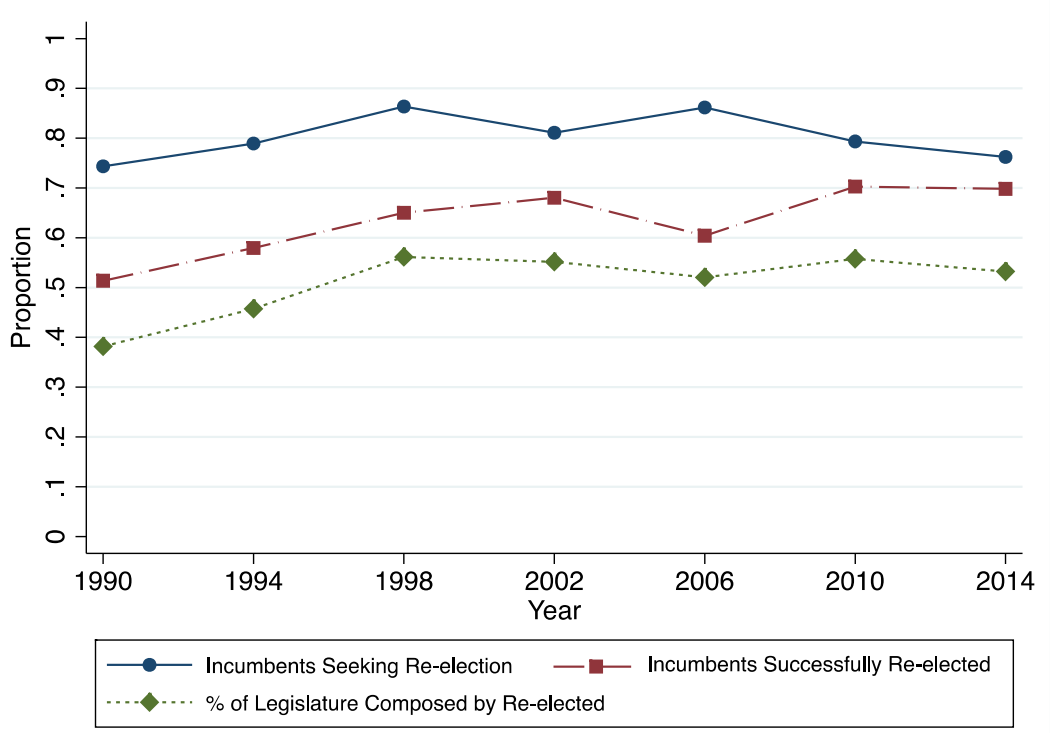


Figure 9.1. Incumbency and re-election: Chamber of Deputies 1990–2014

Source: Compiled by author with data from DIAP, 2014.[8]

Scholars have provided a number of explanations for the high rate of incumbents seeking re-election. One of these explanations is based on the political incentives and opportunities available to sitting legislators. As Samuels poses, the decentralised process of nomination, combined with the existence of the 'birth-right clause'[9] in place until 2002, provided incumbents with incentives to stay in office.[10] While he argues that the main career ambition of politicians in the Brazilian Chamber of Deputies is to use legislative office as a 'stepping stone' to executive positions,[11] Leoni, Pereira and Rennó challenge this view and argue that a significant number of incumbents seek to retain legislative office precisely to maintain their power positions in Congress.[12]

[8] Queiroz, Augusto de. 2013. 'Renovação da Câmara Tende a Ser Recorde em 2014'. *DIAP*. http://www.diap.org.br/index.php?option=com_content&view=article&id=23132:renovacao-da-camara-tende-a-ser-recorde-em-2014&catid=46&Itemid=207; Locatelli, Pedro. 2014. 'Câmara Frusta Expectativas e Não se Renova'. *Carta Capital*. http://www.cartacapital.com.br/blogs/carta-nas-eleicoes/camara-frustra-expectativas-e-nao-se-renova-9363.html.

[9] The birth-right clause was an electoral law that guaranteed incumbents the right to be nominated in the election immediately following their sitting term in office. This meant that legislators did not depend on their respective parties' nomination.

[10] Samuels, 2000.

[11] Ibid.

[12] Leoni, Eduardo, Carlos Pereira, and Lucio Rennó. 2004. 'Political Survival Strategies: Political Career Decisions in the Brazilian Chamber of Deputies'. *Journal of Latin American Studies*. 36 (1): 109-130.

Legislative office can offer a number of spoils, including 'power positions in the Directorate', leadership of committees, and budgetary disbursements.[13] Desposato concurs. He describes legislators' strategic actions in Congress as a result of their desire to maximise returns, whether positions in committees, nominations for office, and access to pork.[14] Committees in Brazil have significant powers to influence legislation; thus, leadership positions in committees may render legislators higher levels of policy influence. First, all bills must pass by a committee before being discussed in plenary. Once in a committee, a bill may be rejected or amended before ever reaching the floor. Under some circumstances, special committees may also adopt legislation without the need of approval from the floor.[15] The number of party members in each committee is determined proportionally, and party leaders can nominate individuals to specific committees. There are no seniority rules in place, meaning that newcomers can also preside over temporary or permanent committees. This accessibility could potentially explain the interest of incumbents to return to office despite their levels of seniority. Although the Executive has the institutional capacity to intervene in much of committees' actions, Mueller and Pereira find that committees are important strategic actors for Executives and that, as such, they do have the power to influence policy.[16] Finally, another political benefit of retaining legislative office is the possibility of occupying other government positions (such as cabinet/secretariat positions in national or sub-national governments) without losing one's legislative seat.

Another reason for seeking re-election is the opportunity to retain the financial 'spoils of office'. One of such spoils is their monthly salaries and benefits. As of February 2015, Deputies have a monthly salary of US$ 9,733.06.[17] Each Deputy is also entitled monthly allowances of US$ 320.98 for assistance with general costs; an average of US$ 9,516.08 for the *cotão*[18] to assist on expenses with flights, meals, telephone bills, gas, internet, and other administrative expenses; US$ 69.14 for housing expenses; and, salary for up to 25 staff members totalling a monthly cost of US$ 22,485.52. This totals a monthly benefit of US$ 42,566.80 for each Federal Deputy, not including costs associated with monthly printing, transport, and medical insurance.[19]

---

[13] Leoni et al.
[14] Desposato, Scott. 2006. 'Parties for Rent? Ambition, Ideology, and Party Switching in Brazil's Chamber of Deputies'. *American Journal of Political Science*. 50 (1): 77.
[15] Santos, Fabiano, and Lucio Renno. 2004. 'The Selection of Committee Leadership in the Brazilian Chamber of Deputies'. *The Journal of Legislative Studies*. 10 (1): 50-70.
[16] Pereira, Carlos, and Bernardo Mueller. 2000. 'Uma Teoria da Preponderância do Poder Executivo: O Sistema de Comissões no Legislativo Brasileiro'. *Revista Brasileira de Ciências Sociais*. 15 (43): 45-67.
[17] Using the exchange rate on 11 August 2015.
[18] Roughly translated as 'large sum' or 'large allowance'.
[19] Congresso em Foco. 2015. 'Deputados Devem Custar R$ 75 Milhões ao Mês'. *Congresso em Foco*. http://congressoemfoco.uol.com.br/noticias/lista-todos-os-salarios-e-beneficios-de-um-deputado.

Another, more substantial, type of spoil available to Federal Deputies is access to pork. Deputies can suggest amendments to the federal budget in ways that benefit their respective constituencies in as much as US$ 1.5 million per year.[20] Federal disbursements are often used for infrastructure developments and other costly projects in constituencies, but have also been employed in 'less legal' activities, such as election campaigns and vote-buying.[21] This can be particularly significant for incumbents whose chances of attaining higher offices are low. Pork is especially prevalent in Brazil, as it is one of the two main tools executives can use to build and maintain coalitions, and the instrument that can gain the loyalty of the most individuals.[22]

Although Figueiredo and Limongi do not accept the 'political exchange' argument to explain executive-legislative relations, they do not reject that legislators benefit from individual amendments to the budget. Furthermore, they pose that there are two other types of budgetary amendments that can benefit incumbents: collective and institutional amendments. Collective amendments are proposed by an organisation unit, which can be a state or regional caucus or a congressional committee; meanwhile, institutional amendments are proposed by the assigned rapporteurs of the budgetary bill.[23] In fact, Figueiredo and Limongi argue that these two latter types of amendments represent much larger shares of the budget: between 1996 and 2001, 82.6 percent of resources allocated through amendments proposed by the Congress were the result of collective or institutional amendments, while only 17.4 percent were from individual amendments.[24] Contrary to common conceptions that these resources are disproportionately concentrated in the hands of a few, the authors argue that the predominance of resources allocated through collective and institutional amendments results in a more uniform distribution of resources.[25] Nonetheless, the important role of the rapporteurs in the process does mean that government parties tend to benefit more than the opposition.[26]

A final reason to seek re-election to the Chamber of Deputies may be strategic. As also shown in Figure 9.1, roughly 40 percent of incumbents who attempt re-election are not successful. This rate has remained roughly consistent over time. Samuels argues that this is a result of the fact that less electorally secure politicians seek static ambition, while those with higher political capital

---

[20] Leoni et al, 2004.
[21] Desposato, 2006.
[22] Raile, Eric, Carlos Pereira, and Timothy Power. 2010. 'The Executive Toolbox: Building Legislative Support in a Multiparty Presidential Regime'. *Political Research Quarterly*. 64 (2): 323-334; Ames, Barry. 1995. 'Electoral Rules, Constituency Pressures, and Pork Barrel: Bases of Voting in the Brazilian Congress'. *The Journal of Politics*. 57 (2): 324-343.
[23] Limongi, Fernando, and Argelina Figueiredo. 2006. 'The Budget Process and Legislative Behavior: Individual Amendments, Support for the Executive, and Government Programs'. *Dados* 2.SE: 737-776.
[24] Ibid.
[25] Ibid.
[26] Ibid.

engage in progressive ambition.[27] As Leoni, Pereira and Rennó explain: 'the strategic decision Federal Deputies make concerning the office for which he/she will run in the next election is mostly determined by a self-evaluation of performance in office and the estimated chance of re-election'.[28] This means that many incumbents seek re-election because this is simply their safest option.

In sum, the main goal of incumbents in the Brazilian Chamber of Deputies is to retain office, thus providing support for my first IMA condition. There could be a number of reasons for this, including: prospects of within-Congress career development, access to financial pork, and strategic electoral calculations. The rate of incumbents' re-election attempts has remained consistently high since re-democratisation, which confirms that retaining legislative office is the most common sought-after goal of incumbents. This supports the claim that incumbents indeed view legislative office as desirable and seek to retain their positions.

9.2. INSECURE MEN, COMPETITIVE WOMEN

The second condition that must uphold is that gender quotas are threatening to the career goals of legislators. When the gender quota was first adopted, the birth-right clause was in place. Although, at that point, the policy would not impact on incumbents' likelihood of nomination, it could potentially impact their chances of winning office. Given Brazil's electoral system, in which candidates with relatively few votes may be 'pulled' into office by candidates who receive large proportion of votes, the electoral security of incumbents, as it pertains to their capacity to acquiring votes, varies widely. Figure 9.2 illustrates the distribution of incumbents' electoral security in 2014.[29]

As depicted in Figure 9.2, electoral security varies considerably in Brazil; my measure for electoral capital calculated for Deputies elected in 2014 ranges from 0 to 5.332, with a mean of 0.346 and a standard deviation of 0.472. For the 2014 elections, 50 percent of Federal Deputies had electoral security score below 0.227; 0.464 and 0.826 represent the scores for the 75th and 90th percentiles, respectively. This suggests that few incumbents have very high levels of electoral security, while many are vulnerable to outside competition. Leoni, Pereira, and Rennó find that Brazilian legislators indeed make career choices based in their levels of electoral security. According to them, competition impacts the decision-making of incumbents in the type of

[27] Samuels, David. 2002. 'Progressive Ambition, Federalism, and Pork-barreling in Brazil'. In *Legislative Politics in Latin America,* eds. Scott Morgenstern, Benito Nacif. Cambridge: Cambridge University Press: 315-340.
[28] Leoni et al, 2004: 111.
[29] Calculated based on formula on section 8.3.1: 21-22.

ambition sought. Using data from the 1994 and 1998 elections in Brazil, they conclude that incumbents from the Chamber of Deputies who chose to run for mayor (in the 1996 midterm elections) were more electorally secure than those who decided to stay in office. They also find that incumbents with low electoral security sometimes engage in *regressive* ambition by running for office in state legislatures.[30] These findings suggest that legislators are aware of their levels of electoral security and act to maximise their goals of retaining political office, by adapting their strategies to their individual levels of electoral security.

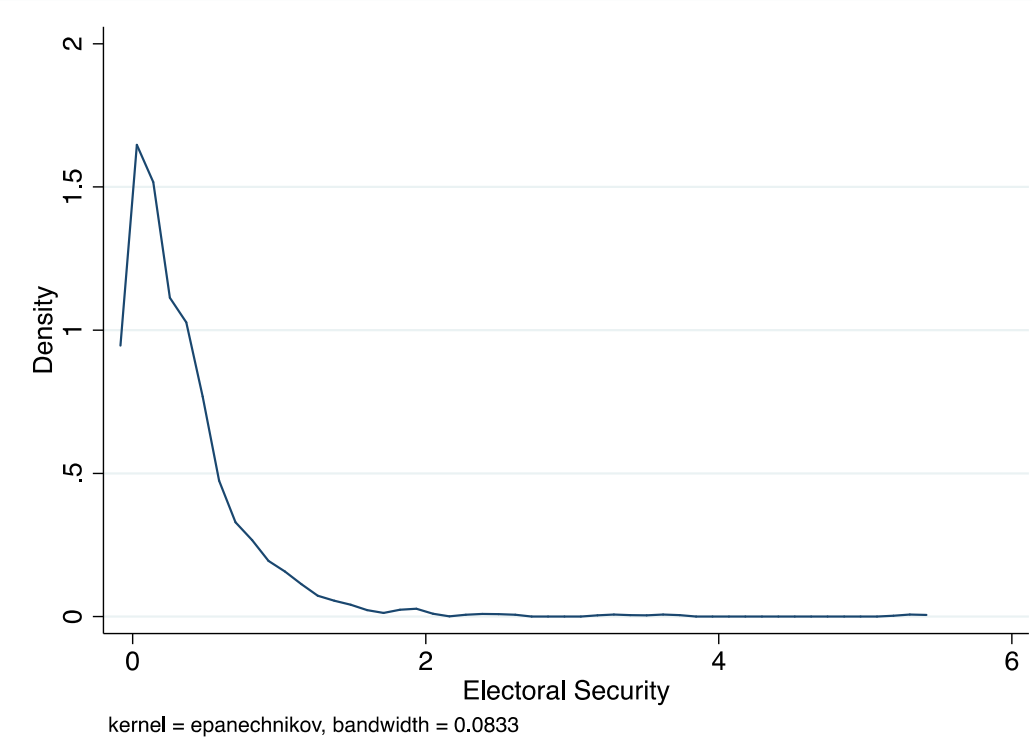


Figure 9.2. Individual-level electoral security among federal deputies, 2014

Source: Compiled by author with data from TSE, 2014.

The fact that the overwhelming majority of elected officials *and* candidates in Brazil have historically been male also suggest that providing incentives to the candidacies of women has the potential of increasing competition for male incumbents. Samuels contends not only that electorally insecure legislators are more likely to seek re-election than running for higher office, but also that their potential displacement is a function of the fact that the open-list system applied to the Chamber of Deputies renders incumbents' vulnerable to a 'pool of very strong challengers'.[31]

30 Leoni et al, 2004: 129-130.
31 Samuels, 2000.

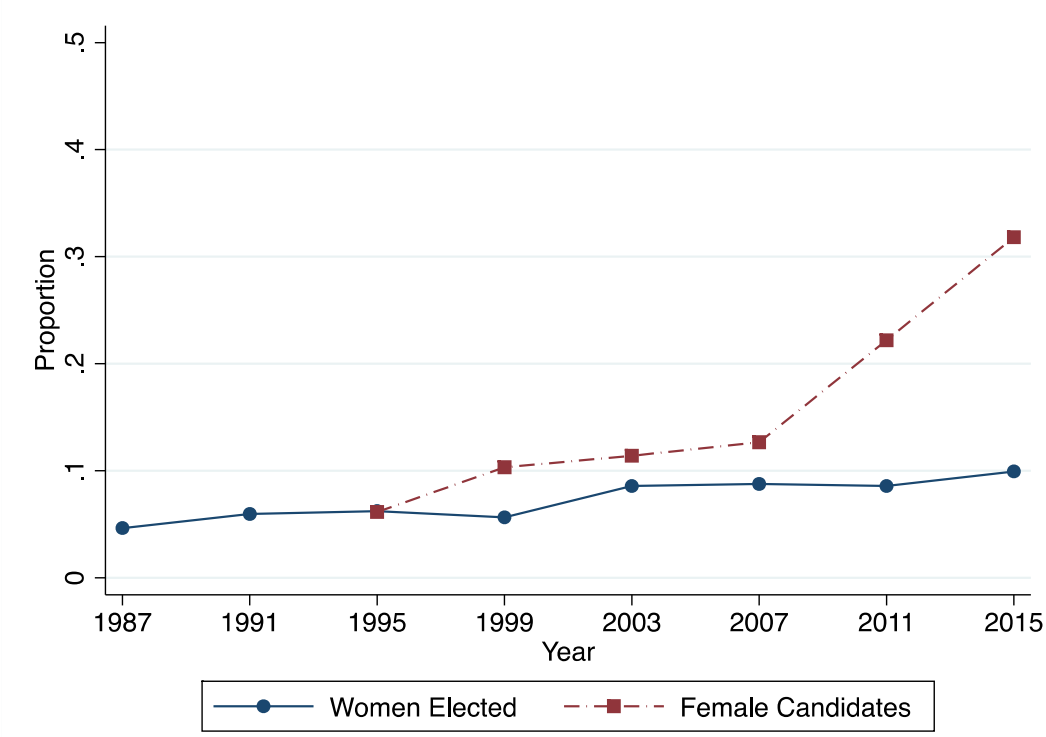


Figure 9.3. Proportion of female candidates and elected officials to the Chamber of Deputies, 1987 (1995)–2015

Source: Compiled by author with data from TSE, 2014.

As Figure 9.3 shows, historically, female candidates have remained the minority in candidacies to and elected offices in the Brazilian Chamber of Deputies and Senate; despite the original adoption and subsequent revisions of gender quotas, the proportion of female candidates only rose in the Chamber in 2007—although there is substantive evidence that a large proportion of these candidacies were of women that were not effectively running for office,[32] but simply lending their names so that parties could comply with the quota (the so called '*laranjas*').[33] This means that there has always been and continues to be ample room for increasing the number of women—and displacing men. Furthermore, T-tests for differences in means show that women's electoral performances are not different from that of men's; the average *electoral capital* for female legislators from the most recent legislature was 0.333 and men's was 0.347. This means that there does not seem to be voter bias preventing women from being competitive and viable contenders.

Combined, the data presented in Figures 9.1, 9.2 and 9.3 provide plausible basis for the argument that gender quotas present a threat to incumbents: not only do male incumbents seek to

[32] Wylie and Dos Santos, 2016.
[33] Term used to refer to placeholder candidates who are put in place to fulfil the quota requirement but are not in fact running for office.

retain office, but they are also vulnerable to competition from political outsiders and, as a result, many end up not achieving their career goals. In such a scenario, a policy dedicated to increasing competition from political outsiders is plausibly threatening to incumbents. As shown in section 7.1, attaining re-election has consistently remained, by far, the most sought out goal of Federal Deputies. Nonetheless, a large proportion of them are not successful: roughly 40 percent of those seeking re-election do not win, leading to an average 50 percent turnover at every electoral cycle; in other words, in each legislature, roughly 50 percent of seats in the Chamber of Deputies are filled by individuals who did not serve in the previous legislatures.

Under these circumstances, facilitating the entrance of any group of political outsiders would likely increase the electoral vulnerability incumbents—leading to lower rates of successful re-election. This means that a gender quota could potentially disturb the status quo of male incumbents by increasing their competition and making them even more vulnerable. Women's levels of electoral capital vis-à-vis men's are even further evidence that women's under-representation is not a consequence of voter-bias, and that a greater focus on female candidacies could lead to the displacement of mediocre male politicians. As discussed next, qualitative evidence from plenary debates and media coverage show that this vulnerability is captured on the gender quota debate, with Federal Deputies perceiving gender quotas as detrimental to men.

9.2.1. THE DOMAIN OF LOSSES IN DEBATE

In this section, I analyse interventions made during committee and plenary debates on gender quota-related bills from 1995, 1997, and 2009 and 2015 (these are, respectively, bill No. 180/95, bill No. 2695/97, bill No. 5498/09, and amendment 57 to the Project of Amendment to the Constitution No. 182/07). Since the first comprehensive debates on gender quotas, which took place in 1995, the policy has been deemed 'discriminatory' against women, 'unconstitutional' and 'antidemocratic'.[34] Subtle (and not so subtle) interventions by male legislators, however, when closely analysed, suggest that legislators' position on gender quotas go beyond ideology and that incumbents indeed perceived gender quota proposals as a threat to their careers.

In the early years of the gender quota debate, legislators adopted a quota but simultaneously increased the number of candidates each party could nominate. Numerous speeches followed, justifying this increase not as a consequence of gender quotas, but as a means of promoting coalitions. In the majority of these interventions, however, gender quotas were described as spaces

[34] Plenary debates (issues of the *Diário Oficial*) covering bill No. 180/95, bill No. 2695/97, bill No. 5498/09, and amendment 57 to the Project of Amendment to the Constitution No. 182/07.

reserved for women, but that would not likely be *filled* due to the supposed lack of interested women; also, clear from interventions is that deputies thought gender quotas would put parties and coalitions at a disadvantage if the number of candidacies allowed per party were not to increase. Similar discussions and strategies continued in the second stage of the process, in 2009, when gender quotas were being reformed to indicate that parties need to 'fill' 30 percent of their candidate lists with women, and not only 'reserve' the spots for women. Recently, when the women's caucus proposed to reserve a certain proportion of seats for women, the response has been even more direct, with legislators calling it 'unjust'. All in all, the common rhetoric that survived the decades has been that gender quotas benefit women *in the detriment of men*, the type of speech that evidences that the process of considering the adoption of a gender quota throws male incumbents into the domain of losses.

During plenary debate on the 28 September 1995, then Deputy Marta Suplicy (PT) summarized the evolution of the first gender quota adopted in Brazil, Law No. 9100/95 which resulted from bill No. 180/95. In this speech, she described how the quota she proposed had been significantly altered while she and other female legislators were away attending the Fourth World Conference on Women in Beijing. While Deputy Marta Suplicy's bill proposed to reserve to women 20 percent of the allowed number of candidate nominations (which, at the time was equal to 100 percent of the number of seats available), the proposal she encountered upon her return was a proviso allowing parties to increase the proportion of candidate nominations to 120 percent of the number of seats available, provided that the extra 20 percent was composed of female candidacies. In plenary, Deputy Suplicy defended that the original text of the quota proposed would motivate parties to nominate women, something that, she argued, would not happen if the number of candidates reserved for women were not part of the total proportion of nominations allowed. The approval of the revised text in the Chamber led female senators to seek the second-best alternative: to increase the overall number of allowed nominations, but include the quota as part of this higher allowance, and not as 'extra' candidacies. Describing this process, Deputy Marta Suplicy declared:

> The Senate's amendment is not brilliant, nor is it what us, women, wanted, but it is better than the text approved in the Chamber [of Deputies]. […] We have to say what happened there: [they] took advantage of the demand of the women's [caucus] to increase the number of candidates each party can register. The demand of women was manipulated to increase the [overall] number of candidacies.[35]

[35] PL 180/95, Dossiê Digitalizado. http://www.camara.gov.br/proposicoesWeb/fichadetramitacao?idProposicao=172725.

Deputy Suplicy's intervention made it clear that the women in Congress saw their proposals being weakened and their victory reduced by well-crafted drafting, by male legislators. To accommodate women, male legislators simply inflated the number of allowed candidate registrations.

A number of deputies defended the position that the quota could not be included unless the number of nominations was to be increased; others insisted that the quota remained a 'add-on' to the allowed number of nominations. Deputy João de Almeida from Partido do Movimento Democrático Brasileiro (Brazilian Democratic Movement Party, PMDB) exposed his calculation that, under the Senate's amendment, in which a 20 percent quota was included into the 120 percent allowed nominations per parties. Thus, the parties would lose 10 percent of nominations if they could not fill the 20 percent quota. In his words: '[because the amendment] mandates that candidacies for women should be counted towards the total, in practice this will mean […] that parties that do not have the possibility of filling these places with the candidacies for women will lose 10 percent of the nominations'. Men's interventions showed that they did not perceive women's candidacies as viable, and that, by counting the quota as an 'add-on' they sought to maintain 100 percent of the offices for men—many of them, certainly incumbents. Some deputies exposed that the higher number of candidacies was only possible because the quota was being debated, but emphasised that the nominations were not mandatory and that there would be no punishments for parties that did not comply with the quota. As Deputy Matheus Schmidt stated:

> The amendment mandates that political parties fill their nominations with the candidacy of 20 percent women. If this does not occur, in a scenario in which the party does not have candidates to nominate, what can happen is not the rejection of the indications of the party and its candidates' registration, but that the party will lose 20 percent of its nominations. If the party does not have women, it would already lose the 20 percent that the Chamber approved.[36]

Other deputies justified their rejection of the quota because of demographic characteristics of municipalities and parties. Deputy Inocêncio Oliveira from Partido da Frente Liberal (Liberal front party, PFL), stated: 'It is still highly positive discrimination for women, this stimulus of 20 percent of nominations. I believe that ideally we should not fix this number, overall because the reality of each municipality needs to be respected'. Deputy Sérgio Arouca from Partido Popular Socialista (Popular Socialist Party, PPS) also argued for party autonomy and completed that he 'understands that it is within the party where the maximum concentration of political action should be. As such, we are against any type of intervention in the autonomy of parties'.[37]

---

[36] Ibid.
[37] Ibid.

In the 1997 drafting of the electoral code, a Special Committee was created to discuss all issues pertaining to revisions in electoral law. Despite the previous adoption of a gender quota for municipal elections, and the fact that the meetings were held in smaller groups, similar concerns continued to arise. As my theory predicts, at this stage, the majority of deputies agreed to extend the previously adopted 20 percent quota to the Chamber of Deputies, but strongly opposed any further strengthening of quota's design —thus attempting to cut future losses. As such, a number of deputies, including Benedito Domingos, Paes Landim, Wagner Rossi, and Pimentel Gomes, applauded the rapporteur, Deputy Carlos Apolinário, for maintaining the 20 percent in the drafting of the bill, despite the demands of the Women's Caucus to increase it to 30 percent.[38]

Other legislators used different means to try to weaken the quota in the possibility that a 30 percent quota were to pass. Deputies Edinho Araújo and Silvio Torres, for instance, argued that 'only' allowing for 120 percent of nominations in a 30 percent quota scenario would be limited. As Deputy Torres put it:

> I must say that I find more convenient […] 150 percent in the case of coalitions with two or more parties, considering also, in this total, the minimum quota for women. I think this is reasonable. Without anticipating a debate with Deputy Marta Suplicy, 30 percent would not be adequate for the specific elections of Legislative Assemblies and Federal Chambers. […] So, maybe, if we put 30 percent, we end up making a higher participation of [general] candidates unfeasible in the subscribed tickets.[39]

Besides proposing drafting that would dilute the quota, by stating that quotas would render the participation of others 'unfeasible', this intervention also depicts a male legislator explicitly posing that a quota for women may be detrimental to male candidacies (given that the candidacy of women would be included in the quota).

Other deputies were even more obvious in pointing this out. In referring to the 1996 municipal elections with the quota, Deputy Wagner Rossi stated:

> All politicians, men and women, who participated in the election, who participate in party life, in the most different parties, know that the formulation of candidate nominations was a festival of *laranjas*. All of us know that. No one does not know this, being a man or a woman. Why? Because, in truth, women were introduced in the quota, in detriment of the men that pledged the nominations, while women were reached by force to fill the quota.[40]

---

[38] PL 2695/97 Dossiê Digitalizado. http://www.camara.gov.br/proposicoesWeb/fichadetramitacao?idProposicao=205889.
[39] Ibid.
[40] PL 2695/97.

He completed that, because women in his party were *laranjas*, the law should not mandate parties to nominate women when there are no candidates available, but suggests instead that parties should be rewarded if they nominate women, 'without it having the effect of eliminating male applicants to nominations'.[41] Deputy Carlos Apolinário, the rapporteur of the bill who rejected the women's caucus proposal of increasing the quota to 30 percent, went one step further: by juxtaposing the birth-right clause with 20 percent gender quotas he made a direct link between incumbents' own interests and the threats that gender quota potentially poses to them. As he put it: 'There are only two things that I do not want to give up: the birth-right clause […] I believe who already holds a mandate should have the right to nomination. I am [also] convinced that one thing should be on the law: 20 percent of women having the right to be candidates'.

Finally, when, besides the quota, Deputy Marta Suplicy mentioned the women's caucus proposal of reserving time in the federally-allocated party slots of free television and radio time for female candidates, Deputy Gerson Peres promptly interrupted her: 'Your Excellency wants too much, Deputy Marta Suplicy. If that's the case, there will only be advertisements for female candidates before election. We need to be careful with that'.[42]

Despite the Women's Caucus efforts to increase the proportion of female elected officials through a legislative candidate quota, the effect of the quota on women's descriptive representation since 1997 has been shy. The proportion of women in the Chamber of Deputies only increased from 5.65 percent in the 1998 elections (the first with quotas in place) to 8.77 percent in 2008. In 2009, the Federal Government, through the *Secretaria de Políticas para Mulheres* (Secretariat of Women's Affairs, SPM), established a Tripartite Commission to produce proposals of policies for the advancement of women's political representation.

The proposals were to be introduced during debates for the mini-electoral reform. There is no record of vocal resistance towards the proposals made by the Commission, but the fact that their proposals were significantly weakened is indicative that such resistance was indeed in place. The first indication is that already in the first round of considerations in the Chamber of Deputies, women's demands in regards to the allocation of resources (funds and media time) to female candidates and financial sanctions for parties not complying with the allocation of these resources were reduced by 50 percent. In the Senate, 11 amendments were proposed in an attempt to strengthen the text approved in the Chamber, but all of them were rejected. As Deputy Luiza Erundina from Partido Socialista Brasileiro (Brazilian Socialist Party, PSB) summarized in the same

[41] Ibid.
[42] Ibid.

report: 'Of all barriers to women's participation, those for the political sphere, are, without a doubt, the most difficult to breakthrough precisely because politics is the space of decisions and power, and, as such, it has remained a privilege of men'.[43]

Until June 2015, no other gender quota-related proposals had been debated in plenary since 2009. During debates for an extensive political reform in 2015, the women's caucus proposed to reserve a certain proportion of seats to women, in this way assuring women's representation in elected office. Although members of the caucus wanted a quota of 30 percent, negotiations with party leaders led them to lower their requirements and drafting an amendment that would establish a temporary quota to be applied for three electoral cycles, with the proportion of reserved seats increasing from 10, to 12.5, and 15 percent. As of the latest 2014 elections, women occupied 9.9 percent of the seats in the Chamber of Deputies, meaning that any potential changes would only effectively take place in the 2022 elections and, even then, changes would be minimal. Although many men spoke in favour of the amendment, the proposal failed to pass by 15 votes. Deputy Edson Moreira from Partido Trabalhista Nacional (National Labour Party, PTN) was one of the most vocally against the quota, on the merits that it was discriminatory against men. During his plenary intervention, he described the quota as 'unfair' and concluded that everyone would want such a benefit:

> Everyone disputes for votes; everyone works to be elected. It is not fair, Mr President, that a certain proportion is handed to a certain sex, that a certain segment has quotas for the dispute of seats on the Chamber, Senate, Municipal Chambers, or Legislative Assemblies. This is not fair. The dispute, as it is done today, is a healthy dispute, without disadvantaging [anyone], everyone going to gather votes with their work, in street corners, in *favelas* all across Brazil, in all states. Mr President, it's a quota here, a quota there… Soon, if this amendment passes, everyone here will go through sex reassignment surgery to change sex, because then it will be easy to get elected to the Federal Chamber. […] Whoever gets the most votes should win. If there is a quota, Mr President, it is going to be bad.[44]

Despite different levels of subtlety, debates on gender quotas were generally marked by the rhetoric that gender quotas benefitted women to the detriment of men. The notion that gender quotas are taking away from 'them'—as individuals, or in respect to other male candidates or their parties—is illustrative of the perception that this institution brings men loss while benefitting another group, women.

---

[43] Comissão Tripartite para Revisão da Lei 9504/97. 2009. 'Relatório Final': 4. http://www.spm.gov.br/sobre/publicacoes/publicacoes/2009/relatorio-final-comissao-tripartite.pdf

[44] PEC 182/07 Dossiê Digitalizado. http://www.camara.gov.br/proposicoesWeb/fichadetramitacao?idProposicao=373327.

The public seems to have also caught on the fact that gender quotas could potentially displace men. In a recent interview, Senator Vanessa Graziotin recalled that, when explaining the gender quota proposal to a group of voters from the countryside of Amazonas, people asked her: 'do you want city councillors to lose their jobs?'.[45] The salience of this theme, both in terms of time spectrum and frequency in debates, is indicative that male incumbents understand gender quotas as a policy that threatens the status quota and places them into the domain of losses. The debate also provides evidence that male legislators seek to cut their losses by proposing alternative (weaker) proposals or amendments. The next section analyses this more systematically.

9.3. CUTTING FUTURE COSTS, WEAKENING GENDER QUOTAS

Linking the actions of individuals with the outcomes of gender quota adoption and design is not an easy task. Nonetheless, I must provide plausible evidence for my third condition: that incumbents act to protect their seats by accepting the introduction of gender quota legislation, but designing them in such a way that weakens their potential future impact. This section is divided into two parts. First, I use survey results to provide insights into legislators' preferences regarding the adoption (existence) of a gender quota and then analyse roll-call data to show that legislators' preferences are not captured by their voting behaviour. I then analyse survey responses, bills, and legislative processes to show that the preferences of legislators on gender quota adoption and designs are reflected in policy, despite their voting behaviour. This is the case because policy design reflects the preferences of the legislative majority (men) despite pressures from women's groups.

9.3.1. LEGISLATORS' PREFERENCES AND VOTING

In 1999, just two years after the gender quota had been extended to all proportionally elected seats, the *Centro Feminista de Estudos e Assessoria* (Feminist Centre for Studies and Advisory Services, CFEMEA) conducted a survey with Brazilian Federal Deputies and Senators about their public-policy preferences on issues of women's rights and gender equality. One of the aspects covered by the survey was precisely the gender quota. CFEMEA is a well-established and widely known feminist research centre based in Brasília, which is also active in lobbying and political campaigns. Its legitimacy is illustrated by the fact that over half of federal legislators responded to the survey.[46]

The survey asked three questions pertaining to gender quotas: whether the quota adopted in 1997 (previous electoral cycle) should be maintained or retracted and whether a quota should

[45] Paulo, Antônio. 2015. 'Vanessa Graziotin Fala Sobre Reforma Política e Direitos das Mulheres'. *Agência Patrícia Galvão*. http://agenciapatriciagalvao.org.br/politica/vanessa-graziotin-fala-sobre-reforma-politica-e-direitos-das-mulheres/.
[46] Rodrigues, Almira. 2001. *Direitos das mulheres: o que pensam os parlamentares*. Brasília: CFEMEA.

be applied to executive and judicial offices. Of those surveyed, 63.3 percent agreed to maintain the quota for legislative office, while 30 percent opposed it. The 1998 elections were a clear display that the quota would not be effective (especially for the Chamber of Deputies): the policy was unable to promote change in the composition of candidate lists, which, in turn, did not translate in more women elected. As such, it is not surprising that the vast majority of legislators preferred to maintain the quota for legislative office. Meanwhile, 32.3 percent of the sample supported the introduction of a gender quota for executive offices and 45.4 percent opposed it.

This finding is in line with data collected in another survey from 2009—just months before the gender quota was revised in the mini-electoral reform. Between March and May 2009, the *Instituto de Estudos Socioeconômicos* (Institute for Socioeconomic Studies, INESC) and the *Departamento Intersindical de Assessoria Parlamentar* (Inter-union Department for Parliamentary Consultancy, DIAP) interviewed 150 federal legislators (120 Deputies and 30 Senators) on their positions on a number of aspects of the reform, including quotas. The sample selected was composed of the most influential legislators, as identified by the INESC and the DIAP. In this particular survey, questions pertaining to gender quotas posed a scenario of closed-lists. It asked: 'In the possibility that a closed-list system is adopted, what option do you think is the most appropriate in regards to the gender quota?'. In this scenario (which would be more likely to guarantee a higher proportion of female candidates *elected* to office) 51.3 percent of legislators (Senators and Deputies) were against any type of gender quota. In the same survey 70 percent of legislators were against a quota for Afro-Brazilians and 75.3 percent rejected the idea of a quota for members of indigenous peoples. These data suggest that, overall, legislators prefer not to extend the political space to political outsiders.

Furthermore, legislators seem to prefer to maintain the previously adopted quota than to retract it, as signalled in the 1999 data. This goes in line with my theory that legislators use quota designs to reduce their future threats: so it is better to maintain a policy that did not enact change than to risk the introduction of another stronger policy. Despite legislators' preferences against quotas, however, quota policies have been voted favourably three times (in 1995, 1997, and 2009).

Recently, in 2015, a proposal of reserved seats was almost approved, receiving the majority of votes (falling 15 votes short of the two-thirds necessary). On 16 June 2015, the Chamber of Deputies voted on amendment 57 to the proposal for constitutional amendment No. 182/07 on political reform. The amendment proposed a progressive 10, 12.5, and 15 percent quota of seats (not candidate nominations) for municipal and state legislatures and the federal Chamber of Deputies for the 2018, 2022, 2026. This was already down from the women's caucus preferred 30

percent[47] and had previously been discussed and agreed upon with the leadership of many parties. Turnout was high, with 447 (87 percent) of Deputies present.

To be approved, the amendment required 308 favourable votes; it fell short by 15 votes, with 293 Deputies voting in favour, 101 against, and 53 abstaining. There are a number of reasons as to why a legislator would choose to abstain and theorising the reasons for abstentions on any given bill is not a feasible task. Nonetheless, abstaining from voting on a proposal for constitutional amendment essentially means a vote against. That is because proposals to amend the constitution need a 2/3 majority to pass—so abstentions can lead a proposal to fail, even though it may have received a simple majority of votes favouring it.

The vast majority of those present during the vote (65.5 percent) voted in *favour* of the bill, something that is incongruent with preferences voiced in elite surveys.[48] Analysing roll-call votes from this event using logistical regression models, I find that electoral security (as measured by the variables *electoral capital* and *competition*, introduced in Chapter 6) is not a significant predictors of individuals' voting behaviour on gender quotas, but party whip is.[49] Given that party-whip seems to supersede individual preferences, individuals can more strongly impose their preferences *before* voting; electorally insecure legislators can thus more successfully enact their preferences by weakening gender quota proposals in commissions and through plenary amendments (and then voting favourably on already-weakened bills) or by killing bills in committee, thus preventing them from reaching the plenary floor. In section 9.3.2, I trace the introduction and amendments of gender quota bills and show that the preferences of legislators are reflected in their actions before the vote.

9.3.2. ENACTING PREFERENCES THROUGH QUOTA DESIGNS

The incongruence between survey responses attesting to legislators' preferences towards gender quota adoption and their voting behaviour attests that individuals might not have control over gender adoption. If voting on legislation is influenced by factors other than individuals' preferences, are legislators' preferences taken into account at all? I argue that yes, their preferences

---

[47] As emphasised by members of the women's caucus during the 'Sessão Deliberativa Extraordinária' on 16 June 2015: Câmara dos Deputados. 2015. 'Sessão Deliberativa Extraordinária'. *Camara.gov.br*. http://www.camara.gov.br/internet/sitaqweb/discursodireto.asp?nuSessao=157.1.55.O; Calgaro, Fernanda. 'Câmara Rejeita Cota de 15% para Mulheres nos Cargos Parlamentares'. *G1 Política*. http://g1.globo.com/politica/noticia/2015/06/camara-rejeita-cota-de-15-para-mulheres-nos-cargos-parlamentares.html.

[48] The incongruence between legislators' stated preferences in surveys and voting is not unique to gender quotas. The tendency of Brazilian legislators to follow party orientation on votes, is thus further evidence that they enact their preferences in a different stage of the process: in the drafting stage. For further evidence of the disconnect between legislators' preferences in surveys and voting behavior see: Gatto, Malu, and Timothy Power. 2016. 'Postmaterialism and Political Elites: The Value Priorities of Brazilian Federal Legislators'. *Journal of Politics in Latin America*. 8 (1): 33-68.

[49] See Appendix D.

are incorporated into the drafting process and not during voting. Survey data show that elites prefer quotas to be weak.

The same INESC/DIAP survey from 2009 analysed earlier also showed that the overwhelming majority of legislators are against provisions that could effectively increase the proportion of female elected officials. In the hypothetical scenario that Brazil would have a closed-list proportional system for legislative offices, 16.7 percent of Senators and 14.2 percent of Deputies attested to favour a 'zipper' mandate, in which the nomination of male and female candidates' alternates throughout the list. Meanwhile, in this same scenario, 6.7 percent of Senators and 16.7 percent of Deputies would support the inclusion of a woman's name for each two men. It is worth noticing that a higher proportion of deputies would support the latter, given that it is a weaker proviso and quotas would only be applied to the Chamber and not Senate.

The rejection of provisos that could strengthen the gender quota has also been recorded in another CFEMEA survey, also from 2009. Similarly to the survey from 1999, roughly 50 percent of legislators replied to this survey, which asked questions about specific aspects of gender quota design; namely, sanctions for non-compliance, closed-lists with a 'zipper' system, the allocation of party funds for the training of female candidates, and, finally, the allocation of television and radio time for the campaign of female candidates. Closed-lists with zipper received the lowest rate of support—72 percent of respondents said to disagree with the measure, including 33 percent of women. Sanctions for non-compliance were the second least popular measure, with a 60 percent disapproval rate, including 15 percent of women. It is worth noticing that although these two aspects have been deemed by the literature as the most important in establishing gender quotas that can effectively enact change, they are different in their institutional capacity. While the second would only directly impact the implementation of the gender quota itself, the first would enact changes that go beyond the gender quota—as it would affect the electoral system and the logic of party recruitment and electoral campaign more broadly. As such, it is difficult to isolate legislators' preferences towards the design of gender quota policies from their preferences towards the electoral system.

Respondents were more accepting towards the two proposed measures, although a clear gender bias persisted. Sixty-four percent of respondents said to either agree or partially agree with a proviso to allocate 30 percent of partisan funds to the training of female candidates, including 89 percent of women and 61 percent of men. This means that while roughly 90 percent of women agreed with such a policy, 40 percent of men did not. Approval rates were similar for a measure to reserve 30 percent of party's allocated time in television and radio for the promotion of women's

political participation. Sixty-six percent of respondents said to agree or partially agree with it; this represents 63 percent of men's and 93 percent of women's preferences. The majority support for these two measures—30 percent allocation of party funds for training and time of party's television and radio for female candidates—is somewhat surprising. This is because similar policies were proposed in 2009 (for the visibility of women's representation and the campaigns of female candidates), only to be reduced to 5 percent and 10 percent, respectively. It is thus plausible that the actual preferences of legislators deviate from the sample of respondents in ways that would significantly alter the findings—or that legislators' responses suffer from some level of social desirability bias.

More specifically, it is likely that the sample surveyed is biased towards a more gender-egalitarian view and that the overall population of legislators has more conservative views in regards to quotas. As Htun and Power pose, it has been traditionally the case that left-wing legislators are over-represented in surveys conducted with Brazilian legislators.[50] This could be even more prominent in a study conducted by a feminist organisation, with the stated goal of asking legislators about their preferences on gender issues. Below, I begin analysing the strength of policies proposed against the strength of policies adopted. I then provide a detailed account of the processes of policy introduction, debate and adoption for the gender quota-related proposals that became legislation and show that they all underwent significant weakening.

9.3.3. AT ODDS: STATED PREFERENCES AND VOTING BEHAVIOUR

Legislators propose gender quotas for reasons that go beyond the approval of legislation. These reasons include the signalling of policy preferences. In all of Latin America, and in Brazil more specifically, legislation is most likely to be introduced by the executive and not by individual legislators. Nonetheless, Brazil is one of the few countries in Latin America in which agenda-setting and policy positions are shaped as a compromise between the executive and the legislature (and not as a result of executive authority, as it is in the overwhelming majority of countries in the region).[51] This means that, regardless of the ultimate *outcome* of proposed bills, the *introduction* of bills can serve as indications of legislators' preferences.

Thirty-three gender quota-related bills have been introduced into the Chamber by individual Deputies between 1995 and 2015; 21 of them (63.6 percent) were presented by female legislators. Out of the 33 proposals, 27 sought to adopt or modify quotas for legislative offices,

---

[50] Htun, Mala, and Timothy Power. 2006. 'Gender, Parties, and Support for Equal Rights in the Brazilian Congress.' *Latin American Politics and Society*. 48 (4): 91. This is also something I find in my survey, as explored in Chapter 7.
[51] Saiegh, 2005.

while the remaining sought to extend quotas to other offices; among these 27, eight (29.6 percent) proposed electoral and/or financial sanctions for non-compliance, while five (18.5 percent) proposed allocation of party resources (funds or media time) to women. Seven of the eight bills proposing sanctions for non-compliance were introduced by women; the only one introduced by a man, Deputy Reginaldo Lopes (PT) was done so in May 2009, when the Tripartite Committee was already meeting to discuss their proposals to the mini-electoral reform, which included sanctions for gender quota non-compliance. Of the five bills proposing resources to be allocated for the training and media exposure of female candidates, three were introduced by women and two by men. Sanctions for non-compliance and campaign resource allocation (especially when list ordering is not possible) have been linked with positive changes in women's descriptive representation.[52]

The fact that female legislators have been the most prominent in proposing policy proviso associated with effective change is in line with survey findings that female legislators are more likely to support strong gender quotas than their male counterparts. Men's preferences on gender quota policies can be observed beyond bill introduction, however. Of the 33 bills introduced from 1995 to 2013, only three were debated in plenary; they were amended into other larger bills and later became laws, but only after being significantly weakened in committees and plenary. I now trace the process of these bills and show how the gender quota in Brazil evolved over time.

On August 10 1995, Deputy Marta Suplicy (PT) presented bill No. 783/95, which sought to establish a 30 percent quota for women in candidate lists for proportionally elected seats. Earlier that year, in May, Deputy Suplicy had attended a conference hosted by the European Union in Brussels in which she became acquainted with the experience of Scandinavian legislators with gender quotas. In her 1996 account of the episode, Deputy Suplicy described that she 'returned [to Brazil] willing to bring up this issue to the agenda of the National Congress'.[53] During the meeting of the Commission for Women of Parlatino held in São Paulo that following July, Deputy Suplicy learned about Argentina's successful experience with quotas and other efforts in other countries in the region, which 'sparked' in her the need to take action for Brazilian legislators.[54] This evidence also supports the literature on gender quota introduction, which highlights the influence of international organisations and diffusion. Twenty-seven of the 32 women in the Chamber of Deputies backed Deputy Suplicy's bill. Meanwhile, bill No. 180/95 dated March 1995, was being considered. The bill, drafted by Deputy Paulo Bernardo, had the goal of restructuring

[52] Kayuni and Muriaas, 2014.
[53] Suplicy, Marta. 1996. 'Novos Paradigmas nas Esferas de Poder'. *Estudos Feministas.* 4 (1):135.
[54] Ibid.

the laws that would regulate the 1996 municipal elections, given that the electoral laws in place had been implemented during the military regime. Deputy Suplicy's proposal was then incorporated into this bill.

In September, Deputy Suplicy recounted, she travelled to Beijing, joined by a number of other Brazilian female Deputies and Senators, to attend the Fourth World Conference on Women, sponsored by the United Nations. Upon her return, she was surprised to see what had happened to her proposal: it had been significantly weakened. Instead of reserving a certain proportion of places on party lists, the new proposal, presented by Deputy João Almeida, the rapporteur of the bill, permitted a 20 percent *increase* in the number of candidates nominated if the extra 20 percent of candidates were women. This meant that no male candidate would have to be displaced to include women and that parties had no incentive of filling the seats—they could just leave them 'reserved', without actually incurring any losses. The proposal was approved in the Chamber and went onto the Senate for their consideration.[55] At this point, as Deputy Suplicy explained in her account of the event, all female Deputies and Senators got together to respond to the situation and decided to submit an amendment to the text during Senate hearings.[56]

Once in the Senate for consideration under another title (bill No. 108/95), Senator Júnia Marise proposed an amendment that increased the *total* number of candidacies to 120 percent of the number of seats to be filled and included the 20 percent quota within this total. The rapporteur of the bill in the Senate positioned himself against the amendment. In plenary discussions, nonetheless, it was decided that the amendment would move on for consideration in the Chamber of Deputies. In plenary debates at the Chamber of Deputies, Deputy Suplicy lamented the weakness of the proposal, but granted that it would be better to pass something than to not acknowledge the importance of women's representation at all. In the Chamber, the amendment passed with 233 votes for, 165 votes against, and 11 abstentions. The vote had a high participation turnout of 79.2 percent. Upon its approval, the amendment became part of the package of Law No. 9100/95, which regulated the municipal elections of 1996. As such, the quota did not apply to the election of state or federal legislatures.

Given that Deputy Suplicy's proposal was incorporated into another bill (No. 180/95), her original bill No. 783/95 continued to be evaluated. A quota was already applicable to municipal elections, so it became likely that a bill would also pass for other levels of government—especially given that the 'unconstitutionality' claim would no longer stand. On 23 October 1996, Deputy

[55] PL 180/95.
[56] Suplicy, 1996: 135.

Wagner Rossi presented bill No. 2465/96, offering an alternative to Deputy Marta Suplicy's proposal. The parallel bill proposed a quota of 20 percent, instead of the 30 percent established by Deputy Suplicy's bill. It also included a proviso to guarantee that all spaces in the candidate lists could be filled, even in cases in which the quota was not complied, by allowing parties to 'un-reserve' quota places on the 'second-to-last-day of the deadline for registering candidates'.

In 1997, three additional proposals were made in the Chamber: 2695/97, 3069/97, and 3257/97. The first and second, introduced by Deputy Edinho Araújo (PMDB) and by João Paulo (PT), respectively, proposed gender quotas of 30 percent but maintained that parties could present lists with up to 120 percent of seats. The latter, introduced by Deputy Marta Suplicy on 11 June, updated the language of her previous bill to clarify that the quota was a floor and not a ceiling for women's candidacies; the bill also established a 30 percent quota and required that parties submitted their candidate lists to the Electoral Courts for examination at least 45 days before elections.

Bills 3069/97 and 3257/97 were both shelved later that year on the basis that bill No. 2695/97, a similar bill, was already being considered. Meanwhile, a Special Committee was established to consider, combine, and discuss issues pertaining to the electoral reform. On 28 April, Deputy Carlos Apolinário became the rapporteur of the bill and introduced a substitute text, which lowered the quota from 30 percent to 20 percent. After a series of debates on the matter, the new text, presented to the plenary on 20 August, once again set the quota at 30 percent, but established that in the 1998 elections the quota would be of 25 percent. On that day, three amendments were proposed to lower the quota to 25 or 20 percent. The proposals on reserving a certain proportion of funds and television time for the campaign of female candidates were not considered and did not make to any of the texts.

On 30 September 1997, a final text was approved, which included the 30 percent quota and the provision that parties could provide lists up to 50 percent larger than the number of seats available. Law No. 9504/97 therefore not only guaranteed that no man had to give up their opportunity to become candidates because of a woman, but it also increased the number of potential candidacies by an extra 20 percent beyond the quota, rendering the candidacy of women even more diluted. Before a quota adoption, the number of party nominations permitted was equal to the number of seats available for a given office. The novel increase in the number of permitted

nominations was introduced *with* the gender quota, in a move that Deputy Suplicy described as 'manipulative'.[57]

Between 1997 and 2009, the women's caucus of the National Congress engaged in repeated efforts to increase the representation of women in politics, but the majority of their proposals were deemed 'impaired' (*prejudicadas*) and died in committee without ever making into plenary.[58] The continued pressure from the women's caucus and the CFEMEA led the SPM, an institution with ministerial status, to establish, in 2009, a Tripartite Commission to discuss women's descriptive representation in politics, as it pertained to the electoral law.[59] To accelerate the process, the strategy adopted by the Commission was to rescue bills that had already been presented and reintroduce them as amendments to bill No. 5498/09, which proposed to make changes to electoral Law No. 9096/97.

During negotiations, only two of the Commission's requests were considered acceptable by the group's coordinator Deputy Flávio Dino from Partido Comunista do Brasil (Communist Party of Brazil, PCdoB)—the use of 10 percent of federally-allocated party funds for the training of female candidates and the use of 20 percent of television and radio time for the promotion of women's political participation. On 30 June 2009, Deputy Alice Portugal, as leader of the women's caucus (*bancada feminina*), presented the Commission's proposals in plenary and three amendments to the bill: the first, stipulated the reservation of 10 percent of party funds to the promotion of women's participation; the second established that 20 percent of parties' allocated television and radio times should be reserved for the campaign of their respective female candidates; and, finally, the third amendment reduced the allowed number of party list nominations to 100 percent of the

---

[57] PL 2695/97.

[58] Since its original adoption, at least one gender quota-related bill has been presented in the Chamber every single year, without success until 2009. The first, sought to extend the quotas to party leaderships (bill No. 4423/98); the second established that time should be reserved in television and radio stations to publicise the gender quotas (bill No. 418/1999); in 2000 bill No. 2355/00 proposed turning the quota into a parity law that required 50 percent of nominations to be women; bill No. 4629/01 from 2001, also proposed a parity law. Also from 2001, Resolution Project No. 130/2001 sought to establish quotas for posts of leadership in plenary commissions. Bill No. 6452/02 and bill No. 7000/02, both from 2002, proposed, respectively, extending the quota to commissioned offices (*cargos de comissão*) at the federal executive level and overlapping the existing quota with a provision that guaranteed that the number of women registered in each party candidate list would be 20 percent at a minimum. Another bill from 2002, bill No. 6216/02 sought to designate 30 percent of federally-allocated party fund resources to training of female candidates and 30 percent of publicly-funded television and radio slots from *horário eleitoral* (federally-allocated free TV and radio slots) to female candidates. In 2003, three bills were proposed: the bill No. 286/03, which echoed bill No. 6216/02 from the previous year; bill No. 289/03, which proposed quotas for party leadership positions; and the Resolution Project No. 21/2003, which established a gender quota for the Directorate of the Chamber of Deputies. In 2005, the bill No. 4804/05 attempted to more directly address one of the weaknesses of the existing quota, by establishing electoral sanctions for non-compliance. In 2007, bill No. 607/07 represented another attempt to enact sanctions for not compliance with the quota, this time suggesting that parties that did not comply with the quota should pay a fine. A bill to amend the constitution, No. 196/07, from the same year, established a quota of 30 percent for nominated offices (*cargos de confiança*) in public administration. In 2008, bill No. 3563/08 sought to strengthen the quota by offering financial benefits to parties that elected at least 30 percent of deputies. Also from that year, bill No. 4407/08 was another attempt at establishing electoral sanctions for parties that did not comply with the quota. In 2009, bill No. 5279/09 proposed a 30 percent gender quota for the elections of the Mercosul parliament. All of these bills were shelved.

[59] Wylie, 2012: 106.

number of seats available and substituted the word 'reserve' (*reservar*) for the word 'fill' (*preencher*) in the text of the quota law (Law No. 9504/1997), thus requiring parties to not only reserve the places for women (with the possibility of leaving them blank), but mandatorily having to fill them, and setting a monetary sanction for non-compliance.[60]

During plenary debates in the Chamber, the proportion suggested in the first amendment was lowered, from 10 percent to 5 percent; and from 20 percent to 10 percent for the second amendment. From the third amendment, the only aspect that was accepted was to substitute the word 'reserve' for the word 'fill'. The bill was approved in the Chamber and sent to the Senate on 14 July. In the Senate, the bill was assigned the reference number 141/09. Female Senators, along with Senator Eduardo Suplicy (PT) presented 11 amendments that sought to strengthen the proposals of the Tripartite Commission; Senator Arthur Virgílio from Partido da Social Democracia Brasileira (Brazilian Social Democracy Party, PSDB) presented three amendments weakening the proposals. Although the text approved in the Senate became slightly closer to the Tripartite Commission's proposal (increasing the allocation of party funds for the promotion of women in politics from 5 percent to 10 percent), it did not make it to the final text.

Once it reached the Chamber on 16 September, all but three of the Senate's amendments were rejected, based on the claim that there were only 15 days left for voting on the bill, and that the text approved previously had everyone's 'understanding'. As such, on 29 September 2009, bill No. 5498/09 became Law No. 12034/09,[61] and included alterations to Laws No. 9504/97 and No. 9096/95. The mini-reform was thus essentially unable to make substantial changes to the quota law, which maintained the proviso allowing parties to nominate candidates for up to 150 percent of seats available and no imposed no sanctions for non-compliance.

After the mini-reform, more gender quota-related bills continued to emerge. In 2011, bill No. 1699/11 proposed that voters should cast votes for candidates of both sexes for the offices of municipal, state and federal deputies. In 2012, bill No. 4497/12 proposed amending Law No. 12034/09 to substitute the quota for a parity law. Bill No. 5385/13 from 2013, sought to modify rules of seats allocation to guarantee that when parties elected at least three representatives, one of them was a woman. In the same year, another parity law was proposed through bill No. 6768/13. All of these proposals were shelved. The overwhelming majority of gender quota-related bills proposed since 1976 never even got close to being seriously considered and ended up being shelved. Gender quota proposals had only previously gained the attention of the Brazilian

[60] Comissão Tripartite para Revisão da Lei 9504/97, 2009.
[61] Ibid.

legislature when attached to bills considering more encompassing electoral reforms. This opportunity came up once again on 4 February 2015, when the debate on the Constitutional Amendment Project No. 182/07 was rekindled.

Amidst a crisis of representation and protests against the sitting government and other political parties in Brazil, a longstanding project to revise the country's electoral system was taken up. The women's caucus took this opportunity to once again debate gender quotas. Not knowing what the electoral system would look like (a majoritarian system, closed-lists, and open-ordered-lists PR systems were all considered), the women's caucus drafted eight gender quota proposals, presented as amendments (*emendas aglutinadas*) 11, 12, 13, 23, 24, 26, 57, and 58. On 16 June 2015, amendment 57 was put to a vote. The amendment proposed a progressive 10, 12.5 and 15 percent quota of seats (not candidate nominations) for municipal and state legislatures and the federal Chamber of Deputies for three electoral cycles. This was already down from the women's caucus preferred 30 percent and had already been discussed and agreed upon with the leadership of many parties.[62]

By applying a gender quota to seats and not candidacies, this new proposal sought to add to (not substitute) the existing policy and address its inefficacies in a number of ways: first, it would assure that the candidacy of women could not be diluted by an increase in candidate nominations; second, it would motivate parties to nominate competitive (and not token) female candidates and invest in their respective campaigns; third, it would provide an incentive for parties to nominate women, despite lack of sanctions or the proper implementation of the candidate quota law. Because the proposal was an amendment to the constitution, it required 308 votes to pass, but it fell 15 votes short, therefore failing to be approved (as analysed earlier); the rejection of the proposal also rendered amendment 'impaired' ('*prejudicado*'), meaning that other proposals that established equal or higher quotas could no longer be considered by the Chamber.

On 9 July 2015, however, the Senate's *Comissão Temporária de Reforma Política* (Temporary Committee for Political Reform) approved a similar proposal by now Senator Marta Suplicy, establishing a gender quota for reserved seats that would progressively increase from 10 to 12, and 16 percent across three consecutive elections, starting from 2018.[63]

Since 1995, female legislators have been the most active in proposing gender quota bills with strong provisos and in engaging in plenary debates and negotiations to protect their demands

[62] PEC 182/07.
[63] Ibid. This process was still ongoing upon completion of this thesis and conclusions could thus not be made.

from being stripped out. Men have also been involved in the process, both by introducing bills and by amending them at different stages; their involvement, however, has been typically characterised by weaker gender quota provisos (either in the form of weaker bills, presented meanwhile other female-authored bills were being considered, or, more commonly, by vocally opposing women's demands in committees or in plenary). This resistance is in line with survey results, which find that incumbents are not favourable towards provisions associated with effective gender quotas (i.e., policies that would have the potential of displacing male candidates/elected officials).

9.4. CONCLUSION

Of my three case studies, Brazil represents a 'middle' case: while the federal system provides opportunities for executive and legislative office in the municipal, state, and federal levels, the overwhelming majority of incumbents to the Chamber of Deputies seek re-election; furthermore, a large proportion of them are vulnerable to competition from political outsiders and risk losing office. Finally, of the three countries analysed, Brazil is the one for which legislative office yields the highest material (albeit arguably not political) returns. In such a scenario, my theory would predict the adoption of weak gender quota legislation. This is precisely what I found.

Employing my IMA framework, I showed that my three conditions hold: first, historical data showed that static ambition is overwhelmingly the most sought-out goal of incumbents and that roughly 80 percent Brazilian legislators seek to retain office; second, I conveyed that a high proportion of incumbents are electorally vulnerable to the adoption of quotas, something observed in historical electoral data and evidenced in legislative debates. Last, I showed that incumbents have negative preferences towards gender quotas, but that their preferences are not primarily reflected in voting—but, instead, in their behaviour in committees and plenary, as characterised by the weakening of gender quota designs.

I also showed that, similarly to Costa Rica, the pressure to adopt a gender quota to legislative office in Brazil emerged early: the first proposal to institute a gender quota bill precedes Brazil's current constitutional democracy and the policy became part of the internal regiments of the country's largest left-wing party (the PT) and trade union (the CUT) in the early years of Brazil's return to democracy. So, in 1995, when the policy was debated in the Congress for the first time, the pressure to adopt it did not only come from Argentina's experience, or recommendations made in the Fourth World Conference on Women in Beijing, but also from domestic political organisations and elected female officials.

Although the pressure was not extraneous, in anticipating that the policy would become a staple demand, legislators used the country's need for a new electoral code as an opportunity to comply with growing pressures and adopt the gender quota meanwhile weakening its design and adapting other electoral rules so as to further dilute the potential effects of the policy. In doing so, Brazilian legislators were able to prevent the quota from being further strengthened in the future: despite various attempts to reform the policy and strengthen its provisos, the quota only suffered minimal modifications in almost two decades since its implementation. In contrast to the case of Costa Rica, the minimal involvement from non-legislative efforts in the process allowed the preferences of male legislators for a weak quota to be better preserved.

The case of Brazil provides further evidence of my theory on-the-ground. Two considerations are worthy of highlight: firstly, log-rolling seems to be an important strategy for quota adoption. This may be interpreted in a number of ways; log-rolling can either be seen as the strategic action of female politicians to increase their bargaining power and push other legislators to support gender quotas in exchange for their backing on other aspects of the bill, or it can be viewed as the strategic action of male politicians, given that introducing quotas as part of larger electoral reforms allows them to alter other rules that can deem quotas weaker—such as the number of allowed party and coalition candidate nominations. Secondly, the extent of involvement of non-legislative actors seems to be a crucial determinant to whether the strength of gender quota designs is aligned with the preferences of legislators, or whether they are a consequence of unintended consequences. This emphasises the importance of considering the role of veto-players beyond the legislative domain.

CHAPTER 10

CHILE

ADOPTION IN THE DOMAIN OF DEEP LOSSES

On January 2015, Chile finally adopted a gender quota, becoming one of the last two countries in Latin America to do so, putting to an end an 18-year long debate on gender quota adoption. The frequent characterisation of Chile as one of the most developed democracies in Latin America makes its low levels of women's representation and lack of gender quota until 2015 particularly puzzling. The case of Chile poses two obvious questions: first, why did it take so long for Chile to adopt a gender quota? Second, what changed after so many years of inaction, and prompted Chile to adopt a quota?

Most often, the lack of a quota in Chile for so many years has been explained by a presumed inconsistency between policy and Chile's former electoral system: gender quotas are said to fit PR systems with large district magnitudes more easily, and Chile boasts an open-list PR system with district magnitude of two—a combination that has traditionally generated majoritarian-like effects.[1] This has led some scholars to argue that a gender quota would only be adopted if the electoral system was also replaced.[2]

The Chilean gender quota was indeed adopted during a large electoral reform that replaced the long-standing binomial system[3] for one with higher average district magnitude. Knowing this could lead one to quickly accept the institutional fit explanation. But contradicting the presumption is the fact that systems of low district magnitude, including single-member district systems, have managed to adopt and implement quota policies.[4] Furthermore, quota-related bills introduced to the Chilean congress proposed the application of the policy to internal party leaderships and municipal legislative elections, neither of which adhere to the binomial system. This suggests that

---

[1] Polga-Hecimovich, John, and Peter Siavelis. 2015. 'Here's the Bias! A (Re-) Reassessment of the Chilean Electoral System'. *Electoral Studies.* 40: 272.

[2] See, for example: Juvonen, Katja. 2007. *Political Representation in Chile from the Gender Perspective: Quotas as Solution?* Master thesis. Tübingen: Universität Tübingen; Zúñiga Fajuri, Alejandra et al. 2007. 'Lejos del Poder: Hacia la Implementación de Una Ley de Cuotas en Chile'. *Revista de Derecho (Valdivia).* 20 (2): 27. This is based on the notion that gender quotas are better fit for PR systems with mid- to large average district magnitude districts. On the specific case of Chile, see: Ríos Tobar, Marcela, and Andrés Villar Pérez. 2005. *Cuotas de Género: Democracia y Representación*. Santiago: Instituto Internacional para la Democracia y Asistencia Electoral, Facultad latinoamericana de Ciencias Sociales: 16-23.

[3] The binomial system was the electoral system that governed Chilean legislative elections and was reformed in 2015. It consisted of PR with a district magnitude of two for all districts, so that each coalition nominated two candidates in each district.

[4] Christensen, Skye, and Gabrielle Bardall. 2016. 'Gender Quotas in Single-member District Electoral Systems'. *Politics, Groups, and Identities.* 4 (2): 246-267.

explanations based on institutional fit are insufficient to explain Chile's 18-year inaction and its adoption of a relatively strong policy in 2015 without strong resistance.

To move beyond institutional fit explanations, in this chapter I consider ways in which individual-level interests might uncover the particular resistance of Chilean incumbents to the gender quota. I argue that it is not the formal institutional arrangements *per se* that made gender quota adoption unlikely in Chile, but, instead, the formal and informal incentives that this institutional framework posed to the political careers of incumbents. As with my other two case study chapters, the goal of the current chapter is to provide a thick account for my prospect theory framework and demonstrate how individual-level preferences become aggregate-level results. Chile's stable democracy has been built around a system purposefully designed to secure and maintain elites; in this system, the prospect of any change could potentially have drastic consequences to the status quo.

Between 1997 and 2015, seven gender quota proposals were introduced to the Chilean Congress, three originating from the executive. None of the seven went far until Chile's entire electoral system began to crumble. These numerous attempts to introduce a gender quota in Chile, however, were not seen in a vacuum, but as attempts to shake the basis of Chile's larger binomial system, a frozen system for 25 years. This context thus makes Chile the 'least likely' case for gender quota adoption—and, conversely, the 'most likely' case for quota resistance.

In 2015, amid a deepening crisis of representation,[5] legislators were thrown deep into the domain of losses. The binomial system was closely associated with the maintenance of elites and there was strong popular demand to replace the system. Once in the domain of losses, Chilean legislators risked all they had to engage in a process of electoral reform: it was a last-ditch practice for survival. Although it is difficult to point to a single event that marks the turning point between these two phases in Chilean politics, the break in the *Concertación* rule with the election of Sebastián Piñera in 2010 and the subsequent student protests in 2011 are often identified as the culmination of popular dissatisfaction with the political regime and the elites it produced and maintained in power.[6]

From this perspective, then, the late adoption of a quota in Chile and the relatively strong design of the policy once adopted are not surprising. Throughout this chapter, I show that although quota adoption under the binomial system was institutionally possible, it was also

---

[5] Valenzuela, Arturo. 2011. 'Crisis de Representación y Reforma Política en Chile'. In *Democracia con Partidos Políticos*, eds. Francisco Díaz y Lucas Sierra. Informe para la Reforma de los Partidos Políticos en Chile, Santiago de Chile, Cieplan-CEP: 3.
[6] Ibid.

unlikely: the adoption of the policy would have posed the highest level of electoral risk in the region. That is because the same system that made incumbents electorally safe for the last two decades and gave Chile the highest rates of re-election in the lower house in all of Latin America, would also likely end the careers of established legislators were a quota to be implemented. Once the binomial system started to crumble, the quota was no longer legislators' biggest concern. Nonetheless, although the policy design approved was relatively strong, it still contained significant aspects of weakness which are in line with my expectations about legislators' electoral considerations.

The Chilean legislature has been widely known for its long-lasting political elites: for Chilean incumbents under the binomial system, the desirability of legislative office was seldom a mystery. The party system was stable and revolved around two major coalitions, meaning that legislators traditionally built their careers within one of the two main political coalitional contenders.

The stability of the party system was also reflected in the maintenance of elites: a high proportion of incumbents ran for consecutive re-election and rarely sought alternative political offices. Legislators often enjoyed long and stable careers, and incumbents were often benefitted in a system that valued personal electoral capital.

These factors combined suggest that legislative seats in Chile are indeed valuable and desirable and that my first IMA condition holds. These patterns are likely to change after 2017 when the new electoral system comes into effect, but for 25 years the described scenario reflected the dynamics of Chilean legislative politics, including the moments in which gender quotas were considered.

My second IMA condition proposes that gender quotas pose a threat to the career plans of incumbents. As incumbents have traditionally enjoyed high rates of consecutive nomination and successful re-election, at first the aforementioned stability of legislative elites may suggest that quotas would not pose a threat to sitting legislators. Nonetheless, this stability may in itself have been the very reason a gender quota could have posed a threat to incumbents: the limited availability of legislative seats combined with the electoral track record of female candidates, especially at a time in which the popularity of traditional elites was in free-fall, meant that female candidates may have been particularly competitive.

Furthermore, perhaps due to the extensive literature that praise the fit between gender quotas and high magnitude PR systems and the desire on the part of some political elites to replace the binomial system, gender quota proposals in Chile have often been discussed in the context of

a larger electoral reform. As already briefly conveyed, however, the status quo has been widely beneficial to incumbents. If gender quotas were perceived as a policy that could have only been enacted in combination with a broader electoral reform, I expect that the policy would have posed an additional degree of threat to the careers of Chilean legislators—both, men and women, given that the replacement of the binomial system would affect sitting legislators of both genders.

Finally, for my third condition to hold, legislators must not only be threatened by a gender quota, but also to act on this threat. In other words, I expect the behaviour of incumbents in regards to a gender quota to be consistent with their goals of retaining office. Given the high threat that a quota may pose to male or female incumbents in Chile, I anticipate the threshold for gender quota adoption to be higher than that in other countries; thus, I contend exogenous pressures to be less effective in triggering change in Chile. This would explain the late adoption of a quota in a country otherwise known for its democratic stability and progressiveness.

I also show that, having adopted a quota in 2015, after the overwhelming majority of Latin American cases had had years of experience with such policies, the Chilean gender quota should have been considerably stronger than the one which resulted. Firstly, while other countries in the region are moving towards 50-50 parity laws, the Chilean quota establishes a 40 percent reservation; secondly, the quota is temporary: it is only legislated to be in place for four consecutive electoral cycles; finally, the quota was adopted meanwhile an increase in the number of candidacies in a given office was approved, possibly diluting the effects of the quota. As such, I convey not only that Chilean incumbents sought to delay the gender quota adoption for as long as possible, but also that, once its adoption became inevitable, they worked to contain the policy's design. Nonetheless, I also show that unlike other cases, significant aspects of the quota design *improved* during plenary debates. As per my theory, however, electorally insecure legislators were still less likely to support the strengthening of the policy.

As my other analytical chapters, this chapter is structured around my IMA framework. As before, I use historical electoral data and elite surveys to analyse patterns of re-election and career ambition in Chile and show that legislative seats are valuable, sought out, and that competition for nominations is high. Then, to outline the potential threats that a gender quota posed to Chilean incumbents, and the ways in which incumbents themselves identified these threats, I combine electoral data with transcripts from congressional debates and other archival material. In the third section, I test the last condition of my IMA framework by tracking legislative records of quota proposals and using roll-call votes to more directly assess the effect of individual-level electoral

security on legislators' gender quota design preferences. Finally, I conclude elaborating on how the case of Chile refines my theory and the scopes of its application.

10.1. LONG-STANDING INCUMBENTS, LIMITED OFFICES

The first condition I investigate is that Chilean legislators seek to maintain their seats. The Chilean *Congreso Nacional* (National Congress) is composed of two houses: the upper house—the Senate, and the lower house—the Chamber of Deputies.[7] According to the system in place until 2017, senators were elected to eight-year terms, with half of Senate seats being renewed every four years, while deputies were elected to four-year terms. Both senators and deputies could seek consecutive re-election indefinitely: there were no term limits imposed. Seats to both houses were allocated in accordance to a binomial, open-list PR system. The Senate was composed of 38 seats, two from each of the 19 senatorial electoral constituencies, while the Chamber of Deputies was composed of 120 seats, two each for the 60 electoral constituencies of this house. This meant constituents placed their votes for their preferred candidate and that the candidate with the most votes was elected to one of the seats; the election of a member of a given list made it significantly more difficult for the second list-member to be elected, as he/she would require twice as many votes as that acquired by the second most-voted list to also secure a seat. If this was not achieved, the second seat was allocated to the highest placed candidate in the second-placed list.[8] Despite being a PR system, the low-magnitude in place has historically produced majoritarian-like electoral outcomes. Perhaps the most obvious of impacts were the tendency of the system to promote bipolar competition, and its propensity to disproportionately facilitate incumbent re-election.

Bipolar competition in Chile cannot be understood as the prevalence of a two-party system, but, instead, as the predisposition of parties to form pacts or coalitions, and, in so doing, reducing to two the number of candidate lists presented to each district.[9] In 2016, a total of 25 parties were registered with the Chilean electoral authorities, with 14 of them holding seats in the 2014-2018 legislature, but two main coalitions dominate electoral politics.[10] Parties are motivated to run in

---

[7] The Chilean upper and lower houses of congress are elected through the same set of electoral rules, so my analysis could apply to either (and both). Given that the thesis explores the adoption and strength of gender quota policies in lower houses (the most common domain for gender quotas in the region), I focus on analysing the behaviour of Chilean deputies, although the role of senators is also be explored when appropriate.

[8] These rules were put in place during the re-democratisation process in 1989 upon the election of the first democratic legislature following the plebiscite to remove General Augusto Pinochet, with the alleged intent of benefitting right-wing elites, reducing the number of parties in the party system, and imposing centrist ideological tendencies. See: Polga-Hecimovich and Siavelis, 2015.

[9] Alemán, Eduardo, and Sebastián Saiegh. 2007. 'Legislative Preferences, Political Parties, and Coalition Unity in Chile'. *Comparative Politics*. 39 (3): 253-272; Valenzuela, Samuel, and Timothy Scully. 1997. 'Electoral Choices and the Party System in Chile: Continuities and Changes at the Recovery of Democracy'. *Comparative Politics*. 29 (4): 511-527.

[10] Servício Electoral de Chile. 2016a. 'Partidos Constituidos'. *Servel.cl*. http://www.servel.cl/partidos-constituidos/?mla_paginate_current=2.

electoral blocs because of the low district magnitude of two, combined with the rules for seat distribution. Since re-democratisation, electoral politics in Chile has been structured around two stable party coalitions, the *Concertación por la Democracia* (hereafter referred as *Concertación*) and the *Alianza por Chile* (hereafter referred as *Alianza*). For some authors, the stability of the two coalitions as electoral contenders for such an extensive period of time allows Chile to be characterised as a two-party system in effect.[11]

Others question the ideological cohesion among coalition partners, but nonetheless grant the solidity of the bipolar logic.[12] Historically, the *Concertación*, Chile's centre-leftist coalition, has been composed of the *Partido Demócrata Cristiano* (Christian Democrat Party, PDC), *Partido Socialista* (Socialist Party, PS), *Partido por la Democracia* (Party for Democracy, PPD), and the *Partido Radical Sociodemócrata* (Radical Social-Democratic Party, PRSD). The centre-rightist coalition, *Alianza*, has been historically composed of the *Renovación Nacional* (National Renewal, RN), *Unión Demócrata Independiente* (Independent Democratic Party, UDI), and the *Unión de Centro Centro* (Union of the Centrist Centre, UCC). Representing opposition to the military regime, the *Concertación* won every presidential election and maintained a legislative majority between 1990 and 2006,[13] stepping down after 20 years only in 2010, when the *Alianza* presidential candidate, Sebastián Piñera, won the presidency for the conservatives. In 2013, the *Nueva Mayoría* replaced the *Concertación* and welcomed three new parties to its bloc: the *Izquierda Ciudadana* (Citizen's Left), *Partido Comunista* (Communist Party), and the *Movimiento Amplio Social* (Broad Social Movement, MAS). In 2015 *Alianza* became known as *Chile Vamos*. Although these changes in the formal composition of the main coalitions occurred, the electoral dichotomy of Chilean electoral politics was maintained.

As in the case for Brazil, in the binomial system competition occurs inside the coalition. While in Brazil the competition happens among and between candidates during election campaigns, in Chile this competition started in the pre-nomination period. That is, the low-district magnitude of the system meant for aspirants to claim one of the two places on their coalition's list they needed to compete not only inside their party but also to contest aspirants from outside their party who were within the set of candidates from the parties of their coalition partners. Given that under this system, for a list to win both seats it needed to receive twice as many votes as the runner-up list, the most common scenario across districts was for the two seats to be distributed between the two coalitions' lists, with each taking-up one seat. Thus, the most common scenario across

---

[11] Polga-Hecimovich and Siavelis, 2015: 269.
[12] See, for example: Alemán and Saiegh, 2007: 265; Siavelis, Peter. 2002. 'The Hidden Logic of Candidate Selection for Chilean Parliamentary Elections'. *Comparative Politics.* 34 (4): 422.
[13] Alemán, and Saiegh, 2007.

districts was for the two seats to be distributed between the two coalitions' lists, with each taking up one seat. According to Magar, Rosenblum, and Samuels, this created a 'rival partners' game' because:

> [a]lthough each candidate ideally would prefer that his or her own list win both seats in a district, he or she reasonably expects that the list will only win one. Therefore, a candidate has a strong incentive to compete with his or her list-mate—who is usually from a different party with a different constituency—to win the list's single seat.[14]

In other words, the Chilean system was unique in that multiple parties had to compete to ensure their candidates were nominated to one of the (generally) two coalition lists; once nominated, candidates from a list competed amongst each other for the one seat their coalition was likely to achieve. The binomial system thus posed high stakes for both: parties and individual aspirants.

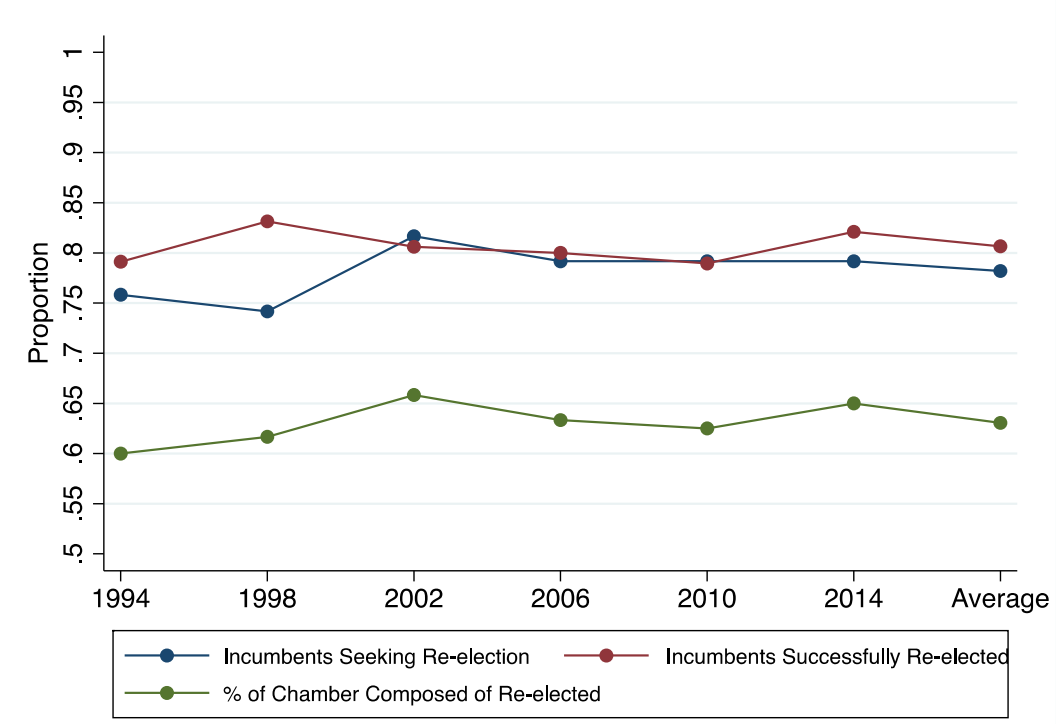


Figure 10.1. Incumbency and re-election: Chilean Chamber of Deputies 1990–2014

Source: Compiled by author with data from the Servicio Electoral de Chile.

The high level of intra-coalitional competitiveness in the pre- and post-nomination periods, however, did benefit the select few who were legislative incumbents; this can be observed by the high proportion of incumbents seeking re-election and their respective success rates. While each

[14] Magar, Eric, Marc Rosenblum, and David Samuels. 1998. 'On the Absence of Centripetal Incentives in Double-Member Districts the Case of Chile'. *Comparative Political Studies*. 31 (6): 718.

coalition was permitted to nominate twice the number of candidates as there were of seats (240 nominations for the 120 seats, or, 480 nominations combined) candidacies to the Chilean Chamber of Deputies has consistently been far above this number. Since 1994, *at least* another 140 (and as many as 232) candidates, beyond those in the main coalitions, have contested seats for the Chamber of Deputies. Despite the high interest in legislative office, Chile's legislatures have largely been composed by re-elected incumbents.

Data from the Parliamentary Elites of Latin America (PELA) survey, collected by the University of Salamanca, reveal that in any of the four times the instrument was used (i.e. in 1993, 1997, 2002, or 2006), over 50 percent of respondents were returning legislators, with over 60 percent of respondents saying they had previously occupied office in three of the four surveys (in 1993, 2002, and 2006).[15] Historical electoral records confirm this trend, and show that the rate of re-election in Chile has been consistently high with between 60 and 65 percent of seats occupied by re-elected officials since re-democratisation. This rate of recurrent election of incumbents in Chile signals that seats are indeed valuable to incumbents, and illustrates the clear preference of legislators for maintaining office. In fact, when considering all legislative cycles from 1994 to 2014, I calculate that 78 percent of incumbents run for re-election. These numbers also highlight the extreme level of advantage under the binomial for Chilean incumbents: although they represented only an average of 23 percent of total candidates, their electoral success rate was of 81 percent (see Figure 10.1).[16]

Another indication of the value of legislative seats is that unlike in many other countries where legislators seek progressive ambition in other levels and or branches of government, deputies in Chile were more likely to remain in the Chamber of Deputies than to divert into other positions. It seems deputies sought professionalization *in* the Chamber. PELA data point to this precisely, with less than 40 percent of national deputies responding to having occupied any other representative office ('*cargo de representación popular*'). Data on the career trajectories of Chilean legislators further support the notion that its legislators seek to professionalise. In the 2010-2014 legislature—considered the last one to be elected before the 'crisis of representation'—the average length of deputies' careers was 3.19 terms, with 42 deputies (35 percent) having served for four or more terms. For those elected to the following legislature (2014-2018) the mean number of terms

[15] Data used derives from the Observatorio de Élites Parlamentarias en América Latina. 2016. 'Parliamentary Elites of Latin America database (PELA)'. *Universidad de Salamanca*. http://americo.usal.es/oir/elites/bases_de_datos.htm.
[16] Data used derives from the Servício Electoral de Chile. 2016b. 'Elecciones de Diputados 1989 al 2013 por Circunscripción Electoral'. *Servel.cl*. http://www.servel.cl/elecciones-de-diputados-1989-al-2013-por-circunscripcion-electoral/.

for which elected officials had held office *decreased* to 2.51 suggesting that professionalization may be winding down as non-traditional candidates enter the Chamber.

Professionalization is a consequence not only of the electoral system itself, but also of the limited number of political positions elsewhere as well as of the benefits of holding legislative office. Before the 2015 electoral reform, there were restricted options for political careers outside the lower house of congress: the Senate had only 38 seats (roughly equivalent to 32 percent of the seats in the Chamber of Deputies) and, although for each of Chile's 345 municipalities positions of mayor were available, governor posts were assigned by appointment. Additionally, until 2004, mayoral offices were awarded to those receiving the highest number of votes in municipal council elections; this meant an individuals' career calculations rested on the prospects of one's own electoral capital being higher than that of everyone else in the race, or on being sufficiently satisfied with the lesser post of municipal legislator. Starting in 2004, mayors came to be directly elected in majoritarian elections, but these races continued to be risky, with fewer than 30 percent of candidates being electorally successful.[17] In other words, in a context with limited options, the least risky electoral option for incumbents to achieve the goal of remaining in office would be re-election to the Chamber.

Given that the legislative agenda largely rests in the hands of the executive the Chilean National Congress has often been characterised as non-influential.[18] This could curb the overall value of legislative offices despite there being few other political career options. While the formal powers of legislators might be limited, informal strategies of Chilean legislators provide them not only influence over policy-making, but also to other material benefits. Siavelis's extensive work on Chile emphasises that informal powers matters, and that legislators can and do influence public policy; according to him Chilean presidents are unlikely to pass legislation when congressional opposition is high, and presidents rely on frequent consultations with members of the legislature to assess their levels of support for specific pieces of legislation.[19] Some of the strategies used by the legislature to exert influence include the *cuoteo político*, an informal procedure where the minister and vice-minister of each cabinet portfolio are drawn from different parties of the government

---

[17] Botero, Felipe. 2008. Ambitious Career-Seekers: An Analysis of Career Decisions and Duration in Latin America. Tucson: University of Arizona: 74.

[18] Shugart, Matthew, and John Carey. 1992. *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*. New York: Cambridge University Press: 277.

[19] See, for example: Siavelis, Peter. 1997. 'Executive-Legislative Relations in Post-Pinochet Chile: A Preliminary Assessment.' In *Presidentialism and Democracy in Latin America*, eds. Scott Mainwaring, and Matthew Shugart. New York: Cambridge University Press; Siavelis, Peter. 2000. 'Disconnected Fire Alarms and Ineffective Police Patrols: Legislative Oversight in Postauthoritarian Chile'. *Journal of Inter-American Studies and World Affairs*. 41(1): 71-98; Siavelis, Peter. 2006. 'Accommodating Informal Institutions and Chilean Democracy'. In *Informal institutions and democracy: Lessons from Latin America*, eds. Gretchen Helmke, and Steven Levitsky. JHU Press.

coalition; as well as *glosas* (negotiations in which deputies exchange their approval for the executive's budgetary plan for material resources for their districts) and *protocolos* (agreements between congress and the finance minister).[20] Ferraro identifies yet other benefits that legislators in Chile enjoy, such as legislative patronage and 'powerful connections',[21] which allow them to advocate for their own interests, such as the payment of lower taxes, as shown in the work of Fairfield.[22] As such, the ambition to attain and retain legislative office in Chile derives not only from the lack of opportunities elsewhere, but also from the influence legislators can have over public policy and the allocation of resources.

Elections in Chile were characterised for being largely predictable, both in terms of coalitional representation, as well as in respect of incumbency re-election. Since re-democratisation, rates of re-election, recurring candidacies, and the level of professionalization in the National Congress, all point to legislative office being the most common goal of incumbents. A number of reasons justify this preference: the open-list binomial system disproportionately benefited incumbents in the nomination and electoral processes; there were few career options available elsewhere; and the benefits of holding office were high—going beyond influence over policy-making. This suggests that the first condition holds: incumbents perceived legislative office as valuable and sought to maintain their positions. The dominance of traditional elites, however, was being increasingly challenged. Although the binomial system described has shaped the state of Chilean politics from re-democratisation to the present, benefitting incumbents throughout, the system is soon set to disappear. From 2017, the binomial system will be replaced by a PR system with higher average district magnitude that also boasts a gender quota of 40 percent. The next section explores the ways in which the quota might have threatened incumbents during the binomial system, and how this threat translates to the context of a new electoral framework.

10.2. ELECTORAL REFORM AND GENDER QUOTA RESISTANCE IN TWO SYSTEMS

In the preceding section, I showed that the overwhelming majority of legislative incumbents in Chile sought to retain their congressional careers—a pattern that was reinforced by the freedom to run for unlimited consecutive elections, and the paucity of other political opportunities. In this section, I assess the potential damage a rise in female contenders, as promoted by a quota, could inflict on male incumbents and their career goals. As in my other case study chapters, I do this in

[20] Ferraro, Agustín. 2008. 'Friends in High Places: Congressional Influence on the Bureaucracy in Chile'. *Latin American Politics and Society*. 50 (2): 101-129.
[21] Ibid.
[22] Fairfield, 2010.

two stages, by analysing a variety of numerical data types and sources, and then by evaluating official scripts from relevant legislative debates and other primary sources. Across these two stages I show that: 1) under the binomial, a gender quota would have altered the formal and informal dynamics of the system in ways that potentially would be detrimental to male and female incumbents as well as to non-elected coalition candidates; and, 2) under a perceived crisis of representation, when incumbents were already in the domain of losses, a gender quota did not pose as much of a threat to incumbents, but even so, attempts to contain the strength of the policy's design were evident.

10.2.1. THE DOMAIN OF LOSSES: BINOMIAL AND THE DIMINISHING POPULARITY OF ENTRENCHED ELITES

From the return of democratic elections in 1990 until today, there have been seven attempts to adopt a gender quota in Chile, with the last one being successful. Three of these were executive initiatives, so explanations which resort to the lack of power of legislative actors to set the agenda are not sufficient to explain the lack of a gender quota adoption for almost two decades since the first related bill was introduced to the Chamber in 1997.

Gender quota proposals in Chile have not significantly deviated in design from those adopted in PR systems with high or higher average district magnitudes. This means that these proposals generally outlined a quota design based on the reservation of a proportion of nominations in party candidate lists for women. Under the binomial this could have meant the reservation of candidacies of a given party's total nominees (across all districts), but not for individual districts—as most commonly parties only managed to nominate one candidate of their own per district, if they managed to nominate candidates to all districts at all.

Works that sought to consider the institutional fit between gender quotas and the Chilean binomial system, however, have sometimes pondered that a quota might have worked better if applied to coalition-lists rather than party-lists,[23] something also stipulated in previous policy designs. Previous proposals also included provisos to adopt financial incentives for the promotion of women's candidates and a quota for internal party leaderships,[24] both of which would be indisputably consistent with the binomial system. Thus, reliance on institutional fit also does not

[23] Zúñiga Fajuri et al, 2007: 27.
[24] Arce Riffo, Javiera. 2013. 'Análisis Proyecto de Ley para la Igualdad de Oportunidades entre Hombres y Mujeres en Cargos de Elección Popular'. Thesis for the Magíster en Ciencia Política, Instituto de Ciencia Política – Pontificia Universidad Católica de Chile: 5-6.

satisfactorily explain the lack of any provision to promote women's political representation in Chile, despite initiatives with fit originating in both the legislative and executive branches.

A more encompassing explanation resides precisely at the level of threat these proposals posed to the established dynamics of the binomial framework and the elites the system benefited. The proposed designs make clear the most obvious threat a potential quota poses to the dynamics of the binomial: female contenders competing for nominations would add choice to the significantly reduced and low number of candidacies from party members, and intra-party and intra-coalitional competition for positions held by male elites from individual parties would grow.

Given the dynamics of the nomination and election process in Chile however, one could argue that a quota would not have been a threat to incumbents, as it would only provide coalitions with candidates who would sacrifice themselves for the election of others. Let me explain: although candidates were not formally ranked, more commonly each coalition was only able to elect one of their two candidates, with the second candidate campaigning to guarantee the election of the first given the unlikely scenario of two seats being won by candidates in the same list. In other words, for the binomial system to work, certain individuals had to purposefully sacrifice their individual candidacies.

Thus, were quotas adopted under the binomial system this could just produce female candidates who would sacrifice themselves, and not threaten to male incumbents. However, this in and of itself would have been a disturbance to the status quo and lead to the loss of benefits for some party or coalition elites. As Carey's and Siavelis's work shows, candidates who did not win a seat but supported the candidacy of their list-mates, generally did not sacrifice their careers for the sake of their party, instead they sought other types of political benefits.[25] Yet, this explanation does not point to how a quota could pose a direct threat to career ambitions of incumbents—and thus does not satisfy my second IMA condition, although it does illuminate the functionality of the system. The lack of a direct threat to incumbents, however, would only hold if the female candidates nominated through the quota were only competing in this supporting role and posed no electoral risks to incumbents. This scenario is unlikely given what we know about female candidates since 1990.

[25] Carey, John, and Peter Siavelis. 2005. 'Insurance for Good Losers and the Survival of Chile's Concertación'. *Latin American Politics and Society*. 47 (2): 1-22.

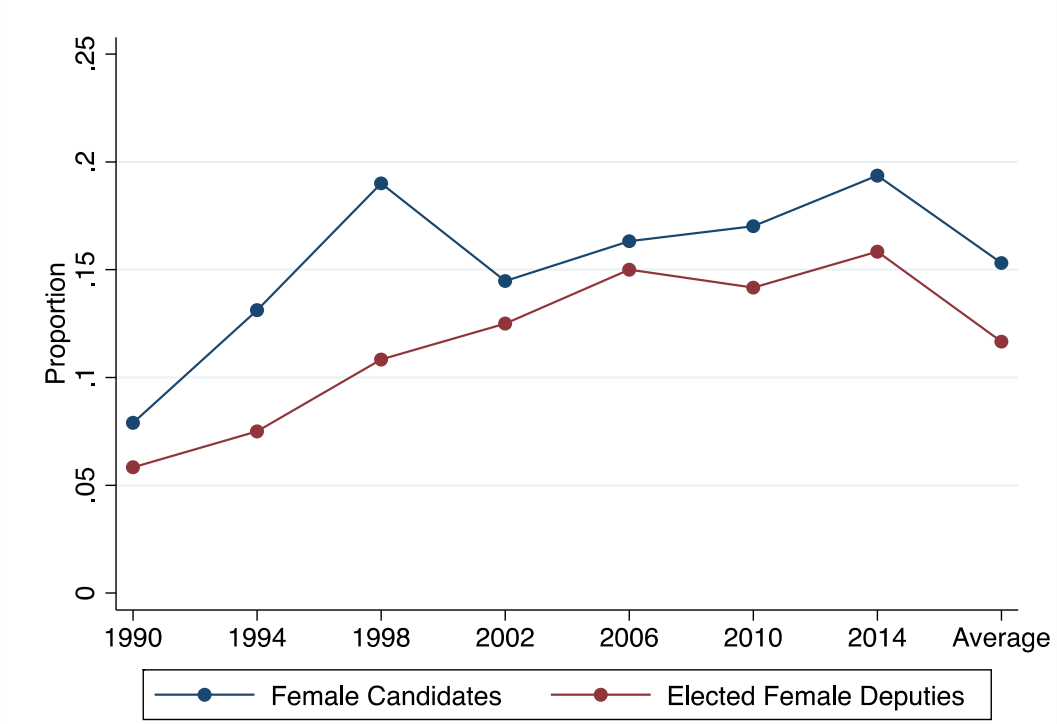


Figure 10.2. Proportion of female candidates and elected officials to the Chamber of Deputies, 1990–2014

Source: Compiled by author with data from the Servicio Electoral de Chile.

Women in Chile are as, if not more, competitive than men electorally. In the latest legislative cycle, 2014-2018, the average vote share acquired by individual candidates to the Chamber of Deputies was 12.58 percent, with those elected receiving an average of 29.9 percent of the vote shares in their respective districts and those not elected receiving an average of 6.62 percent of votes.[26] Despite the election of significantly fewer women than men, those who won garnered more votes than their male counterparts: while, on average, male candidates captured 29.41 percent of the votes in their districts, women were elected with an average of 32.88 percent of votes. Losing female candidates also won slightly more votes than their male counterparts, receiving an average of 6.78 percent of the votes in their districts, with unelected men achieving an average of 6.58 percent of the vote shares. T-tests show that the difference in means across the two groups is not statistically significant, but nonetheless it is relevant to the question of effectiveness of quotas that women are not less capable of acquiring votes than men—and that, if given the opportunity of nomination, women may be serious antagonists to the male establishment.

[26] Data used derives from the Servício Electoral de Chile, 2016b.

So, besides being at least as successful in mobilising electoral support as men, women might otherwise have posed a threat to male elites because they are political outsiders at a time in which insiders are not popular. As survey data from the *Centro de Estudio Público* (Public Study Centre, CEP) demonstrate, citizens' trusts in the National Congress and political parties have been rapidly decreasing since 2011. In October 2010, 29 and 15 percent of respondents pledged to trust the National Congress and political parties, respectively. Just one year later, the level of trust for the same institutions fell to 13 percent for the National Congress and 7 percent for political parties.[27] Chileans increasingly do not identify with political parties and satisfaction with democracy has significantly decreased in the past few years, meanwhile candidates running as independents began gaining ground against the political establishment.[28] Largely outside of this establishment, women have historically represented less than 20 percent of candidates and Deputies (see Figure 10.2), giving wide scope and potential for them to enter politics at this particular time.

As I argue throughout this thesis, as long as legislatures are dominated by men, quotas always have the potential to throw politicians into the domain of losses. In this sub-section, I showed that a gender quota had the potential to change the otherwise entrenched dynamics of the binomial system, and to threaten the careers goals of legislators. And as Chile faced in its crisis of representation, with a context of deterioration of the institutional and party systems, women posed an even stronger threat to traditional elites. In the next sub-section, I show that the threat quotas posed to male incumbents can be inferred not only through an understanding of the dynamics of the binomial system and Chilean politics in a time of change, but also by analysing parliamentary debates on quota bills.

10.2.2. POTENTIAL LOSSES AND CERTAIN LOSSES: THREATS FROM QUOTAS UNDER TWO SYSTEMS

Having showed the potential threats that a gender quota could pose to entrenched male elites, I now turn to the ways in which the calculations of incumbents regarding their situation in the domain of losses became clear during quota debates, raising the threshold for quota adoption, and precluding the incorporation of such policy in the country. To do so, I analyse debates on all gender quota-related bills introduced in Chile, which have been recorded as: as *boletín* (file) 1994-07 (from 1997); *boletín* 3020-06 (from 2002); *boletín* 3206-18 (from 2003); *boletín* 9553-07 (from 2014)—all legislative initiatives—and, *mensaje presidencial* 860-355 (from 2007, recorded as *boletín*

[27] Cited in: Arce Riffo, Javiera. 2015. 'Reforma Electoral en Chile: Avanzando desde el Sistema Binominal al Proporcional Inclusivo ¿Qué Hay Detrás de la Reforma? Análisis del Primer Trámite Constitucional (Cámara de Diputados)'. Unpublished manuscript made available by author.
[28] Valenzuela, 2011.

5553-06); *mensaje presidencial* 525-360 (from 2013, recorded as *boletín* 8876-06); and *mensaje presidencial* 076-362 (from 2014, recorded as *boletín* 9326-07)—all presidential proposals.

Of these many bills, only two ever led to debate in parliament, with all others being shelved after brief consideration in committees. As such, resistance to gender quotas in Chile can mostly be characterised by avoidance of legislative debates on quotas. Unlike the process in Costa Rica or Brazil, discussions surrounding the quota adoption in Chile were often paired with demands to drastically reform the electoral system and substitute it with one leading to higher overall proportionality. In this section, I show that quotas have long posed a big threat to the careers of male incumbents, but were finally adopted when incumbents could no longer circumvent extensive electoral reform that would itself unavoidably threaten the stability of their careers.

Like many countries in Latin America, Chile responded to the calls of the international community for greater participation of women in politics and the adoption of a quota in Argentina by introducing its own gender quota bill in 1997. A quota-related bill, however, would only make it to the floor of the Chilean National Congress in 2003, with the debate surrounding the bill recorded in *boletín* 3206-18. This particular proposal introduced by legislative actors sought to establish a 40 percent quota for women: in party leadership; in municipal, and national elections; and with electoral sanctions for non-compliance. Legislative proceedings for the bill only initiated in 2007, after Michelle Bachelet became president and established a taskforce to address the need for electoral reform, of which the quota would be a part. The bill was then discussed in the *Comisión de Família* (Family Committee),[29] which, after consulting with a variety of experts, recommended against the progress of the proposal. In 2010 the bill was taken-up again in plenary, and then shelved in 2014 as another similar proposal was being considered already—and this last ultimately would be approved. Throughout these debates it became clear that a quota had the potential to threaten the status quo and men's career ambitions. This threat became explicit when it was declared that: 1) women's under-representation in Chile was not due to women's lack of interest in politics; 2) women's electability was the same or higher than men's; 3) the presence of women would mean the displacement of men; and, 4) a quota could have led to changes in party norms and organisation, as well as to potential material and electoral losses.

One of the most common arguments used to downplay the need for a quota relied on the notion that women's under-representation was not due to lack of opportunity, but a consequence

[29] As Aranda contends, the bill fell into this Committee given the inexistence of a committee responsible for overseeing proposals related to gender equality and women's issues. See: Aranda, Verónica. 2015. 'Derribando Muros y Techos de Cristal Las Acciones Afirmativas de Género: Resistencias discursivas y práticas a la ley de cuotas y paridad en Chile (1990-2010)'. Thesis prepared for the PhD in Social Sciences, Instituto de Ciencias Sociales – Universidad de Chile: 192.

women's lack of interest in running for office. Refutation of this argument with statistics and anecdotal evidence throughout the debates on the bill was sound. In a briefing summarising the opinions of experts consulted in Committee on the quota bill, it was highlighted that women were between 40 and 50 percent of affiliated members across Chilean political parties, thus providing a prolific pool for the recruitment of candidates.[30] This already suggests that were parties to actively seek to diversify their pool of candidates, finding women to run would not have been a problem. In her plenary intervention on 19 January 2010, Deputy María Antonieta Saa (PPD) highlighted the lack of opportunities given to female outsiders, when she asked: '[h]ow is it possible that in Chile there are not 120 women who want to be candidates? […] In the best possible way I ask: why is it that the majority of female candidates has to be the daughter or wife of mayors? Why is this chance given to them?'[31] Deputy Isabel Allende (PS) reinforced the notion of parties as gatekeepers and spoke of instances in which parties refused to nominate women or placed them in districts where they had no chance of winning.[32] Deputy Lily Pérez's (RN) intervention, from the same day, was even more vivid in illustrating party resistance to opening spaces to female candidates:

> When I served as general secretary of the RN and member of the Electoral Committee, I often heard men, leaders of political parties and even legislators, who disdained women's candidacies and did not want more female candidates. I saw it, my personal case was not like this, but I got to know about the situation of numerous capable women who were prepared, but whose [candidacies] were objected precisely because some said that they did not want more women in certain roles. There were even political parties' publications that indicated the this.[33]

In expert reports and plenary debates alike it became clear that there were women interested in running for office who were not being given the opportunity. Women, thus, posed a threat to the status quo as it would be unlikely that these women would be willing to run as placeholders once given the institutional opportunity. Evidence presented showing women's levels of electability only heightened this threat.

The fact that women posed serious electoral competition to men did not go unnoticed throughout the debates. Women's level of electability was highlighted in expert reports,[34] as well as in plenary sessions. For instance, in referring to women's electoral capital, Deputy Saa recalled

---

[30] Proyecto de Ley, Boletín Número 3206-18, Primer Informe de Comisión, 24 January 2007: 8. https://www.camara.cl/pley/pley_detalle.aspx?prmID=3456&prmBoletin=3206-18
[31] Ibid, Discusión General, 19 January 2010: 22.
[32] Ibid: 16.
[33] Ibid: 24.
[34] Ibid, Primer Informe de Comisión, 24 January 2007: 54-55.

how three women replaced male incumbents in the Senate in the most recent electoral cycle.[35] Although pointing to the electability of women was meant as a strategy to convince party leaders that their parties would not be losing seats if nominating female candidates, this strategy simultaneously highlighted to male incumbents the threat that women posed to their individual career ambitions.

The direct threat the presence of female outsiders could pose to traditional elites was also also came up in debates. When speaking in plenary of the want of democratic practice within parties, Deputy Allende used an expression also present in the Costa Rican debate: '*cuotas de poder*' (power quotas). In this instance, however, she used the expression to allude to the fact that quotas already exist, but that they were not applied to securing opportunities for women, rather they were used to reserve candidacies for those already in power.[36] The notion that women would be replacing established male elites was also expressed in an interview with an anonymous expert granted to Aranda:

> Parties do not have an incentive to nominate women, they tend to favour the logic of nominating those under their wings,[37] their friends, the local leaders […] and as everyone knows […] processes of nomination are not meritocratic processes, here there is a process that seeks merit and those that have the best curriculum […] meritocratic criteria are not the ones that govern [the process of nomination], but networks within political parties […] the resistance [towards quotas] is not from citizens, but from political parties.[38]

As conveyed by the interviewee, a quota would alter the way in which parties recruit candidates, likely displacing 'mediocre men'[39] as a result. These views were also expressed, although not as bluntly, throughout plenary sessions. For example, in her intervention, Deputy Saa once again questioned the unwillingness of parties to nominate women. She granted that party leaders knew that 'women's level of electoral efficiency is high' and that citizens want greater female representation. She then asked: 'So what are the impediments for us to be half [of the nominations]? […] The truth is that there are many intelligent women within parties, but there is no selectivity of the men who are part of the National Congress. I have to admit that many would need to go through a selection [process].'[40]

---

[35] Ibid, Discusión General, 19 January 2010: 23.
[36] Ibid: 17.
[37] In the original Spanish, this was 'apadrinados'.
[38] Aranda, 2015: 295.
[39] See: Besley, Timothy et al. 2013. 'Gender Quotas and the Crisis of the Mediocre Man: Theory and Evidence from Sweden'. *IFN*. Working Paper N° 985. Research Institute of Industrial Economics (IFN) Stockholm.
[40] Proyecto de Ley, Boletín Número 3206-18, Discusión Deneral, 12 May 2010: 31.

In a debate on 12 May 2010, male Deputy Pepe Auth (PPD) exposed the male resistance to quotas even more directly than many of his female colleagues. As he put it:

> If despite being in their political programs […] political parties do not significantly increase the participation of women, this is due to the fact that the 'weight of the night is big'[41] and that the men who dominate politics in incontestable ways, resist openly and sometimes disingenuously to give up the spaces that until recently were theirs in complete exclusivity.[42]

In sum, as another interview granted by an expert to Aranda poses: 'parties do not look for women [candidates] because one additional woman is one less man'.[43] This direct threat to men's political careers was precisely what becomes clear from the key actors involved.

Finally, the adoption of a gender quota was also characterised as potentially posing a threat to the existing structures and dynamics of the electoral and party systems. For example, in the report on the opinions of experts invited to expose their views in Committee, a table summarising arguments in favour and against a quota adoption lists the possibility that 'the introduction of quotas [can] generate significant conflict at the level of internal party organisation' as the first argument against a quota.[44] Elsewhere in the report, the potential rejection of entire candidate lists as a result of non-compliance with a quota was also raised as a reason not to adopt the policy.

In this first experience of extensive debate of a quota in Chile, the threat the policy could pose to incumbents and their parties took the forefront. Although the evidence of this perceived threat is abundant, it is likely that the resistance of male legislators towards the bill would have been even more emphatic had the greatest opponents of the policy been present during the debates. As it is mentioned in plenary records, many deputies who opposed the bill chose not to attend the sessions during which the proposal was discussed; thus, what I report is likely to understate the actual level of resistance towards the bill.

Only in 2014 was a quota proposal debated again, this time as part of the larger electoral reform to replace the binomial system. In this instance interventions highlighting the threat quotas might pose to incumbents were replaced by numerous admissions of future electoral uncertainty. This process highlights the notion that once deep into the domain of losses gender quotas are no longer the main concern of legislators.

---

[41] Mendonza, Marcelo. 2012. 'El Peso de la Noche o el Peso Ciudadano'. *Elmostrador.cl*. http://www.elmostrador.cl/noticias/opinion/2012/07/06/el-peso-de-la-noche-o-el-peso-ciudadano/.
[42] Proyecto de Ley, Boletín Número 3206-18, Discusión General, 12 May 2010: 20.
[43] Aranda, 2015: 296.
[44] Proyecto de Ley, Boletín Número 3206-18, Primer Informe de Comisión, 24 January 2007: 61.

Records of the 2014 plenary debates about electoral reform show that incumbents were fully aware of the depth of the crisis of representation in Chile, and of voters' dissatisfaction with the binomial framework and the elites the system produced. In a plenary session on 13 August 2014, to discuss the electoral reform encompassed in *boletín* 9326-07, Deputy Roberto Eduardo León (PS) stated: 'people tell us: why will we vote, if those elected are definitively always the same: one from the *Alianza* and one from *Nueva Mayoría*?'[45] While the overwhelming majority of incumbents admitted that the system needed reform, they also contended that such reform placed them in the domain of losses. Deputy Fuad Eduardo Chahin (PDC) summarised this clearly during his plenary intervention: 'This bill also establishes uncertainty. We know that some will find whatever reason to vote against it because a change in the rules of the game generates uncertainty, and, certainly, in maintaining the status quo, many of us have greater possibility of being elected'.[46] Similar points were raised time and again throughout the process of consideration of an electoral reform.

It is worth pointing out that, between 1990 and 2014, there had been over 35 attempts to replace the binomial system for one that promoted greater proportionality, but all bills were quickly shut down.[47] The crisis of representation and discontent of civil society with the political sphere were overwhelmingly associated with the binomial system, prompting the need for a reform. Male deputy Gabriel Boric (independent) summarised this:

> Our crisis is the product of the slow erosion of an increasingly adverse situation […] Chileans have created a way to refer to this problem: we call it the 'problem of the binomial system'. In regards to this point, the public is clear: we must change the binomial system. [48]

This is a point reinforced by various legislators in their speeches. The 2014/2015 electoral reform was therefore a process prompted by exogenous forces that rendered it essentially unavoidable.

In this context, few interventions mentioned the quota directly, and, when doing so, they mostly referred to it as a policy promoting greater diversity—precisely the root cause of the crisis. The praise of quotas as a type of institution capable of doing the very thing established elites were afraid of made sense at a time in which public discourse appraised renewal of elites. It would seem it might have been costlier for incumbents to publicly condone a policy that had at its core a

---

[45] Proyecto de Ley, Boletín Número 9327-07, Discusión General, Queda Pendiente, 13 August 2014: 51. https://www.camara.cl/pley/pley_detalle.aspx?prmID=9742&prmBoletin=9326-07
[46] Ibid: 25.
[47] Arce Riffo, 2015. aaavieraking Paper No. 985.FINDs d en Chile (1990-2010). tivas de Gnous theories aeor of support for strong quota designs than g
[48] Proyecto de Ley, Boletín Número 9327-07, Discusión General, Aprobado, 13 August 2014: 33.

renewal of the political class. Nonetheless resistance towards the quota was still present, albeit less obviously so. Despite the lack of emphasis on the quota itself, extensive debate surrounded two other aspects of the electoral reform that would significantly reduce the threat posed by a quota to incumbents: 1) an increase in number of seats and candidacies, to both houses; and 2) the maintenance of primaries as a strategy of candidate selection.

In plenary sessions various deputies stated that the increase in number from 120 to 150 seats in the Chamber, and from 38 to 50 in the Senate was a strategy to secure the position of incumbents in light of increased composition. This was explicitly stated in plenary by Deputy Felipe Kast, who conveyed:

> The increase in the number of legislators has one sole purpose: to get the votes, so that those of us who are here do not have to incur risks. The author of this bill, Patricio Zapata, said it himself on the radio. He was directly asked why it was necessary to increase the number of legislators, to which he responded: 'very simple: if not, we do not get the votes [necessary to approve the reform]'.[49]

During his intervention, Deputy Squella also argued that the bill included this to lessen the threat a reform would pose to incumbents, and to ensure the necessary number of votes to approve the bill; as he put it:

> The only manner you have managed to find to do it [change the electoral system] […] is to tell the incumbents 'do not worry as you will be elected without increased difficulty.' […] The only reason for this is to perpetuate the left […] guaranteeing to legislators who hesitantly will have to vote for this bill that they will not be under risk. It is important that this is clear.[50]

Although since its introduction, the bill included a proviso to increase in the number of seats in the National Congress during debates legislators further increased the number of candidacies parties were allowed to nominate from the number of seats in a given district (N) to the integer immediately greater than it (N+1). Proponents of the quota quickly became concerned about this proposal as it would likely water down the effect of the quota—a strategy previously used in Brazil. Despite these warnings, while debating the "N+1" proposal in Committee, Deputy Rene Fernando Saffirio (PDC) justified the approval of the policy by stating that the more candidacies there are, the easier it would be for parties to comply with the quota. [51] This is only one of the ways in which legislators may diminish the threats a quota would pose to themselves, without weakening the design of the quota itself.

---

[49] Ibid, Queda Pendiente, 13 August 2014: 56.
[50] Ibid, Discusión General, Aprobado, 13 August 2014: 23.
[51] Proyecto de Ley, Boletín Número 9327-07, Informe de la Comisión, 5 August 2014: 23. https://www.camara.cl/pdf.aspx?prmID=10658%20&prmTIPO=TEXTOSESION

The potentially problematic interaction between primaries and a quota was raised in plenary debates and expert reports alike. Some deputies framed their opposition to the quota in terms of it being incompatible with a system of candidate selection based on primaries. As expressed by Deputy Hernández:

> To those who are in favour of this reform I can assure that they do not have, for example, a solution to make the gender quota compatible with the system of primary elections. It is impossible to do it unless sex-segregated primaries are held, which would be a mockery for any serious democratic system.[52]

In conversation with a female deputy in Valparaíso, I was told that male elites became fierce supporters of primaries; another interviewee, a representative of a women's organisation lobbying for the quota in Congress, concurred; conveying that male elites were fighting with 'tooth and nail' to keep the primaries. The attachment of male elites to the primary elections was particularly puzzling given that since the adoption of primaries in 2011, only one party had previously employed the system for candidate selection.[53] Supporters have thus characterised the focus of legislators on maintaining primaries as an attempt of male elites to maintain a loophole for quota non-compliance (something previously accomplished in Mexico). [54]

Although obvious resistance towards quota adoption might have been veiled, those following the process closely seem to have grasped that resistance to the quota had an electoral basis. In an interview to the Free Speech Radio News on 4 June 2014, precisely when the electoral reform (and gender quota) were being debated in the Chilean National Congress, male Deputy Auth exposed the behaviour of legislators: 'Men tend to act as a body to defend themselves.' As the article summarizes, Auth's view was that it was 'necessary to force the men who run the country's political parties to give up some of their power'.[55]

In this section, I investigated whether a gender quota posed a threat to male incumbents in Chile. I showed that yes, the quota posed threats to incumbents both under the binomial system, as well as under the new electoral system of greater proportionality. I revealed, however, the level of resistance of incumbents towards quotas changed significantly between the periods before and during the broader electoral reform: while the quota was the major source of threat in the pre-

---

[52] Proyecto de Ley, Boletín Número 9327-07, Discusión General, Aprobado, 13 August 2014: 42.
[53] For primary election results, see: Servício Electoral de Chile. 2016c. 'Resultados Definitivos – Elección Primaria de Presidente 2013. *Serve.cl.* http://www.servel.cl/resultados-definitivos-eleccion-primaria-de-presidente-2013/. Also see: Arce Riffo, Javiera. 2014. 'Las Primarias y las Cuotas de Género'. Report elaborated for presentation in congressional debates on the electoral reform, 2014/2015.
[54] Proyecto de Ley, Boletín Número 9327-07, Segundo Informe de Comisión, 12 January 2015: 30.
[55] Free Speech Radio News. 2014. 'Chile Considers Gender Quotas for Political Slates'. *Fsrn.org.* https://fsrn.org/2014/06/chile-considers-gender-quotas-for-political-slates/

electoral reform period, it was no longer the main concern of legislators during the process of replacement of the binomial. But this is not to say that incumbents readily accepted all of the demands of quota supporters, either. The strategies used to delay gender quota adoption and weaken the policy's design are further elaborated in the next section.

10.3. BINOMIAL OUT, GENDER QUOTAS IN

In the previous sections, I showed that legislative seats were valuable to Chilean legislators and that a gender quota, and more broadly an electoral reform, were threatening to an incumbent's goal of retaining office. In this third analytical section, I assess whether incumbents actively sought to diminish the threats a quota would pose to their goals by delaying gender quota adoption and/or weakening gender quota designs.

As outlined in the previous section, although seven quota-related bills have been introduced into the Chilean legislature, only two ever advanced beyond committee and into the general plenary. Official records covering the proposals that failed to advance are thus minimal. This poses a challenge for the study, as it provides only restricted grounds for identifying the role of individual legislators in delaying the adoption or weakening the designs of quota proposals. Unlike in Costa Rica, however, records of legislative proceedings in Chile do include roll-call votes on amendments to the latest gender quota proposal which was ultimately approved as law.

I divide this last stage of analysis into two sub-sections: the first traces the history of gender quota proposals in the country, from 1997 to 2015. In doing so I seek to uncover the tension between the pressures to adopt the policy and the strategies to avoid such adoption used by legislators. In the second sub-section I use roll-call votes on amendments proposed to the gender quota included in the larger electoral reform as part of *boletín* 9326-07 to more directly test the relationship between individual-level electoral security and preferences on gender quota designs.

10.3.1. GENDER QUOTA PROPOSALS AND DELAYED ADOPTION

As with many other countries in Latin America, the history of gender quotas in Chile starts with the ratification of international agreements and the adoption of the policy in Argentina. Although the military government in Chile signed the CEDAW in 1980, when the document was agreed upon in Copenhagen, it only came into effect in 1990, while the country instituted its return to democracy.[56]

[56] Aranda, 2015: 1.

In 1991, Argentina became the first country in the world to legislate a national gender quota applicable to all political parties. This diverged significantly from the Scandinavian model of quota frameworks, in which individual parties would voluntarily introduce a quota to their internal statutes. The year of the quota adoption in Argentina coincided with the formation of the *Servicio Nacional de la Mujer* (National Women's Service, SERNAM) in Chile, a national-level institute founded in the early days of the re-democratisation period as a means of complying with CEDAW and promoting gender equality in the country. [57]

Given that women had been overwhelmingly absent from politics during the military dictatorship these early days also represented the return of party politics and political representation. Women who fought against the military dictatorship then saw the opportunity to join the *Concertación*, the political party that rose as the obvious opposition to military political elites. [58]

In 1995, the Beijing Declaration was adopted during the Fourth World Conference on Women. The agreement, among other things, urged countries to promote women's political representation and suggested quotas as a means of achieving this. The document combined with the recent experience of Argentina in adopting a gender quota were fundamental in prompting other countries in the region to seek the same: to adopt affirmative action policies as a means of fast-tracking women's political representation.

On 13 March 1997, the first gender quota-related proposal was introduced to the Chilean Chamber of Deputies. The bill was authored by Deputy María Antonieta Saa Díaz (PPD), and supported by female deputies Fanny Sonnia Pollarolo (independent), Martita Elvira Worner (PPD), María Isabel Allende (PS), Laura Mariana Aylwin (PDC) and Romy Maria Veriana Rebolledo (PPD) and male deputies Camilo Enrique Escalona (PS), Jaime Luis Estévez (PS), Víctor Barrueto (PPD), and Andrés Palma (PDC).[59] It proposed a 40 percent quota for internal party leaderships, municipal and national legislative elections, and established an electoral sanction for non-compliance. Filed as *boletín* 1994-07, the bill did not have a long life. It only ever made it to the *Comisión de Constitución, Legislación y Justicia* (Constitution, Legislation, and Justice Committee) and was later shelved. The lack of stronger demands for gender quotas in the 1990-1994 government of *Concertación* President Patrício Aylwin is not entirely surprising: while many

[57] Ibid: 153.
[58] Ibid: 152.
[59] Arce Riffo, Javiera. 2013. 'Análisis Proyecto de Ley para la Igualdad de Oportunidades entre Hombres y Mujeres en Cargos de Elección Popular'. Thesis for the Magíster en Ciencia Política, Instituto de Ciencia Política – Pontificia Universidad Católica de Chile: 5-6.

countries in the region were already experiencing their second presidential terms after re-democratisation, Chile was still becoming acquainted with its new democratic institutions, with the enduring presence of military elites strongly represented.

Gender quotas were not on the agenda of the 1994-2000 government of President Eduardo Frei Ruiz-Tagle and the next gender quota-related bill was introduced only in 2002, during the presidency of Ricardo Lagos. By then, Argentina already had experience with such a policy for over ten years. The proposal, filed as *boletín* 3020-06, originated on 6 August of that year and was authored by a group of legislators from both coalitions: Isabel Allende (PS), Carmen Ibáñez (RN), Carlos Abel Jarpa (PRSD), Juan Pablo Letelier (PS), Aníbal Pérez (PPD), Edgardo Riveros (PDC), Fulvio Rossi (independent), Carolina Tohá (PPD), and Ximena Vidal (PPD). The proposal was much weaker than the first one: it established only a 30 percent quota for municipal and national legislative elections, without detail of any type of sanctions for non-compliance. This bill also was also shelved and subsequently replaced in 2003 by a stronger bill, recorded as *boletín* 3206-18.

The 2003 bill proposed the same provisions as the original 1997 bill. Again, it received the support of deputies from both coalitions: Isabel Allende (PS), Guido Girardi (PPD), Rosa González (UDI), Carmen Ibáñez (RN), María Eugenia Mella (PDC), Adriana Muñoz (PPD), Fulvio Rossi (independent), María Antonieta Saa (PPD), Alejandra Sepúlveda (PDC), and Carolina Tohá (PPD). This marked the first gender quota-related bill discussed in plenary. As it did not receive executive backing however, the proposal was not marked as 'urgent', and as a result, was only picked up by a Committee for review in 2007, once President Michelle Bachelet had taken office. After consulting with experts from government, international organisations, civil society, and academics, the Committee did could not unanimously support the bill, thus issuing the recommendation to rejecting it.

President Bachelet's election on 15 January 2006 marked an important shift in the history of women's representation and gender quotas in Chile. Not only was Bachelet Chile's first female president, but she was also its first president who explicitly made the promotion of women's representation in politics a priority. Bachelet made this commitment clear in two main ways: firstly, by nominating a gender-parity cabinet; and, secondly, by making the adoption of a gender quota a priority in her legislative agenda.

To accomplish the latter, she established a taskforce led by the then *Ministro de Interior y Seguridad Pública* (Minister of the Home and Public Safety Office) Andrés Zaldívar. The main objective of the taskforce was to design a plan for a new electoral system to replace the binomial, meanwhile considering how the quota would interact with such a system. This led to the creation

of a working group of 13 representatives of the *Concertación* led by PDC Senator Edgardo Boeninger. The working group drew up a plan of reform that sought to achieve higher proportionality, while also promoting women's political representation.

Presidents in Chile have extensive legislative powers with roughly 80 percent of bills initiated in the executive being approved into law and 10 percent of those initiated by legislators having the same fate.[60] Bachelet's proposal therefore represented the first gender quota-related bill with realistic chances of being approved. She did not have the support of legislators necessary to pursue the bill, however.[61] The proposal was introduced to the legislature in 2006 only to be rejected by representatives of the *Concertación* and the opposition alike. As legislators continued to deny support for executive-backed initiatives to adopt a gender quota, this became a pattern.

Given its failure to promote the working group's suggestions, the executive engaged in other attempts to achieve a gender quota policy. On 11 December 2007, the executive branch, through the *Ministerio de Interior,* introduced to the legislature a proposal for a 30 percent gender quota for elected offices and internal party leadership positions, with sanctions for non-compliance, and a financial benefit for lists that managed to elect women. The proposal resulted from presidential message 860-355, registered in *boletín* 5553-06, which highlighted President Bachelet's campaign promises in this regard, and emphasised the importance of adopting a quota policy. The bill held the status of urgent on a number of occasions, but still did not manage to receive the necessary support from legislators to move forward.

Bachelet's last resort during her first term was to resuscitate another gender quota bill. On 13 January 2010, the President attempted to restore discussions on the quota by issuing presidential message 1812-356, changing the status of the 2003 bill (shelved in 2007) to urgent. The bill was thus picked up by plenary on 19 January 2010, but its status as urgent was revoked in the following March when President Sebastián Piñera took office, leading the proposal to only being discussed once more, on 12 May, before being shelved in 2014, when another similar bill was already being considered.

Despite revoking the urgent status of the 2003 proposal, President Sebastián Piñera, the first president to be elected from the centre-right coalition *Alianza/Coalición por el Cambio*, also placed the adoption of a gender quota as one of his policy priorities. In presidential message 860-355 from 7 March 2013 (recorded as *boletín* 8876-06), President Piñera proposed the establishment

---

[60] Ampuero, Hernán. 2013. 'Algunos Antecedentes Sobre la Función Legislativa de la Cámara de Diputados de Chile (1990-2010).' *Revista Enfoques*. 11 (19): 40.
[61] Aranda, 2015: 199.

of a gender quota of 20 percent for popular elections. No electoral sanctions were stipulated, but financial benefits would be rewarded to parties that complied with the candidate requirements, as well as those that managed to elect female candidates. This proposal for a quota had a significantly weaker design than all previous ones. Even so, Piñera did not manage to receive backing from legislators from his coalition on the matter and was unable to move forward with the bill. Consideration of the bill was never finalised and the bill is still labelled as under review—despite the adoption of a gender quota in 2015.

President Bachelet returned to office in March 2014. By then three parties of her coalition, the PPD, PS, and PDC, already had adopted internal party quotas, albeit compliance to this internally-established guideline had been low for all three coalition partners. Nonetheless, the internalisation of quota regimen in three parties demonstrated that the pressure to adopt the policy had permeated into the political domain.[62]

In her second term in office, efforts to engage in an all-encompassing electoral reform were even greater. As previously mentioned, the timing for such a quest was also right: decreasing levels of popular satisfaction for political institutions and the political class forced the hand of legislators into considering the binomial system's replacement. In this context, President Bachelet released presidential message 074-362 (recorded as *boletín* 9326-07). This message conveyed the President's view on the urgency of a new electoral system which increased proportionality and promoted women's political representation. This bill was ultimately approved thus introducing a temporary gender quota of 40 percent, to be enacted over the course of the next four electoral cycles, for elections to the national and municipal legislatures. Electoral sanctions for non-compliance were also instituted, as well as financial benefits for female candidates and their respective parties.

The quota's configuration conforms to a relatively strong design and a score of 10 on the IGQS-scale. Ironically, the resistance of Chilean legislators towards a gender quota likely strengthened the design of the policy—as time allowed the experience of other countries to inform Chilean supporters in regards of what constitutes a range of gender quotas, and to enable demands for an effective one to be shaped. Nonetheless the adoption of a 40 percent quota in 2015 as other neighbouring countries transformed their quotas into parity regimes, and the temporary status of the policy, suggest that the bill proposed by the Bachelet government had already gone through multiple negotiations behind-closed-doors before reaching the plenary floor. Furthermore, although the design of the quota, in a vacuum, seems to be strong, there were important points of

---

[62] Franceschet, Susan. 2001. 'Women in Politics in Post-Transitional Democracies: The Chilean Case'. *International Feminist Journal of Politics*. 3 (2): 207-236.

contention between quota supporters and entrenched elites over how other aspects of the electoral reform could undermine or strengthen the effect of the policy. For instance, by creating more seats in Congress and allowing for an even greater number of candidacies, as well as by changing the laws of election of governor, incumbents improved their career prospects and diminished the threats a quota could pose to them; so, male incumbents secured conditions that made the quota less threatening to them.

As attempts to introduce a policy were more commonly ignored, leaving proposals to transit in the legislature for years and years, explanation for resistance towards gender quotas in Chile is difficult to grasp. As a consequence of this tactic, official records are essentially void and thus do not provide many insights into the identification of actors most obviously resisting the policy. Insight into the ways that this resistance manifested itself is equally opaque. The history of gender quotas in Chile, however, does lead to some important conclusions: firstly, exogenous pressures from international organisations, regional diffusion, and/or women's groups are not sufficient to prompt the adoption of gender quotas when risks are too high; secondly, the action of non-legislative political actors, such as the executive cannot trump the resistance of the legislators *en masse* who are set to lose from the adoption of the policy; thirdly, partisan and/or ideological affiliation does not seem to fully explain the support for gender quotas—albeit to different degrees, presidents and legislators from both the centre-left and centre-right coalitions proposed gender quota bills; and, fourthly, being a member of the president's party or coalition does not prevent legislators from voicing and or unanimously rejecting an executive initiative that would be to their detriment.

In this section, I traced the history of gender quotas in Chile as a means of highlighting how the threats posed by the quota might have led to delay in its adoption. Finally, in 2015, a gender quota was adopted amidst a broader electoral reform that replaced the binomial system that had granted incumbents their electoral stability. The electoral risks for sitting legislators were higher than ever and incumbents were already deep into the domain of losses: not only was the system that allowed for the maintenance of long political careers to be overturned, but the process was happening as a result of their decreasing popularity. In this context, a gender quota was no longer legislators' main concern. Even in this extreme scenario, however, the behaviour of legislators seems to follow my prospect theory-based predictions. The next section provides further support for this.

10.3.2. THE DOMAIN OF (DEEP) LOSSES: GENDER QUOTA ADOPTION, AND DRAFTING, IN A REFORMING SYSTEM

Although the previous sub-section highlighted unique and important characteristics of the process of gender quota adoption and design in Chile, it did not make a clear direct link between the threats a gender quota may potentially pose to legislators and the behaviour of individual legislators towards the design of the policy. As such, I have yet to provide strong support for my third condition: that incumbents' calculations about their levels of electoral security and political ambition were what drove them to weaken gender quota policies.

In the latest and only successful attempt of adopting a gender quota in Chile, which took place between 2014 and 2015, the design of the proposal itself was not weakened. Although other aspects of the electoral reform significantly diminished the threat that the gender quota was likely to pose to legislators, the design of the quota itself was only strengthened during plenary debates. During the process of consideration of the bill the Chamber of Deputies voted on four amendments that sought to directly alter the initial gender quota proposal, two of which would strengthen the policy in significant ways. The latter two were approved, although not unanimously, thus providing for a good scenario under which to test the proposition that legislators vote in accordance to their electoral interests.

In this last section, I thus assess the plausibility of my third IMA condition by evaluating roll-call votes on the two amendments that significantly altered the original gender quota. The first, an amendment originated by the executive and proposed by the Constitution and Justice Committee, was voted on 13 August 2014. The proposal amended items 3 and 4 of the second article of the bill and sought to add an additional financial proviso that would directly benefit female legislators based on their electoral performance. It read:

> For the parliamentary elections of 2017, 2021, 2025 and 2029, female candidates [for the positions of] senators and deputies shall be entitled to an additional reimbursement of their election expenses, of 0.0100 [Chilean pesos], for every vote obtained, in accordance with the procedure provided for in Article 15 of this law.

In other words, besides providing benefits to the parties that elected female candidates, a proviso that already existed in the original bill, the amendment sought to provide benefits to female candidates themselves, regardless of whether or not they won. This was considered an important component of the bill given that one of the obstacles to women's electoral competition is said to be precisely their lack of economic resources, especially when compared to those of men.[63] As

[63] Inglehart, Ronald, and Pippa Norris. 2003. *Rising Tide: Gender Equality and Cultural Change Around the World*. Cambridge: Cambridge University Press: 4; 10.

such, this proviso could increase the competitiveness of female candidates to the detriment of their male counterparts. The amendment was approved in the Chamber with 72 votes in favour, 40 against, and 1 abstention.

The second amendments reached the Chamber of Deputies for a vote on 20 January 2015, just before the entire electoral reform would be put to a vote and approved. The proposal introduced by the Senate sought to solve the inconsistencies in candidate recruitment that would likely emerge from the co-existence of quotas and primaries. Various suggestions were made on how to solve the problem, including the suspension of primary elections for the four electoral cycles to which the quota would apply. Others also tried to impose that primaries should trump the quota: amendment 21 proposed by male Senators Alberto Espina (RN) and Hernán Larraín (UDI) would do precisely this and open an obvious route to exempt parties from complying with the quota; the amendment was rejected in the Senate and did not make it to the Chamber. Another Senate amendment, however, did make it to the Chamber. This second proposal sought the opposite: to maintain the primaries, but clarify that the quota should be respected regardless of the candidate selection process employed. This was approved in the Senate and moved into the Chamber of Deputies where it was approved with 90 votes in favour, 22 against, and 5 abstentions.

To analyse whether there are patterns in individuals' behaviours that relate to their respective levels of electoral security, I employ logistic regressions with the roll-call votes. Given that both amendments sought to strengthen the design of the quota, I code votes in favour as '1' and votes against as '0'. These proposals required a super majority of two-thirds for approval since they pertained to constitutional changes. In this context, abstentions can also be characterised as votes of rejection. I also assign abstentions a value of '0' and run robustness checks dropping these cases.[64]

As in previous chapters, I include independent variables measuring an individual's sex, and their electoral security. Data on individual-level political ambition are not available, as they could only be gathered by surveying every single Chilean Deputy individually; given historical trends, I expect average levels of political ambition among deputies to be high. I measure sex as a binary variable with female as the reference category and male bearing the value of '1'. As extensively explained throughout the thesis I expect this variable to negatively correlate with the strengthening of gender quotas; I thus expect men to be less likely to vote in favour of these amendments.

[64] See Appendix E.

To measure electoral security, I employ two proxy variables: *electoral capital*, a continuous variable measured as the share of votes an individual won in his or her district; and, *competition*, an interval-level variable measuring the number of candidates running for office in a given electoral district (given that DM=2 for all electoral districts in the 2014 election, I do not transform the numbers). I anticipate *electoral capital* to positively associate with the strength of gender quota designs; given that those with high electoral capital are less likely to be threatened by an increase in female competition, I expect it is more likely they vote in favour of the amendments. Conversely, I anticipate *competition* to have a negative effect in voting for the amendments; that is because I argue that those who face high competition in their respective districts are likely to be less supportive of policies that could further increase competition. As I particularly anticipate men who are electorally insecure to be the ones most likely to oppose strong quota designs, I interact this variable with the one capturing incumbent's gender and include it into two of my models. Table 10.1 summarises my results.

Models 1 and 3 are estimated with only my main independent variables, *sex*, *electoral capital*, and *competition*. The signs of coefficients produced follow the logic of my theory well, but only one variable yields coefficients that are statistically significant. In these models, the coefficients produced by *male* are negative, suggesting that men are less likely to vote in favour of strengthening the gender quota. These coefficients, however, are not statistically significant. Conversely, *electoral capital* produces positive and statistically significant coefficients, aligns with my predictions. This suggests that legislators with higher levels of *electoral capital* are more likely to vote in favour of amendments that would strengthen the design of the Chilean gender quota. This makes sense given that highly electable individuals are also the ones least likely to be displaced by female newcomers.

Table 10.1. Roll-call voting on quota-related amendments, 13 August 2014 and 20 January 2015

	Logit: Individual Votes			
	DV: Vote on Quotas and Finance		DV: Vote on Quotas and Primaries	
	Model 1	Model 2	Model 3	Model 4
Male	-0.369	0.761	-1.611	-2.282
	(0.659)	(2.663)	(1.070)	(3.889)
Electoral Capital	9.483***	12.905	8.315**	6.054
	(2.675)	(8.473)	(3.017)	(12.665)
Competition	0.121	0.111	-0.009	-0.005
	(0.131)	(0.133)	(0.141)	(0.143)
Male*Electoral Capital		-3.887		2.398
		(8.987)		(13.108)
Constant	-2.814	-3.737	0.410	1.017
	(1.595)	(2.679)	(1.890)	(3.875)
N	113	113	117	117
Pseudo R-squared	0.116	0.117	0.117	0.117

Note: Compiled by author. T statistics in parentheses, † p <0.10, * p<0.05, ** p<0.01, *** p<0.001

In the models in which I interact legislators' gender with electoral capital (models 2 and 4), however, the statistical significance of the variable disappears. This suggests that the effect of electoral capital on voting behaviour is not contingent on gender. This finding is particularly interesting as it points to an aspect underexplored by my theory: that a gender quota might be threatening not only to male, but also to female incumbents.

In Chile, the replacement of the binomial for a more proportional system posed threats to all candidates, men and women alike. Unlike other countries in the region, gender quotas were never a demand from a unified female front in Chile. Some authors have used this to partially explain the lack of a gender quota in Chile for so long.[65] Under the binomial, gender quotas would have increased competition for both men and women; in the more proportional system to be implemented from 2017 the gender quota is also likely to impact incumbents in unequal ways: for instance, of the 19 women elected to the Chamber of Deputies in the 2014-2018 legislature 57.89 percent of the women were from the left-wing coalition, *Nueva Mayoría*, while 36.84 were from the right-wing coalition, *Chile Vamos*. The resistance of right-wing women towards quotas might thus not only be grounded on ideology, but also on electoral concerns, which is what my model

[65] Franceschet, Susan. 2005. *Women and Politics in Chile*. Boulder: Lynne Rienner Publishers: 96-101.

suggests. In this context, thus, electoral security on its own seems to be a better predictor of support for strong quota designs than gender itself.

10.4. CONCLUSION

Chile's binomial system poses an interesting scenario in which to test my theory: on one hand, the system disproportionately benefits incumbents, rendering legislators in office high levels of electoral security; on the other hand, the low-district magnitude in place for the last 25 years meant that if implemented under this system a quota would significantly diminish the nomination prospects of individuals, and increased intra-coalition competition for nominations among already established male elites. Legislative careers in Chile were long and stable, but such stability rested on a system in which certain candidates had to sacrifice themselves in order for others to win; this electoral sacrifice was often compensated for through other means—which included nominations to non-elected positions. Gender quotas thus had the potential of posing threats to the formal *and* informal institutions that guided Chilean legislative recruitment and elections.

Furthermore, quotas in Chile were most often discussed in the context of larger electoral reform; the prospects of replacing the binomial system posed even higher threats to incumbents, men and women alike. As such, the adoption of a gender quota in Chile posed direct *and* indirect threats to incumbents.

The Chilean case allowed me to develop an aspect of my theory that was not previously finely explored: that the higher the threat a gender quota poses to incumbents, the higher the threshold for gender quota adoption. In Chile, the traditional exogenous and endogenous pressures associated with gender quota adoption were insufficient to trigger the process. This is because the costs of a quota adoption in Chile would have been much higher than in Costa Rica or Brazil, given that a quota adopted in the Chilean system would have certainly disturbed formal and informal aspects of the status quo, displacing not only electorally insecure legislators, but also long-established traditional elites.

As such, it took a much greater force for the process to be triggered: popular dissatisfaction and demands for an encompassing electoral reform. Once in the deep domain of losses, Chilean incumbents agreed to adopt a gender quota. Ironically in not abiding to quota pressures early-on and leaving it until 2015 to adopt a quota rendered legislators with few options for the weakening of the policy designs: countries in the region already boasted wide experiences with the policy, and Chile could no longer adopt a policy with as many loopholes as were deemed acceptable before.

Yet, the quota design is weaker than what would otherwise be expected from a diffusionist standpoint—gratifyingly this is precisely what my theory would predict.

To conclude, the case allowed me to refine scope conditions of my theory in three significant aspects: it illustrated that, when the stakes are too high, the process of quota adoption is not triggered, regardless of the existence of exogenous pressures from women's groups, international organisation, and/or regional diffusion. Secondly, it highlighted some of the conditions under which gender quotas may be threatening not only to male, but also to female incumbents. Thirdly, it showed how the propensity of quotas adoption increases when actors are already thrown into the domain of (deep) losses for reasons outside the scope of the quota itself.

CHAPTER 11

CONCLUSION

MAIN FINDINGS AND IMPLICATIONS

Politicians want to stay in power. As a basic tenet of political science, this axiom is assumed to be at the root of various questions tackled by the discipline. In democracies, electoral rules are facilitators or deterrents of this goal; rules of the game separate winners from losers, insiders from outsiders. Because winners claim power under a given set of electoral rules, any change to these rules is puzzling. As such, when electoral reform does take place, it is most often to enact institutional adaptations that can better accommodate those already in power. The discipline has thus often explained electoral reform as endogenous, as a result of internal interests. Gender quotas, however, seek to do the opposite: to accommodate the interests of those *without* power.

While endogenous institutionalism has been a common framework used to explain electoral reform, the approach has not been popular among gender quota scholars. The approach however, is particularly relevant to discussion of gender quota policy given that this electoral institution—likely more than any other—has at its core the purpose of displacing a proportion of established elites and of promoting the emergence of political outsiders.

Yet, predictions of endogenous institutionalism, based as it is on rational choice, would always characterise the emergence of gender quotas as resulting from sub-optimal choices made by incumbents. In fact, given legislatures without gender quotas throughout the world are overwhelmingly inhabited by male legislators, rational choice would always predict non-adoption of such policy because its core objective is the facilitation of entry of women to the political domain, at a cost to men. In sum, explanation of electoral change that sets out from endogenous institutionalism and rational choice assumptions does not account for emergence and spread of gender quotas. Therefore, as a means to understanding how an otherwise static scenario became dynamic, I had to derive a different model. To do this, I employed notions of prospect theory.

Unlike rational choice, prospect theory allows me to understand endogenous implications of gender quotas while considering impacts of exogenous factors in triggering the process. By weaving together expectations of endogenous institutionalism with notions about sources of pressure for gender quotas, prospect theory transforms an otherwise static model into a dynamic one.

Although prospect theory predicts behaviour of individuals pertaining to their goals, the framework challenges the core assumption of rational choice of maximising utility and, instead, poses that individual behaviour is shaped by one's starting point and prospects of gain or loss; more specifically, the theory predicts that, when in the domain of losses, individuals are more prone to taking risks, and more prone to be risk-averse when in the domain of gains.

This framework is the basis for my theory and poses that, once faced with pressures to adopt gender quotas, male legislators are thrown into the domain of losses. At this stage, they have a twofold choice: to either resist and not adopt the policy; or, adopt the policy and have control over its contents. I pose that, being thrown into the domain of losses, male legislators take the second route, engage in risk-taking behaviour, and choose to adopt a quota—but only after weakening its provisos so that the altered policy poses the least possible threat to them. The specifics of this behaviour, I contend, are determined by two factors: how much incumbents have to lose; and how likely they are to lose. In other words, my argument is that individual and aggregate levels of political ambition and electoral security matter not only for gender quota adoption, but also especially for the strength of gender quota designs. Formally, I sought to test the following:

> **H1**: The strength of gender quota designs and the adoption of the policy are a consequence of the calculations of incumbents in respect to their future electoral prospects.

To evaluate the plausibility of this hypothesis, the current thesis employed a series of multi-method and multi-level analyses. To start, in Chapter 6, I indirectly tested whether my expectations about behaviour of legislators could be observed at the aggregate-level. In Chapter 7, I switched level of analysis and tested the plausibility of the micro-foundations of my theory. At this stage, I relied not on specific bills or legislation, but, instead, mimicked a decision-making process of policy consideration that prompted individual legislators to select and voice preference for gender quota designs after considering potential consequences that the policy may precipitate in their own political careers.

Chapters 8, 9, and 10, report on in-depth case studies of Costa Rica, Brazil, and Chile to explore whether my prospect theory expectations held against historical reconstructions of gender quota debates. While the first analytical parts of this work were concerned with exploring plausibility of the theory at both aggregate and individual levels, my case studies addressed *how* costs of losing office and electoral security impact behaviour of parties and individual legislators. In other words, my first two analytical chapters showed that my causal variables (political ambition and electoral security) correlate with my outcomes of interest (adoption of gender quotas and

strength of designs) in expected ways. In my case study chapters, I explained how this correlation unfolds: I illuminated the mediating stages that lead to such outcomes.

In this final chapter, I reflect upon my work as a whole and consider ways that, overall, it contributes to the literature and beyond. The chapter is divided into five sections. Section 11.1 compares and contrasts my case study findings and considers the ways that they refine my theory. Section 11.2 summarises the main contribution of my work to the literature and discipline. In section 11.3, I more directly delineate the scope conditions of the theory and outline its limitations. In section 11.4 I then consider future directions for research. Finally, in section 11.5, I provide concluding thoughts.

11.1. CASE STUDIES AND THEORY REFINEMENT

All in all, the three chapters of case study illuminate that on the basis of their potential future losses, the characteristic attitude of male incumbents towards gender quotas is marked by resistance. In all cases, I found that behaviour of incumbents towards gender quotas was shaped by their calculation of how such policy would shape their future electoral prospects. More specifically, I found that behaviour within countries varies, observing that those who have the most to lose behave in ways that are relatively more perceptible, and these incumbents work conspicuously to weaken gender quota designs. Each case also elucidated and refined the scope conditions of the theory.

I expected gender quotas to pose the lowest level of threat in Costa Rica where electoral rules prohibit consecutive re-election to the legislature; this forces incumbents to step down from legislative office for at least one term. Indeed, I found Costa Rica to be the first country in the region to consider the policy, ultimately leading to an early adoption. Yet, resistance towards gender quotas in the country remained strong, leading to weakened gender quota proposals and enacted legislation; this scenario was maintained until intervention by electoral courts changed interpretation, and thus implementation, of the legislation; and, more importantly, until a new party with gender-balanced elites began winning seats, displacing traditional elites and changing the gender-composition of the Costa Rican legislature. This transformation meant that, in effect, fewer incumbents were vulnerable to threats from a stronger gender quota. As a result, Costa Rica boasts a strong gender quota law today. The case of Costa Rica also shows that theory can extrapolate from individuals to parties, provided that parties also have the goal of retaining political office and struggle for survival.

I anticipated Brazil to stand as the 'middle' case between Chile and Costa Rica and to be a scenario in which my theory could be tested plainly, given that the Brazilian electoral system is predominantly personalistic and not party-centred. A majority of Brazilian incumbents are electorally insecure, as votes for individuals are not sufficient to elect them. I also found that a majority of legislators seek re-election and that seats are valuable. I then predicted that in Brazil the sense of risk presented by gender quota would be higher than in Costa Rica, but lower than in Chile. As in Costa Rica, a gender quota was considered and adopted early in Brazil. Also similarly to Costa Rica, the original bill was sufficiently weakened so as to not threaten candidacies of male legislators, and later strengthened by the electoral court, a non-legislative actor. Differently from Costa Rica, however, political dynamics in Brazil were not disturbed by election of a gender-egalitarian political party, and the proportion of legislators who could be threatened by strengthening of a gender quota remained the same. As such, relatively high resistance towards the policy did not change and now the Brazilian quota still maintains its weak design almost 20 years after its implementation.

My contention was that electoral dynamics would make Chile the country where a quota would pose the greatest threat to legislative incumbents. As such, I anticipated that the threshold for gender quota adoption would be higher in Chile than in my other two cases. This is because Chile's electoral system of PR with district magnitude of two made incumbents highly electorally secure as long as the system remained intact; the system promoted intra-party and intra-coalitional competition for candidate nominations, meaning that distribution of coalitional nominations among parties occurred as the result of careful calculation: the equilibrium of this system could only be maintained if not disturbed by outside challengers. The equilibrium was so robust that despite multiple attempts from female legislators and presidents, it was only after almost all other countries in the region took-up the policy that a gender quota was at last adopted in Chile. The adoption of the policy in Chile resulted from legislators' last attempt of to save their careers—when change no longer seemed preventable. Even in these circumstances, the gender quota lacked characteristics currently known to make gender quotas effective; in other words, the policy faced resistance even while the entire electoral system crumbled. As a result, the policy is weaker than what would have been expected from theories of diffusion.

Individually, each case study shows distinct ways in which theory may unfold on the ground. Together, these cases also provide important insights. More specifically, these case studies refine my theory in several ways. Firstly, they show that while log-rolling may give female legislators power to bargain for their gender quota demands, process also provides ample opportunities for male legislators to weaken quota provisions. Secondly, these cases demonstrate that returned

benefits of taking risks may be contingent on time; and, thirdly, due to consequences prompted by intervention of non-legislative actors outside the reach of legislators control, strength of gender quota designs may be at odds with preferences and intentions of male legislators. These three insights are now considered one at a time.

Log-rolling is the most common route to consideration of gender quota bills. In all three of my case studies both original quota policies and their subsequent revisions were overwhelmingly adopted as part of larger electoral reforms. This was the case despite multiple gender quota-related bills in all legislatures having been introduced as separate proposals without being part of larger reforms. Such a pattern suggests that incorporating quota proposals into larger electoral reforms may be the most effective way for women legislators to negotiate gender quotas. Yet, while electoral reforms may be opportunities for male legislators to yield to demands of quota adoption they may simultaneously steadfastly weaken the policy directly or indirectly—through other aspects of the electoral reform.

The second insight these case studies emphasise is that gender quota adoptions do not take place in a vacuum. When a country considers adopting the policy, its neighbours' experience with quotas may lead to institutional learning across borders. The cases indicate that with time diffusion raises the cost of quota adoption. This is visible because, while in the early 1990s it might have been socially acceptable to adopt a gender quota policy with weak provisos (e.g., lack of enforcement mechanisms or lack of placement mandates), institutional learning and the strengthening of policy throughout the region have rendered adoption of weak policies less acceptable. For instance, had the Chilean gender quota been adopted two decades ago when reservation of nominations of 20 to 30 percent for women were considered strong quotas, the provisos of the Chilean quota would not be considered sub-par as they are in 2015, as the current regional effort is to substitute quotas for parity regimes.[1] As such, anticipating the potential future threats of a quota and engaging in the risk-taking effort of adopting the policy may prevent legislators from having to pay higher costs in the future.

Finally, these cases illustrate that legislative actors may not be the only players in the game. Although I mention the relevance of non-legislative actors as champions of quota adoptions who may strengthen gender quota designs, I do not formally lay out consequences of their involvement to my theory. In the beginning of the thesis, I set out to solve the proposed puzzle by arguing that preferences of legislators will align with gender quotas because of their design characteristics.

---

[1] Franceschet, Susan and Jennifer Piscopo. 2015. 'Deepening Democracy? Electoral Reforms and Gender Quotas in Chile'. *Panoramas*. http://www.panoramas.pitt.edu/content/deepening-democracy-electoral-reforms-and-gender-quotas-chile.

However, there are circumstances in which risk-taking may not lead to a match between legislators' preferences and strength of a gender quota design: this is when non-legislative actors get involved. Being unaffected by quotas, non-legislative actors are outside the scope of my predictions; nevertheless, their involvement may lead to the strengthening of quotas, going against legislators' preferences—and thus their actions can lead to outcomes unintended by policies formulated by players with legislative power.

11.2. MAIN CONTRIBUTIONS

Perhaps as a consequence of scholars' hesitation to treat gender quotas as an electoral institution like any other, never before has the resistance of male legislators towards gender quotas been systematically analysed in a comparative manner. This is not to say that gender quotas stood unidentified as an institution, but my focus on behaviour of male incumbents is an enquiring, relevant, new contribution. Secondly, although various authors have provided explanations for origins of gender quota adoptions, no previous work has comparatively assessed determinants for variation in gender quota design. Thus, my work moves the study of gender quotas beyond a dichotomous understanding. Thirdly, few works in the discipline employ prospect theory as a platform of theoretical departure, so this current work represents one of the few applications of that theory to comparative politics. I contend that these three main aspects of this thesis contribute to the field of political science; more specifically, to the literature on gender quotas, and more broadly, to literature concerning electoral institutions and comparative politics.

11.2.1. THE BEHAVIOUR OF MALE LEGISLATORS AND ITS CONSEQUENCES

To declare that male legislators resist gender quotas is not to present a new notion. In fact, male legislators' resistance to gender quota adoption and strong policy design has been identified by many authors.[2] This idea has been used, at times, to characterise early gender quota efforts as legislators' 'empty gestures': the adoption of a policy that was purposefully weak. Nonetheless, male resistance and its consequences to the design and adoption of gender quotas have only been

[2] Baldez, Lisa. 2004. 'Elected Bodies: The Gender Quota Law for Legislative Candidates in Mexico'. *Legislative Studies Quarterly.* 44 (2)*:* 232-234; Krook, Mona Lena. 2009. *Quotas for women in politics: Gender and candidate selection reform worldwide*. Oxford University Press: 172; Piscopo, Jennifer. 2015a. 'States as Gender Equality Activists: The Evolution of Quota Laws in Latin America'. *Latin American Politics and Society.* 57 (3): 27-49; Hughes, Melanie, Mona Lena Krook, and Pamela Paxton. 2015. 'Transnational Women's Activism and the Global Diffusion of Gender Quotas'. *International Studies Quarterly.* 59 (2): 357-372.

captured by anecdotal evidence and observation,[3] and, to the best of my knowledge, these have never been the focus of any theoretical or empirical study.

This gap is now explicitly identified, evidencing a demand for the type of work I conducted. Krook, a prolific author on gender quotas, highlights this gap in her 2016 piece: she identified 'male power and political survivor' as an important explanation for resistance of quota implementation following adoption. In an earlier piece with Murray and Opello, Krook also justified the need for more work that departs from rationality-based perspectives, and, more importantly, that is theorised and tested at the individual-level.[4] The current work thus provides an important contribution in this regard.

11.2.2. VARIATION IN GENDER QUOTA DESIGNS: MOVING BEYOND A DICHOTOMY

Until very recently most discussions of gender quota adoption focused on finding the origins of the *notion* of the institution without explaining variation in the types of policies which emerge.[5] Following this line of thought, the literature has yet to make clear differentiation between the simple presence or absence of a gender quota and to discuss the heterogeneity of structure exhibited by the policy.

As such, another important contribution of this work has been to move beyond a dichotomous understanding of gender quotas towards conceptualisation of gender quotas according to variation in their design; or, in other words, to see a spectrum of design strengths. More exactly and importantly, the thesis developed a measure of design, the IGQS. In a departure from the existing literature, this measure provides encapsulation of various factors of gender quota design into one index. This allows not only for the clear mapping and visualisation of the distribution in policy strength across the region and an analysis of the effects of policy revision, but also opens up possibilities for cross-sectional analyses of various types, as exemplified in Chapter 6.

---

[3] Piscopo, 2015a; Paxton, Pamela, and Melanie Hughes. 2015. 'The Increasing Effectiveness of National Gender Quotas, 1990-2010'. *Legislative Studies Quarterly.* 40 (3): 335; Donà, Alessia. 2015. 'Will the Year 2015 Bring the Return of Electoral Gender Quotas? The History About How the Lack of Political Will Troubled the Road to Gender Equality in Italy'. EUI Department of Law Research Paper No. 2015/26.

[4] As they wrote: 'These [existing] accounts offer important insights into motivations behind quota policies. However, all three explanations remain at the macro-level: they address influences and determinants but do not closely explore actual decision-making processes. The result is that relatively little is known about how these incentives have been translated more concretely into action'. See: Murray, Rainbow, Mona Lena Krook, and Katherine Opello. 2012. 'Why are Gender Quotas Adopted? Party Pragmatism and Parity in France'. *Political Research Quarterly.* 65 (3): 529.

[5] Piscopo, 2015a.

11.2.3. A NEW TEST OF PROSPECT THEORY

Although prospect theory has been extensively employed in psychology and economics, its use in political science (especially comparative politics) has been less pronounced. To the best of my knowledge, Weyland's work on market reforms in Latin America is the only published book-length application of this theory in the discipline. I thus not only show how the theory may be of interest to scholars of comparative politics—and an alternative to rational choice—but in departing from a prospect theory framework, I also show that its basic principles can be modified to explain legislative process under conditions of information.

11.3. SCOPE CONDITIONS AND LIMITATIONS

Although gender quotas are a global phenomenon, the theory I propose may have more limited applicability. Perhaps the most obvious scope condition of my theory is that it only applies to male-dominated legislatures. As gender quotas spread and policy designs are strengthened, inclusion of women into politics is likely to increase, and composition of legislatures is likely to become more gender-balanced. This means that the applicability of my theory is time-bound and limited.

Relatedly, another condition to highlight is that, while prospect theory outlines behavioural alternatives under conditions of loss and gain, my modified application is restricted to the domain of losses. I assume that given that men already occupy the overwhelming majority of seats before the adoption of gender quotas, where they had or have no room to move further up into the domain of gains, they could or can only lose. As such, my theory may not apply to cases for which this condition does not hold.

My theory makes predictions about the behaviour of male actors only and is silent about actions of female legislators. This restriction is based on the assumption that, as a policy directed at increasing women's political representation, gender quotas have potential to impact incumbents differently, depending on their genders.

Another essential component of theory is that it applies to domains in which actors poised to lose from introduction of a gender quota also have at least some level of control over the policy being instituted. My theory thus does not apply to spheres in which actors subjected to the quota have no power over the policy's decision-making process.

As point of departure for my theory I define what traditionally have been employed as the main explanations for gender quota adoption—levels of development; pressure from women's groups; the role of international organisations and diffusion; institutional incongruence; and, cross-

partisan efforts of female legislators. In other words, I consider these pressures to be the ones that push male incumbents into the domain of losses and trigger the process hypothesised. Thus presence of these pressures is also an important aspect of the scope of applicability of the theory.

Considering that the testing of my theory centred on Latin American countries, it is true that my findings may not be readily transferrable to all regions. Lack of easy of transferability, however, may not be due to cultural contexts, but instead might be due to the type of gender quotas present in a given region. All Latin American gender quotas fall under the category of 'legislated candidate quotas'. These policies reduce the number of candidacies available to men by reserving a certain proportion of these nominations for women. However, elsewhere quotas of 'reserved seats' may increase the number of seats in a given legislature to be dedicated to women; so, unlike the Latin American practice, races for these seats may take place separately with the effect that that women do not run against (and do not have the potential to displace) men. In such a context, the gender quota would not pose a threat to male legislators, and thus men would not be thrown into the domain of losses.

11.4. FUTURE DIRECTIONS

For being a policy that seeks to promote the candidacy of women, I departed from the understanding that gender quotas would affect men and women differently. In so doing, I proposed to provide an explanation for behaviour of male legislators, but not for behaviour of female incumbents. This is because throughout my analyses I assumed that gender quotas would benefit female incumbents.

Some authors have previously cast doubt about this particular assumption, and Chile's case assisted me in outlining context in which a gender quota policy may pose threats to careers of both male *and* female incumbents. In Chile, the ultimate consideration of gender quotas occurred at a time when sweeping electoral reform was imminent, and gender quota policy posed an abnormal threat to incumbents given that it was a non-negotiable aspect of an omnibus package of reform; a complete change in the system would have (and has) disturbed the status quo in a significant manner, throwing all established elites deep into the domain of losses—not only men. As such, this process of wholesale electoral reform in Chile could potentially be characterised as detrimental to careers of female incumbents, as well as male incumbents—and gender quotas were part of that wholesale reform.

This is not something that I have tested in this thesis. Throughout the work, I posit a theory that is limited to men; yet, it is possible that, in some circumstances, gender quotas would

also have potential to throw female legislators into the domain of losses. It is not clear whether the process triggered thereafter would be similar to the one for which I argue, however. As such, this is an area that deserves further attention.

11.5. FINAL REMARKS

In revealing the strategic behaviour of male legislators towards gender quotas, I showed ways in which self-interested elites have managed to avoid or delay being displaced by women and circumvent effects of policy that is highly praised by international organisations, transnational networks, and domestic women's groups—and, overall, perceived as a means of breaking men's monopoly on power.

During a recent official visit to Mexico in July 2016, former Brazilian Senator and newly inaugurated Minister of Foreign Affairs, José Serra, stated that he had discovered that half of senators in Mexico were women and that this was a 'danger' to Brazilian male politicians.[6] This statement comes four years after I began writing this thesis and shows that male resistance towards inclusion of female political outsiders continues as an ongoing process. Serra's comments come at a time in which 'parity laws' are becoming increasingly common throughout the region; yet, the worry of male legislators regarding what the ascension of women in politics represents to their careers remains strong.

[6] His complete statement in Portuguese was: 'Para os políticos homens no Brasil é um perigo porque descobri aqui que metade das senadoras é mulher'. See: Beauregard, Luis Pablo and Camila Moraes. 2016. 'José Serra Descobre a Igualdade de Gênero no México'. *El País Brasil*.
http://brasil.elpais.com/brasil/2016/07/26/politica/1469565718_496181.html?id_externo_rsoc=Fb_CM

APPENDIX

A. APPENDIX TO CHAPTER 5

A.1. FACTOR ANALYSIS ROBUSTNESS CHECKS

It has been argued that factor analysis requires large sample sizes, given that a greater number of observations reduces the error.[1] The total number of observations of gender quota designs in the region, however, is 40—much lower than the minimum suggested to be necessary to perform factor analysis; Gorsuch declared that the minimum sample size should be 100,[2] Hutcheson and Sofroniou recommend 150,[3] and Comrey and Lee suggest a much larger minimum sample size of 500—although Arrindell and Van der Ende suggest it could be as low as 50.[4]

The data still perform well under these circumstances: the average inter-item covariance is 0.361, above the acceptable 0.300.[5] This is particularly good given that the data are homogenous--in that they all represent positive cases of gender quotas; Kline argues that homogenous data are more likely to display lower variance and factor loadings.[6] This is precisely what I find.

When I calculate Cronbach's Alpha only for (positive) cases in which gender quotas are present (N=40), I find a reliability coefficient of 0.590 and two factor loadings—the first one for which my scales of compliance mechanisms and obstacles to implementation yield factor loadings lower than the 0.500 threshold.[7] I conduct exploratory tests to assess whether these mixed results may be due to low-N and/or the homogeneity of the sample—and I find that this seems to be the case. In an exploratory test, I add just 10 cases of gender quota non-adoption (representing legislative cycles during which a quota design was now enacted). This means that the N increases to 50, the very minimum Arrindell and Van der Ende argue should be used for factor analysis.[8]

In this exercise, I find that all indicators drastically improve: average inter-item covariance increases to 1.144, Cronbach's Alpha produces a scale of reliability coefficient of 0.847, and all items fall into one sole factor, with factor loadings all above 0.723 and an Eigenvalue of 3.185. The reliability of the Index remains stable when I conduct factor analysis for the IGQS across the total 125 observations used, in which the unit of analysis is legislative cycles in Latin American countries since 1978. When all 125 observations are considered, the IGQS yields an average inter-item covariance increases to 1.337, a scale of reliability coefficient of 0.915, and one sole factor with an Eigenvalue of 3.797 and factor loadings all above 0.834. Given this consistency, I feel confident in using the index in my analysis.

---

[1] Comrey, Andrew, and Howard Lee. 1992. *A First Course in Factor Analysis*. Hillsdale: Erlbaum.
[2] Gorsuch, Richard. 1983. *Factor Analysis*. Hillsdale: L. Erlbaum Associates.
[3] Hutcheson, Graeme, and Nick Sofroniou. 1999. *The Multivariate Social Scientist*. London: Sage Publications.
[4] Arrindell, Willem, and Jan Van der Ende. 1985. 'An Empirical Test of the Utility of the Observations-to-Variables Ratio in Factor and Components Analysis'. *Applied Psychological Measurement.* 9 (2): 165-178.
[5] Tabachnick, Barbara, and Linda Fidell. 2007. *Using Multivariate Statistics*. Boston: Pearson/Allyn & Bacon.
[6] Kline, Paul. 2014. *An Easy Guide to Factor Analysis*. London: Routledge.
[7] Costello, Anna, and Jason Osborne. 2005. 'Best Practices in Exploratory Factor Analysis: Four Recommendations for Getting the Most from Your Analysis'. *Practical Assessment, Research and Evaluation.* 10 (7): 5
[8] Arrindell, and Van der Ende, 1985.

B. APPENDIX TO CHAPTER 5

B.1. MODEL FITNESS TESTS

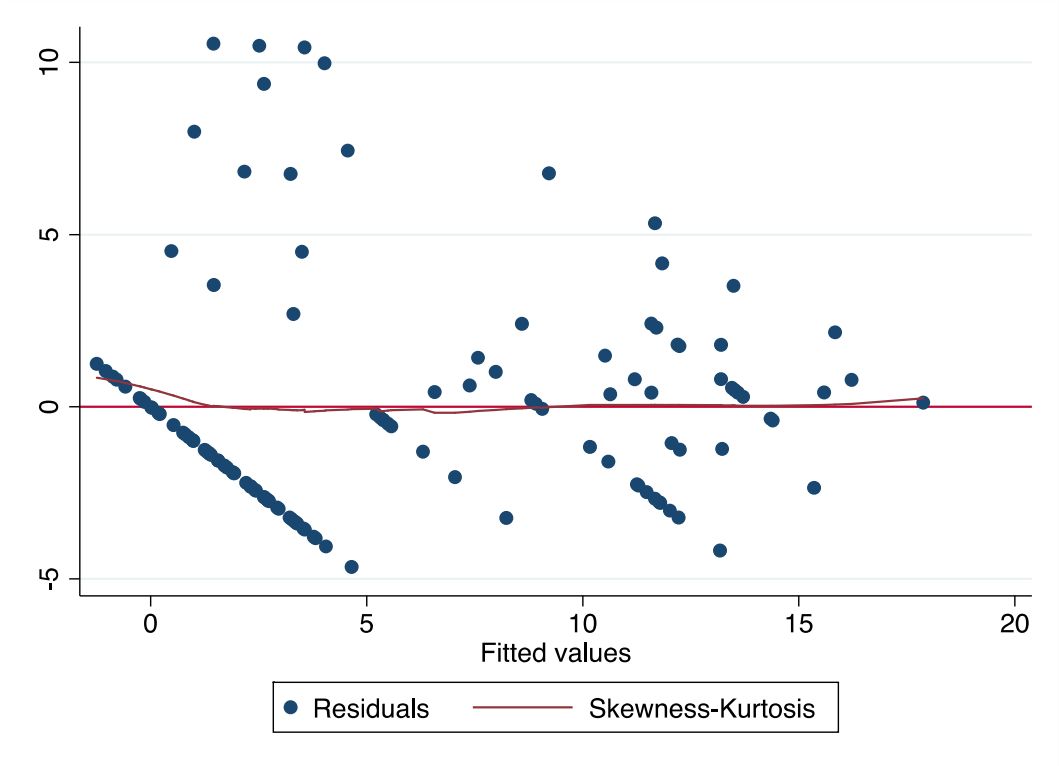


Figure B.1. Residual Distribution of IGQS values, across 125 cases

Source: Compiled by author.



Figure B.2. Transformation Schemes Estimation Tests

Source: Compiled by author.

B.2. ROBUSTNESS CHECKS

Table B.1. Alternative model specifications, robustness

	Reduced Sample: 1991 and after		Reduced Sample: Original Adoptions Only		Fixed-effects by Year
	IGQS GEE	Adoption Logit	IGQS GEE	Adoption Logit	IGQS OLS
Ease of Re-election	0.738	3.524**	3.277*	2.351**	2.769**
	(1.367)	(1.522)	(1.778)	(1.004)	(1.257)
Political Opportunities	-4.243***	-1.277	-2.202	-0.541	-4.573***
	(1.566)	(2.669)	(2.052)	(2.206)	(1.717)
Strength of Committees	-7.430***	-1.785	-2.046	-0.985	-3.116*
	(1.678)	(2.466)	(2.111)	(1.986)	(1.580)
Legislative Corruption	2.337***	-0.034	0.820	0.104	1.511*
	(0.734)	(0.525)	(0.899)	(0.467)	(0.799)
Re-election Rates	-16.713***	-15.926***	-8.684**	-10.089**	-18.250***
	(2.932)	(4.238)	(3.937)	(4.724)	(3.148)
Party Volatility	-6.591**	-7.894	-1.637	-3.108	-8.573**
	(3.083)	(5.026)	(3.917)	(5.283)	(3.410)
HDI	-6.160	19.912***	11.328	18.492***	2.204
	(7.344)	(6.679)	(9.430)	(6.049)	(8.203)
Women in Civil Society	11.282***	5.856	0.864	1.434	3.341
	(3.096)	(5.891)	(3.210)	(2.148)	(3.009)
Diffusion	5.901***	2.086	-0.053	1.290	
	(1.590)	(1.607)	(2.228)	(2.711)	
District Magnitude	0.055**	0.395**	0.057	0.344***	0.060**
	(0.024)	(0.171)	(0.037)	(0.125)	(0.028)
Female Legislators	11.575*	8.096	22.338	12.441	14.937**
	(5.932)	(9.065)	(13.621)	(13.155)	(6.467)
Constant	20.954***	-11.605*	-2.599	-13.200**	11.973**
	(5.396)	(6.768)	(6.564)	(6.309)	(5.439)
Pearson Chi-squared/Pseudo R-squared	1370.900	0.605	970.010	0.317	0.537
N	102	102	70	70	125

Note: Compiled by author. T-statistics in parentheses, † p<0.10, * p<0.05, ** p<0.01, *** p<0.001

Table B.2. Alternative model specifications, due to missing data

	Reduced Sample: Dropping Cases with Missing Data on Re-election Rates	
	GEE, DV: IGQS	Logit, DV: Adoption
Ease of Re-election	1.666	3.165**
	(1.312)	(1.445)
Political Opportunities	-5.249***	-4.441**
	(1.641)	(2.258)
Strength of Committees	-3.212**	-0.500
	(1.552)	(2.075)
Legislative Corruption	1.102	-2.233**
	(0.786)	(1.067)
Re-election Rates	-19.133***	-15.239***
	(3.407)	(4.004)
Party Volatility	-7.790**	-4.412
	(3.624)	(4.748)
HDI	-2.873	29.628**
	(8.351)	(9.048)
Women in Civil Society	10.834***	12.439*
	(4.051)	(7.463)
Diffusion	7.656***	5.084***
	(1.936)	(1.544)
District Magnitude	0.057**	0.364**
	(0.025)	(0.169)
Female Legislators	9.548	8.946
	(6.780)	(5.848)
Constant	9.539	-24.408***
	(5.673)	(7.456)
N	88	88
Pearson Chi-Squared	1212.45	0.666

Note: Compiled by author. T-statistics in parentheses, † p<0.10, * p<0.05, ** p<0.01, *** p<0.001

C. APPENDIX TO CHAPTER 8

C.1. LIST OF INTERVIEWEES

San José, Costa Rica

1. Staff member of the TSE (18 August 2014)
2. Judge of the TSE (19 August 2014)
3. Staff member of the TSE (21 August 2014)
4. Staff member at INAMU (25 August 2014)
5. Former president (27 August 2014)
6. Staff member at Estado de la Nación (30 August 2014)
7. Former female deputy (30 August 2014)
8. Former female deputy (01 September 2014)
9. Male deputy (03 September 2014)

D. APPENDIX TO CHAPTER 9

D.1. ROLL-CALL VOTES REFRESSION RESULTS

Table D.1. Roll-call voting on quota-related amendment, 16 June 2015

	Logit: Individual Votes		
	Model 1	Model 2	Model 3
Male	-3.299***	-3.487***	-3.378***
	(1.017)	(1.274)	(1.021)
Electoral Capital	0.077	-0.448	0.223
	(0.211)	(1.838)	(0.226)
Competition	-0.005	-0.005	-0.018
	(0.020)	(0.020)	(0.022)
Male*Electoral Capital		0.531	
		(1.850)	
Party Whip			1.240***
			(0.246)
Constant	3.825***	4.010***	3.610***
	(1.053)	(1.297)	(1.065)
Pseudo R-squared	447	447	422
N	0.056	0.056	0.112

Note: Compiled by author. T-statistics in parentheses, † p<0.10, * p<0.05, ** p<0.01, *** p<0.001

E. APPENDIX TO CHAPTER 10

E.1. LIST OF INTERVIEWEES

Santiago/Valparaíso, Chile

1. Staff member at Comunidad Mujer (15 September 2014)
2. Consultant on media and gender quota campaign (19 September 2014)
3. Staff member at Chile 21 (22 September 2014)
4. Academic and consultant on gender quotas (23 September 2014)
5. Female Deputy (24 September 2014)
6. Academic and consultant to electoral process (24 September 2014)
7. Staff member at Libertad y Desarrollo (25 September 2014)
8. Academic and consultant on gender quotas (23 September 2014)
9. Legal/constitutional consultant on electoral reform (29 September 2014)

E.2. ROBUSTNESS ESTIMATIONS FOR ROLL-CALL VOTES REFRESSION RESULTS

Table E.1. Robustness estimations: roll-call voting on quota-related amendments, 13 August 2014 and 20 January 2015

	Logit: Individual Votes			
	DV: Vote on Quotas and Finance		DV: Vote on Quotas and Primaries	
	Model 1	Model 2	Model 3	Model 4
Male	-0.349	-1.449	-1.433	0.847
	(0.658)	(3.937)	(1.072)	(2.662)
Electoral Capital	9.324***	6.716	6.769**	12.941
	(2.670)	(12.818)	(3.056)	(8.471)
Competition	0.113	-0.108	-0.108	0.102
	(0.131)	(0.155)	(0.154)	(0.133)
Male*Electoral Capital		0.056		-4.112
		(13.276)		(8.985)
Constant	-2.705*	1.668	1.654	-3.679
	(1.595)	(3.940)	(2.025)	(2.677)
Pseudo R-squared	0.113	0.101	0.101	0.114
N	112	112	112	112

Note: Compiled by author. T-statistics in parentheses, † p<0.10, * p<0.05, ** p<0.01, *** p<0.001

BIBLIOGRAPHY

Adams, Julia, and Ann Shola Orloff. 2005. 'Defending Modernity? High Politics, Feminist Anti-Modernism, and the Place of Gender'. *Politics and Gender.* 1 (1): 166-182.

Alcántara, Manuel. 2012. 'Elections in Latin America 2009-2011: A Comparative Analysis'. *Kellogg Institute for International Studies.* Working Paper Nº 386.

Alemán, Eduardo, and Sebastián Saiegh. 2007. 'Legislative Preferences, Political Parties, and Coalition Unity in Chile'. *Comparative Politics.* 39 (3): 253-272.

Allison, Paul. 2005. Fixed Effects Regression Methods for Longitudinal Data Using SAS. Cary: SAS Institute.

Ames, Barry. 1995. 'Electoral Rules, Constituency Pressures, and Pork Barrel: Bases of Voting in the Brazilian Congress'. *The Journal of Politics.* 57 (2): 324-343.

Ames, Barry. 2001. *Institutions and Politics in Brazil.* Ann Arbor: University of Michigan.

Ampuero, Hernán. 2013. 'Algunos Antecedentes Sobre la Función Legislativa de la Cámara de Diputados de Chile (1990-2010).' *Revista Enfoques.* 11 (19): 37-52.

Anastasia, Fátima, Izabela Correa, and Felipe Nunes. 2008. 'Caminhos, Veredas e Atalhos: Legislativos Estaduais e Trajetórias Políticas'. In *O Legislativo Brasileiro: Funcionamento, Composição e Opinião Pública,* ed Rachel Meneguello. Brasília: Senado Federal.

Ansolabehere, Stephen, James Snyder, and Charles Stewart. 2000. 'Old Voters, New Voters, and the Personal Vote: Using Redistricting to Measure the Incumbency Advantage'. *American Journal of Political Science.* 44 (1): 17-34.

Aranda, Verónica. 2015. 'Derribando Muros y Techos de Cristal Las Acciones Afirmativas de Género: Resistencias discursivas y práticas a la ley de cuotas y paridad en Chile (1990-2010)'. Thesis prepared for the PhD in Social Sciences, Instituto de Ciencias Sociales – Universidad de Chile.

Araújo, Clara, and José Eustáquio Diniz Alves. 2007. 'Impactos de Indicadores Sociais e do Sistema Eleitoral Sobre as Chances das Mulheres nas Eleições e Suas Interações com as Cotas'. *Dados.* 50 (3): 535-577.

Araújo, Clara. 2003. 'Quotas for Women in the Brazilian Legislative System'. *The Implementation of Quotas: Latin American Experiences*. Presented at the International IDEA Workshop in Lima, Peru 23-24 February.

Arce Riffo, Javiera. 2013. 'Análisis Proyecto de Ley para la Igualdad de Oportunidades entre Hombres y Mujeres en Cargos de Elección Popular'. Thesis for the Magíster en Ciencia Política, Instituto de Ciencia Política – Pontificia Universidad Católica de Chile.

Arce Riffo, Javiera. 2013. 'Análisis Proyecto de Ley para la Igualdad de Oportunidades entre Hombres y Mujeres en Cargos de Elección Popular'. Thesis for the Magíster en Ciencia Política, Instituto de Ciencia Política – Pontificia Universidad Católica de Chile.

Arce Riffo, Javiera. 2014. 'Las Primarias y las Cuotas de Género'. Report elaborated for presentation in congressional debates on the electoral reform, 2014/2015.

Arce Riffo, Javiera. 2015. 'Reforma Electoral en Chile: Avanzando desde el Sistema Binominal al Proporcional Inclusivo ¿Qué Hay Detrás de la Reforma? Análisis del Primer Trámite Constitucional (Cámara de Diputados)'. Unpublished manuscript made available by author.

Archenti, Nélida, and María Inés Tula. 2007. 'Cuotas de Género y Tipo de Lista en América Latina'. *Opinión Pública.* 13 (1): 185-218.

Archenti, Nélida, and María Inés Tula. 2013. 'Las Mujeres al Poder? Cuotas y Paridad de Género en América Latina'. Seminario de Investigación, Instituto de Iberoamérica – Universidad de Salamanca.

Arrindell, Willem, and Jan Van der Ende. 1985. 'An Empirical Test of the Utility of the Observations-to-Variables Ratio in Factor and Components Analysis'. *Applied Psychological Measurement.* 9 (2): 165-178.

Baldez, Lisa. 2004. 'Elected Bodies: The Gender Quota Law for Legislative Candidates in Mexico'. *Legislative Studies Quarterly.* 44 (2)*:* 231-258.

Baldez, Lisa. 2006. 'The Pros and Cons of Gender Quota Laws: What Happens When You Kick Men Out and Let Women in?'. *Politics and Gender.* 2 (01): 102-109.

Baldez, Lisa. 2007. 'Primaries vs. Quotas: Gender and Candidate Nominations in Mexico, 2003'. *Latin American Politics and Society.* 49 (3): 69-96.

Banaszak, Lee Ann, Karen Beckwith, and Dieter Rucht. 2003. *Women's Movements Facing the Reconfigured State.* New York: Cambridge University Press.

Barberis, Nicholas. 2012. 'Thirty Years of Prospect Theory in Economics: A Review and Assessment'. *National Bureau of Economic Research.* 27 (1): 173-195.

Baturo, Alexander. 2014. *Democracy, Dictatorship, and Term Limits*. Ann Arbor: University of Michigan Press.

Beauregard, Luis Pablo and Camila Moraes. 2016. 'José Serra Descobre a Igualdade de Gênero no México'. *El País Brasil.* http://brasil.elpais.com/brasil/2016/07/26/politica/1469565718_496181.html?id_externo_rsoc=Fb_CM.

Becker, Gary. 1983. 'A Theory of Competition Among Pressure Groups for Political Influence'. *The Quarterly Journal of Economics.* 98 (3): 371-400.

Becker, Gary. 1985. 'Public Policies, Pressure Groups, and Dead Weight Costs'. *Journal of Public Economics.* 28 (3): 329-347.

Beckwith, Karen. 2003. 'The Gendering Ways of States: Women's Representation and State Configuration in France, Great Britain, and the United States'. In *Women's Movements Facing the Reconfigured State,* eds. Lee Ann Banaszak, Karen Beckwith, and Dieter Rucht. New York: Cambridge University Press.

Benartzi, Shlomo, Alessandro Previtero, and Richard Thaler. 2011. 'Annuitization Puzzles'. *Journal of Economic Perspectives.* 25 (4): 143-164.

Bennett, Andrew. 2008. 'Process Tracing: A Bayesian Perspective.' In *The Oxford Handbook of Political Methodology,* eds. Rod Rhodes, Sarah Binder and Bert Rockman: 708-709.

Besley, Timothy, Olle Folke, Torsten Persson, and Johanna Rickne. 2013. 'Gender Quotas and the Crisis of the Mediocre Man: Theory and Evidence from Sweden'. *IFN*. Working Paper Nº 985. Research Institute of Industrial Economics (IFN) Stockholm.

Black, Jerome, and Lynda Erickson. 2003. 'Women Candidates and Voter Bias: Do Women Politicians Need to Be Better?'. *Electoral Studies.* 22 (1): 81-100.

Boix, Carles. 1999. 'Setting the Rules of the Game: The Choice of Electoral Systems in Advanced Democracies'. *The American Political Science Review.* 93 (3): 609-624.

Botero, Felipe, and Lucio Rennó. 2007. 'Career Choice and Legislative Re-election: Evidence from Brazil and Colombia'. *Brazilian Political Science Review* 1 (1) 102-127.

Botero, Felipe. 2008. Ambitious Career-Seekers: An Analysis of Career Decisions and Duration in Latin America. Tucson: University of Arizona.

Briggs, Rachel. 2014. 'Normative Theories of Rational Choice: Expected Utility'. In *The Stanford Encyclopedia of Philosophy (Fall 2014 Edition)*, 1st ed., ed. Edward Zalta. Stanford: Stanford University.

Bruhn, Kathleen. 2003. 'Whores and Lesbians: Political Activism, Party Strategies, and Gender Quotas in Mexico'. *Electoral Studies.* 22 (1): 101-119.

Burt-Way, Barbara, and Rita Mae Kelly. 1992. 'Gender and Sustaining Political Ambition: A Study of Arizona Elected Officials'. *The Western Political Quarterly.* 45 (1): 11-25.

Bush, Sarah Sunn. 2011. 'International Politics and the Spread of Quotas for Women in Legislatures'. *International Organization.* 65 (1): 103-137.

Calgaro, Fernanda. 2015. 'Câmara Rejeita Cota de 15% para Mulheres nos Cargos Parlamentares'. *G1 Política*. http://g1.globo.com/politica/noticia/2015/06/camara-rejeita-cota-de-15-para-mulheres -nos-cargos-parlamentares.html.

Caminotti, Mariana. 2014. 'Ideas, Legados y Estrategias Políticas en la Reforma de las Reglas de Selección de Candidatos: La Ley de Cuotas Pionera de Argentina'. *Revista Uruguaya de Ciencia Política.* 23.SPE: 65-85.

Capoccia, Giovanni, and R. Daniel Kelemen. 2007. 'The Study of Critical Junctures: Theory, Narrative, and Counterfactuals in Historical Institutionalism'. *World Politics.* 59 (3): 341-369.

Cárdenas, Jesús Ibarra. 2013. 'Cuota de Genero vs. Regla de Mayoría: El Debate Constitucional'. *Cuestiones Constitucionales* 28: 141-169.

Carey, John, and Matthew Soberg Shugart. 1995. 'Incentives to cultivate a personal vote: A rank ordering of electoral formulas'. *Electoral studies.* 14 (4): 417-439.

Carey, John, and Peter Siavelis. 2005. 'Insurance for Good Losers and the Survival of Chile's Concertación'. *Latin American Politics and Society.* 47 (2): 1-22.

Carey, John, Richard Niemi, and Lynda Powell. 2000. 'Incumbency and the Probability of Re-election in State Legislative Elections'. *The journal of Politics.* 62 (3): 671-700.

Carey, John. 1998. *Term Limits and Legislative Representation*. Cambridge: Cambridge University Press.

Carey, John. 2007. 'Competing Principals, Political Institutions, and Party Unity in Legislative Voting'. *American Journal of Political Science.* 51 (1): 92-107.

Carson, Jamie, Gregory Koger, Matthew Lebo, and Everett Young. 2010. 'The Electoral Costs of Party Loyalty in Congress'. *American Journal of Political Science.* 54 (3): 598-616.

Caul, Miki. 1999. 'Women's Representation in Parliament: The Role of Political Parties'. *Party Politics.* 5 (1): 79-98.

Caul, Miki. 2001. 'Political Parties and the Adoption of Candidate Gender Quotas: A Cross-National Analysis'. *Journal of Politics.* 63 (4): 1214-1229.

CEPAL. 2016. 'Observatorio de Igualdad de Género de América Latina y el Caribe'. *Cepal.org.* http://oig.cepal.org/es/leyes/leyes-de-cuotas.

Chama, Mónica. 2001. *Las Mujeres y el Poder*. Buenos Aires: Ciudad Argentina.

Chavarría, Eugenia María. 2014. 'El Mecanismo de Alternancia en el Nuevo Código Electoral y su Aplicación'. *Revista de Derecho Electoral.* 17: 270-303.

Childs, Sarah, and Mona Lena Krook. 2005. 'The Substantive Representation of Women: Rethinking the "Critical Mass" Debate'. Presented at the 2005 meeting of the American Political Science Association, Washington DC.

Christensen, Skye, and Gabrielle Bardall. 2014. 'Gender quotas in single-member district electoral systems'. *EUI.* Working Paper RSCAS 2014/104: 1-22.

Christensen, Skye, and Gabrielle Bardall. 2016. 'Gender Quotas in Single-member District Electoral Systems'. *Politics, Groups, and Identities.* 4 (2): 246-267.

Clemens, Elisabeth. 1993. 'Organizational Repertoires and Institutional Changes: Women's Groups and the Transformation of U.S. Politics, 1890-1920'. *American Journal of Sociology.* 98 (4): 755-798.

Coates, Dennis. 1995. 'Measuring the 'Personal Vote" of Members of Congress'. *Public Choice.* 85 (3-4): 227-248.

Collier, David. 2011. 'Understanding Process Tracing'. *PS Political Science and Politics.* 44 (4): 823-830.

Collier, Ruth Berins, and David Collier. 1991. *Shaping the Political Arena*. Princeton: Princeton University Press.

Colomer, Josep. 2005. 'It's Parties that Choose Electoral Systems (or, Duverger's Laws Upside Down)'. *Political Studies.* 53 (1): 1-21.

Comrey, Andrew, and Howard Lee. 1992. *A First Course in Factor Analysis*. Hillsdale: Erlbaum.

Congresso em Foco. 2015. 'Deputados Devem Custar R$ 75 Milhões ao Mês'. *Congresso em Foco.* http://congressoemfoco.uol.com.br/noticias/lista-todos-os-salarios-e-beneficios-de-um-deputado.

Connell, Dan. 1998. 'Strategies for Change: Women & Politics in Eritrea & South Africa'. *Review of African Political Economy*. 25 (76): 189-206.

Coppedge, Michael, John Gerring, Staffan Lindberg, Svend-Erik Skaaning, Jan Teorell, David Altman, Frida Andersson, Michael Bernhard, M. Steven Fish, Adam Glynn, Allen Hicken, Carl Henrik Knutsen, Kelly McMann, Valeriya Mechkova, Farhad Miri, Pamela Paxton, Daniel Pemstein, Rachel Sigman, Jeffrey Staton, and Brigitte Zimmerman. 2016. 'V-Dem Codebook v6.' *Varieties of Democracy (V- Dem) Project*: 186.

Cornell, Bradford. 1999. The Equity Risk Premium: The Long-Run Future of the Stock Market. New York: Wiley.

Cortell, Andrew, and Susan Peterson. 1999. 'Altered States: Explaining Domestic Institutional Change'. *British Journal of Political Science.* 29 (1): 177-203.

Cortell, Andrew, and Susan Peterson. 2001. 'Limiting the Unintended Consequences of Institutional Change'. *Comparative Political Studies.* 34 (7): 768-799.

Costello, Anna, and Jason Osborne. 2005. 'Best Practices in Exploratory Factor Analysis: Four Recommendations for Getting the Most from Your Analysis'. *Practical Assessment, Research and Evaluation.* 10 (7): 5

Cox, Gary, and Scott Morgenstern. 1995. 'The Incumbency Advantage in Multimember Districts: Evidence from The U. S. States'. *Legislative Studies Quarterly.* 20 (3): 329-349.

Cusack, Thomas, Torben Iversen, and David Soskice. 2007. 'Economic Interests and the Origins of Electoral Systems'. *American Political Science Review.* 101 (3): 373-391.

Dahlerup, Drude, and Lenita Freidenvall, 2011. *Electoral Gender Quota Systems and their Implementation in Europe.* Brussels: European Parliament Directorate General for Internal Policies.

Dahlerup, Drude, and Lenita Freidenvall. 2005. 'Quotas as a "Fast Track" to Equal Representation for Women: Why Scandinavia is no Longer the Model'. *International Feminist Journal of Politics.* 7 (1): 26-48.

Dahlerup, Drude. 2005. 'Increasing Women's Political Representation: New Trends in Gender Quotas'. In *Women in Parliament: Beyond Numbers*, 1st ed, eds Julie Ballington and Azza Karam. Stockholm: International Institute for Democracy and Electoral Assistance – IDEA.

Dahlerup, Drude. 2008. 'Gender Quotas: Controversial but Trendy'. *International Feminist Journal of Politics.* 10 (3): 322-328.

Dahlerup, Drude. 2013. *Women, Quotas and Politics.* Hoboken: Taylor and Francis.

De Nieves, Arturo. 'Entrevista de iKnow Politics com Haydee Hernández Pérez'. *iKnow Politics blog*. (2 December 2015). https://www.iknowpolitics.org/es/news/interview/entrevista-de-iknow-politics-con-haydee-hernández-pérez.

Desposato, Scott. 2006. 'Parties for Rent? Ambition, Ideology, and Party Switching in Brazil's Chamber of Deputies'. *American Journal of Political Science*. 50 (1): 62-80.

Donà, Alessia. 2015. 'Will the Year 2015 Bring the Return of Electoral Gender Quotas? The History About How the Lack of Political Will Troubled the Road to Gender Equality in Italy'. EUI Department of Law Research Paper No. 2015/26.

Downs, Anthony, and Rand Corporation. 1967. *Inside Bureaucracy*. Boston: Little, Brown.

Dunk, Emily Van, and Ronald Weber. 1997. 'Constituency-Level Competition in the U.S. States, 1968-1988: A Pooled Analysis'. *Legislative Studies Quarterly*. 22 (2): 141-159.

Dusso, Aaron Philip. 2010. The Psychology of Institutional Development: How Parties' Willingness to Accept Risk Affects the Districts They Draw and the Seats They Win. PhD Thesis, The George Washington University.

Duverger, Maurice, Robert North, and Denis William Brogan. 1954. *Political Parties: Their Organization and Activity in the Modern State*. London: Methuen.

Eckles, David, Cindy Kam, Cherie Maestas, and Brian Schaffner. 2014. 'Risk Attitudes and the Incumbency Advantage'. *Political Behavior*. 36 (4): 731-749.

Eckstein, Harry. 1960. Pressure Group Politics: The Case of the British Medical Association. Stanford: Stanford University Press.

Elkins, Zachary, and Beth Simmons. 2005. 'On Waves, Clusters, and Diffusion: A Conceptual Framework'. *The Annals of the American Academy of Political and Social Science*. 598 (1): 33-51.

Engeli, Isabelle, and Georg Lutz. 2012. 'When Women Campaign, do They Win?'. Presented at the Second International Conference on the Comparative Candidate Study, Mannheim, January.

Erikson, Robert, and Rocio Titiunik. 2012. 'Using regression discontinuity to uncover the personal incumbency advantage'. Working paper.

Erikson, Robert. 1972. 'Malapportionment, Gerrymandering, and Party Fortunes in Congressional Elections'. *The American Political Science Review*. 66 (4): 1234-1245.

Eyestone, Robert. 1977. 'Confusion, Diffusion, and Innovation'. *The American Political Science Review*. 71 (2): 441-447.

Fairfield, Tasha. 2010. 'Business Power and Tax Reform: Taxing Income and Profits in Chile and Argentina'. *Latin American Politics and Society*. 52 (2): 37-71.

Farnham, Barbara. 1994. 'Introduction'. In *Avoiding Losses/Taking Risks: Prospect Theory and International Conflict*, 1st ed., ed. Barbara Farnham. Ann Arbor: University of Michigan Press.

Fenno, Richard. 1978. *Home Style: House Members in their Districts*. Boston: Little, Brown.

Ferraro, Agustín. 2008. 'Friends in High Places: Congressional Influence on the Bureaucracy in Chile'. *Latin American Politics and Society*. 50 (2): 101-129.

Ferreira Rubio, Delia. 2012. 'Financiamiento Político, Género, y Equidad en la Competencia Electoral'. *Revista Andamios*. 7 (8): 78-86.

Ford, Lynne. 2011. *Women and Politics*. 3rd ed. Australia: Wadsworth Cengage Learning.

Franceschet, Susan and Jennifer Piscopo. 2015. 'Deepening Democracy? Electoral Reforms and Gender Quotas in Chile'. *Panoramas*. http://www.panoramas.pitt.edu/content/deepening-democracy-electoral-reforms-and-gender-quotas-chile.

Franceschet, Susan. 2001. 'Women in Politics in Post-Transitional Democracies: The Chilean Case'. *International Feminist Journal of Politics*. 3 (2): 207-236.

Franceschet, Susan. 2005. *Women and Politics in Chile*. Boulder: Lynne Rienner Publishers.

Fréchette, Guillaume, Francois Maniquet, and Massimo Morelli. 2008. 'Incumbents' Interests and Gender Quotas'. *American Journal of Political Science*. 52 (4): 891-909.

Free Speech Radio News. 2014. 'Chile Considers Gender Quotas for Political Slates'. *Fsrn.org*. https://fsrn.org/2014/06/chile-considers-gender-quotas-for-political-slates/.

Freidenberg, Flavia, and Mariana Caminotti. 2014. 'Federalismo Electoral, Fortaleza de las Cuotas de Género y Representación de las Mujeres en Argentina y México'. Paper presented at the *XXXII Meeting of the Latin American Studies Association (LASA)*. Chicago: Latin American Studies Association (LASA).

Gallagher, Michael, and Paul Mitchell. 2005. *The Politics of Electoral Systems*. Oxford: Oxford University Press.

Gatto, Malu, and Timothy Power. 2016. 'Postmaterialism and Political Elites: The Value Priorities of Brazilian Federal Legislators'. *Journal of Politics in Latin America*. 8 (1): 33-68.

Gatto, Malu. 2016. 'Gender Quotas, Legislative Resistance and Non-legislative Reform'. In *Latin American Law and Policy: Transforming Courts, Institutions and Rights*, eds. Pedro Fortes et al. London: Palgrave Macmillan.

Gatto, Malu. 2016. 'Understanding Gender Quota Designs: Characteristics and Impacts in the Context of Latin America'. In *Women, Politics, and Democracy in Latin America*, eds. Tomás Dosek, Flavia Freidenberg, Mariana Caminotti, and Betilde Muñoz-Pogossian. New York: Palgrave Macmillan.

Geddes, Barbara. 1994. *Politician's Dilemma: Building State Capacity in Latin America*. Berkeley and Los Angeles: University of California Press.

Geddes, Barbara. 1995. 'Uses and Limitations of Rational Choice' in *Comparative Politics: Critical Concepts in Political Science,* ed. Howard Wiarda. London: Routledge.

Geddes, Barbara. 2003. *Paradigms and Sand Castles*. Ann Arbor: University of Michigan Press.

Georgetown University. 'Political Database of the Americas'. *Georgetown.edu*. http://pdba.georgetown.edu/elecdata/elecdata.html.

Gerber, Alan, and Green, Donald. 2012. *Field Experiments: Design, Analysis, and Interpretation*. London: WW Norton.

Gilardi, Fabrizio. 2005. 'The Institutional Foundations of Regulatory Capitalism: The Diffusion of Independent Regulatory Agencies in Western Europe'. *The Annals of the American Academy of Political and Social Science*. 598 (1): 84-101.

Godinho, Tatau. 1996. 'Ação Afirmativa no Partido dos Trabalhadores'. *Estudos Feministas*. 4 (1): 148-157.

Gómez Campos, Steffan et al. 2014. 'Élites y Perfil de la Representación Política en Costa Rica 1949-2014'. Universidad de Costa Rica and CIEP.

Gómez Campos, Steffan. 2014. 'Base de Datos: Trayectoria de los Líderes Partidarios en Costa Rica 1982–2014'. Vigésimo Informe de la Nación en Desarollo Humano Sostenible.

Gorsuch, Richard. 1983. *Factor Analysis*. Hillsdale: L. Erlbaum Associates.

Greif, Avner. 2006. *Institutions and the Path to the Modern Economy*. Cambridge: Cambridge University Press.

Guevara Mann, Carlos. 2011. *Political Careers, Corruption, and Impunity: Panama's Assembly, 1984-2009*. Notre Dame: University of Notre Dame Press.

Guldvik, Ingrid. 2011. 'Strong and Weak Gender Quota Regimes'. *Nordic Journal of Feminist and Gender Research*. 19 (3): 181-197.

Haas, Mark. 2001. 'Prospect Theory and the Cuban Missile Crisis'. *International Studies Quarterly*. 45 (2): 241-270.

Hagopian, Frances, and Scott Mainwaring. 2005. *The Third Wave of Democratization in Latin America*. Cambridge: Cambridge University Press.

Hallerberg, Mark, and Patrik Marier. 2004. 'Executive Authority, the Personal Vote, and Budget Discipline in Latin American and Caribbean Countries'. *American Journal of Political Science*. 48 (3): 571-587.

Harrington Jr., Joseph. 2015. 'Progressive Ambition, Electoral Selection, and the Creation of Ideologues'. *Economics of Governance*. 1 (1): 13-23.

Hassim, Shireen. 2002. "'A Conspiracy of Women": The Women's Movement in South Africa's Transition to Democracy'. *Social Research*. 69 (3): 693-732.

Herrick, Rebekah. 2011. *Representation and Institutional Design*. Lanham: Lexington Books.

Hill, Kevin. 1995. 'Does the Creation of Majority Black Districts Aid Republicans? An Analysis of the 1992 Congressional Elections in Eight Southern States'. *The Journal of Politics*. 57 (2): 384-401.

Horiuchi, Yusaku, Kosuke Imai, and Naoko Taniguchi. 2007. 'Designing and Analyzing Randomized Experiments: Application to a Japanese Election Survey Experiment'. *American Journal of Political Science*. 51 (3): 669-687.

Htun, Mala, and Bingham Powell Jr. 2015. 'Between Science and Engineering: Political Science, Electoral Rules, and Democratic Governance'. In *Political Science, Electoral Rules, and Democratic Governance*, eds. Mala Htun and Bingham Powell Jr. Washington: American Political Science Association.

Htun, Mala, and Mark Jones. 2002. Engendering the Right to Participate in Decision-Making: Electoral Quotas and Women's Leadership in Latin America. Basingstoke: Palgrave.

Htun, Mala, and Timothy Power. 2006. 'Gender, Parties, and Support for Equal Rights in the Brazilian Congress.' *Latin American Politics and Society*. 48 (4): 83-104.

Htun, Mala. 2004. 'From "Racial Democracy" to Affirmative Action: Changing State Policy on Race in Brazil'. *Latin American Research Review*. 39 (1): 60-89.

Huang, Chang-Ling. 2002. 'Democracy and the Politics of Difference: Gender Quota in Taiwan'. Presented at the meeting of the American Political Science Association, Boston, MA.

Hughes, Melanie, Mona Lena Krook, and Pamela Paxton. 2015. 'Transnational Women's Activism and the Global Diffusion of Gender Quotas'. *International Studies Quarterly*. 59 (2): 357-372.

Hutcheson, Graeme, and Nick Sofroniou. 1999. *The Multivariate Social Scientist*. London: Sage Publications.

Malhotra, Neil. 2015. '80% of Survey Experiments Don't Fully Report Design Elements'. *The Plot – Politics Decoded*. 8 December. http://www.the-plot.org/2015/12/08/80-of-survey-experiments-dont-fully-report-design-elements/.

INAMU, 2011. 'Así lo vivimos: Mujeres Recuerdan su Lucha por la Igualdad'. Documentary retrieved from the archives of INAMU on 5 September 2014.

Inglehart, Ronald, and Christian Welzel. 2005. *Modernization, Cultural Change, and Democracy*. Cambridge: Cambridge University Press.

Inglehart, Ronald, and Pippa Norris. 2003. *Rising Tide: Gender Equality and Cultural Change Around the World*. Cambridge: Cambridge University Press.

Inter-Parliamentary Union. 2012. 'Women in Legislatures: World Classification'. *Ipu.org*. http://www.ipu.org/wmn-e/classif.htm.

Jacobson, Gary. 1987. 'The Marginals Never Vanished: Incumbency and Competition in Elections to the US House of Representatives, 1952-82'. *American Journal of Political Science*. 31 (1): 126-141.

Jacobson, Gary. 2015. 'It's Nothing Personal: The Decline of the Incumbency Advantage in US House Elections'. *The Journal of Politics*. 77 (3): 861-873.

Jenson, Jane, and Celia Valiente. 2003. 'Comparing Two Movements for Gender Parity'. In *Women's Movements Facing the Reconfigured State,* eds. Lee Ann Banaszak, Karen Beckwith, and Dieter Rucht. New York: Cambridge University Press.

Johnson, Joel, and Verónica Hoyo. 2012. 'Beyond Personal Vote Incentives: Dividing the Vote in Preferential Electoral Systems'. *Electoral Studies*. 31 (1): 131-142.

Jones, Bryan, Tracy Sulkin, and Heather Larsen. 2003. 'Policy Punctuations in American Political Institutions'. *American Political Science Review*. 97 (1): 151-169.

Jones, Mark. 1998. 'Gender Quotas, Electoral Laws, and the Election of Women: Lessons from the Argentine Provinces'. *Comparative Political Studies*. 31 (1): 3-21.

Jones, Mark. 2004. 'Quota Legislation and the Election of Women: Learning from the Costa Rican Experience'. *Journal of Politics*. 66 (4): 1203-1223.

Jones, Mark. 2008. 'Gender Quotas, Electoral Laws, and the Election of Women: Evidence from the Latin American Vanguard'. *Comparative Political Studies*. 42 (1): 56-81.

Juvonen, Katja. 2007. Political Representation in Chile from the Gender Perspective: Quotas as Solution? Master thesis. Tübingen: Universität Tübingen.

Kahneman, Daniel, and Amos Tversky. 1979. 'Prospect Theory: An Analysis of Decision Under Risk'. *Econometrica: Journal of the Econometric Society*: 263-291.

Kahneman, Daniel, Jack Knetsch, and Richard Thaler. 1990. 'Experimental Tests of the Endowment Effect and the Coase Theorem'. *Journal of Political Economy*. 98 (6): 1325-1348.

Karam, Azza. 1998. *Women in Parliament*. Stockholm, Sweden: International IDEA: 150.

Kayuni, Happy, and Ragnhild Muriaas. 2014. 'Alternatives to Gender Quotas: Electoral Financing of Women Candidates in Malawi'. *Representation*. 50 (3): 393-404.

King, Gary, Robert Keohane, and Sidney Verba. 1994. *Designing Social Inquiry*. Princeton: Princeton University Press.

Kitschelt, Herbert. 1999. *Post-Communist Party Systems*. Cambridge: Cambridge University Press.

Kline, Paul. 2014. *An Easy Guide to Factor Analysis*. London: Routledge.

Kőszegi, Botond, and Matthew Rabin. 2009. 'Reference-dependent Consumption Plans'. *American Economic Review*. 99 (3): 909-936.

Kouba, Karel, and Petra Poskocilová. 2014. 'Los Efectos de las Reglas Electorales sobre el Éxito de las Mujeres en las Elecciones Presidenciales en América Latina.' *América Latina Hoy*. 66: 17-46.

Krook, Mona Lena. 2006. 'Reforming Representation: The Diffusion of Candidate Gender Quotas Worldwide'. *Politics and Gender*. 2 (03): 303-327.

Krook, Mona Lena. 2007. 'Candidate Gender Quotas: A Framework for Analysis'. *European Journal of Political Research*. 46 (3): 367-394.

Krook, Mona Lena. 2009. Quotas for Women in Politics: Gender and Candidate Selection Reform Worldwide. New York: Oxford University Press.

Krook, Mona Lena. 2016. 'Contesting Gender Quotas: Dynamics of Resistance'. *Politics, Groups, and Identities* (forthcoming).

Lavine, Howard. 2002. 'On-line versus Memory Based Process Models of Political Evaluation'. In *Political Psychology*, ed. Kristen Monroe. Mahwah: Lawrence Erlbaum Associates.

Leoni, Eduardo, Carlos Pereira, and Lucio Rennó. 1999. 'Political Survival Strategies: Political Career Decisions in the Brazilian Chamber of Deputies'. *Journal of Latin American Studies*. 36 (1): 109-130.

Levi, Margaret. 1988. *Of Rule and Revenue*. Berkeley: University of California Press.

Levy, Jack. 2003. 'Applications of Prospect Theory to Political Science'. *Synthese*. 135 (2): 215-241.

Lichbach, Mark, Alan Zuckerman and Jonathan Rodden. 2007. 'Back to the Future: Endogenous Institutions and Comparative Politics'. In *Comparative Politics: Rationality, Culture, and Structure*, 2nd ed., eds Mark Lichbach and Alan Zuckerman. Cambridge: Cambridge University Press.

Lijphart, Arend. 1992. 'Democratization and Constitutional Choices in Czecho-Slovakia, Hungary and Poland 1989-91'. *Journal of Theoretical Politics*. 4 (2): 207-223.

Limongi, Fernando, and Argelina Figueiredo. 2006. 'The Budget Process and Legislative Behavior: Individual Amendments, Support for the Executive, and Government Programs'. *Dados* 2.SE: 737-776.

Locatelli, Pedro. 2014. 'Câmara Frusta Expectativas e Não se Renova'. *Carta Capital*. http://www.cartacapital.com.br/blogs/carta-nas-eleicoes/camara-frustra-expectativas-e-nao-se-renova-9363.html.

Lovenduski, Joni. 1986. *Women and European Politics*. Amherst: University of Massachusetts Press.

Madrigal, Luis Manuel. 'Sala IV Orderna Aplicar Paridad Horizontal en Todos los Procesos Electorales a Partir de 2018'. *El Mundo*. (19 October 2015). http://www.elmundo.cr/sala-iv-ordena-aplicar-paridad-horizontal-en-todos-los-procesos-electorales-a-partir-de-2018/.

Magar, Eric, Marc Rosenblum, and David Samuels. 1998. 'On the Absence of Centripetal Incentives in Double-Member Districts the Case of Chile'. *Comparative Political Studies*. 31 (6): 714-739.

Mahoney, James. 2001. The Legacies of Liberalism: Path Dependence and Political Regimes in Central America. Baltimore: Johns Hopkins University Press.

Mahoney, James. 2003. 'Strategies of Casual Assessment in Comparative Historical Analysis'. In *Comparative Historical Analysis in the Social Sciences*, 1st ed., eds. James Mahoney and Dietrich Rueschemeyer. Cambridge: Cambridge University Press.

Mainwaring, Scott, and Aníbal Pérez-Liñán. 2005. 'Latin American Democratization Since 1978'. In *The Third Wave of Democratization in Latin America*, eds. Hagopian, Frances, and Scott Mainwaring. Cambridge: Cambridge University Press.

Maniquet, Francois, Massimo Morelli and Guillaume Frechette. 2005. 'Endogenous Affirmative Action: Gender Bias Leads to Gender Quotas'. *Economic Working Papers School of Social Science*. Working Paper Nº. 51.

March, James, and Johan Olsen. 1996. 'Institutional Perspectives On Political Institutions'. *Governance.* 9 (3): 247-264.

March, James, and Johan Olsen. 2006. 'Elaborating the "New Institutionalism"'. In *The Oxford Handbook of Political Institutions*, eds. Rod AW Rhodes, Sarah Binder and Bert Rockman. Oxford: Oxford University Press.

Martin, Shane. 2011. 'Electoral Institutions, the Personal Vote, and Legislative Organization'. *Legislative Studies Quarterly.* 36 (3): 339-361.

Mateo Diaz, Mercedes. 2002. *Are Women in Parliament Representing Women?* Louvain: Universite catholique de Louvain.

Matland, Richard, and Michelle Taylor. 1997. 'Electoral System Effects on Women's Representation: Theoretical Arguments and Evidence from Costa Rica'. *Comparative Political Studies.* 30 (2): 186-210.

Matland, Richard. 2005. 'Enhancing Women's Political Participation: Legislative Recruitment and Electoral Systems'. In *Women in Parliament: Beyond Numbers*, ed. Azza Karam. Stockholm: International IDEA.

McDermott, Rose. 2015. 'Prospect Theory in International Relations: The Iranian Hostage Rescue Mission'. In *Avoiding Losses/Taking Risks: Prospect Theory and International Conflict*, 1st ed., ed. Barbara Farnham. Ann Arbor: University of Michigan Press.

Meier, Petra. 2000. 'From Theory to Practice and Back Again: Gender Quota and the Politics of Presence in Belgium'. In *Democratic Innovation: Deliberation, Representation and Association*, 1st ed., ed. Michael Saward. London: Routledge.

Mendonza, Marcelo. 2012. 'El Peso de la Noche o el Peso Ciudadano'. *Elmostrador.cl.* http://www.elmostrador.cl/noticias/opinion/2012/07/06/el-peso-de-la-noche-o-el-peso-ciudadano/.

Miguel, Luís Felipe. 2003. 'Capital Político e Carreira Eleitoral: Algumas Variáveis na Eleição'. *Revista de Sociologia e Política.* 20 (20): 115-134.

Montier, James. 2002. 'Darwin's Mind: The Evolutionary Foundations of Heuristics and Biases'. *SSRN Journal*: 20. http://ssrn.com/abstract=373321.

Murray, Rainbow, Mona Lena Krook, and Katherine Opello. 2012. 'Why are Gender Quotas Adopted? Party Pragmatism and Parity in France'. *Political Research Quarterly.* 65 (3): 529-543.

Negretto, Gabriel. 2013. 'Latin American Constitutional Change Database'. *Centro de Investigación y Docencia Económicas.* http://www.la-constitutionalchange.cide.edu.

Niskanen, William. 1979. 'Competition Among Government Bureaus'. *American Behavioral Scientist.* 22 (5): 517-524.

Norris, Pippa, and Drude Dahlerup. 2015. 'On the Fast Track: The Spread of Gender Quota Policies for Elected Office'. *HKS.* Working Paper Nº 15-041.

Norris, Pippa, and Joni Lovenduski. 1995. *Political Recruitment.* Cambridge: Cambridge University Press.

Norris, Pippa. 1985. 'Women's Legislative Participation in Western Europe'. *West European Politics*. 8 (4): 90-101.

Norris, Pippa. 1995. 'The Politics of Electoral Reform in Britain'. *International Political Science Review*. 16 (1): 65-78.

Norris, Pippa. 2004. *Electoral Engineering*. Cambridge: Cambridge University Press.

North, Douglass. 1990. *Institutions, Institutional Change, and Economic Performance*. Cambridge: Cambridge University Press.

Observatorio de Élites Parlamentarias en América Latina. 2016. 'Parliamentary Elites of Latin America database (PELA)'. *Universidad de Salamanca*. http://americo.usal.es/oir/elites/bases_de_ datos.htm.

Paulo, Antônio. 2015. 'Vanessa Graziotin Fala Sobre Reforma Política e Direitos das Mulheres'. *Agência Patrícia Galvão*. http://agenciapatriciagalvao.org.br/politica/vanessa-graziotin-fala-sobre-reforma-politica-e-direitos-das-mulheres/.

Paxton, Pamela, and Melanie Hughes. 2015. 'The Increasing Effectiveness of National Gender Quotas, 1990-2010'. *Legislative Studies Quarterly*. 40 (3): 331-362.

Pereira, Carlos, and Bernardo Mueller. 2000. 'Uma Teoria da Preponderância do Poder Executivo: O Sistema de Comissões no Legislativo Brasileiro'. *Revista Brasileira de Ciências Sociais*. 15 (43): 45-67.

Pereira, Carlos, Frederico Bertholini, and Eric Raile. 2014. 'All the President's Men and Women: Coalition Management Strategies and Governing Costs in a Multiparty Presidency'. *APSA 2014 Annual Meeting Paper*.

Pincus, Jonathan. 1975. 'Pressure Groups and the Pattern of Tariffs'. *Journal of Political Economy*. 83 (4): 757-778.

Pires, Milena. 2002. 'East Timor and the Debate on Quotas'. In International IDEA Workshop "The Implementation of Quotas: Asian Experiences," Jakarta, Indonesia, September, vol. 25.

Piscopo, Jennifer. 2006. 'Engineering Quotas in Latin America'. Working Paper Series Nº 23. University of California, San Diego: California Digital Library.

Piscopo, Jennifer. 2015a. 'States as Gender Equality Activists: The Evolution of Quota Laws in Latin America'. *Latin American Politics and Society*. 57 (3): 27-49.

Piscopo, Jennifer. 2015b. 'Democracy as Gender Balance: The Shift from Quotas to Parity in Latin America'. *Politics, Groups, and Identities*. 4 (2): 214-230.

Polga-Hecimovich, John, and Peter Siavelis. 2015. 'Here's the Bias! A (Re-) Reassessment of the Chilean Electoral System'. *Electoral Studies*. 40: 268-279.

Power, Timothy, and Cesar Zucco Jr. 2009. 'Estimating Ideology of Brazilian Legislative parties, 1990–2005: A Research Communication'. *Latin American Research Review*. 44 (1): 218–246.

Power, Timothy, and Cesar Zucco Jr. 2011. 'Brazilian Legislative Surveys (1990-2013)'. *Harvard Dataverse, V5*. http://hdl.handle.net/1902.1/14970.

Power, Timothy, and Cesar Zucco Jr. 2012. 'Elite Preferences in a Consolidating Democracy: The Brazilian Legislative Surveys, 1990– 2009'. *Latin American Politics and Society*. 54 (4): 1–27.

Power, Timothy, and Nicol Rae. 2006. *Exporting Congress?: The Influence of the US Congress on World Legislatures*. Pittsburgh: University of Pittsburgh Press.

Price, Douglas. 1971. 'The Congressional Career Then and Now'. In *Congressional Behavior,* ed Nelson Polsby. New York: Random House.

Queiroz, Augusto de. 2013. 'Renovação da Câmara Tende a Ser Recorde em 2014'. *DIAP*. http://www.diap.org.br/index.php?option=com_content&view=article&id=23132:renovacao-da-camara-tende-a-ser-recorde-em-2014&catid=46&Itemid=207.

Quesada, Ana Isabel García. 2003. 'Putting the Mandate into Practice: Legal Reform in Costa Rica'. *The Implementation of Quotas: Latin American Experiences*. Presented at the International IDEA Workshop in Lima, Peru 23-24 February.

Quintal, David. 1970. 'The Theory of Electoral Systems'. *The Western Political Quarterly*. 23 (4): 752-761.

Quota Project. 2015. 'Global Database of Quotas for Women'. *Quotaproject.org*. http://www.quotaproject.org.

Raile, Eric, Carlos Pereira, and Timothy Power. 2011. 'The Executive Toolbox: Building Legislative Support in a Multiparty Presidential Regime'. *Political Research Quarterly*. 64 (2): 323-334.

Remmer, Karen. 2008. 'The Politics of Institutional Change: Electoral Reform in Latin America, 1978 2002'. *Party Politics*. 14 (1): 5-30.

Reynolds, Andrew. 1999. 'Women in the Legislatures and Executives of the World: Knocking at the Highest Glass Ceiling'. *World Politics*. 51 (4): 547-572.

Riker, William. 1962. *The Theory of Political Coalitions*. New Haven: Yale University Press.

Riker, William. 1982. 'The Two-Party System and Duverger's Law: An Essay on the History of Political Science'. *The American Political Science Review*. 76 (4): 753-766.

Riker, William. 1986. *The Art of Political Manipulation*. New Haven: Yale University Press.

Ríos Tobar, Marcela, and Andrés Villar Pérez. 2005. *Cuotas de Género: Democracia y Representación*. Santiago: Instituto Internacional para la Democracia y Asistencia Electoral, Facultad latinoamericana de Ciencias Sociales.

Rodrigues, Almira. 2001. *Direitos das mulheres: o que pensam os parlamentares*. Brasília: CFEMEA.

Rohde, David. 1979. 'Risk-Bearing and Progressive Ambition: The Case of Members of the United States House of Representatives'. *American Journal of Political Science*. 23 (1): 1-26.

Rokkan, Stein, Angus Campbell, Per Torsvik, and Henry Valen. 1970. Citizens Elections Parties: Approaches to the Comparative Study of the Processes of Development. Oslo: Universitetsforlaget.

Rosen, Jennifer. 2013. 'The Effects of Political Institutions on Women's Political Representation a Comparative Analysis of 168 Countries from 1992 to 2010.' *Political Research Quarterly*. 66 (2): 306-321.

Rule, Wilma. 1981. 'Why Women Don't Run: The Critical Contextual Factors in Women's Legislative Recruitment'. *Political Research Quarterly*. 34 (1): 60-77.

Rule, Wilma. 1994. 'Parliaments of, by, and for the People: Except for Women?' In *Electoral Systems in Comparative Perspective: Their Impact on Women and Minorities*, eds. Wilma Rule and Joseph Zimmerman. Westport: Greenwood Press.

Sacchet, Teresa. 2012. 'Representação Política, Representação de Grupos e Política de Cotas: Perspectivas e Contendas Feministas'. *Revista Estudos Feministas*. 20 (2): 399-431.

Saiegh, Sebastian. 2005. 'The Role of Legislatures in the Policymaking Process'. Prepared for delivery at the Workshop on State Reform, Public Policies and Policymaking Processes, Inter-American Development Bank, Washington D.C., Feb. 28-Mar. 2.

Samuels, David. 2000. 'Ambition and Competition: Explaining Legislative Turnover in Brazil'. *Legislative Studies Quarterly*. 25 (3): 481-497.

Samuels, David. 2002. 'Progressive Ambition, Federalism, and Pork-barreling in Brazil'. In *Legislative Politics in Latin America,* eds. Scott Morgenstern, Benito Nacif. Cambridge: Cambridge University Press.

Samuels, David. 2003. *Ambition, Federalism, and Legislative Politics in Brazil*. Cambridge: Cambridge University Press.

Santacreu-Vasut, Estefania, Amir Shoham, and Victor Gay. 2013. 'Do Female/Male Distinctions in Language Matter? Evidence from Gender Political Quotas'. *Applied Economics Letters*. 20 (5): 495-498.

Santos, Fabiano, and Lucio Renno. 2004. 'The Selection of Committee Leadership in the Brazilian Chamber of Deputies'. *The Journal of Legislative Studies*. 10 (1): 50-70.

Santos, Fabiano. 1999a. 'Recruitment and Retention of Legislators in Brazil.' *Legislative Studies Quarterly*. 24 (2): 209-237.

Santos, Fabiano. 1999b. 'Instituições Eleitorais e Desempenho do Presidencialismo no Brasil'. *Dados*. 42 (1): 117-118.

Santos, Fabiano. 2001. O Poder Legislativo nos Estados: Diversidade e Convergência. Rio de Janeiro: FGV Editora.

Santos, Fabiano. 2010. 'Câmara dos Deputados e a Estrutura de Oportunidades Políticas no Brasil: Alguns Apontamentos Acerca das Eleições de 2010'. *Cadernos Aslegis*. 40: 109-126.

Schlesinger, Joseph. 1966. Ambition and Politics: Political Careers in the United States. Chicago: Rand McNally.

Schmidt, Gregory. 2003. 'Unanticipated Successes: Lessons from Peru's Experiences with Gender Quotas in Majoritarian Closed List and Open List PR Systems'. *IDEA, lc.*: 120-133.

Schmidt, Gregory. 2005. 'Is Closed List PR Really Optimal for the Election of Women? A Cross-National Analysis'. Presented at the 2005 meeting of the American Political Science Association, Washington, DC.

Schwindt-Bayer, Leslie. 2009. 'Making Quotas Work: The Effect of Gender Quota Laws on the Election of Women'. *Legislative Studies Quarterly.* 34 (1): 5-28.

Schwindt-Bayer, Leslie. 2015. 'Chile's Gender Quota: Will it Work?' Research Paper. James A. Baker III Institute for Public Policy, Rice University. http://bakerinstitute.org/research/chiles-gender-quota-will-it-work/.

Shugart, Matthew, and John Carey. 1992. *Presidents and Assemblies: Constitutional Design and Electoral Dynamics.* New York: Cambridge University Press.

Shvetsova, Olga. 2003. 'Endogenous Selection of Institutions and their Exogenous Effects'. *Constitutional Political Economy.* 14 (3): 191-212.

Siavelis, Peter. 1997. 'Executive-Legislative Relations in Post-Pinochet Chile: A Preliminary Assessment.' In *Presidentialism and Democracy in Latin America*, eds. Scott Mainwaring, and Matthew Shugart. New York: Cambridge University Press.

Siavelis, Peter. 2000. 'Disconnected Fire Alarms and Ineffective Police Patrols: Legislative Oversight in Postauthoritarian Chile'. *Journal of Inter-American Studies and World Affairs.* 41(1): 71-98.

Siavelis, Peter. 2002. 'The Hidden Logic of Candidate Selection for Chilean Parliamentary Elections'. *Comparative Politics.* 34 (4): 422.

Siavelis, Peter. 2006. 'Accommodating Informal Institutions and Chilean Democracy'. In *Informal institutions and democracy: Lessons from Latin America*, eds. Gretchen Helmke, and Steven Levitsky. JHU Press.

Smith, Eric, and Richard Fox. 2001. 'The Electoral Fortunes of Women Candidates for Congress'. *Political Research Quarterly.* 54 (1): 205-221.

Squire, Peverill. 2000. 'Uncontested Seats in State Legislative Elections'. *Legislative Studies Quarterly.* 25 (1): 131-146.

Starr, Alexandra. 2010. 'More Nancy Pelosis, Please: Why the World Needs More Female Lawmakers – And Why Quota Systems Won't Necessarily Get Us There'. *Foreign Policy.* http://foreignpolicy.com/2010/03/24/more-nancy-pelosis-please/.

Strang, David. 1991. 'Adding Social Structure to Diffusion Models: An Event History Framework'. *Sociological Methods & Research.* 19 (3): 324-353.

Suplicy, Marta. 1996. 'Novos Paradigmas nas Esferas de Poder'. *Estudos Feministas.* 4 (1): 126-137.

Swank, Duane. 2006. 'Tax Policy in an Era of Internationalization: Explaining the Spread of Neoliberalism'. *International Organization.* 60 (4): 847-882.

Sydnor, Justin. 2010. '(Over)Insuring Modest Risks'. *American Economic Journal: Applied Economics.* 2 (4): 177-199.

Systemic Peace. 2014. 'Polity IV Project: Country Reports 2010'. *Systemicpeace.org*. http://www.systemicpeace.org/polity/polity4.htm.

Taagepera, Rein. 2002. 'Designing Electoral Rules and Waiting for an Electoral System to Evolve'. In *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy*, 1st ed., ed. Adrew Reynolds. Oxford; New York: Oxford University Press.

Tabachnick, Barbara, and Linda Fidell. 2007. *Using Multivariate Statistics*. Boston: Pearson/Allyn & Bacon.

Tavits, Margit. 2005. 'The Development of Stable Party Support: Electoral Dynamics in Post-Communist Europe'. *American Journal of Political Science*. 49 (2): 283-298.

Taylor, Michelle. 1992. 'Formal versus Informal Incentive Structures and Legislator Behavior: Evidence from Costa Rica'. *The Journal of Politics*. 54 (4): 1055-1073.

Tews, Kerstin, Per-Olof Busch, and Helge Jorgens. 2003. 'The Diffusion of New Environmental Policy Instruments'. *European Journal of Political Research*. 42 (4): 569-600.

Tolbert, Pamela, and Lynne Zucker. 1983. 'Institutional Sources of Change in The Formal Structure of Organizations: The Diffusion of Civil Service Reform, 1880-1935'. *Administrative Science Quarterly*. 28 (1): 22-39.

Torres García, Isabel. 2010. El Sistema Electoral de Costa Rica en la Participación y Representación Política de las Mujeres. Santo Domingo: INSTRAW.

Tripp, Aili Mari, and Alice Kang. 2007. 'The Global Impact of Quotas: On the Fast Track to Increased Female Legislative Representation'. *Comparative Political Studies*. 41 (3): 338-361.

Trounstine, Jessica. 2011. 'Evidence of a Local Incumbency Advantage'. *Legislative Studies Quarterly*. 36 (2): 255-280.

True, Jacqui, and Michael Mintrom. 2001. 'Transnational Networks and Policy Diffusion: The Case of Gender Mainstreaming'. *International Studies Quarterly*. 45 (1): 27-57.

Tsebelis, George. 1990. *Nested Games: Rational Choice in Comparative Politics*. Berkeley: University of California Press.

Tversky, Amos, and Daniel Kahneman. 1981. 'The Framing of Decisions and the Psychology of Choice'. *Science*. 211 (4481): 453-458.

United Nations Development Programme. 2016. 'Human Development Index (HDI)'. *Hdr.undp.org*. http://hdr.undp.org/en/content/human-development-index-hdi.

Valenzuela, Arturo. 2011. 'Crisis de Representación y Reforma Política en Chile'. In *Democracia con Partidos Políticos*, eds. Francisco Díaz y Lucas Sierra. Informe para la Reforma de los Partidos Políticos en Chile, Santiago de Chile, Cieplan-CEP.

Valenzuela, Samuel, and Timothy Scully. 1997. 'Electoral Choices and the Party System in Chile: Continuities and Changes at the Recovery of Democracy'. *Comparative Politics*. 29 (4): 511-527.

Vidal Correa, Fernanda. 2014. 'Federalism and Gender Quotas in Mexico: Analyzing Propietario and Suplente Nominations'. *Representation*. 50 (3): 321-335.

Villalobos, Luis Diego, and Hugo Picado León. 2014. 'Evaluando la Paridad y la Alternancia'. *Revista de Derecho Electoral*. 18: 384-414.

Von Neumann, John, and Oskar Morgenstern. 1953. *Theory of Games and Economic Behavior*. Princeton: Princeton University Press.

Walsh, Denise. 2013. 'A Feminist Approach to Quotas and Comparative Politics'. *Politics and Gender*. 9 (3): 322-328.

Weyland, Kurt. 2002. The Politics of Market Reform in Fragile Democracies: Argentina, Brazil, Peru, and Venezuela. Princeton: Princeton University Press.

Wilkins, Arjun. 2012. 'Electoral Security of Members of the US House, 1900–2006'. *Legislative Studies Quarterly*. 37 (3): 277-304.

Wu, George, Jiao Zhang, and Richard Gonzalez. 2004. 'Decision Under Risk'. In *Blackwell Handbook of Judgment and Decision Making*, 1st ed., eds. Derek Koehler and Nigel Harvey. Malden: Blackwell Publishing Ltd.

Wylie, Kristin, and Pedro dos Santos. 2016. 'A Law on Paper Only: Electoral Rules, Parties, and the Persistent Underrepresentation of Women in Brazilian Legislatures.' *Politics & Gender* 12 (03): 415-442.

Wylie, Kristin. 2012. 'Strong Women, Weak Parties: Challenges to Democratic Representation in Brazil'. PhD dissertation. University of Texas-Austin.

Yashar, Deborah. 1998. 'Contesting Citizenship: Indigenous Movements and Democracy in Latin America'. *Comparative Politics*. 31 (1): 23-42.

Zúñiga Fajuri, Alejandra, Daniela Aguilera Bertucci, and Andrea Vásquez Bravo. 2007. 'Lejos del Poder: Hacia la Implementación de una Ley de Cuotas en Chile'. *Revista de Derecho (Valdivia)*. 20 (2): 9-30.