

Committees and Caucuses:
How Legislative Institutions Shape Substantive Representation in Latin America

Jennifer M. Piscopo
Assistant Professor of Politics

Introduction

This paper examines the processes wherein female legislators act for and speak for female constituents—also known as women’s substantive representation—

legislation to review (

occurs through informal rules of cooperation that emerge within the institution. In Mexico, the CIG's policy remit, policy powers, and membership combine with informal norms of consensus in ways that allows female legislators to affect a broad set of policy areas, but in less feminist ways. Mexican women achieve gender mainstreaming (scope) but not feminist change (depth). However, when women-specific institutions lack these features and informal norms, as in Argentina, they affect fewer policy areas (scope) but in more feminist ways (depth). In other words, the "stronger" the women-specific institution, the more collaborative, and the more collaborative, the less progressive. This result nuances the oft-positing link between women-specific legislative institutions, female legislators' collective power, and gender equality change (cf

Understanding Women-Specific Legislative Institutions

I use the term “women-specific legislative institutes” to make two definitional points. First, these are organizations *within* the legislature that are dedicated to advancing women’s interests in some way, and second, these organizations may not be structured around gender *per se*. Elsewhere, these measures have been described as “parliamentary gender bodies” (IPU 2006) and “specialized parliamentary bodies in the promotion of gender equality” (Freidenvall and Sawyer n.d.), but these terms do not capture the Latin American reality. Beyond the technical distinction between parliaments and legislatures, these terms suggest that all such institutions aim to challenge deeply-seated hierarchies, norms and practices surrounding femininity and masculinity. By describing these institutions as “women-specific,” I capture how they are founded by, constituted by, and designed for female lawmakers, while allowing their purposes to range from promoting female legislators’ professionalization to transforming power relations..

Yet what distinguishes women-specific committees from women-specific caucuses? Most studies on women’s legislative committees or women’s caucuses come from the practitioner field, where analysts have identified where these institutions exist, described their roles, and recommended best practices (Fernós 2012; IPU 2006; OSCE 2013; Gonzalez and Sample 2010). Gonzalez and Sample define legislative committees (or commissions) as “institutionalized legislative groups with functions that include detailed analysis of draft legislation, proposing new policies and laws, and issuing opinions and monitoring public administration” whereas caucuses are “informal groups of women legislators who channel the women’s interests and concerns within parliament” (2010: 15). In other words, committees are formal institutions that participate in the regular legislative process, also known as “standing committees.” Caucuses, by contrast,

mandates for reviewing, marking-up, and advancing legislation. Caucuses *may* be formal institutions with their own internal and external rules, as in Bolivia and Peru, or caucuses may be informal networks relying on shared understandings for proceeding, as in Uruguay. In both cases, however, caucuses are stable, public allegiances identifiable to members and non-members: they have names and exist across multiple congressional sessions. Caucuses can undertake activities beyond reviewing and advancing legislation; they may seek to influence policy, but they may also eschew policy advocacy and focus instead on networking and capacity-building. However, both caucuses and committees provide platforms through which female legislators act collectively.

Women-Specific Legislative Institutions in Latin America

A region-wide picture of the formal features of women-specific legislative institutions across Latin America helps contextualize the cases of Argentina and Mexico. Across the region, women-specific legislative committees vary in their policy remits, namely, whether they address women and/or gender, or address women in conjunction with broader domestic concerns. Male legislators are more commonly seated on women's committees with domestic policy remits: as the committee's policy scope narrows, male legislators' participation decreases. Male legislators similarly do not participate in the region's women's caucuses, which typically combine formal organizations with a women's interest policy agenda.

Committees

I focus on regular standing committees and their formal rules, meaning policy remits, policy powers (ability to author bills), and membership. I include women's committees in Costa Rica and Uruguay: while these two institutions are technically "permanent special" committees,

they have the same review powers as regular standing committees. I discount special or investigatory committees convened to address specific women's interests, as these vary in their mandate, politicization, powers, effectiveness, and duration. Uruguay and Mexico, for instance, have non-permanent committees addressing gender violence that, while significant, do not review, mark-up, and advance legislation.

To measure policy remit, I use the committee's title. Names capture how women's interests are framed and prioritized within the legislature. In Argentina, for example, the women-specific committee is titled *Comisión de Familia, Mujeres, Niños y Adolescencia* (Family, Women, children, and Adolescence).” This mandate conflates women's interests with private matters: as one female legislator commented, “the name is really horrible; it implies that women have to do with everything [domestic], the kitchen, the pets, the laundry.”³

women nor domestic matters. Of the remaining countries, nine have committees dedicated exclusively to women or gender; four have policy mandates spanning women and domesticity; and seven have remits focusing on domestic matters. For countries with bicameral legislatures, most structures are paralleled in the senate with two exceptions: in Argentina, the Senate has a women's bench rather than a women and domesticity committee, and, in Uruguay, the lower house's Gender and Equity Committee has no senate counterpart.

[TABLE 1 HERE]

Notably, four countries with domestic-matters-only committees—the Dominican Republic, El Salvador, Guatemala, and Honduras—*also* have women/gender only committees, as shown by the italics in Table 1. This combination (also present in the Mexican Senate but not the Chamber of Deputies) shows the legislature's clear distinction between domestic issues, on the one hand, and women's interests, on the other. Consequently, only five Latin American countries lack a specialized women's committee, either in the women/gender only form or the women-and-domesticity form: these are Brazil, Chile, and Venezuela, which have a domestic-matters-only committee without a corresponding women/gender committee, combined with Ecuador and Bolivia, which have none of these variations.

Yet without a committee mandated to assess women's interest policies, whether exclusively or alongside domestic matters, female lawmakers face significant hurdles in achieving substantive representation. For instance, female legislators cannot consistently analyze policies using a gendered lens. Consider the myriad proposals for gender quotas in Chile: the 2011 proposal was reviewed by the Culture Commission, whereas the 2014 proposal, due to its inclusion in a broader package of electoral reforms, was reviewed by the Constitution, Legislation, and Justice Commission. Bills addressing family violence, including violence

between spouses, cohabiting couples, and non-cohabiting couples, are received by the Family and Elderly Commission, whereas proposals to equalize men's and women's healthcare premiums are sent to the Health Commission.⁴ Moreover, spreading women's interest proposals across committees increases collective action problems: female lawmakers wishing to

Mexico, Paraguay and Uruguay do not have separate standing committees for domestic matters. In these cases, such proposals are often received and reviewed, at least in part, by the women/gender committee. The CIG in Mexico, for instance, receives proposals on children's rights and welfare as well as family violence. Yet the application of a gendered analytical lens appears more likely when a women/gender only committee reviews proposals on domestic matters (as in Mexico) than when a domestic committee reviews proposals on women's rights and roles (as in Chile). For example, the CIG in Mexico specifies on its website that the "use of a gendered perspective allows us to understand that there exists an asymmetry [between men and women] manifested in the utilization of power."⁵ The Family and Elderly committee in Chile only has an express mandate to consider child abuse.⁶

Further, since female legislators are overwhelmingly more likely than male legislators to represent women's interests (Piscopo 2011), committees' membership should affect substantive representation. Table 2 compares the proportions of male and female legislators seated on the women's committees

[TABLE 2 HERE]

Yet male legislators' membe

Despite their heralded potential to empower female legislators (Gonzalez and Sample 2010), only eight Latin American countries have women's caucuses, defined as public, identifiable associations of legislators. These organizations bring female legislators together on the basis of their identity, where

caucuses can be organized for activities that many not relate to substantive representation (e.g., mentoring and training). I measure whether the caucus has an explicit women's interest agenda.⁸

Table 3 captures these dimensions of women's caucuses, revealing common trends across Latin America. First, all caucuses except the Ecuadorian unite *all* female lawmakers in the chamber—without participation from men. Ecuador's caucus similarly differs in its name, whereas the other caucuses are "for women" or "of women," Ecuador's caucus is for women's *rights* (Parliamentary Group for Women's Rights). The internal statute reads that the caucus will "promote, assist, diffuse, socialize, and deepen and incorporate human rights with a gender focus into all laws, and to guarantee compliance with the rights and principles of non-discrimination and equality between men and women."⁹ Male legislators have participated actively in the group since its formation, and not all female legislators join. As with women's committees, mixed-sex women's caucus can carry advantages and disadvantages, in that female legislators may usefully cultivate male allies while diluting a common allegiance based on gender identity.

Second, all caucuses except the Colombian receive some recognition by the host legislature, most notably through legislative

Third and most importantly, all women's caucuses have policy agendas that commit them to undertaking women's substantive representation in ways consistent with a feminist conceptualization of women's interests presented (Piscopo 2011).¹² For instance, the Peruvian Roundtable of Women Parliamentarians describes its policy focus on women's political participation, violence against women in politics, women's health, violence against women and femicide, and trafficking.¹³ Even Latin America's only informally-organized caucus—the

more detail below, the CIG serves as a focal point that unites female legislators based on their

group “From A to Z,” whose slogan was “Women walk a ways together before our policy differences separate us” (Tarrés 2006: 418).²⁰ In 1997, female legislators attended a conference entitled “Avancemos un trecho” [Let’s Move Forward a Stretch]. Women from eight political

Parliament] in 1998. Convened in the plenary chamber of the Congress, the *Parlamento* included

responsibilities. While individual *panistas* did not consistently support the *pactos*, female legislators from the remaining parties saw these documents as outlining their policy goals.²⁴

This norm of cooperation expressed by many or all female legislators marks a distinctive feature of women-specific institutions in the Mexican Congress. Even though the *parlamentos* and the *pactos* do not constitute a women's caucus, nor did their organizers perceive them as such, they sustain collective action with the CIG as the focal point. As a longtime PRI congresswoman observed, "We all go to the committee meetings, even if we are not members."²⁵ Further, the CIG and the related *pactos* and *parlamentos* create continuity among women elected each congressional term. A PRD deputy explained that female legislators elected from the 1980s through the 2000s "passed the torch" to each other, and a PAN deputy recalled that "I chose the Committee on Equity and Gender because I knew there was an agenda pending."²⁶ Finally, the *pactos* and *parlamentos* bolster women's policy advocacy based on their gender identity rather than their party allegiance. As one *panista* woman explained, "There are gender issues that are obvious, that cannot be ignored, and many female deputies support them; those that are not convinced say nothing, because they would never go against their own gender."²⁷ A PRI deputy likewise noted that, in the moment of voting on a women's interest proposal, female deputies "would go to their party leaders and ask for permission to 'go with the women' and not with the party."²⁸ Her co-partisan also observed that "we are all united in our gender, and this will transcend all other political divisions."²⁹

Yet one outcome of cooperation and consensus has been female legislators' conscious decision to focus only on those women's interests that enjoy multi-party support. María Luisa Farrera Paniagua, then-President of Mexico's Federal Electoral Institute, said in 2003, "A constitutive characteristic of this new political practice is the pact among women. Before our

partisan or ideological differences separate us, there is a common path that we can walk along together.”³⁰ Nearly every interviewee in Mexico, including *panista* women, mentioned an explicit agreement among female legislators to not discuss “divisive” or “controversial” issues, specifically challenges to the notion that life begins at conception³¹. While the

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interested in women. Second, while being a gender specialist appears particularly damaging, being single-minded about any policy area seems harmful

achieve gender mainstreaming specifically, has led female legislators to equity policies across a broad set of policy areas. In Argentina, neither the CFMNA in the Chamber of Deputies nor the *Banca de la Mujer* in the Senate have achieved this goal.

In Mexico, female legislators from the PAN, PRI, and PRD were asked “what introducing proposals to benefit women meant to them.” They consistently answered using two words: *armonización* [harmonization] and *transversalidad* [mainstreaming]. By *armonización*, the interviewees meant revising Mexico’s existing statutes in order to incorporate the doctrine of gender equality. *Transversalidad* describes the incorporation of women’s perspectives, wellbeing, and needs into the policymaking process. Both *armonización* and *transversalidad* are ways of talking about gender mainstreaming, one in terms of existing regulations (*armonización*) and one in terms of new initiatives (*transversalidad*). Indeed, twenty percent (72 of 360) of women’s interest proposals presented in the Mexican Congress between 1999 and 2009 can be classified as mainstreaming initiatives, that is, they seek to impose “gender friendly” regulations on myriad government branches and agencies (Piscopo 2011).

In terms of *armonización*, legislators have reformed statutes that address employment, domestic violence, and civil and political liberties. Given the CIG’s mandate to advance equality, proposing amendments to these statutes—for instance, demanding that police officers give women’s testimonies the same weight as men’s testimonies—becomes a fairly straightforward, and largely technical, process. In terms of *transversalidad*, female legislators have targeted bureaucratic procedures dealing with employment discrimination, rights promotion, and criminal and civil procedures in the areas of gender-based violence and female prisoners. Some initiatives have sought gender-equalizing initiatives outside these areas, demanding, for instance, that the tourism ministry create programs that showcase indigenous women’s distinct contributions to

native cultures, or the telecommunications agency broadcast more images of girls playing sports.

and these committees have fewer or no male members when their policy remits are tailored to equality. Argentina and Mexico illustrate these trends. The Mexican CIG pursues gender equality proposals without any male members, whereas the Argentine CFMA incorporates men and lacks gender mainstreaming initiatives.

Second, both women's committees and women's caucuses provide the space for female legislators to act collectively in undertaking substantive representation, and women's caucuses in particular provide spac 528.1k(l)-11((l)0 1 173.66 598.78)2/2 Tf1 0 0 1 p18 Tm[(a5(5 924 543.58 Tmshspa)33 5

Endnotes

¹ Technical research units are found in Costa Rica, Ecuador, Nicaragua, and Mexico.

² I conducted 50 interviews with female legislators in Argentina in three waves: 2005, 2007, and 2009, and 19 interviews with female legislators or legislative staffers in Mexico in three waves, 2009, 2013, and 2014.

³ Argentina Interview, May 18, 2009.

⁴ My analysis of Chile's legislative record, which can be studied here:

http://www.camara.cl/pley/pley_buscador.aspx.

⁵ Comisión de Igualdad de Género Conceptos en Materia de Equidad y Género [Concepts Regarding Gender Equity].”

http://www3.diputados.gob.mx/camara/001_diputados/008_comisioneslx/001_ordinarias/015_equidad_y_genero/001_equidad_y_genero (Accessed May 17, 2014).

⁶ See the committee's mandate here: http://www.camara.cl/trabajamos/comision_mandatosgral.aspx?prmID=415.

⁷ For El Salvador: <http://www.asamblea.gob.sv/pleno/gpm> (accessed June 30, 2014); For Ecuador:

http://www.asambleanacional.gob.ec/noticia/el_grupo_parlamentario_por_los_derechos_de_las_mujeres_aprobo_reglamento_interno (accessed June 30, 2014).

⁸ I rely on caucuses' websites, newspaper coverage of caucus activity, and secondary sources.

⁹ See

http://www.asambleanacional.gob.ec/noticia/el_grupo_parlamentario_por_los_derechos_de_las_mujeres_aprobo_reglamento_interno.

¹⁰ See <http://www2.camara.leg.br/a-camara/secretaria-da-mulher/o-que-e-a-secretaria-da-mulher>.

¹¹ Colombia's *Bancada Femenina* lacks an institutional website, but has a blog hosted by the non-governmental organization committed to transparency, *Congreso Visible*.

¹² The classification of Bolivia was based on Llanos and Sample (2008a).

¹³ See http://www.congreso.gob.pe/I_organos/Mesa_Mujeres_parlamentarias/presentacion.html.

¹⁴ See <http://www.cambio.bo/index.php?pag=leer&n=79283>

¹⁵ Mexico interview, March 14, 2014.

¹⁶ Mexico interview, March 14, 2014.

¹⁷ Diario de la Federación 24-12-2012, “Decree reforming Article 90 of the Statutory Law of the Congress of the Mexican States.”

¹⁸ Mexico interview, March 13, 2014.

¹⁹ Argentina interview, April 29, 2009, May 19, 2009 (add more); and with Argentine legislative analyst, August 8, 2009.

²⁰ This process began with the construction of an integrated, multi-class, multi-ethnic women's movement in Mexico, which included the widespread participation of female politicians (Lamas, Martínez, Tarrés, and Tuñón 1995; Tarrés 2006).

²¹ See

http://www3.diputados.gob.mx/camara/001_diputados/008_comisioneslx/001_ordinarias/015_equidad_y_genero/002_antecedentes (accessed May 17, 2014).

²² Mexican interview, March 14, 2014.

²³ The *Parlamento de Mujeres* was held from 1998 to 2006, suspended in 2007, 2008, and 2009, and re-inaugurated in 2010.

²⁴

Figure 1. Relationship Between Women-Specific Legislative Institutions and Substantive Representation

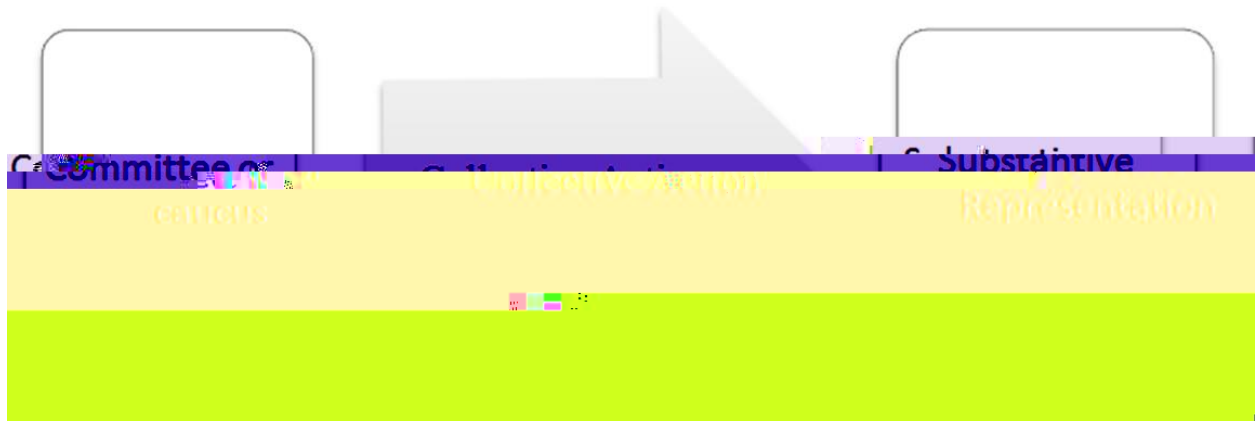


Table 1. Women-Specific Legislative Committees in Latin America’s Lower or Single Chamber, 2014

Women/Gender Only	Women and Domestic Matters	Domestic Matters Only
Colombia		
Costa Rica		
<i>Dominican Republic</i>		

Table 2. Latin America's Women-

Table 4. Relationship between the Design of Women-Specific Legislative Institutions and Substantive Representation

Design Feature	Committees	Substantive Representation
Policy remit includes women/gender		+
Policy power of bill authorship & introduction		+
All-female membership		+/-
Design Feature - Caucus		
All-female membership		+
Recognition by host legislature		+
Women's interest policy agenda		+

Table 5. Comparing Women-Specific Legislative Institutions in Argentina and Mexico

	Committee - Chamber	Committee - Senate	Caucus
Argentina	Family, Women, Children, and Adolescence (CFMNA)	Women's Bench (after 2011)	Women's Bench (before 2011)
Mexico	Gender Equality (CIG)	Gender Equality (CIG)	<i>unofficial</i>

Source: Author's research, based on countries' legislative webpages as of 2014.

Figure 2. Tradeoffs in Women's Substantive Representation

		<u>Depth</u>	
		Yes	No
<u>Scope</u>	Yes		Mexico
	No	Argentina	

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