

VIOLENCE AGAINST WOMEN IN POLITICS IN LATIN AMERICA

By

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ABSTRACT OF THE DISSERTATION

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In recent years, women politicians around the world have reported being victims of harassment and violence because of their work. These practices are known as violence against women in politics or VAWIP. Latin America is the region of the world where this issue has been most widely discussed. This dissertation looks at the debates in the region to understand 1) what VAWIP is and the main manifestations in the region and 2) how discussions about VAWIP have developed and evolved. To understand this phenomenon, this research used a variety of qualitative methods including interviews with activists, politicians, and state officials from several countries in the region, along with legislative debates, women's organizations reports, news articles, and court cases. The main finding of this research is that gender microaggressions and false accusations of corruption are systematically used in Latin America to attack women politicians and undermine their work. Based on a broad conception of violence, this dissertation also analyses diverse legislative and non-legislative measures created to end VAWIP and offers a framework for evaluating the effectiveness of these measures, and their role in improving women's representation and electoral and democratic integrity.

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## ABREVIATIONS

|           |                                                                                                                               |
|-----------|-------------------------------------------------------------------------------------------------------------------------------|
| ACOBOL    | Asociación de Concejalas y Alcaldesas de Bolivia (Association of Female Councilors and Mayors of Bolivia)                     |
| AMUME     | Asociación de mujeres municipalistas del Ecuador (Association of Women at the Municipal Level in Ecuador)                     |
| AMUPEI    | Articulación de Mujeres por la Equidad y la Igualdad (Women's Group for Equity and Equality, Bolivia)                         |
| CEAV      | Comisión Ejecutiva de Atención a las Víctimas (Executive Commission for the Attention of Victims, Mexico)                     |
| CEDAW     | Convention on the Elimination of all Forms of Discrimination Against Women                                                    |
| CIM       | Inter-American Commission on Women                                                                                            |
| COFIPE    | Código Federal de Instituciones y Procedimientos Electorales (Federal Code for Electoral Institutions and Procedures, Mexico) |
| FEPADE    | Fiscalía Especializada para Delitos Electorales (Special Attorney for Electoral Crimes)                                       |
| INE       | Instituto Nacional Electoral (National Electoral Institute, Mexico)                                                           |
| INMUJERES | Instituto Nacional de las Mujeres (National Institute for Women, Mexico)                                                      |
| IPU       | Inter-Parliamentary Union                                                                                                     |
| JNE       | Jurado Nacional de Elecciones (National Election Jury, Peru)                                                                  |
| MAS       | Movimiento al Socialismo (Movement Toward Socialism)                                                                          |

|            |                                                                                                                                                                                                                   |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MAS        | Movement Toward Socialism                                                                                                                                                                                         |
| MESECVI    | Follow-up Mechanism to the Belém do Pará Convention                                                                                                                                                               |
| NDI        | National Democratic Institute                                                                                                                                                                                     |
| NGO        | Non-Governmental Organization                                                                                                                                                                                     |
| NIMD       | Netherlands Institute for Multiparty Democracy                                                                                                                                                                    |
| OAS        | Organization of American States                                                                                                                                                                                   |
| OEP        | Órgano Electoral Plurinacional (Plurinational Electoral Body, Bolivia)                                                                                                                                            |
| PRD        | Partido de la Revolución Democrática (Democratic Revolutionary Party, Mexico)                                                                                                                                     |
| PRI        | Partido Revolucionario Institucional (Institutional Revolutionary Party, Mexico)                                                                                                                                  |
| REDLAMUGOL | Red Latinoamericana y del Caribe de Asociaciones de Mujeres Autoridades Electas a Gobiernos Locales (Latin American and the Caribbean Network of Associations of Women Authorities Elected for Local Governments) |
| RENAMA     | Red Nacional de Mujeres Autoridades (National Network of Women Authorities, Peru)                                                                                                                                 |
| SEGOB      | Secretaría de la Gobernación (Government's Secretary, Mexico)                                                                                                                                                     |
| SEPDAVI    | Servicio Plurinacional de Atención a la Víctima (Plurinational Victim's Assistance Service ) Bolivia                                                                                                              |
| SEPDAVI    | Servicio Plurinacional de Atención a la Víctima (Plurinational Victim's Assistance Service, Bolivia)                                                                                                              |

|       |                                                                                                      |
|-------|------------------------------------------------------------------------------------------------------|
| TBO   | Organizaciones Territoriales de Base (Territorial Base Organizations)                                |
| TEPJF | Tribunal Electoral del Poder Judicial de la Federación (Federal Electoral Tribunal of the Judiciary) |
| TSE   | Tribunal Supremo Electoral (Superior Electoral Tribunal, Bolivia)                                    |
| UN    | Partido Unidad Nacional (National Union Party, Bolivia)                                              |
| VAW   | Violence against women                                                                               |
| VAWIP | Violence against women in Politics                                                                   |
| WPF   | Foro Político de las Mujeres (Women's Political Forum)                                               |

## CHAPTER ONE: INTRODUCTION

In March 2012 Juana Quispe, a councilwoman from a small town in Bolivia, was found dead in La Paz, the largest city in the country. Despite the high number of femicides in Bolivia, the news of Ms. Quispe's murder prompted unprecedented mobilization by Bolivia's women's movement and two months later the approval of a law against "Political Harassment and Violence against Women". This law is the only one of its type in the world and has turned Bolivia in an international model in the recognition of violence against women in politics.

Violence against women in politics (or VAWIP as has been shortened), is not a problem that only women politicians in Bolivia face. It is a global phenomenon with cases reported in places as diverse as Mexico, Australia, Kenya, India, the United Kingdom, and the United States, among others (Asian Human Rights Commission 2006; Asthana 2016; Bates 2016; Corasanti and Haberman 2016; Gillard 2014; Jones July 29th, 2013; Migiro 2013; Migiro 2013; Scoop 2007; Shepherd 2014). International and regional organizations across the globe have identified this issue –using different names- in all regions of the world (Krook and Restrepo Sanin In preparation).

However, VAWIP has been most widely debated in Latin America, where women's organizations have discussed the problem since at least the 1990s and have developed diverse strategies to make it visible, provide support for women victims, and work with women politicians to create legislative proposals to criminalize VAWIP. This dissertation explores VAWIP in Latin America to understand 1) what VAWIP is, 2) what the main

manifestations in the region are, and 3) how discussions about VAWIP have developed and evolved.

Most of the work in defining VAWIP has been done by local or regional women's organizations and INGOs working on the ground and thus there are some variations as to what this issue is called. In academic circles, VAWIP refers to "behaviors that specifically target women *as women* to leave politics by pressuring them to step down as candidates or resign a particular political office" (Krook and Restrepo Sanin 2016a, 128). Although this conceptualization is contested (Piscopo 2016b; Piscopo, Bardall, and Bjarnegård May 22-26), Krook and Restrepo Sanin's definition encompasses emerging descriptions and characterizations of VAWIP from around the world.

In South East Asia, where the acronym VAWIP comes from, this issue is defined as "any act/s of violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women politicians, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life; within family, inter or intra-political party level, at societal and at state level during their political career" (SAP International 2007, 5). Activists in this region emphasize that VAWIP is pervasive, it is at the root of women's underrepresentation, and it is a violation of women's human rights.

In Africa, activists and organizations have emphasized the electoral dimension of VAWIP and thus talk about this issue as "violence against women in elections" (Bardall 2011). In Europe, the United States, and Australia, this issue has not been identified as a single issue but specific instances and attacks have been called abuse, sexism, or

harassment (Gillard 2014; Hunt, Evershed, and Liu 2016; Shepherd 2014). The Inter-Parliamentary Union (IPU) has referred to these actions as “discrimination, sexism, harassment, and violence” (IPU 2016). This organization found that over 80% of women parliamentarians from around the world have suffered from psychological violence, over 20% have experienced sexual violence, and over 25% have been subjected to physical violence. With the explosion of sexual harassment accusations both within and outside politics, there has been increased attention on this particular manifestation of VAWIP but no connections have been made in the developed world between sexual harassment against women politicians and VAWIP more broadly, except in academic works (Dalton 2017; Krook 2018b). Both Krook and Dalton recognize sexual harassment of women politicians as a structural and systemic problem that “is not merely confined to the aberrant acts of particular individuals” (Krook 2018b, 66) and is part of the larger problem of VAWIP.

Despite the global nature of this phenomenon, Latin America has been at the vanguard in the discussion of an issue that has profound effects on the women who are victimized, but also on women’s representation, electoral integrity, and democracy more broadly (Krook and Restrepo Sanin 2014; Krook and Restrepo Sanin 2016a; Krook and Restrepo Sanin 2016b). In 2012, Bolivia became the first country to criminalize “Political Violence and Harassment against Women”. Besides this country, activists throughout Latin America have created numerous campaigns to make this problem visible, five other



countries have initiated legislative proposals to recognize VAWIP<sup>1</sup>, and regional organizations have prepared events calling attention to the issue and developed mechanisms to end it, including a Model Law drafted by the Inter-American Commission on Women of the Organization of American States<sup>2</sup>.

Gender quota laws have been used extensively in Latin America in the last 27 years as the most effective measure to increase women's political participation (Krook 2009). Currently, only Venezuela and Cuba do not have any type of formal quota, but in Venezuela the Electoral Tribunal has imposed parity (Piscopo 2016a; Quotaproject 2018), while Bolivia, Mexico, Nicaragua, Costa Rica, and –since March 8, 2018- Paraguay, have gender-parity laws. Although there are different types of quota policies, in Latin America the most common are legislative gender quotas, which reform the candidate selection processes, requiring political parties and organizations to nominate a minimum number of women (Krook 2009, 8). These measures, however, have been met with resistance and opposition since they were first adopted.

Since the adoption of the first quota laws in the late 1990s, political parties and leaders have used a wide array of strategies to avoid complying with the quota laws (Baldez 2007; Baldez and Brañez 2005; Bruhn 2003; León de Leal, Magdalena and Baldez 2005). VAWIP is yet another strategy used to undermine women's political power and representation. Research studies and reports globally and in Latin America emphasize that

---

<sup>1</sup> These countries are: Ecuador, Peru, Costa Rica, Honduras, and Mexico.

<sup>2</sup> Interview with OAS-CIM staff. Spring 2017. New Brunswick, New Jersey.

VAWIP is a barrier to women's political participation that takes many forms, including physical, sexual, and psychological, as well as economic and semiotic manifestations (Krook and Restrepo Sanin In preparation). Despite the similarities, there are particular tools used by perpetrators of violence in the different regions. For example, in the United States and the United Kingdom, gendertrolling (Mantilla 2015) and online abuse of women politicians are widely available as tools, as both these countries have ample internet coverage and online platforms have become important spaces for discussion of political issues. Both countries have seen notable cases of women politicians being abused online. In the UK, MP Stella Creasy received more than 50 thousand rape and death threats an hour when she supported a proposal to include writer Jane Austen in the British currency (Jones July 29th, 2013). In the six months prior to the 2017 UK election, MP Diane Abbott received almost half of all the abusive tweets directed at women politicians (Dhrodia 2017). This study, conducted by Amnesty International, also found that women from racialized minorities –particularly black and Asian women- received more abuse than their white counterparts.

Besides online violence and abuse, women politicians also face violence in the 'real' world. During the 2016 presidential election in the United States, then presidential candidate Donald Trump referred to Secretary Clinton as a "nasty woman" during the third presidential debate, wondered if "the second amendment people" could take care of her, and frequently called her "Crooked Hillary" (Corasanti and Haberman 2016). Physical and sexual violence are also common. More than 140 women legislators, staff, consultants, and

lobbyists signed a letter denouncing the culture of sexual harassment in California's State Capitol (Mason 2017; Myers and Mason 2018). In an open letter published by Los Angeles Times, they explain "Each of us has endured, or witnessed or worked with women who have experienced some sort of dehumanizing behavior by men with power in our workplaces" (Iwo, Adama et. al 2017). Women and Politics scholars both in the US and abroad have reported numerous barriers to women's participation in formal politics, including the role of political parties as gatekeepers (Childs 2008; Kittilson 2006; Sanbonmatsu 2002), social barriers and ambition (Lawless and Fox 2005), electoral systems (Jones and Navia 1999; Matland 1998; Matland and Studlar 1996), and political institutions and how their interactions affect women's representation (Mackay and Krook 2011; Phillips 1995; Puwar 2004). VAWIP is yet another barrier to women's full inclusion in politics.

### **Emerging Academic Research on VAWIP**

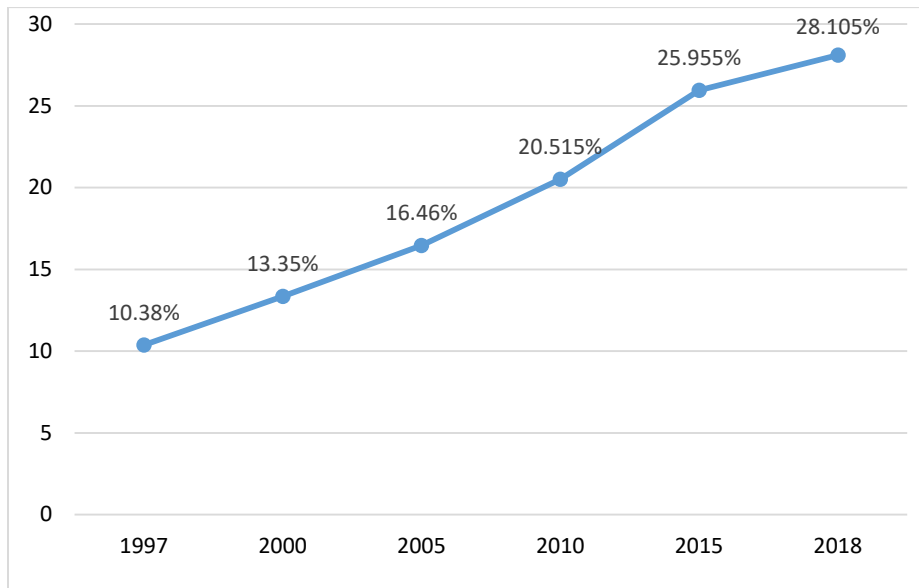
Despite the global nature of VAWIP, debates on this problem have only started developing recently. The academic discussion has also lagged with only a few papers published on this topic –most of them in Latin America. These works have used the definition and conceptualization used by women's organizations and NGOs which differentiate between 'violence' and 'harassment'. They also provide a typology of VAWIP with physical and psychological violence being the most evident forms but with allusion to other forms of violence including symbolic, verbal, moral, and economic violence (Albaine 2013; Ansolabehere Sesti, Cerva Cerna, and Ochoa Reza 2009; Cerva 2014; Krook and

Restrepo Sanin 2016a; Lamas and Azuela Maite 2009; Machicao Barbery 2004; Machicao Barbery 2011).

Some of these works have linked VAWIP to women's greater participation in legislative and executive bodies (Cerva 2014). The relationship it is not clear, but women's political participation has increased dramatically in the last 20 years in Latin America as shown in

Figure 1. In 1997, the regional average was 12.6%. Today, the region's average is 28.5%, with some countries reaching over 40% women in their national legislatures (IPU 2018). Given that women's numbers in political office have historically been low, and that we know little about their experiences, it is hard to establish a causal relationship between the increased number of women in politics and VAWIP. It is nonetheless intriguing that as women's descriptive representation increased in Latin America, reports of VAWIP emerged and women started to organize to combat this phenomenon in several countries of the region (Albaine 2013).

Figure 1. Women in Lower Chambers in Latin America, 1997-2018



Source: Inter-Parliamentary Union

Cerva (2014) hypothesizes that an important cause of VAWIP in Mexico is tensions between the gender equality goals established by the Mexican federal government and the states' electoral institutions. She argues that efforts to increase women's participation are perceived by local authorities as undemocratic. Moreover, she argues, political leaders do not see gender discrimination or barriers to women's participation. Machicao Barbery (2004) also links VAWIP with conflicts between different laws to combat gender inequality, and those to make the electoral process more democratic. In a similar fashion, Pozo (2014) argues that VAWIP is a contemporary form of violence against women in which the state, a patriarchal institution, takes the role of protector of women. When women 'invade' the state, a backlash (Mansbridge and Shames 2008; Rudman et al. 2012) occurs because men want to maintain the gendered status quo.

This relationship between the gendered status quo of politics, the inclusion of women, and VAWIP is also supported by activists in the region. Women's organizations in Latin America, which produced the initial reports and collected some data locally, have emphasized that VAWIP is a form of gender-based violence that has its roots in patriarchy. Because politics has been conceived as a male realm, women's presence –especially in higher numbers- shakes up the status quo, and thus, in an effort to maintain it, newcomers face violence (Escalante and Mendez 2011; Herrera, Arias, and García 2012; Machicao Barbero 2004; Torres García 2017).

Evidence for these hypotheses is limited by the low amount of data available on VAWIP. Thus it is not yet clear what the prevalence of this phenomenon is. However, preliminary studies suggest this phenomenon is extensive, with data suggesting that between 40% and 60% of women in politics in Latin America, including candidates, appointed, and elected officials, have been victims (ACOBOL 2010b; El Comercio 2015; Jurado Nacional de Elecciones 2015; Quintanilla 2012a; Restrepo Sanin 2016a).

The study of VAWIP is further complicated by the violent nature of politics, both around the world, but in Latin America more specifically. State violence has been frequently used against political opponents, and political violence frequently targets politicians in the region (Blume 2017; Dal Bo, Dal Bo, and Di Tella 2002; Daniele and Dipoppa 2017; Morris 2012). Nevertheless, as will be explained in chapter two, VAWIP has specific goals and manifestations that make it different from 'regular' political violence, even if they are intertwined.

VAWIP is a form of political violence because women, regardless of their actual political positions or party affiliation, are seen as threats to male power. VAWIP is used to maintain the gendered status quo of politics or a “tool to maintain political power” (Valentino 2014) in the hands of men. In this regard, VAWIP is not only perpetrated by political rivals or opposition parties but instead is multidirectional, coming also –and very frequently- from members of the same party, state officials, members of the bureaucracy, regular citizens, community leaders, family members, etc. (Arboleda 2012; Escalante and Mendez 2011; Hoyos and Et Al. 2014; Quintanilla 2012a; Restrepo Sanin 2016a; Rojas 2012; Torres García 2017).

Unlike other forms of political violence, such as civil war or terrorism, VAWIP occurs also in times of peace or in countries not affected by regular political violence. In contrast to electoral violence, VAWIP occurs before and, notably, after elections have taken place and political power has been distributed (Herrera, Arias, and García 2012). This characteristic of VAWIP is one important finding of this research and will be discussed in depth in chapter one.

Besides being a form of political violence, VAWIP is a manifestation of violence against women (VAW). Most of the work on VAW has been done in areas other than political science, despite it being a reflection of unequal power relations and having profound implications for women’s full inclusion and equality. Works on feminist studies, public health, psychology, and other areas, have found that VAW is an expression of unequal power relations between men and women. These studies have also found that

there is a strong correlation between having traditional ideas about men's and women's roles and VAW, and thus, VAW is a form of gender-role enforcement that seeks to put women 'in their place' (DeKeseredy 2000; DeKeseredy and Dragiewicz 2007; Kilpatrick 2004; Marin and Felipe Russo 1999).

The literature on VAW has also, for the most part, argued that violence should be understood not just in terms of physical, sexual, or psychological abuse, but it should acknowledge other forms of violence –frequently disregarded as minor, especially when compared with other, more overt forms of violence- that are used systematically to undermine women, affect their self-esteem, and “entrap women” (Stark 2007). These other forms of violence include microaggressions, economic control, disqualifications, among others (Stark 2007; Sue 2010; Sue and Capodilupo 2008).

### **Towards a conceptualization of VAWIP**

This interpretation is consistent with the findings of this research project. Although not all women in politics face extreme forms of violence, such as rape, kidnapping or assassination, studies have found that most of them face diverse forms of violence –even if they sometimes are not aware of them, or disregard them. In this sense, VAWIP should be understood not as specific and discrete actions, but as a continuum of violent acts (Connors and Harway 1995) that are performed every day to undermine, discredit, humiliate, silence, erase, and ultimately force women out of politics. Women politicians in Latin America, have reported, as will be further explained in chapter two, that they are frequently silenced during legislative sessions, sexualized both by colleagues and the



media, constantly and falsely accused of corruption, asked to bring coffee or make copies instead of participating in meetings, among other actions that, individually, do not constitute violence. My argument is, however, that when all these actions are taken together, they constitute VAWIP because they create a hostile environment for women, reiterate and reinforce the gendered nature of politics, and thus maintain the gendered status quo (Ferber 1998, 54).

Considering these actions as unimportant or irrelevant hides the effects they have on the victim, as well as poses challenges to electoral integrity, women's political representation, and democracy more broadly. In regards to the effects of VAWIP on the women who are victimized, we can extrapolate from the literature on violence VAW. Women who suffer from gender-based violence report both physical and mental effects, including chronic pain, depression, low self-esteem, feelings of loneliness and isolation, suicidal thoughts, stress, PTSD, among others (DeKeseredy 2011; Stark 2007). Women in politics have reported similar effects, but also have desires to leave politics altogether along with dissatisfaction, loneliness, and frustration for the inability to advance their projects and represent their constituents (Escalante and Mendez 2011; Herrera, Arias, and García 2012; Hoyos and Et Al. 2014; Machicao Barbero 2004; Quintanilla 2012a; Rojas 2012). These effects extend to their families and constituents as the representation of their interests is affected.

Besides having profound effects on the woman who is victimized and her family, VAWIP also has broader societal effects. The goal or the result of VAWIP is to force women

candidates, or elected and appointed officials, out of politics, or to hinder their performance. In this sense, VAWIP is an affront to electoral integrity (Norris 2014; Norris, Frank, and Martínez i Coma 2014). Electoral integrity refers to “procedural fairness and equality of opportunity” in elections where “all participants abide by the same rules of the game” (Norris, Frank, and Martínez i Coma 2014, 6). Based on this definition, VAWIP is a violation of the ‘equality of opportunity’ principle, because women are targeted on the basis of their gender and are denied the right to participate in equal conditions as men. This dissertation is an important contribution to the growing literature on electoral integrity as it highlights how electoral malpractices, and more specifically violence, are used to deter women from participating in politics and attempts to exclude them violate electoral norms and procedures.

VAWIP is also an attempt to circumvent the ‘rules of the game’ imposed by gender quota laws –which are laws regulating electoral practices (Krook 2009) as it is used to ‘return’ a seat or office to their ‘proper’ owner or undermine a woman’s agency by coercing her into abiding by the perpetrator’s will. VAWIP is another way of circumventing the quota laws as women are coerced into accepting pre-electoral agreements in which they resign after they are elected to ‘give back’ the seat to the man who had to give it up to comply with the quota (Archenti and Albaine 2014; Cerva 2014; Rojas 2012)<sup>3</sup>. Moreover, VAWIP undermines women’s political power by using violence to make them subordinate

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<sup>3</sup> Interviews with activists. La Paz, Bolivia. Summer 2015.

to party leaders or colleagues and hinder their effectiveness as decision-makers. An analysis of 117 cases of VAWIP received by the Association of Female Councilors of Bolivia (Asociación de Concejalas de Bolivia – ACOBOL) between 2000 and 2005, reveals that 36% were pressures to resign and 21% were actions to interfere with a woman in politics' ability to carry out her responsibilities (Rojas 2010). In short, VAWIP also affects women's descriptive representation (Pitkin 1967) by undermining measures to reach parity in decision-making; substantive representation because it directly affects women's ability to advance their interests; and symbolic representation by undermining women's public image as politicians.

Research on gender and politics has given great importance to women's presence in politics, arguing that increasing the number of women representatives at all levels of government is a matter of justice and strengthens democracy, by enhancing the quality of the political debate and advancing the interests of women (Phillips 1995). Despite efforts to increase women's descriptive representation in Latin America and around the world, parity in decision-making is still a far-fetched goal. Although there is extensive research on the barriers to women's access to political office (Carroll and Sanbonmatsu 2013; Childs 2008; Kittilson 2006; Krook 2009; Krook 2016; Matland 1998; Matland and Studlar 1996; Puwar 2004; Sanbonmatsu 2002; Sanbonmatsu 2006), these works have not yet theorized violence as one such barrier. Likewise, studies on women's substantive representation, which reflects on women's behavior as policy-makers and whether they 'act for' women,

have not considered violence as one of the obstacles that hinder the advancement of women's interests (Franceschet and Piscopo 2008; Piscopo 2014; Waylen 2008).

Finally, VAWIP has profound effects on democracy more broadly as it is a direct violation of the democratic principles of equality and non-discrimination. As a form of gender-based violence is a violation of women's human rights. VAWIP affects the representation process, not only of women, but of those constituents whose vote is nullified through coercion, intimidation, and violence. This research thus contributes both to our understanding of women's underrepresentation in politics by theorizing a previously overlooked barrier to women's inclusion, namely violence, and by theorizing its effects on electoral procedures and democracy more broadly.

#### **A Distinction without a difference: definitions of VAWIP in Latin America**

Women's organizations in Latin America have played a key role in 'naming' VAWIP. First in Bolivia, and later on in the rest of the region, these organizations supported by INGOs did the first studies on VAWIP. The organizations also planned workshops and conferences with women politicians where they discussed the issue. By doing so, they 'gave a name' to a problem that many women in politics were suffering, but had no name (Escalante and Mendez 2011; Friedan 2013; Quintanilla 2012b). Naming has a crucial function as it determines how "a new concept will be received" (Goertz and Mazur 2008, 21). These organizations have thus shaped the debate on this problem beyond their own countries and have contributed to its recognition both in the region and globally.

When the Association of Women Councilors of Bolivia (Asociación de Concejalas de Bolivia – ACOBOL), the first organization to discuss violence against women in politics, started mobilizing around VAWIP, it referred to this problem, back in the late 1990s as ‘acoso politico’ or political harassment. However, soon after the organization started receiving the first cases, it became apparent that this issue was more than harassment<sup>4</sup>. Indeed, during an interview, one of the founding members of ACOBOL was emphatic that “what happened to me was not harassment, it was violence”<sup>5</sup>. The first published study prepared by a feminist activist in Bolivia with data provided by ACOBOL defines political harassment as “actions of physical, sexual or psychological *violence*” (Machicao Barberly 2004, 5 emphasis added). In this report, the word ‘harassment’ was not used to indicate degrees or to characterize the manifestations, but to highlight how systematic and continuous these attacks were.

The definition and separation between ‘harassment’ and ‘violence’ used in Bolivia has been the basis of definitions used by women’s organizations and NGOs in the region, with a few modifications. In Costa Rica, a 2011 study prepared by Ana Cecilia Escalante and Nineth Mendez for UN Women uses the Bolivian definition of harassment, but it clarifies that political harassment is a form of “gender-based *violence* in politics” which is about “power relations” (Escalante and Mendez 2011, 16 emphasis added). This study adds that political harassment and violence occur because women are not considered “full citizens”<sup>6</sup>

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<sup>4</sup> Interview with Activist. La Paz, Bolivia. Summer 2015.

<sup>5</sup> Virtual interview with politician. Fall 2015.

<sup>6</sup> The definition talks about “*sujetos sociales de derechos*” which means having their rights full recognized.

and political actors” and thus their experiences are filled with “discrimination, subordination, and sexual harassment”, their “proposals and contributions are discredited”, and they are “manipulated and pestered so that they make decisions that favor others, instead of their own interests” (16). The authors emphasize that these behaviors are a violation of women’s political, civil, and human rights. The decision to separate between harassment and violence possess theoretical challenges as drawing the line between the two is hard since women are attacked using a wide variety of strategies as will be explained in chapter two. However, this separation makes it easier for the concept to travel as it is an expansion of the concept by adding new dimensions (Goertz and Mazur 2008, 18–19).

Women’s organizations in Peru used the Bolivian and Costa Rican definitions as the basis for their own studies (Quintanilla 2012b). However, as definitions of the issue in Latin America evolved to include ‘violence’, Peruvian activists opted for describing VAWIP as ‘harassment’ in a deliberate attempt to differentiate this problem from the political violence the country suffered as a consequence of the Fujimori dictatorship and the armed conflict with left-wing guerrillas<sup>7</sup>. The decision to use the word harassment, instead of violence, is an attempt at contextualizing the concept of VAWIP by defining its specific characteristics in Peru. With this effort, activists in the country both narrowed the meaning of political violence by excluding the violence that women politicians face *as women* and

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<sup>7</sup> Virtual interview with Peruvian politician and activist. Fall 2015.

created another concept to describe this particular phenomenon (Goertz and Mazur 2008). Despite this differentiation, the manifestations that are included in the first reports published in this country include physical and psychological violence (Quintanilla 2012b).

In Ecuador, feminist activist Maria Arboleda wrote the first report of this issue in her country. She also grounds her conceptualization in the Bolivian and Costa Rican definitions but develops a very strong argument for the use of the word violence explaining that violence takes place in three realms, “actions, perceptions, and discourses,” and that political violence against women is strongly tied to institutional violence, which is a “passive” form of violence “perpetuated by unequal socioeconomic conditions” (Arboleda 2012, 17–18). Despite this view, the Association of Women at the Municipal Level in Ecuador (Asociación de Mujeres Municipalistas del Ecuador - AMUME) adopted the Bolivian strategy of differentiating between harassment and violence. AMUME defines political violence as “the actions or aggressive behaviors, that delegitimize or denigrate women [...] and that cause harm to an elected or appointed woman” (Arboleda 2012, 47). Harassment is conceived as actions that have the same goals but do not cause harm, the same distinction made by Bolivian activists.

Other countries have opted to use or emphasize the word “violence” to describe this phenomenon. In El Salvador, a study by feminist activist Morena Herrera and Mitzy Arias, a politician at the local level, explains that VAWIP is a new form of violence against women. This study also uses the Bolivian definition of harassment and recognizes it as an expression of violence (Herrera, Arias, and García 2012). However, they add a new

dimension to this phenomenon by using the word 'hostility' which emphasizes not only the actions but also to the environment those actions create. The idea of VAWIP as a "new" form of violence against women is similar to what an activist in Bolivia said: "When there were no women in politics, there was no VAWIP"<sup>8</sup>. So, even though a causal connection between the increase of women in politics and VAWIP cannot be directly established, there is a correlation between the two that cannot be ignored.

In Mexico, VAWIP is described as 'gender-based political violence'. Unlike other countries in Latin America, the conceptualization of VAWIP in this country has been done by state institutions, particularly electoral institutions and the National Women's Institute (INMUJERES). In 2016, the Federal Electoral Tribunal of the Judiciary (Tribunal Electoral del Poder Judicial de la Federación - TEPJF), along with other institutions, published an electoral protocol to manage cases of VAWIP in the absence of legal reform. The protocol defines political violence against women as:

"All the actions or omissions –including neglect-...that, based on gender, and in the context of political and electoral rights, have the purpose or the result of denigrating or nullifying women's political rights or the requirements necessary to perform a public job." (TEPJF 2016a, 19).

This definition emphasizes the *electoral* dimension of VAWIP which has profound effects on the strategies used to end this phenomenon.

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<sup>8</sup> Interview with activist. La Paz, Bolivia. Summer 2015.



In Colombia, two non-governmental organizations have worked on VAWIP. The first is the Netherlands Institute for Multiparty Democracy (NIMD) which published a report on the issue in 2016<sup>9</sup>. The other organization is UN Women. Both organizations prefer the word ‘violence’ and recognize harassment as one of its manifestations. Even though these institutions do not have strong ties with women’s organizations or activists, they work closely with women politicians in the country and have created training workshops for aspiring candidates at the local level. Thus their approach to the problem will most likely impact how women’s organizations in the future define the issue.

The UN Women report, published in 2016, uses Colombia’s law on Violence against Women (Law 1257 of 2008) as the basis for defining VAWIP. It frames VAWIP as an extension of domestic violence. In this sense, VAWIP is seen as a form of gender-based violence that occurs in the public sphere. This study also argues that other forms of violence –such as violence related to the armed conflict- affect women’s autonomy and thus affects women’s political participation<sup>10</sup>. The report by the NIMD uses the phrase “Violence against women in politics” or “Violencia contra Mujeres en Política” to define this issue, and recognizes harassment as one of its manifestations (Restrepo Sanin 2016a).

The different names used throughout the region signal both strategic decisions made by women’s organizations, along with specific contextual elements. Both in Mexico

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<sup>9</sup> I was the author of this report.

<sup>10</sup> The study found no statistically significant correlation between levels of violence against women and women’s political participation but it found that in the region with lower levels of VAW, there were higher levels of women’s political participation.

and Colombia, countries that have seen severe political violence as a consequence of the armed conflict and the drug on wars, the use of the word violence links VAWIP with larger efforts to make politics more inclusive and less violent, while recognizing the differentiated impact that violence has on women politicians. The decisions made by women activists in regards to the 'proper' name for VAWIP highlights the importance of keeping in mind the context, naming, and traveling guidelines for creating a concept suggested by Goertz and Mazur (2008).

### **Latin America as the Model**

The focus of this research project is Latin America. The first cases of VAWIP were reported in the region in the late 1990s in Bolivia. Since then, the discussion of VAWIP has traveled to most countries in the region. Women's organizations and International Non-Governmental Organizations (INGOs) have supported the publication of reports on VAWIP at the local level in Peru, Costa Rica, Mexico, El Salvador, Honduras, Ecuador, and Colombia. Further, regional organizations including the Inter-American Commission on Women and ParlAmericas have organized events to make VAWIP visible and promote diverse strategies to combat it, while in 2015 national authorities in charge of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI), signed an agreement recognizing VAWIP and promoting the adoption of diverse strategies to prevent, handle, protect, eradicate, and sanction VAWIP (OEA - CIM 2015).

Besides these efforts to collect data and make VAWIP visible, legislative proposals to criminalize VAWIP have been advanced in the region. In 2012 Bolivia became the first –

and still only- country in the world with a law against “Political violence and harassment against women”. Similar measures have been proposed at the national level in Peru, Ecuador, Costa Rica, Mexico, and Honduras. This in addition to the subnational-level measures adopted by eleven Mexican states (Hevia Rocha and Peniche Cabal 2017).

The emergence of the debates on VAWIP in Latin America is not surprising, given that the region currently has the second largest percentage of women legislators in the world -28%- while parity in decision-making has been adopted in Bolivia, Mexico, Nicaragua, Costa Rica, and Paraguay. Moreover, the transnational nature of the women’s movement in the region (Alvarez 2000; Sternbach et al. 1992) has facilitated sharing information and strategies in regards to VAWIP (Rojas 2010). At the same time, the discussion and debates on VAWIP have not been uniform. There have been challenges and contestation to this issue, based on contextual differences. These debates enrich research on VAWIP as it provides different perspectives and helps build a stronger concept that can more easily travel and capture the variations in the manifestations of VAWIP determined by specific cultural and political practices (Goertz and Mazur 2008).

Given the development of the discussion of VAWIP, and the proposal of diverse strategies to prevent and eradicate this form of violence in the region, Latin America is an excellent case for studying this phenomenon. There is evidence suggesting that other countries have started looking at the discussion in Latin America. For example, in a recent Expert’s Meeting on Violence against women in politics organized by UNWomen, the cases of Bolivia and Mexico, as well as the role of the MESECVI, were discussed. Despite the

development of the discussion of VAWIP in Latin America, studies to date have rarely looked at the region comparatively, focusing instead on specific cases. This dissertation analyzes both national and regional discussions on VAWIP.

### **Doing Research on VAWIP**

Given the nature of the questions this research asks, qualitative methods are the best tool to answer them. I began with the outcome: ‘discussion of VAWIP in Latin America’ in order to understand why and how it happened (Goertz and Mahoney 2012). Because there is no consensus on what is and what is not VAWIP, the quantitative data available – which is scarce to begin with- is insufficient to assess the incidence of VAWIP. A first step to developing common indicators to develop statistical data is to have a strong conceptualization of what VAWIP is, and how to differentiate it from other forms of political violence (Sartori 1970). This research contributes to this task by providing an in-depth analysis of what VAWIP is and how it manifests in Latin America. In this regard, it theorizes the importance of understanding the context in which VAWIP occurs and the patterns of attack for identifying cases and ultimately collecting quantitative data.

For developing the theory and making the analysis, this research used interviews with activist, politicians, state officials, practitioners, lawyers, and academics. In-person interviews were conducted in the summer of 2015 in La Paz, Bolivia, and in Mexico City in November 2015 at the seminar “Violence against women in politics in Latin America: Diagnostics, Dialogues, and Strategies,” held at the National Autonomous University of Mexico and co-sponsored by the Electoral Tribunal of the Federal District of Mexico City. I

also collected testimonies of women candidates and politicians from Central America during the Parliamentary encounter “El Camino Electoral de las Candidatas” organized by ParlAmericas in Guatemala during the summer of 2016.

Additionally, I did numerous phone and Skype interviews. Although this method has drawbacks as some contextual information is lost (Hanna 2012), it facilitated access to politicians and gave me the possibility of talking to women from different countries. In total, I conducted 30 interviews with women from Bolivia, Costa Rica, Mexico, Ecuador, Peru, El Salvador, and Honduras. The interviews were confidential but an identifier is used to categorize the occupation of the interviewee without revealing personal information.

I complemented these conversations with 32 additional interviews done in collaboration with the Netherlands Institute for Multiparty Democracy in Colombia in the fall of 2016. These interviews were conducted as part of their project, “Gender Equality and Women’s Political Empowerment in Colombia, Kenya, and Tunisia,” for which I worked as a consultant. This collaboration led to the publication of the report “Women and Political Participation: Violence against Women in Politics” (Restrepo Sanin 2016a). I provided the guidelines for the interviews, both in terms of the questions that should be asked and the manner in which the interviews should be conducted. These interviews were made by phone or in-person by two members of the NIMD in Colombia. I had access to both the audio recording and full transcripts of the interviews, plus the results of a survey conducted with 166 women elected between 2012 and 2015.

Besides the interviews, I examined reports written by women's groups and international organizations in the region. These reports are fundamental for analyzing VAWIP in Latin America as they contain detailed information about cases in different countries and reveal particular manifestations that occur as a consequence of differences in electoral systems and party regimes. I collected pamphlets, bulletins, training materials, communication campaigns posters, and other materials created by women's organizations, and international institutions working on VAWIP in the region.

These documents are an important source for understanding VAWIP in Latin America as they 1) were created by these organizations based on interviews, surveys, focus groups, and testimonies with women politicians, at different levels of government, and 2) they have been also used to 'educate' women in politics about what VAWIP is, which has contributed to the understanding of the issue in the region. In this regard, these documents work as 'found' sources that present a picture of the issue of VAWIP as understood by relevant stakeholders in Latin America (Reinharz and Davidman 1992). They have also shaped the discussion of VAWIP in the region as they have been shared among activists and women's organizations. In total, I collected over 90 such documents.

I also analyzed legislative debates from Bolivia and Mexico, the only two countries where legislative proposals have been discussed in the national legislative. These debates were used to identify the arguments used to support this legislation and the challenges to those arguments. Some of these debates also included references to the role of women's organizations, international organizations, and norms, as well as personal narratives about

experiences with VAWIP. Additional sources included court documents and rulings for the cases of VAWIP in Bolivia and Mexico. These documents provide valuable information about the limitations of the legislative proposals and other measures used to combat VAWIP, the arguments used by perpetrators to justify their actions, as well as the standard of evidence that is necessary to support the claim that these actions are ‘gender-based’.

Finally, I have collected over 550 news reports about VAWIP from all over Latin America. To collect these reports I set up Google Alerts for the most common terms used to identify VAWIP<sup>11</sup>. This tool is used to monitor changes in websites and sends daily email updates for new content like news reports, blogs, and websites.<sup>12</sup> I have used these reports to identify cases, find quotes and opinions about these cases on the issue of VAWIP, follow those cases –for example, what has happened with perpetrators or victims–, and keep track of the discussion of the issue in the region. Because there is no consensus on what VAWIP is and what it is not, what are its manifestations, or what makes a case ‘gender-based’ instead of a case of ‘regular’ violence against politicians, I have not used these reports to ‘count’ cases of VAWIP. Instead, they have been used to provide a picture of how the issue is understood.

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<sup>11</sup> The alerts were set for: political harassment against women; political violence and harassment against women; gender-based political violence; and gender-based electoral Violence. In Spanish were: violencia política contra mujeres; violencia contra mujeres en política; acoso contra mujeres en política; acoso político contra mujeres; violencia política en razón de género; violencia electoral de género; violencia electoral contra mujeres.

<sup>12</sup>[https://support.google.com/websearch/answer/4815696?visit\\_id=1-636506923861885763-4032431507&rd=3](https://support.google.com/websearch/answer/4815696?visit_id=1-636506923861885763-4032431507&rd=3)

To analyze these sources I was guided by a feminist research ethic that emphasizes the importance of the context and the experiences of those who have been marginalized (Ackerly and True 2010). I also used feminist content analysis in order to evaluate both, those institutions and actors who are present in the documents and the interviews, and those who are silenced or ignored (Reinharz and Davidman 1992).

### **Chapter outline**

The dissertation proceeds as follow: Chapter two presents an overview of the development of the debates on VAWIP in Latin America, focusing on explaining what VAWIP is and what particular manifestations are common in the region. Based on testimonies from women politicians, this chapter argues that it is necessary to understand VAWIP not as a series of separate actions but as a continuum of violent acts. Focusing on isolated or highly visible actions ignores the every-day strategies used to undermine, humiliate, and abuse women. This also leads to focus only on the most extreme and rare cases of VAWIP –namely cases of kidnapping, assassination, and rape- while ignoring the everyday forms of violence most women in politics face while exercising their political rights. Instead of looking at single instances or acts, to recognize VAWIP it is necessary to analyze both the context in which attacks occur and the patterns of attack (Ackerly and True 2010; Connors and Harway 1995; DeKeseredy 2011; Kilpatrick 2004).

After the theoretical discussion, chapter three focuses on Bolivia, the first country where VAWIP was discussed systematically and still the only country that has criminalized “Political violence and harassment against women” (Law 243). Because understanding the



background in which attacks against women politicians occur is a fundamental piece of my argument, this chapter describes the context in which the first cases of VAWIP emerged and that allowed for the discussion and approval of Law 243. The chapter argues that sociopolitical transformations occurring in the country in the late 1990s and early 2000s facilitated both the visibility of acts of violence against women politicians and the discussion and advancement of the bill proposal that became Law 243.

Chapter four focuses on the development of the concept of ‘political harassment and violence against women’, the bill proposal, and the role of women’s organizations in making VAWIP visible in Bolivia. The chapter argues that an alliance between non-indigenous women activists –who led the discussion of VAWIP- and indigenous women, was fundamental for the inclusion of VAWIP as part of a larger women’s agenda. Through this alliance, the Andean notion of *Chachawarmi* –the idea that men and women have complementary but equally important roles within the community (Arnold and Spedding 2007)- was given a new meaning, which facilitated the approval of Law 243 and the discussion of parity as a fundamental principle in the Plurinational State.

After tracing the process to approve Law 243, Chapter five engages in a critical analysis of this law and the regulatory framework that was approved in 2016. The chapter returns to the main argument regarding the importance of understanding VAWIP as a continuum of violent actions that are used to maintain the gendered status quo of politics. This chapter focuses on understanding the main elements of the law and to critically assess its limitations. As the first law of its type in the world, Bolivia’s law 243 has been used as a

model for legislation in Latin America, with some proposals in the region repeating almost verbatim Bolivia's definitions, protective mechanisms, and sanctions. As such, this analysis provides an important tool for assessing the potential effectiveness of other measures.

In chapter six the discussion returns to a broader focus on Latin America, analyzing the different strategies that have been advanced in the region to make VAWIP visible and eradicate it. This chapter analyzes all the national-level legislative proposals advanced in different countries, including Mexico, Costa Rica, Peru, Ecuador, and Honduras, as well as the eleven sub-national measures approved in different Mexican states. This chapter proposes a typology of state-sponsored measures to handle cases of VAWIP. Based on this typology, this chapter argues that –although theoretically sound- legislative proposals that frame VAWIP as a form of Violence against Women offer little resolution to the victims as these crimes go largely ignored by the justice system. In contrast, framing VAWIP as an electoral crime –as has occurred at the Federal level in Mexico- highlights the effects of this problem on electoral integrity and democracy, although this strategy also has limitations. Chapter seven brings the argument together, discusses the main findings, and proposes areas of future research.

Violence against women in politics is at the intersection of VAW and political violence. The findings of this dissertation highlight the connections between these seemingly disconnected forms of violence contributing both to our understanding of political violence and violence against women. By proposing a broader conceptualization of violence, this research brings attention to new actors and victims of this form of

violence, highlighting that it can occur even in countries that are not suffering from civil war or civil unrest, which has been the focus of works in political violence (Valentino 2014). Instead, this research shows a different way in which women are attacked as political actors: not only because of their political ideas or ethnicity, motives frequently used as explanations for political violence, but *because they are women* (Breen-Smyth 2012; Valentino 2014). This way, it continues the tradition initiated by feminist scholars working on international relations who have contested and challenged the field's traditional views on political violence and have argued for 'gendering' the concept (Ahäll and Shepherd 2012; Shepherd 2007; Shepherd 2010; Sjoberg 2012).

This dissertation also contributes to the literature on VAW by bringing attention to spaces and actors frequently ignored in this literature. It also emphasizes the systematic and structural nature of VAW. Although feminist scholars doing research on VAW have worked hard to reveal its public nature, much of the work in this area still focuses on domestic or inter-partner violence. VAW, however, occurs in both the public and the private sphere. By focusing its attention on VAW in the public sphere, this dissertation further establishes a connection between VAW and political violence.

Finally, this dissertation contributes to the growing work that seeks to explain women's underrepresentation in politics. Traditional explanations in this regard focus on the role of political parties as gatekeepers (Bruhn 2003; Caul 1999; Sanbonmatsu 2006), recruitment and ambition (Fox and Lawless 2010; Kenny 2013; Lawless and Fox 2010b), and formal and informal institution in hindering women's political participation (Chappell

2006; Hawkesworth 2003; Kenny 2007; Mackay and Krook 2011; Thomas 2016). Although some of these works refer to sexism and discrimination, they have not conceptualized violence as one of the barriers. VAWIP operates not only on the societal level but also on the institutional level and affects both women's descriptive and substantive representation (Pitkin 1967). In regards to descriptive representation, VAWIP affects women's number in politics by creating a hostile environment and forcing women out. It affects women's substantive representation because it affects women's performance as legislators and politicians, limiting the work they can do on behalf of their constituents, including women. Further, as some studies have started to note (Krook 2018a; Krook 2018b; Kuperberg 2018), women who are vocal on feminist issues are frequently victimized at higher rates than other women. This contributes to explain why, despite the elimination of formal barriers and the growing number of women in politics, the representation of women's interests still lags.

## CHAPTER TWO: HARASSMENT AND VIOLENCE AGAINST WOMEN IN POLITICS IN LATIN AMERICA

Violence against women in politics (VAWIP) is a global phenomenon but it is in Latin America where this issue has been most widely discussed both by civil society actors and in state institutions. Analyzing how Violence against women in politics in Latin America has been conceptualized and the discussions around this issue provides important keys to study VAWIP in other regions. First, as VAWIP has been continually discussed in Latin America since at least the late 1990s debates and issues that emerged in this region will probably arise in discussions about VAWIP in other regions and globally. Second, studying VAWIP in Latin America provides information about the most effective strategies to make VAWIP visible, sanction perpetrators, and find justice for those who have been victimized. Finally, analyzing the particularities of the Latin American case, and how VAWIP varies within countries, provides useful tools for analyzing VAWIP both in a global scale, but also in particular countries and region as it shows how specific cultural and political tools are used to attack women and excuse or justify these attacks, and how VAWIP affects democratic practices.

This chapter analyzes what distinct forms of violence are used in Latin America to maintain the gendered political status quo, which, this dissertation claims, is the ultimate goal of VAWIP. Following a feminist research ethic (Ackerly and True 2010), I argue that to

recognize acts of violence against women politicians as VAWIP, it is fundamental to understand the *context* in which these actions emerge and to analyze the *patterns* of attacks, instead of focusing on discrete actions against individual women. This perspective provides a broader view of the problem and helps to better understand how women experience VAWIP. Focusing on the context allows us to understand the “socially-constructed nature of our world and the need to interpret and analyze our data in its particular contexts” (Ackerly and True 2010, 189), while analyzing patterns is consistent with feminist and public health approaches on Violence against Women (VAW) which see this issue not as a series of independent actions, but as a continuum of violent acts that do not feel separate for the victim (Connors and Harway 1995; DeKeseredy 2011; Kilpatrick 2004). Looking at the patterns also allows to see the different power dynamics that are at play in VAWIP and how they evolve over time. By analyzing the Latin American context it becomes evident that, although physical violence is a common form of violence used to maintain the gendered status quo of politics, other forms of aggression are used in everyday interactions. These forms of violence in Latin America have been conceptualized as ‘political harassment’ and include gender microaggressions and false accusations of corruption.

The next section will develop the argument theoretically and explain why only by looking at the context and the patterns of attack, it is possible to identify VAWIP. Given that harassment has been an important manifestation of VAWIP in Latin America, I propose a typology that captures the different ways in which harassment manifests and how it is

connected to VAWIP as part of the continuum of violence. This chapter demonstrates how systematic and pervasive practices undermine women's performance as politicians, and reinforce the idea that they do not belong in politics by analyzing the continuous use of gender microaggressions as a low-cost, but effective expression of harassment and violence,

Following the theoretical approach, I will show how the context of resistance to women's inclusion in Latin America serves to differentiate VAWIP from other forms of political and electoral violence –without denying that they are interrelated. I will then review a few examples to show how the context and the patterns –with the typology proposed- can be identified. Finally, I will reflect on two additional and important components of VAWIP in Latin America to help situate the issue of VAWIP into the larger sociopolitical context, specifically in terms of timing and local-level political dynamics.

### **Looking at the whole picture: Context and Patterns of Violence**

Violence against women in politics is a form of violence against women (VAW) or gender-based violence. Women politicians are attacked *because* they are women (Krook and Restrepo Sanin 2016a). This does not mean that the perpetrator(s) are consciously aware of the motivations, that they are willing to articulate them out loud, or that they are not intertwined with other motivations, such as criminal activity or partisan differences. In this sense, women face the same forms of violence men in politics face: they may be attacked because of their political ideas, policy-positions, or because of their stance and relationship with other groups. However, women's presence disrupts the gendered status

quo of politics (Hawkesworth 2003; Puwar 2004), and thus they are victims of other forms of violence that seek to maintain this status quo.

Activists in Latin America, as well as the legislative proposals to criminalize different acts of VAWIP, have used diverse names to describe this phenomenon. In Bolivia, the name used is “political harassment and violence”, a definition that has spread across the region. However, in Peru, the focus has been on “harassment”, in El Salvador, activists have referred to this issue as “hostility” while in Mexico electoral authorities have called it “political violence” (Escalante and Mendez 2011; Herrera, Arias, and García 2012; Quintanilla 2012b; TEPJF 2016a).

The differentiation between harassment and violence is done in order to indicate that there are different degrees of harm. Following the Bolivian example, harassment refers to behaviors that -apparently- do not cause physical or mental harm, but also suggests that the actions that women are victims of are persistent and systematic. Violence refers to actions that are perceived as more extreme and cause harm<sup>13</sup>. Although strategically important, as it facilitates legal action and mobilization of different actors (Krook and Restrepo Sanin 2016a), this separation minimizes or even ignores the harmful effects of harassment has on a victim’s mental health and wellbeing, on her performance as a representative, and on her political career. It also conceives of harassment and

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<sup>13</sup> Interview with activists. La Paz, Bolivia. Summer 2015.



violence as two different issues even though they are experienced by women as the same (DeKeseredy 2011; Kilpatrick 2004; Marin and Felipe Russo 1999; Stark 2007).

Although activists in Bolivia decided to use the word ‘harassment’ they were aware of the challenges using this word could entail. In fact, they preferred the use of the word ‘violence’ because harassment could be confused —as indeed happened— with *sexual harassment*<sup>14</sup>. Sexual harassment is one of the manifestations of VAWIP, but it is not the only one, and reducing VAWIP to just one of its forms misrepresents the experience of the women who are victimized.

Another problem with using the word ‘harassment’ is that the expression ‘*acoso político*’ or political harassment has been used throughout the region to refer to attacks on politicians, especially from the opposition, in an environment of increased anti-democratic practices in several countries (Corrales 2015; Mainwaring and Pérez-Liñán 2015). In these cases, harassment is not a gendered phenomenon. Although there are no legal or academic definitions, the news reports that used this expression referred frequently to politicians in the opposition being attacked for criticizing the government. In this context, harassment refers to the use of legal mechanisms against politicians or institutions that criticize the government, freezing assets, pressuring political parties or organizations, or publishing memes on social media (ANF 2017; G. García 2017; Luna Acevedo 2017). These tactics are widely used in competitive authoritarian regimes in order

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<sup>14</sup> Interview with activists. La Paz, Bolivia. Summer 2015.

to demobilize the opposition while maintaining the appearance of abiding by the law (Levitsky and Way 2010).

What differentiates these instances of harassment from VAWIP is that they have clear political motivations. For example, a doctor in Bolivia, President of the Medical College in La Paz declared that he was being harassed by a group “with close ties with the Government” while the Professional Association was protesting against a new law and a presidential decree (ANF 2017). In the cases of women who are harassed, the perpetrators may be from the opposition, but also –very frequently- from the same political party. Perpetrators can also be civil servants, other members of the council or the mayor, or civil society actors. In other words, while “political harassment” is unidirectional, VAWIP is multidirectional.

#### *Theorizing Political Violence and Harassment against Women*

Activist and politicians in Bolivia and in Latin America more broadly, have recognized the complexity of VAWIP since the discussion of this topic began. Activists in Bolivia were aware of the use of physical and psychological violence to pressure women to resign. However, they were emphatic that these were not the only forms of violence used to force women out of politics. Instead, they recognized other actions used to undermine women’s authority, make their work unbearable, and ultimately force them to resign<sup>15</sup>. The systematic and pervasive use of these other strategies, including pressuring women to

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<sup>15</sup> Interviews with activists. La Paz, Bolivia. Summer 2018.

share their seat with the alternate; asking women constantly to clean, bring food, or make copies instead of actively participating in meetings; insulting women and questioning their abilities to govern, among other actions, is what led women in Bolivia to use the word 'harassment' alongside 'violence' to define VAWIP.

Further, activists in Bolivia recognized that the harassment and violence women politicians were suffering as a result of their inclusion in politics, were an extension of the violence women face in all spheres of life. The ubiquity of violence led to the naturalization of violent acts in politics:

“Women have been used to violence, not only in our homes, but transfer that private violence to our public life. That transfer is very interesting because if the mayor or a councilor beats me up in the city council, that is not strange to me, it is not strange but familiar because it is natural to me. I come from a violent home, from a violent family, have a violent husband, and here I fall prey of these guys, men, in the municipality, who are violent... but everything is completely naturalized, so everyone is happy”<sup>16</sup>.

The naturalization of VAWIP led activists in Bolivia to separate violence and harassment to highlight that seemingly 'normal' behaviors, such as asking women to bring coffee, were inappropriate and were used systematically to undermine women's political work. Considering all of these behaviors concurrently, women in Bolivia called this phenomenon “Political Harassment” and recognized its use against women politicians with the purpose of undermining their work and forcing them out of politics. Moreover, these

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<sup>16</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

behaviors, individually, were not criminalized, nor had women any recourse of action when they were attacked, thus they emphasized their use when drafting a bill proposal.

Taking a step backwards and analyzing the context in Latin America, it becomes evident that focusing just on acts of physical violence hides the everyday ways in which women politicians are attacked and undermined, and that may vary in different countries. These actions, which in Latin America include gender microaggressions and false accusations of corruption as detailed below, are lost when focusing only on the most extreme forms of violence, which, even though they are frequently used, are not faced by all women.

Furthermore, although the separation between harassment and violence (or hostility)<sup>17</sup> is strategically useful, it is not theoretically justified: women who are victims of VAW do not experience different attacks as separate but as profoundly connected: psychological abuse and coercive control are as much violence as a physical beating (Kilpatrick 2004; Stark 2007). Instead, researchers and practitioners working on VAW argue that these actions should be understood as part of a continuum. Men use diverse tactics to control and subordinate women.

#### *VAWIP as a Continuum of Violent Acts*

The idea of a continuum or a spectrum has been used by feminist academics and activists to analyze VAW as it better captures the experiences of women with violence. In

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<sup>17</sup> This is the name given to VAWIP in El Salvador.

the 1980s, feminist activists working with battered women developed the so-called Duluth Model of intervention in cases of domestic violence. This model conceives domestic violence along a 'power and control' wheel used to explain how men perpetrators of domestic violence use different strategies to dominate women. These tactics include physical and sexual violence, but they also include coercion and threats, emotional abuse, child abuse, and male privilege, among others (DAIP 1980; Shepard and Pence 1999).

Liz Kelly (1987) has more thoroughly developed the concept of a continuum of violence to discuss women's experiences with sexual abuse and violence. She argues that most women have been victims of sexual violence in their lifetime and thus, a continuum better captures women's experiences. A continuum, she explains, allows understanding sexual violence as both, the "basic common character that underlies many different events" and "a continuous series of elements or events that pass into one another and cannot readily be distinguished" (Kelly 1987, 48).

To understand the idea of a continuum of violence, Connor and Harway developed a model for understanding sexual harassment in a continuum. As with the Duluth Model, this continuum centers power in the analysis of gender-based violence. Their model categorizes different actions according to their effects, going from actions that are discriminatory to actions that attempt to trivialize, suppress, attack, and eliminate women's power (Connors and Harway 1995).

Just as with VAW, power is at the center of VAWIP. Not only does VAWIP originate in unequal relations between men and women in society at large, but it is also related to

access to political power. Politics has been constructed based on the exclusion of women (Okin 2013; Pateman 1989). With the adoption of gender quotas and parity laws in Latin America, women's presence became a threat to the gendered status quo of politics. Just as with domestic violence and sexual harassment, VAWIP is a way to reinforce men's power and establish women's subordination in the public sphere (Connors and Harway 1995; DAIP 1980; Stark 2007).

Understanding VAWIP as a continuum of violence does not mean that particular actions can be neatly placed under one category or that specific actions are more or less grave than others. As Kelly explains:

“[T]he effects on women cannot be read off simplistically from the form of sexual violence women experience. How women react to and define their experiences at the time and how they cope with them over time differs and a complex range of factors affect the impact of particular experiences.” (Kelly 1987, 49).

Women politician's life experiences also affect how they experience, perceive, and talk about violence. It is not uncommon for women to deny being victims of violence while recognizing that they know of 'other women in politics' who have been victimized, or disregarding abusive and discriminatory behavior as 'normal' while brushing certain actions off (Cerva 2014; Krook and Restrepo Sanin In preparation). Nevertheless, even if certain actions that attempt to or have the consequence of disempowering women politicians are not perceived as 'violence' by the victim or by an outsider, they should not be disregarded. Certain 'innocent' actions, such as asking women to bring coffee or clean a meeting space, are individually not acts of violence but they reiterate women's

subordinate position and reinforce gender roles, through a “process of performance that must be continually repeated” (Ferber 1998, 54).

### **Recognizing the Continuum of Violence**

Given that VAWIP is a continuum of violent actions it is necessary to analyze the context and the patterns of abuse in order to recognize it. Focusing on individual cases – whether a woman politician who has been victimized or a particular action that said woman experienced- leads to confusing VAWIP with other forms of violence, such as criminal violence. Analyzing the context in which attacks of women politicians occur is fundamental because this reveals how gender relations have been constructed, and how challenges to gender relations have been received. The context also reveals the larger pattern, in terms of who else is being attacked and how these acts change over time. The patterns also reveal the diverse tactics used to attack women and the impact of these actions on the structural inequality between men and women. Feminist political scientist and academics have for long called for the understanding of violence as a continuum, recognizing the connections between everyday forms of control and coercion and larger “more spectacular” forms of violence, including terrorism and state violence (Cockburn 2010; Cockburn 2013; Pain 2014). Looking at individual actions ignores the ways in which everyday acts of oppression are connected to more overt forms of violence.

Furthermore, analyzing only particular actors or particular actions leads to center the debate on the probable motivations of perpetrators of VAWIP. This perspective is problematic because proving motivations is very hard –especially when the perpetrators

themselves may not even be aware of their prejudices. It also centers the analysis on outsiders, who may not be aware of the full picture. By including the context in the analysis of VAWIP it is possible to see the impact of structural factors, instead of the characteristics or motivations of individual perpetrators (Yllo and Bograd 1988). This perspective also provides insights into how even women politicians who are in prestigious positions –such as presidents- are also victims of VAWIP: interpersonal relations are only part of the power structures in society, and thus, the relationship between individual perpetrators and their victims are not relevant unless understood in the broader context of gender power relations.

Although the separation between harassment and violence is not theoretically justified, it is understandable that activists in Latin America established a difference between them. Actions captured under the definition of ‘harassment’ are actions that are frequently disregarded as ‘not-violence’ and are normalized in relationships between men and women. In this regard, what women activists wanted in Bolivia and in Latin America more generally with the bill proposals to criminalize VAWIP was a legal recognition that these actions are not unimportant and affect women’s wellbeing and performance as politicians. However, by separating between harassment and violence, legislative proposals have reinforced the idea that they are two different issues. As Stark (2007) has shown, this has consequences as single incidents are used by the justice system to assess the severity of abuse. In the case of VAWIP, this leads to party leaders, political authorities, judges, the police, and other authorities, to disregard actions that legally constitute



harassment –and should be called violence- because they are seen as less severe, which puts women who are victimized at risk, as the most effective predictor of future abuse is past abuse (Stark 2007, 99).

Understanding VAWIP as a continuum of violence, instead of discrete actions, brings attention to its broader goal of maintaining the gendered status quo of politics. A single act of VAWIP does not help maintain men’s dominance in politics in the same way that a single action does not bring about gender equality. Rather, it is through systematic, pervasive, and everyday actions that the gendered status quo is maintained and normalized (Ferber 1998). The next section will analyze the context in which VAWIP emerged in Latin America.

### **The context as an indicator of VAWIP**

The discussion of Violence against women in politics in Latin America has taken place since at least the late 1990s. In 1999, a group of councilors in Bolivia created the Association of Female Councilors and Mayors of Bolivia (ACOBOL) as a response to attacks that several councilors had faced. Similar organizations were created in Ecuador and Paraguay (1993), El Salvador (1998), Honduras (1999), Dominican Republic (2006), Costa Rica, Peru (2008), and Colombia (Unclear but at least since 2010). These organizations have played a key role in promoting women’s political participation at the local level and have been the primary recipients and communicators of information about VAWIP. The creation of these organizations coincided with a regional increase in women’s descriptive representation due to the adoption of gender quota laws in most countries.

Latin American countries have adopted legislative gender quotas (Krook 2009). These quotas are not voluntarily adopted by political parties and are instead mandated through legal reforms. The first country in the region –and in the world- to adopt legislative gender quotas was Argentina which passed the “Ley de Cupo Femenino” or Female quota law in 1991 (Jones 1998). Following the agreements made in the Fourth Conference on Women in Beijing in 1995, 18 countries adopted some form of quota law (Piscopo 2015). By 2018, only Venezuela<sup>18</sup> and Cuba<sup>19</sup> do not have any type of quota. Guatemala is the only country without legislative quota in the region, but they instead have party quotas (Quotaproject 2018). Further, Costa Rica, Nicaragua, Ecuador, Panama, Honduras, and Bolivia have adopted gender parity laws (Piscopo 2016a; Piscopo 2016a; Piscopo 2018).

The first quotas generally imposed a 30% minimum of women in candidate lists, but, for the most part, did not impose sanctions for not compliance or established placement mandates. They also had loopholes that allowed parties to avoid complying with the quota if they used “democratic ways” to elect candidates, such as using primaries (Baldez 2007; Jones 1998; Krook 2009). This resulted in only marginal increases in women’s political participation (IPU 2018).

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<sup>18</sup> In 1997 Venezuela adopted a 30% quota for both the Chamber of Deputies and the Senate but this law was declared unconstitutional in 2000. The National Election Council has recommendations for the inclusion of women but, although enforced, are not legally binding. Venezuela only has 22.2% women in its National Assembly Quotaproject (2018; IPU (2018; Piscopo (2016a).

<sup>19</sup> However, it is worth noting that Cuba, despite not having quotas, has 48.9% women in the National Assembly of People’s Power, making it the third country in terms of women’s representation.

Besides the structural issues the quota laws had, quotas were met with resistance. Political parties took advantage of loopholes in the laws to avoid complying with the quota. One of the earliest strategies used to appear to comply with the quota without actually electing women was to put women at the bottom of electoral lists. This way, the party was technically complying with the quota by, for example, having three women at the bottom of a 10-person list, but women did not have a real chance of being elected. Another strategy was to put women candidates in unwinnable districts, again complying with the quota on paper, but not really giving women a chance to be elected (Piscopo 2015). Yet another strategy consisted of placing women as *suplentes* or alternates, instead of the principal in an electoral list. In some countries in Latin America, elected candidates have an alternate that takes their seat in case the principal resigns, dies, or is otherwise unable to fulfill the duties of their post. By placing women as *suplentes* parties were complying with the quota because they were elected as part of an electoral list, but in practice, women did not have access to power (Novillo 2011). It is not surprising then, that after the first quotas were adopted, women's political presence in the region did not substantially increase. In mid-2000, when 14 countries had adopted quotas, women were only 15.7% of national legislators (IPU 2018; Piscopo 2015). These patterns show resistance to gender quota laws and to women's inclusion (Franceschet, Krook, and Piscopo 2012; Krook 2009; Krook 2016). Consistent with the theory presented in this chapter, VAWIP is continuous with these acts.

Given these issues, the first quota laws were reformed in most countries to increase the thresholds, establish placement mandates and sanctions for non-compliance, created alternation, among other measures (Piscopo 2015). These changes, however, did not end the resistance of political parties to include women in their electoral lists. A strategy that was used in Mexico, Argentina, and Bolivia –among other countries- is to put a “placeholder” woman as the principal on an electoral list, and a man as the alternate (Archenti and Tula 2017; Baldez and Brañez 2005; Krook 2016). This strategy assumes that the spot on the list, and indeed the seat itself, does not belong to the woman but to the man she ‘replaced’ to comply with the quota, that is, the alternate. After the woman is elected, she resigns and gives the seat ‘back’ to the male alternate. In Mexico, in the 2009 legislative elections, 18 women resigned so their alternates could take the seat. This caught the attention of women’s rights activists and the media, who called these women ‘Juanitas’ (Saúl 2017). This strategy has also been attempted in Argentina (Caminos 2011).

A related strategy was used in Bolivia where political parties feminized the names of male candidates to appear to comply with the quota law. Feminist activists only realized the strategy when the ‘women’ who had been elected turned out to be men when they were to be sworn in as elected officials (Baldez and Brañez 2005). Another practice that has been used in Mexico is to change party allegiance when a party candidate has to step down as a candidate to comply with the quotas. In this practice, the male candidate who ‘lost’ his seat, leaves his old political party, usually a party with ample support in the region. He then joins another political party with less support and becomes that party’s candidate.

Members of the old party support the same candidate under a new label. With this practice, all parties win except the woman: the old party gets to have its candidate elected, the new party gets to have its label recognized and may get state funds for the election won, and the unhappy candidate gets the support from both its old and new parties, while women are left to fend for themselves without real party support (Zafra 2009). In a more overt form of rejection and resistance to the quotas, male Mexican candidates registered as transgender women in order to 'comply' with the quota laws. The issue was brought up by a local transgender women's organization who were surprised when a record number of transgender women registered as candidate. On a closer look, they realized these transgender candidates did not have any affiliation with the *muxes*<sup>20</sup> community, and some had even been public officials serving as men. The TEPJF annulled the candidacies of 15 of the 17 candidates registered as transgender because they changed their sex midway through the campaign in a clear attempt to 'comply' with the quotas (Animal Politico 2018; Sánchez Olmos 2018).

Evidence of resistance to women's inclusion is also provided by the legal challenges that quota law have faced. The 2000 Colombian quota law (Law 581) establishing a 30% minimum of women for electoral lists and administrative positions in the government was challenged in court by political parties. The Constitutional Court ultimately decided that parties did not have to comply with the law as the imposition of a quota on political parties

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<sup>20</sup> The name given to transgender women in Oaxaca, Mexico.

was a violation of the parties' autonomy (Corte Constitucional de Colombia 2000)<sup>21</sup>. Similarly, Venezuela adopted a 30% quota law through a reform to the Suffrage Law, but with the Constitution approved in 1999, the Suffrage law was abrogated, and the country has not created a legislative quota law since then even though the National Election Council has encouraged parties to follow requirements for women's inclusion and has enforced them (Piscopo 2016a; Quotaproject 2018, Page on Venezuela).

Other strategies adopted to increase women's political participation have faced similar resistance. In Mexico, the law determines that part of the public funding that political parties receive must be used for the promotion of women through training or campaign funds (Krook and Norris 2014). However, a study done by the Superior Electoral Tribunal of the Judiciary in Mexico (Tribunal Electoral del Poder Judicial de la Federación – TEPJF) found that these resources were used to buy cleaning supplies (Cárdenas Morales 2011). A similar law exists in Colombia, but elected women have reported that they do not know how these resources are invested, or how to access these resources, and that there are no training programs created by political parties (MGCI 2016; Restrepo Sanin 2016a).

As a response to these violations, legislative and electoral bodies in the region have improved the laws, closed loopholes, increased the thresholds, and extended the mandate to other branches of government or to the sub-national level (Piscopo 2015). In Bolivia and Ecuador, Constitutional reforms made parity in decision-making a central element of

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<sup>21</sup> The Court upheld the quota for government positions.

democratic governance and presidential decrees in Nicaragua and Honduras have mandated parity (Piscopo 2015). In Mexico, the TEPJF has ruled that political parties must abide by the 'spirit' of the law, in a ruling that guarantee that parties must comply with quota laws and has turned Mexico in the sixth country in terms of women's presence in the Federal Legislature with 42.6% in the Chamber and 47% women in the Senate (IPU 2018).

### **VAWIP as a form of Resistance**

Besides taking advantage of loopholes or blatantly abusing electoral rules and procedures, political parties and politicians have used other strategies to maintain the gendered status quo of politics. Women candidates and elected and appointed officials have reported being attacked, harassed, silenced, denied economic resources, and even kidnapped and threatened (Lopez and Quisbert 2017; Rojas 2012). Some women have been killed (Corz 2012). These actions have been conceptualized as Violence against women in politics, and defined as "behaviors that specifically target women *as women* to leave politics by pressuring them to stepdown as candidates or resign a particular political office" (Krook and Restrepo Sanin 2016a, 128). Although there are very high levels of criminality and violence in Latin America, and politicians are frequently targets of this violence (Arjona and de la Calle 2016; Morris 2012), VAWIP takes particular gendered forms that make it a different phenomenon.

Although there is no way to prove a causal connection between the increased numbers of women politicians in Latin America and VAWIP, the two phenomena can be

connected. Some studies on violence against women suggest that when the power balance in which men have more power is threatened, violence against women may emerge (Yllo 1984). Studies have also reported that women and people of color in leadership positions face backlash, especially when they behave assertively (Phelan and Rudman 2010a; Phelan and Rudman 2010b; Rudman and Glick 1999; Rudman and Glick 2001). This is consistent with the perceptions of women activists and politicians in the region, and, as an activist succinctly expressed: “when there were no women in politics there was no violence against women in politics”<sup>22</sup>.

Testimonies by women at the local level in Latin America reveal that they are particularly vulnerable. On the one hand, campaigns at the local level seldom receive the attention that national campaigns do, shielding perpetrators of violence from national scrutiny. At the same, professional relations in smaller communities are frequently also personal relations. Perpetrators not only have more information about the women available –for example in regards to travel routes or contact information- but also have easier access to their families, their friends, or their homes, amplifying the potential effects and the potential victims.

It can be argued that the high levels of criminal activity in Latin America are the root of these attacks. Combined with high levels of impunity, it is not surprising that extreme forms of violence are frequently used against political actors in order to achieve

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<sup>22</sup> Interview with Activist. La Paz, Bolivia. Summer 2015.



political goals (Dal Bó and Di Tella 2003; Morris 2012). However, as was mentioned before, VAWIP is a specific form of violence against politicians. Instead of being used to achieve specific policy goals –whether to get a contract or have the government ‘look the other way’- VAWIP is used to maintain the gendered status quo of politics either by forcing women out or by making sure women ‘keep their place’ by acting in a particular manner. Looking at the context and the patterns in which different actions occur helps differentiate between these forms of violence. Further, while maintaining the gender status quo is one goal of VAWIP, it may not be the only goal as VAWIP is frequently intertwined with conflicts over distribution of power or state resources between different stakeholders, or with criminal activity. Analyzing the gendered dimensions of violence against politicians is a fundamental element to understand women’s political participation (Krook and Restrepo Sanin In preparation).

### **Patterns as evidence of VAWIP**

Although most of the behaviors that perpetrators of VAWIP use to intimidate and attack women are not novel and are the same regardless of the country, there are a few elements of Latin America’s political and cultural context that facilitate the use of certain tools to maintain the gendered status quo of politics. This includes the use of corruption as a tool for attacking women, as well as the use of gender microaggressions.

The reports prepared by different women’s organizations in the region reveal the patterns of attack. Based on those reports, I propose a typology of harassment. As was mentioned before, harassment and violence are not distinct phenomena. Rather,

harassment is one of the manifestations of VAWIP. However, as the reports show, this is a form of violence used frequently in Latin America and left out of legislation on VAW.

The difference between harassment and violence, as conceived by activists in Latin America, is that harassment does not –hypothetically- cause harm. These behaviors are systematic and pervasive, and become normalized and thus are not perceived as harmful or disruptive. Based on the prior discussion about VAW, harassment cannot be understood as ‘not causing harm’ as this is determined by a woman’s individual experience, not by the perceived harmfulness of a behavior. In this sense, despite being differentiated by degrees of harm, harassment and violence are not different.

Based on the reports studied and the interviews, I propose a typology of harassment as shown in Table 1.

**Table 1. Typology of harassment**

| Microaggressions |                               |                                           | False Allegations of Corruption                                                        |                                                                   |
|------------------|-------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <i>Assaults</i>  | <i>Insults</i>                | <i>Invalidations</i>                      | <i>The Will of the People</i>                                                          | <i>Judicial Harassment</i>                                        |
| Overt sexism     | Conveyed messages about women | Actions to negate or make women invisible | Accusations of unpopularity or unfulfilled campaigned promises used to force women out | Use of legal institutions to investigate corruption against women |

Political harassment manifests in the form of gender microaggressions which “are brief, everyday exchanges that send denigrating messages” to women (Sue et al. 2007, 273) and “intentional or unintentional actions or behaviors that exclude, demean, insult,

oppress, or otherwise express hostility or indifference toward women” (Basford, Offermann, and Behrend 2014, 341). The concept of ‘microaggression’ was born in the context of racial relations in the United States, and it is used to highlight the “everyday subtle and often automatic ‘put-downs’ and insults directed toward Black Americans” (Sue 2010, 5). These actions are often disregarded as irrelevant or small enough that do not cause real harm. However, “microaggressions are constant and continuing experiences of marginalized groups” that “assail the self-esteem of recipients, produce anger and frustration” and “produce physical health problems, shorten life expectancy, and deny minority populations equal access and opportunity” (Sue 2010, 6). Just as with microaggressions, VAWIP is systematic and includes seemingly small, non-violent actions that have a cumulative effect that cannot be disregarded as simple “everyday sexism”.

Microaggressions can be of three types: 1) microassaults, which are the most overt form of microaggression and include, for example, using racial slurs against a person of color or making sexist comments to a woman (Nadal 2010, 156); 2) microinsults which “are behaviors and statements that are often unintentional and convey a negative message about women”; and 3) microinvalidations “are unintentional verbal statements that negate women's thoughts or feelings.” (Capodilupo et al. 2010, 197).

The second broad type of harassment is related to corruption and it can be classified into two types. The first type is accusations of unpopularity or ‘unfulfilled campaign promises’ as an excuse to promote women’s removal for office. The second type

is what activists in Latin America have called judicial harassment<sup>23</sup>. This refers to unfounded accusations of corruption and the use of legal instruments against women.

Judicial harassment is defined as the unjustified use of juridical tools to attack, silence and intimidate women, so that they bend to the will of political leaders, stop advancing their political agenda, or to surrender control of their political activities. It includes unsubstantiated, false, and public accusations of corruption and the initiation of legal procedures against women. These attacks constitute violence because they are a form of character assassination using a tool that is readily available and successful in Latin America.

This form of violence has been called 'politics by other means' (Ginsberg and Shefter 2002) and refers to the use of institutional weapons to attack political opponents. In the United States, false accusations of corruption, and the legislative and judicial investigations that these entail, have disproportionately targeted African American politicians and they have been used as a response to the Civil Rights Act of 1965, when the number of African American members of Congress increased. Musgrove explains, based on a report published by Mary Sawyer that "harassment [of Black members of Congress] was a 'response to the new threat posed to the status quo by the real and potential acquisition of political power on the part of blacks'" (Musgrove 2012, 6). These false

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<sup>23</sup> Virtual interview with Peruvian politician. Spring 2016.

accusations of corruption had economic and political effects on the victims, ending political careers and leaving the victims in financial distress (Musgrove 2012).

Perceptions of corruption in Latin America are high according to Transparency International (2017). The Latin American Public Opinion Project 2016-2017 report, found that corruption was ranked as the fourth most pressing issue countries in Latin America face (Cohen, Lupu, and Zechmeister 2017). Thus, accusing a politician of corruption taints their reputation. These accusations, however, have more dire effects on women. Women are held to higher standards than men when they enter into politics (Besley et al. 2017; Olle Folke and Rickne 2016; Weeks and Baldez 2015). Questionable activities that are overlooked on men are exacerbated when the alleged perpetrator is a woman.

False accusations of corruption are also used to undermine their performance as women have to spend their time in office defending themselves –sometimes in court– against continuous accusations of mismanagement or appropriation of public funds, receiving bribes, etc. This tactic, which has also been used against black politicians in the United States since the approval of the Voting Rights Act in 1965, has the purpose of wasting their time defending themselves in court instead of advancing their political agenda (Musgrove 2012).

Efforts to reduce corruption in Latin America have increased in recent years (Husted 2002; Maldonado and Berthin 2003) and thus, accusing and initiating processes against “corrupt” politicians not only affects those accused but also has the potential to benefit the accuser, who may be perceived as leading an anti-corruption crusade.

### **You will know it when you see it: Analyzing the Context and the Patterns of Attacks**

Analyzing the context and the patterns of attack are fundamental for identifying cases of VAWIP. This section will present several cases of microaggressions and accusations of corruption to show why, by analyzing the context and the patterns, it is possible to conclude that these were indeed cases of VAWIP.

Microaggressions are a common and low-cost strategy used to subordinate women and reinforce gender stereotypes. Women in Ecuador, for example, reported that they were told that “is best if you stay in the kitchen” or that “their hands smell like onions” (Arboleda 2012, 81, 85). The preamble to Ecuador’s 2011 legislative proposal against VAWIP reads: “Women in electoral processes are maliciously accused of abandoning their homes, of preferring public life, of being heartless mothers, being disrespectful toward their husbands, just because they were elected to participate in politics” (Asamblea Nacional del Ecuador 2011, 5). All these actions are an open form of discrimination that emphasizes gender stereotypes that prescript that women have to behave in a certain manner, frequently subservient or obedient to men. These insults also associate women with the private sphere while suggesting that only men belong in politics.

However, not all gender-microaggressions are as clearly evident. Microinsults are harder to detect because they are frequently hidden under the guise of compliments or ‘piropos’. During Dilma Rousseff’s impeachment, she was constantly called ‘darling’ by members of congress (Biroli 2016). Although this may be interpreted as a caring way of addressing her, male presidents are very unfrequently –if ever- called ‘darling’. Further,

the context of Rousseff's impeachment more broadly shows that along with the desire to force an unpopular politician out of office was the desire to oust an unpopular *woman* politician. During the impeachment campaign, the media published caricatures that showed Ms. Rousseff naked or made reference to her character as being 'deranged' or emotional. Sexualized images of her also circulated both in social media and as stickers and political banners. A letter sent to her by her vicepresident –the person who would benefit the most from her removal from office and who promoted of her impeachment- suggests that he was feeling left out, like “a Christmas ornament” (Encarnación 2017, 86). After she was impeached Ms. Rousseff declared: “There are certain elements of *machismo* and misogyny in this impeachment ... I have always been described as a hard woman. Yet I have never heard a man described as a hard man.” (Encarnación 2017, 82). After she was impeached, the new cabinet was made up exclusively of white men, while several policies advancing women's rights, were dismantled by the conservatives (Biroli 2016; Encarnación 2017).

Ms. Rousseff's situation is not unlike that of other women. A woman mayor in Colombia reported that a political leader in her region constantly told her what to do, and when she told her she was not going to do what he said, he claimed that she “did not let him *advise* her”<sup>24</sup>. Like the use of 'querida', this suggests that she was not capable of doing her job without male counseling.

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<sup>24</sup> Phone interview with Colombian mayor in collaboration with NIMD. Fall 2016. Emphasis added.

Frequently, women's capabilities are ignored and instead her physical appearance is highlighted. A woman in Honduras reported that women were called "the beautiful candidate who adorns the party's electoral list" (Torres García 2017, 43), while a woman in Colombia reported that she was called "the flower of the city council" during a council session. When she complained and called them out the media published that "the councilor's contribution is saying that she is not a flower"<sup>25</sup>. Focus on women's appearance is not infrequent, with research finding that women's campaign coverage frequently focuses on their appearance instead of their qualifications or policies (Heldman, Carroll, and Olson 2005; Kahn and Goldenberg 1991; Ward 2016). The apparent benign or even positive nature of these comments make them harder to recognize as patronizing, demeaning, and suggesting that women are incapable of anything other than being pretty, or are incapable of doing their jobs without the help or 'advice' of a man.

Microaggressions used to disqualify women frequently involve the use of gender stereotypes. For example, in a small town in Bolivia a council meeting was convened and all women councilors were asked to resign because "they could not type and were not prepared for the office" (Machicao Barbero 2004, 54). In Colombia a councilor explained that she was told by a male councilor, during a council debate, to "shut up because you do not know what you are talking about"<sup>26</sup> even though she had researched the topic they were discussing and he later recognized that she was right. Similar cases have been

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<sup>25</sup> Phone interview with Colombian Councilor in collaboration with NIMD. Fall 2016

<sup>26</sup> Phone interview with Colombian Councilor in collaboration with NIMD. Fall 2016.



reported throughout the region (Arboleda 2012; Herrera, Arias, and García 2012; Herrera, Arias, and García 2012, 47; Quintanilla 2012b). This type of behavior implies that women, regardless of their actual qualifications, experiences, and performance, are not adequate political actors and should not participate because being a woman automatically makes them unfit for office.

Women are also frequently made invisible in the political sphere. This includes deliberately excluding women from discussions, providing false information about council sessions or meetings, arranging meetings late at night when it may be unsafe for women or when they need to be home to care for their families –problems that most men do not have. A Salvadorian councilor reported that the mayor and other members of the council would never let her know when they were visiting public works or doing official visits so she had to “stay all day long at the mayor’s office keeping an eye on them, so if they were leaving the office, I would have to jump on the [official] car” (Herrera, Arias, and García 2012, 54). Women in Costa Rica reported that “when it was my time to speak [during a council session] all councilors would leave the room” (Escalante and Mendez 2011, 22). This attitude was also prevalent when discussing “women’s issues”. During the last debate of Bolivia’s Law on “Political Violence and Harassment against Women,” a woman deputy remarked: “I would like the men to be here and it looks like they have escaped. There are very few male representatives it would be important that they were here because they should be voting in front of us” (Cámara de Diputados 2012a, 40–41).

Keeping in mind that even though women's presence in legislative bodies in Latin America has increased in the last twenty years, women's presence has not been normalized, especially when analyzing different offices and levels of government. In this context, microaggressions emphasize that women's presence is unnecessary, their voices are not important and women should not be present when decisions about the public are made. Further, some of these behaviors are in violation of established rules and procedures or are against the law. For example, a woman in Costa Rica reported that the council minutes were deliberately altered to remove evidence of the insults she received (Escalante and Mendez 2011, 24, 27). Similar behavior was reported by Ms. Magda Haase, a councilor in Bolivia who was forced to resign during a council meeting that turned violent. The mayor and members of the council, who had kidnapped her, altered the record so her resignation appeared to be signed the day after the violent meeting (Tribunal Constitucional Plurinacional 2014).

Microaggressions frequently interact with judicial harassment and other forms of violence and abuse. The first woman mayor of Lima, Susana Villarán faced a bitter campaign against her that ended with a recall referendum (which she won). During this process, the promoters of the referendum continuously called her 'liar' and 'vagabond' –a particularly harmful insult to women as it suggests that she has lost morals and sexual behavior. Although the city council members were also included in the referendum, the campaign centered on her, her performance, and her abilities. Those in favor of a recall argued that they were "expressing the popular clamor that is against [the Mayor's]

inefficiency” (Caverno Cornejo 2013, 111). The National Election Jury forced the recall campaign to remove banners calling Ms. Villaran ‘incapaz’ (incapable) (Peru.com 2013). During this process, Ms. Villarán was also accused of corruption and had to give testimony in front of the National Assembly over 80 times in four years –while the previous mayor was only called eight times in four years. She had also over 200 legal processes open against her –some of those processes are still open but after five years, she has not been found guilty of corruption<sup>27</sup>.

Accusations of corruption must be taken seriously and investigated. However, a more careful analysis of this case reveals that gender played an important role in this process. During the campaign, some newspapers accused her of promoting a “lesbian revolution” by “asking women to become lesbians” (Aciprensa 2013). Moreover, instead of focusing on specific elements of her performance, attacks focused on her personal ability to govern (i.e. she was incapable). Finally, the fact that she was so disproportionately targeted by legal accusations is telling: one can either believe that she was more corrupt than the previous mayor, or one can believe that there was something about *her*, that made her a target. Since after five years she has not been found guilty of corruption, the only possible conclusion is that this was a personal attack on the first woman mayor of the country’s capital city. If we also take into account that 40% of women candidates reported

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<sup>27</sup> Testimony by Susana Villarán during the launch of the #NotTheCost Campaign by the National Democratic Institute. New York. Spring 2016.

being victims of harassment in Peru, we can also conclude that gender, was without a doubt an important element in Ms. Villarán's attacks (JNE 2016; Pinedo et al. 2017).

Ms. Villaran case is not unique. In Colombia, a mayor of a mid-size town recalled that during her tenure, a local political leader sent her the resumes of some of his supporters. She told him that she would not appoint anyone that was not qualified for a position. The leader complaint that his people "were not good enough for the mayor" because she was an "elitist". One can blame his attacks against her on struggles for political power but then again this misses the context. The leader also publicly questioned her relationship with a member of the opposition party and had previously told her that she did not let him advise her. He also started rumors that she was going to be in jail "next month". He threatened and told her that he "wouldn't rest until she was jailed". She had cases opened in the Comptroller's office, the Attorney General's office, and the Procurator's office. She also received messages that she should check the contracts that she had signed, and indeed, she found that some contracts had been altered and some information and receipts had been thrown away. Encouraged by the local leader, members of the council, even those from her own party, started attacking her. In desperation she talked to her party's regional leader who told her that "he is like that with all the mayors, he tries to intimidate all mayors" but when she showed him the folder with all the legal processes opened against her, he was surprised and said that the local leader had crossed

a line<sup>28</sup>. This shows that even when political motivations are part of VAWIP, gender is a fundamental component that exacerbates the attacks and shapes the forms they take.

False accusations of corruption taint a woman's name but are also used to undermine their performance as women have to spend their time in office defending themselves –sometimes in court- against continuous accusations of mismanagement or appropriation of public funds, receiving bribes, etc. Efforts to reduce corruption in Latin America have increased in recent years (Husted 2002; Maldonado and Berthin 2003). Thus, accusing and initiating processes against “corrupt” politicians not only affects those accused but also has the potential to benefit the accuser, who may be perceived as leading and anti-corruption crusade. At the same time, double standards are still applied: although President Dilma Rousseff was impeached despite not being personally accused of corruption, her predecessor has been found guilty of corruption and still enjoys very high levels of popularity and was never removed from office, while 60% of the members of Congress who impeached her have been implicated in the *Lava Jato* corruption scandal (Encarnación 2017).

The accusations of corruption are also paradoxical given that it is frequently believed that women are less corrupt than men (Goetz 2007). Women politicians habitually see overseeing spending and investment –‘fiscalización’- as a fundamental part of their roles as representatives as evidenced in the reports and in testimonies by women

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<sup>28</sup> Phone interview in collaboration with the Netherlands Institute for Multiparty Democracy. Fall 2016.

politicians (Noticias sobre Mujeres 2014; Quintanilla 2012b; Restrepo Sanin 2016a; Rojas 2012). But as women politicians enter into politics and start challenging traditional practices, especially illegal ones, they become targets of VAWIP. This was the case with Ms. Hasse in Bolivia, who refused to sign the town's budget without reviewing it—an expectation the mayor had-, or the case of Dilma Rousseff who was committed to the *Lava Jato* investigation and refused to fire the investigator (Encarnación 2017).

Similarly, women—especially in executive positions—are frequently accused of not fulfilling their campaign promises. These accusations are made just a few months after the term begins and are vague. This was the reason behind Ms. Villarán's recall referendum. In the Mexican state of Chiapas, where Ms. Rosa Perez, the first woman mayor of the town of San Pedro Chenalhó was forced to resign accused of corruption and not fulfilling her campaign promises (Jiménez and Maldonado 2016). Given that Ms. Perez was from the Democratic Revolutionary Party (Partido de la Revolución Democrática – PRD) in a region where the Institutional Revolutionary Party (Partido de la Revolución Institucional – PRI) had usually won, it can be argued that her forced resignation was due to struggles for political power. However, there are several elements that reveal this was not the case. The promoter of her resignation kidnapped members of her party and forced them to wear skirts, in a clear attempt at feminizing them. Leaders in the town alleged that “local traditions allow them to elect, revoke, and substitute local elected officials” and that “a woman cannot govern them” (Aparicio 2016). Ms. Perez's is not the only indigenous woman forced to resign in the region. In 2007, Ms. Eufrosina Cruz ran for mayor of her

town, Santa María Quiegolani, Oaxaca, one of the 418 towns that elect their authorities using *usos y costumbres*<sup>29</sup>. Ms. Cruz won the election but all the ballots in her favor were thrown away because “women were banned from the Town’s Assembly” under *usos y costumbres* (Vaquera, Jorge G Castillo and Romo, Mauricio I Ibarra 2012). In the case of Ms. Perez, the TEPJF ruled in her favor, reinstating her political rights and arguing that she had been forced to resign “in part, due to her gender” (TEPJF 2016b) in a ruling that recognizing the central role of gender without denying other political motivations.

The cases analyzed in this section have shown that a deeper analysis in the context in which attacks on women politicians occur, along with a focus on the patterns of attack –rather than individual actions- show that gender does indeed play a key role in these attacks. Attacks on women politicians are rarely isolated events and they frequently combine different forms, including psychological, semiotic, economic, but also physical and sexual violence. These actions cannot be neatly separated between harassment and violence, or causing harm or not as they occur simultaneously, systematically, and different women are attacked at the same time. The following section will analyze how gender-based violence interacts with other categories or identities.

### **Intersectional manifestations**

As any other form of violence against women, the violence women in politics “experience is often shaped by other dimensions of their identities” (Crenshaw 1991,

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<sup>29</sup> Usos y Costumbres literally translates as ‘practices and customs’. Indigenous communities, according to the Mexican constitution, have the right to self-determination and to have their traditions recognized and respected Presidencia de México (1917, Art. 2).

1242). These other dimensions should be understood contextually as “categories of difference can shift in salience: emerging, crystallizing, or dying in specific moments and specific contexts” (Townsend-Bell 2010, 188). Both through the reports used in this chapter and the interviews, I have found that there are three fundamental categories that affect how VAWIP manifest and how women are targeted. These categories are age, location, and class highlighting the need for an intersectional analysis (Kuperberg 2018). In this sense, understanding VAWIP as a continuum is also useful because it allows to include other forms of violence that are associated with other identities.

In regards to age, young women in politics suffer particular forms of violence. This violence is triggered not only because of their gender but because they are young. These women are perceived as inexperienced and naïve, and thus easily manipulated and tricked. A study in Peru found that 29% of the cases of VAWIP that were reported were perpetrated against young women between 18 and 28 years old (Pinedo et al. 2017). A councilor in Peru reported that the mayor frequently discredited and demeaned her telling her that, “you have no experience, you know nothing” while another young councilor in the same country reported that the mayor “limited my work because I am a woman and young, forcing me to stay quiet. During council sessions, the mayor would say: ‘don’t believe a thing she says because she does not know anything’” (Quintanilla 2012b, 11, 12).

The aggression frequently takes the form of sexual harassment and abuse. A councilor in Peru was a victim of slander and character assassination and was publicly accused of having a sexual relationship with the mayor. The comments were so pervasive



that the mayor's wife forced her to have a paternity test to confirm the mayor was not the father of her child (Quintanilla 2012b, 13). Another councilor in Peru also reported harassment by the mayor and other male councilors and in one case, this harassment was sexual in nature (Quintanilla 2012b). A councilor in Costa Rica reported "I suffered [sexual harassment] throughout my youth, but not now. I do not let [anyone] harass me" (Escalante and Mendez 2011, 23).

Two other categories are location and class which are profoundly intertwined. Poverty is in itself an obstacle for political participation as poor women do not always have the economic resources to run a campaign (Rojas 2012) and it is a form of structural violence (Galtung 1990; Weigert 2010). In other cases, they are economically dependent on their spouses who frequently deny them resources when they are elected (Quintanilla 2012b; Torres García 2017). When combined with location, more specifically, living in rural areas, women become more vulnerable. Women in rural areas have a harder time accessing political institutions, party offices, training, and other resources. Traveling between different places within their communities, or to cities where resources are more readily available is costly and time consuming, which adds another burden. This increases their isolation and makes them more vulnerable to violence. Access to protective mechanisms is very limited. Further, according to some of the reports and in the interviews, gender stereotypes are more ingrained in the rural areas: "it is not the same to be a woman in politics in the countryside than in the city. In the countryside women face stronger *machismo* and their role as wives and mothers is highlighted more often and, in

many cases, they do not have their own income and depend on the husband.” (Torres García 2017, 40). Both in Bolivia and in Mexico, indigenous traditions or ‘usos y costumbres’ have been used to deny women the right to vote and participate in decision-making.

In Bolivia, the principle of *Chachawarmi* –the idea of complementarity between men and women- was used to exclude indigenous women from politics as women’s role was in the home while men’s was in the public sphere. Although this practice was framed as recognizing women’s and men’s jobs as complementary but equal, in practice women were subordinate and they were excluded from decision-making processes. It was only when *Chachawarmi* was re-signified by indigenous women during the Constitutional Convention in the mid-2000s, and especially after the adoption of a Political Agenda for Women (discussed in greater depth on chapter two) that *Chachawarmi* was used to justify the adoption of gender parity in politics as women should have the same right to participate<sup>30</sup>.

All these categories are sources of further discrimination and vulnerability for women in politics. In Colombia, a young woman, victim of and displaced by the armed conflict, and from the southern, most remote regions in the country, reported that while campaigning she was pressured to exchange sexual favors for campaign materials, and while in office as councilor was sexually harassed by the mayor: “people think that because

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<sup>30</sup> Phone interviews with Bolivian indigenous academic and politician, and with Bolivian politician. Fall 2015.

one is poor, they can buy you with fifty thousand pesos”<sup>31</sup>. When asked about whether the party supported her when she was harassed she said that the party never supported her. In fact, after finishing her work as councilor, she had to ask the party for the *ava*<sup>32</sup> even though she had been affiliated with the party, and had to fight for economic resources and support. Her case also highlights the effects of seemingly harmless behaviors on a woman’s wellbeing. She reported that the sexual advances of mayor were particularly harmful to her as they triggered harmful memories of sexual assault<sup>33</sup>.

### **Timing: beyond electoral politics**

The cases presented before show an important element of VAWIP that is not discussed in most accounts of the phenomenon: timing. Scholars and practitioners studying Violence against Women in Elections, which has been conceptualized both as VAWIP and a subset of VAWIP (Krook and Restrepo Sanin 2016a), emphasize attacks on women during the electoral cycle (Bardall 2013). As the cases presented show, VAWIP does not occur only during the election cycle but extends both before and after it has finished.

Attacks on women politicians begin even before they decide to run for office. In Bolivia, women in social organizations reported being harassed when their leadership became obvious to male members of the organization<sup>34</sup>. Indeed, the regulatory framework

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<sup>31</sup> Fifty thousand pesos is equivalent to about US\$16.

<sup>32</sup> In Colombia, political parties have to approve the candidates in order for them to register under the party label. This is not determined by membership or affiliation with the party, but it is a decision made by party leaders.

<sup>33</sup> Phone interview with councilor from Colombia in Collaboration with the Netherlands Institute for Multiparty Democracy.

<sup>34</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

for Law 243, approved in 2016 and discussed more in depth on chapter five includes protections for women in unions and other organizations of the civil society who were not protected by Law 243 (Ministerio de Justicia 2016). These attacks take largely the same form as VAWIP during and after elections. However, there are a few particular manifestations that occur before election day.

Before political parties register their candidate's lists, women are pressured to accept illegal agreements created to avoid complying with the quota law. In these 'agreements' women are forced to give up their seats to the alternate once they are elected. The alternate is not directly elected by the voters but presented as part of the same list as the principal. The alternate takes the seat should the principal resign or die (Albaine 2010). In Bolivia, these agreements were made in writing, and women were forced to sign promissory notes for their salaries if they failed to comply with the agreement<sup>35</sup>. This agreement was promoted by political parties and local leaders who told women that 'alternate succession'<sup>36</sup> meant that they had to share their term with their male alternate, so they were expected to resign after two and a half years –which is half the term. This practice only occurred when women were the principal, men principals were not forced to 'share'<sup>37</sup>. Data from ACOBOL shows that reports of VAWIP increase around 2.5 years after elections as shown in Table 2.

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<sup>35</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

<sup>36</sup> In Bolivia, the gender parity law determines that candidate's must have an alternate or 'suplente'. This is called 'alternate succession' or 'alternancia'. If the principal on the list resigns or dies, the alternate takes the seat.

<sup>37</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

Table 2. Cases of VAWIP reported to ACOBOL 2000-2018

| Year              | Cases      |
|-------------------|------------|
| 2000*             | 40         |
| 2001              | 18         |
| 2002**            | 62         |
| 2003              | 15         |
| 2004              | 5          |
| 2005*             | 18         |
| 2006              | 22         |
| 2007              | 20         |
| 2008**            | 36         |
| 2009              | 13         |
| 2010*             | 23         |
| 2011              | 8          |
| 2012              | 40         |
| 2013**            | 154        |
| 2014***           | 47         |
| 2015*             | N.D.       |
| 2016              | 49         |
| 2017**            | 35         |
| 2018 <sup>+</sup> | 33         |
| <b>Total</b>      | <b>518</b> |

\* Election year

\*\* 2 to 2.5 Years after election

\*\*\*Until September

<sup>+</sup> January and February

Before the elections take place, VAWIP also manifest as rejections and open prohibition to run on the part of their spouses or partners (Herrera, Arias, and García 2012). Attacks also take the form of open questions about the woman's ability, qualifications, and experience necessary to be a successful candidate (Herrera, Arias, and

García 2012). These accusations –of being incapable or having no education- are unfounded and in several cases are done by men with the same level of education –or even lower- and similar backgrounds as women (Herrera, Arias, and García 2012)<sup>38</sup>, showing the double standards under which women are held to.

Looking at these attacks individually may not be considered violence but when it happens to several women and is constant, the pattern of violence becomes evident. Political parties frequently register women’s candidacies as alternates, not as principals, even when they have ample support from the party bases and have real chances of winning. A woman in Costa Rica explains: “it didn’t seem right [to party leaders] that a woman was heading the list so they offered me the second place” (Escalante and Mendez 2011, 22). In Bolivia, a study done by ACOBOL found that only two states –Tarija and Beni- had women as principals on their lists. In total, only 30 municipalities had women councilors, out of 421, that is only 7% (Rojas 2012). This practice shows political parties’ rejection of women’s political participation as a priority, necessary for gender equality and democracy, and although these actions are not violence per se, they do add to the pattern and context of violence mentioned above and helps understand particular cases.

Once women’s candidacies are registered, attacks on their qualifications and credibility remain but they are accompanied by other forms of violence. Sexualized comments along with accusations of infidelity, immorality, or having sexual relations with

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<sup>38</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

members of the party in order to get the candidacy are frequent; “women’s bodies [...] become one of the battlefields used to discredit women’s political capacities and to deny them access to an elected position or the possibility of performing effectively once they are elected.” (Herrera, Arias, and García 2012, 45). A woman in Colombia reported that she was continuously questioned about her ability to do her job because she was pregnant during the campaign<sup>39</sup> and women candidates in Costa Rica and other countries have reported that regular citizens and political opponents question their ability to be a good mother or wife if they are elected (Escalante and Mendez 2011; Torres García 2017).

Economic violence is also common during the campaign. Political parties, for example, refuse to provide campaign funds for women, or use the public funds earmarked for women’s training or campaigns for other purposes –frequently associated with women’s traditional gender roles, such as buying cleaning supplies (Cárdenas Morales 2011). In El Salvador, women have reported that during mayoral and town council campaigns, most of the budget and publicity is allocated to mayoral candidates –usually men- leaving women running for town council little possibility of accessing party funds, a situation that has also been reported in Ecuador and Colombia (Arboleda 2012; Herrera, Arias, and García 2012; Restrepo Sanin 2016a). Denial of resources per se is not necessarily a form of violence as resources, in general, are limited. However, it is an indicator of a larger pattern of rejection of women in politics, when funds explicitly earmarked for

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<sup>39</sup> Response to NIMD survey to open-ended question.

women are mismanaged. Further, controlling access to these resources –along with the destruction of property and of campaign materials-, is an indicator of economic control, a hallmark of violence against women (Stark 2007).

Once women take their office some of these forms of violence persist: women's qualifications and ability are still questioned, for example, but new forms of violence emerge. The goal of VAWIP when women assume their office is to reduce their power and autonomy, by forcing women to be quiet and submissive to the party leaders, the mayor, or the council; by completely denying women's presence and right to participate, or by forcing them to resign. These new forms of violence include denying women –but not men- office space: "I have been denied a physical space to attend to the people. I haven't been assigned a car or a phone. I use my personal resources" (Escalante and Mendez 2011, 22). In other cases, women's salaries and travel expenses are denied (Herrera, Arias, and García 2012; Quintanilla 2012b)<sup>40</sup>. These tactics are especially harmful to women since many women –especially in the rural areas- do not have independent access to economic resources. When public resources to which they have a right as elected or appointed officials are denied, their performance –and thus their role as representatives of a community- is affected.

Another expression of violence that is common is denying women the right to be president of a commission or the council. In Bolivia, a woman reported that: "there was a

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<sup>40</sup> Phone interview with councilors from Colombia in Collaboration with the Netherlands Institute for Multiparty Democracy.



woman who was the president of the commission and the secretary was a man. The secretary decided that he was going to be the president and the rest of the commission supported him” (Lopez and Quisbert 2017, 72). In Colombia, a councilor reported that she agreed with the council that she was going to be president during the third year of the council’s term “because then is when there is more politics and we think you can manage that, you are smart” she was told. But when it was her turn she could not be president because “the mayor managed to get the support from four councilors and they blocked my presidency”<sup>41</sup>. Another woman in Colombia, who had a similar agreement explains that “they [councilors] tried to change the rules to reduce the autonomy and the power of the [Council’s] presidency”<sup>42</sup> when she was in charge.

Once women are elected, pre-electoral agreements are invoked and women are pressured to resign. As was mentioned before, ACOBOL has registered an increase in women’s resignation 2.5 years after elections take place. In order to enforce these agreements, women are physically attacked and psychologically abused (Rojas 2012)<sup>43</sup>. During council sessions, the microphones are turned off when women are speaking, the councilors leave the room, and in one case, the council president even forced councilors

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<sup>41</sup> Phone interview with councilor from Colombia in Collaboration with the Netherlands Institute for Multiparty Democracy.

<sup>42</sup> Phone interview with councilor from Colombia in Collaboration with the Netherlands Institute for Multiparty Democracy.

<sup>43</sup> Interviews with activists. La Paz, Bolivia. Summer 2015.

out, left the room, and banged the council door when a woman was speaking (Escalante and Mendez 2011; Quintanilla 2012b)<sup>44</sup>.

This is also made in a more covert manner when women are continually asked to perform secretarial tasks –based on gender stereotypes- such as bringing coffee, food or making copies. In Bolivia, a woman reported that the Assembly practiced Apthapi –an Aymara traditional practice in which everybody brings food and shares it<sup>45</sup>. However, men refused to bring any food thus leaving women the task of feeding them and emphasizing women’s subordinate role. The argument for not bringing food was that “my wife was not at home” (Lopez and Quisbert 2017, 75). When women are asked to do these tasks, gender stereotypes are reinforced but women also lose the possibility of taking part in these meetings, advancing their proposals and interests, and contribute.

Another expression of violence is perpetrated by members of the bureaucracy who frequently question women’s ability to understand how policy-making works. A woman in Costa Rica reported that “the members of the local bureaucracy made a bet that they would force me out in six months, they said ‘what would that old woman know about street [planning]?’” (Escalante and Mendez 2011, 23). A woman in Peru also reported that the personnel in the municipality refused to give her information and actively prevented her from looking at official documents (Quintanilla 2012b, 13), once again, assuming that women are not capable just because of their gender.

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<sup>44</sup> Phone interview with councilor from Colombia in Collaboration with the Netherlands Institute for Multiparty Democracy.

<sup>45</sup> <http://educacionbolivia.com/el-apthapi-una-tradicion-andina/>

## Conclusions

This chapter has analyzed the particular characteristics of VAWIP in Latin America, focusing on the manifestations most commonly used by perpetrators of VAWIP to maintain the gendered status quo of politics. Two particular forms of aggression become apparent while analyzing the Latin American cases: first, the systematic use of gender microaggressions is a common practice used to devalue, disqualify, and attack women in subtle but effective ways. These microaggressions are low-cost forms of violence that are naturalized. However, the systematic and pervasive nature of these aggressions affect women's performance and wellbeing and reinforce the idea that women do not belong in politics. Gender also interacts with other relevant categories which make some women more vulnerable to VAWIP. In Latin America, being young, rural, and poor are important intersectional identities that determine the forms VAWIP takes and the resources available to women who are victimized.

The second manifestation, which only became apparent when analyzing the cases inductively, is the use of corruption as a tool to attack women. This form of aggression needs to be accounted for when theorizing VAWIP as it is disguised as a genuine concern for democratic integrity. It takes two forms. On the one hand, women are falsely accused of corruption and are forced to defend themselves in court, the media, or in other state offices created to increase transparency. This affects their performance, their reputation, and their political careers. They are also a waste of state resources. On the other hand, women are accused of not fulfilling campaign promises or of being unpopular, triggering

recall referendums or impeachment, or demanding the woman's resignation. In all these cases perpetrators use democratic practices and tools to enforce undemocratic practices.

Finally, there are three distinct moments in the electoral cycle when VAWIP occurs: before women decide to run, their leadership within parties and social organizations are attacked, and when they decide to run, they are forced to make agreements with other party members to share their seat. During the campaign, women's bodies become the space of struggle in the electoral war. Their capabilities and value as women, candidates, and mothers are frequently questioned during the campaign. Economic violence is also frequent, with political parties denying women access to public funds they have a right to. Most notably VAWIP continues after the electoral cycle has ended. This is the most important characteristic of VAWIP in Latin America and beyond: it does not end when the power is distributed. Instead, struggles to alter the power balance change. Women who are elected face questions to their abilities and capacities, suffer sexual harassment, are denied economic resources to perform their jobs, and physically and psychologically abused to obtain compliance or to force them out of politics. These actions highlight that VAWIP is not just a form of competition for state power, but a form of gender-based violence as the assumption behind these actions is that women do not deserve to be in power and their interests and rights are subservient to those of men.

This chapter argued that to recognize VAWIP it is necessary to look beyond individual manifestations, and instead analyze the context and the patterns of abuse. Turning a microphone off when a woman is speaking is not –by itself– a form of violence:

it can be a genuine mistake or motivated by political conflicts and not by outdated gendered conceptions of the public space. However, when it becomes evident that these 'errors' only occur when women are speaking, and women are also denied funds, silenced through other means, psychologically or sexually abused, disqualified, invalidated, etc. a pattern emerges and these seemingly small and disconnected actions can be said to be VAWIP

Looking at discrete actions does not fully capture VAWIP. That is why it is frequently disregarded as 'normal' or 'just politics'. Analyzing the context in which these actions happen make patterns of attack evident. Analyzing the patterns of attack better explains how women experience violence: not as a series of disconnected and unimportant actions, but as part of the same problem that takes many different forms. Looking at single actions leads to disregarding each action as unimportant. Looking at the attacks on a single woman leads to disregarding these actions as isolated or the actions of a 'bad apple'. Looking both at broader patterns of attack against a single woman, and at the attacks of different women as part of the same events, leads us to conclude that these actions are not irrelevant nor are they isolated, but are part of a larger pattern of exclusion and are perpetrated or justified by different actors who use existing institutions against women.

Looking at the context is part of a feminist ethics of research as it sheds light on power relations between men and women (Ackerly and True 2010). Although contextuality does not allow to make generalizations, in this case, about specific manifestations of VAWIP worldwide, it sheds light on how specific sociopolitical characteristics in Latin

America, shape the forms it takes. At the same time, recognizing that the manifestations of VAWIP are determined by the context is fundamental for understanding all these different manifestations as part of the same phenomena. Just as with violence against women, even though the manifestations of this issue may manifest differently in India than in Latin America, they have the same roots and the same goals, and the measures to prevent VAWIP and sanction perpetrators should be directed at those common roots (Bunch 1990).

Given the importance of understanding the context to recognize these patterns, the next chapter will analyze the Bolivian case. This country was the first where VAWIP was discussed in Latin America. Analyzing the context in which VAWIP became evident there, helps explain the development of this issue in Latin America more broadly, and provides hints to the evolution of this issue globally.

### CHAPTER THREE: SOCIOPOLITICAL CONTEXT AND VIOLENCE AGAINST WOMEN IN POLITICS

The previous chapter argued that two elements are fundamental for understanding and recognizing violence against women in politics: the context and the patterns. In Latin America, the earliest discussions of VAWIP occurred in Bolivia in the late 1990s. By 2012, the Andean country became the first –and so far, only- with a law criminalizing ‘Political Harassment and Violence against Women’. That the discussion of VAWIP and the approval of this law occurred in Bolivia is remarkable because 1) up until then, the country had very lax laws on violence against women, along with very high levels of incidence of femicide; and 2) the discussion of VAWIP and the approval of the law occurred in a period of turmoil and political change in Bolivia, which included not only the election of the first indigenous president, but also the approval of a new constitution. Given the importance of Bolivia in the regional discussion of VAWIP, this chapter analyzes the sociopolitical context that made possible the emergence of the concept of VAWIP and the approval of law 243.

The discussion of VAWIP occurred when different measures to increase the quality of democracy were adopted in Bolivia. Indeed, activists argue that both women’s inclusion and the violence used to prevent this inclusion –that is, VAWIP- are problems of democratic quality<sup>46</sup> (Novillo 2011). During this time, long-existing tensions between feminist activists and indigenous women’s organizations became evident but were overcome through discussion and compromise between these groups of activists. The first

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<sup>46</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

section of this chapter will focus on the electoral and political reforms that transformed the Bolivian political landscape. These reforms allowed political newcomers –including women- to contest seats at all levels of government for the first time since the transition to democracy in 1983. The tension generated by the disputes over power by old and new groups made VAWIP an important tool to keep a specific group –women- out. At the same time, the discourse of inclusion and decolonization promoted by Evo Morales and the 2009 Constitution facilitated the creation of an alliance between indigenous women and the traditional feminist movement in Bolivia, which ultimately led to the approval of Law 243.

The chapter will proceed as follows: the first section will discuss the main political and electoral reforms aimed at making Bolivia more democratic. Then, the chapter will analyze the rise of the Left and the effects of the election of Evo Morales on women’s political participation. Next, the chapter will analyze the role of women’s organizations in the Constitutional process in Bolivia. This will be followed by a discussion on how tensions between indigenous women and non-indigenous women were temporarily resolved by re-conceptualizing gender and promoting a common agenda. Then, the chapter will discuss how this alliance was able to include parity in decision-making as part of electoral laws. Finally, the chapter will discuss the alliance between indigenous women and the feminist movement that guaranteed the inclusion of gender parity in the 2009 Constitution and the adoption of a common agenda ‘by and for women’ that made the discussion of the proposal on VAWIP a priority. Throughout this process, indigenous and non-indigenous women worked to re-conceptualize the Andean notion of *Chachawarmi* which allow them



to frame women's inclusion as part of the larger 'process of change' and decolonization proposed by Morales.

### **Deepening democracy**

Throughout the last twenty years, there have been a series of legal and electoral reforms in Bolivia with the purpose of deepening democracy and modernizing the political system in Bolivia. These reforms have aimed at decentralizing government so that it becomes more responsive to the needs of the people. Among the first of these reforms is the Popular Participation Law (Ley de Participación Popular - Law 1551) approved in 1994. This law increased the number of municipalities from 24 before the law was approved, to 314, then to 339, and currently to 351 (Curi 2012). This law also allowed the direct transfer of economic resources to municipalities, giving councils and mayors the power to decide how to invest this money. Further, it recognized the legal capacity of certain organizations such as Territorial Base Organizations (TBO)<sup>47</sup> and, for the first time after the democratization process, the popular election of members of the town councils. As a consequence, the number of councilors in the country increased to 1699.

A notable article of Law 1551 established that TBOs should promote the equal participation of women and men (Art. 8) and that municipalities should "incorporate policies to address the needs of women" (Art. 14, l.i). Despite this, in the 1995 elections

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<sup>47</sup> Organizaciones Territoriales de Base are organizations of citizens that represent a section of the population, such as a neighborhood within a city or a rural community. This law granted them certain access and vote regarding the management of public resources and the right to supervise and inspect how the municipality's resources are spent.

the percentage of councilwomen dropped from an already low 9% in 1993 to 6% (Rojas and Ardaya Salinas 2011). Nevertheless, women's political participation started to become an issue discussed in legislation and recognized as necessary. It also became more visible, and women's organizations began to work to increase the number of women in politics (Novillo 2011; Rojas and Ardaya Salinas 2011). With the approval of this law, women found legal support for increase women's participation in electoral lists.

### **Political unrest and social mobilization**

Besides the constitutional, legal, and electoral reforms, during the last fifteen years Bolivia has seen continued social mobilization that has promoted great political transformations in the country (Madrid 2011). Beginning in April 2000 with the "Water war" and later in what is known as the "Black October", people mobilized to demand the nationalization of natural resources and the creation of a new constitution (Andolina, Laurie, and Radcliffe 2009; Cuba Rojas 2006; Flores Vásquez, Herbas Cuevas, and Huanca Aliaga 2007).

Among the most visible social movements was that of the "cocaleros", the coca leaf growers. It was from this movement that current president Evo Morales emerged as a union leader. Although from an indigenous background (Aymara), when he first emerged as a leader his discourse was against the intrusion of the United States in Bolivia's internal policies and the anti-drug policy that demonized the growing of coca. He argued that the coca leaf was part of Bolivia's ancestral culture, and not all of it was used in drug trafficking. Rather, part of it was used by the Bolivian population as a stimulant that had been used

for centuries by the indigenous peoples of the Andes (Lea Plaza and Vargas 2012; Madrid 2011). He later joined with other social leaders and founded the “Asamblea para la Soberanía de los Pueblos” (the Assembly for People’s Sovereignty). This was a loosely organized association of peasants, indigenous groups, miners and unions that also supported the idea of decolonization promoted by Morales, and were against the meddling of international governments and organizations in Bolivia’s internal affairs. The National Confederation of Peasant Women of Bolivia “Bartolina Sisa”, the largest organization of indigenous women in Bolivia, was also important in the configuration of the Movement Toward Socialism (Movimiento al Socialismo - MAS) (Cabezas Fernández 2013; Rousseau 2011).

To increase the reach of his movement, Morales framed the coca growing discourse within the larger frame of colonization and oppression to which Bolivia had been subjected that was popular with several other organizations (Lea Plaza and Vargas 2012; Madrid 2011). At the beginning of the MAS, Morales did not rely on indigenous identity. Rather, he started to use it as a political and electoral strategy to gain the support of the indigenous population (Anria 2013; Madrid 2011). Morales also started to articulate his discourse with the larger demands of other groups including the call for a Constitutional Assembly and the nationalization of natural resources (Lea Plaza and Vargas 2012). After the resignation of President Sanchez de Lozada due to pressures by the social movements in 2003, Morales’ movement grew and its demands for decentralization, a new constitution, and the nationalization of natural gas reserves became even more significant

in his discourse. This also included the social and political inclusion of traditionally marginalized groups, especially indigenous peoples, which constitute the majority of the Bolivian population (Lea Plaza and Vargas 2012; Madrid 2011; Madrid 2012).

There were elections in 2005 and Evo Morales was elected president with 53.74% of the votes (IFES 2005). During his first term as president, Morales embraced his indigenous identity and portrayed himself as a representative of the indigenous peoples of Bolivia (Madrid 2011). He started the “process of change” that rejected and attempted to transform neoliberal policies, nationalized natural resources, and return politics “to the people” (Madrid 2011). His discourse was centered on social justice and equality (Lea Plaza and Vargas 2012). He also strengthened his links to other left-wing governments in the region, especially with the government of Hugo Chavez in Venezuela and Rafael Correa in Ecuador.

In the early years of his government, Morales was accountable to the social organizations that constituted the MAS, and many of its members became part of his cabinet or had senior positions within his government (Anria 2013; Madrid 2011). Moreover, given that his party did not have the majority in the Senate, he needed other organizations and parties to support his proposals, especially constitutional amendments (Madrid 2011). After the approval of the new constitution, the MAS controlled two-thirds of the National Congress. This was only possible because he started to “invite” politicians from outside of the social organizations from which the MAS had originated. These politicians were more familiar with traditional politics but were also less committed to the

MAS's political objectives (Madrid 2011). This tactic had the effect of increasing the MAS's hold to power because it allowed Morales to use his majority in the Assembly to appoint loyalist to the courts and the electoral bodies. At the same time, it reduced Morales's accountability to the social movements from which the MAS originated despite the fact that many of the leaders of these movements had taken part in the government. (Madrid 2011).

### **Women in the Constitutional Process**

Writing of the new constitution began in a few months after Morales was elected when a Constitutional Assembly was elected in August 2006. The Assembly was heavily influenced by the government's party, the MAS, but had a strong presence of civil society organizations, especially indigenous-peasants organizations and unions. The new Constitution was approved by the National Assembly in 2007 and in a national constitutional referendum in January 2009 with over 60% Bolivians approving the new document (Albro 2010; Hammond 2011; Rousseau 2011; Schilling-Vacaflor 2011).

During the constitutional process, the Women's Political Forum (Foro Político de las Mujeres – WPF), a network of women politicians from different political parties, the Women's Coordinator, along with other organizations, mobilized women throughout Bolivia and came together in a national movement called *Movimiento de Mujeres Presentes en la Historia* (Women Present in History). This movement which was not affiliated with any political party, worked with over 20,000 women from all the regions of Bolivia to gather the testimonies and desires of women throughout the country. The goal

was to come up with a series of demands “By and for women” (Coordinadora de la Mujer 2007). This movement guaranteed the inclusion of 33% of women in the Constitutional Assembly (Chavez 2010a). Both the women members of the Constituent Assembly and women from different organizations within Bolivia were committed to advancing equality in the Constitution and demanded and protested when the constitution was being written. Through this work, they got the inclusion of gender equality and women’s equal political participation. The Constitution also recognized traditional indigenous forms of political participation and election and guarantees indigenous women the right to inherit and own land.

Although women’s equality was given constitutional status, it did not effectively translate into improved living conditions or increased political participation for women. A group of women, including many members of the WPF, created the “Comité impulsor de la agenda legislative desde las Mujeres” (Committee for Women’s Agenda – the Committee from now on). This was an association of activists from women’s organizations, journalist, government officials, and female politicians who got together discussed and designed a political agenda by and for women.

Historically there had been tensions between indigenous and non-indigenous women activists due mainly to differences in regards to what gender-equality entails, especially in regards to reproductive rights, and to lack of recognition of intersectional issues an indigenous practices among non-indigenous, urban, middle-class activist (Rousseau 2011). These differences were temporarily overcome during the Constitutional

process and the creation of the Committee for Women's Agenda. This group included more than a hundred women from different backgrounds, regions, and ethnicities, and over twenty-five organizations and institutions including representatives from several ministries, the ombudsman office, indigenous and Afro-Bolivian organizations, unions, and, of course, women's organizations (Salguero 2008).

The purpose of the Committee was to develop an "Agenda Legislativa desde las Mujeres" (Legislative Agenda by and for Women) that would include the demands and interests of diverse women. This Committee would voice the demands of women, and produce strategies that represented and benefited all women in the country. One of the main objectives of the Agenda was to gain sufficient strength to negotiate with the political parties in power, especially the MAS (Salguero 2008).

#### *Reconceptualizing gender*

Despite the Committee for Women's Agenda's independence, in reading the publications edited by the Committee it is possible to identify the connections between its ideas and the MAS's ideology. For example, the Committee proposed 'decolonizing' gender, which was an attempt to understand gender norms and relations, not from a Western/Global North perspective, but rather, from the perspective of the Global South in general, and the Bolivian population specifically. The Committee also talked about "depatriarchalizing" the state arguing that patriarchy was a form of colonization (Salguero 2008).

The argument was that the traditional understanding of ‘gender’ was Western, and from the Global North, and failed to understand and account for the gender experiences of women from the Global South and non-western traditions. The committee proposed analyzing “gender” based on the concept of “Good Living”<sup>48</sup> an idea associated with the indigenous traditions of the Andes, proposed by the MAS, and included in the Constitution of 2009 (Ch. 2, Art. 8.I). Under this principle, it was necessary to understand the importance of the community over the individual and the recognition of women as “other”, different from men, but no less valuable. This was also based on the principle of *Chachawarmi*, a notion also included in the MAS’s discourses and part of the Aymara and Quechua world views (Maclean 2014).

*Chachawarmi* literally translates man/woman and is the traditional conception of citizenship within some Andean indigenous communities (Arnold and Spedding 2007). This principle understands the citizen as the married couple, not as individuals. Women and men are complementary *but* equal, and both have important and necessary roles within the community. The couple, together, represent the household unit. The committee argued that the idea of complementarity served to oppress women within indigenous communities due to a patriarchal mindset, and although the *chachawarmi* theoretically

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<sup>48</sup> “Buen vivir”. It is associated with the pre-Hispanic indigenous traditions of the Andes. It refers to the idea of living in harmony with nature, reciprocity, social responsibility and justice, equity, peace, and consensus. This model of life is constructed in opposition to the Western model. It has been reimagined by indigenous communities as a response to the consequences of the adoption of neo-liberal economic policies in the Americas, which have had a particular hard effect on indigenous communities in terms of poverty, destruction of the environment, access to resources, etc. Houtart (2011). This concept has become part of the political discourse, and the “process of change” started by the MAS.



represented both men and women, in practice women were excluded and their interests were not represented (Rousseau 2011). A truer understanding of this principle, the Committee argued, recognizes that the oppression of women within a community affects the whole community because it severs half of the potential of the community, thus affecting the “good living” of all. This was used to justify the inclusion of women in equal terms to men (Salguero 2008).

Recognizing that women from all groups, but particularly women from indigenous, rural communities, and poor women, had been affected by patriarchal and neoliberal models of development and democracy, the Committee proposed the creation of laws to “give back to women” what was ‘taken from them’ by patriarchal legislation. This proposal also accounted for other forms of oppression and introduced the concept of “giving back double” (and triple). Thus, women from middle classes have been oppressed because of their gender and they had to receive compensation in the form of legislation to eliminate gender discrimination. Non-indigenous, working class women have been doubly oppressed: as women and as poor. Thus, they had to be doubly compensated: as women, but also with laws to reduce economic inequality. Finally, indigenous poor women have been oppressed also due to their ethnicity, to compensate them it is necessary to also develop laws to combat racial and ethnic discrimination and laws to restore what was taken from them by colonialism, namely, access to land, political power, and economic resources (Salguero 2008).

Besides these proposals, the Women's Agenda included laws to combat violence against women, sexual harassment in the workplace and at schools, human trafficking, and violence and harassment against women in politics. The Agenda also promoted the adoption of gender mainstreaming for other laws, including laws on public investment, education, and pensions. The proposal was centered on five fields of action: body, space, time, movement, and memory (Salguero 2008).

### **Advocating for women's representation and reaching parity**

The organization of women in the Women Present in History and the Committee for Women's Agenda was the result of a previous process of mobilization, specifically in regards to women's political participation that began in the late 1990s. The 1995 UN Fourth Conference on Women in Beijing, and preparatory meetings for this conference organized in the early 1990s, revitalized international feminist activism. In Latin America, it gave a boost to the already active regional women's movement that was promoted by feminist *Encuentros* –regional meetings of feminist activist that have taken place in Latin America since 1981 (Alvarez 2000; Friedman 2003; Sternbach et al. 1992). Transnational activism had an important effect locally by invigorating women's activism and enhancing their bargaining power vis-à-vis the state (Alvarez 2000). In Bolivia, it led to the creation of the Women's Political Forum (Foro Político de las Mujeres – WPF), a network of women

politicians, feminist activists, and women's organizations<sup>49</sup>. The Forum had the purpose of increasing women's political participation and advancing women's political rights and was created with support from the undersecretary of Gender Issues (Cruz and Calvo 2010; Novillo 2011).

The members of the WPF mobilized women and raised awareness regarding the importance of women's political participation and the benefits to society of increasing women's political participation<sup>50</sup>. They also lobbied male legislators in support of quota laws. Mobilization in favor of affirmative action measures and quota laws was not new in the region. In 1991 Argentina approved the Ley de Cupo Femenino, making it the first country with such measures (Franceschet and Piscopo 2008; Freidenberg and Caminotti 2014; Jones 1998). In 1996 Mexico and Paraguay also approved quota laws, and in 1997 Costa Rica, Dominican Republic, Peru, Ecuador, Panama, Venezuela, and Brazil also adopted gender quotas (Peschard 2002). All these measures were adopted because women politicians and organizations mobilized support both in the legislative bodies and in civil society (Baldez 2004; Franceschet, Krook, and Piscopo 2012; Krook 2009).

Achieving the approval of the first quota law was not an easy task. As in other countries in the region and in the world political parties resisted the application of quotas arguing –among other things- that quotas are undemocratic (Krook 2009). The approval of

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<sup>49</sup> The organizations that participated in Forum were the Women's Coordinator (Coordinadora de la Mujer), the Union of Women Parliamentarians of Bolivia (Unión de Mujeres Parlamentarias de Bolivia -UMPABOL), and the Women's Platform (Plataforma de la Mujer). Virtual interview with members of the WPF. Fall 2015, Spring 2016.

<sup>50</sup> Virtual interview with women politicians who were part of the WPF. Fall 2015.

the quota law in 1997 in Bolivia required continued efforts on the part of female legislators, then only one in the Senate and thirteen in the Chamber of Deputies, as well as the WPF and the women's movement more broadly (Novillo 2011). Despite passing of the quota law, there was continued resistance to women's inclusion. Some members of the WPF even recognized that they had been victims of violence in their political activity: among the goals of the WPF in 1996 was to "limit political violence against women". Further, after the women politicians members of the Forum faced resistance after the quota was approved and they were blacklisted and they faced reprisals on the part of party leaders and the media (Cruz and Calvo 2010).

To promote the approval of the quota law, the WPF framed the quota as part of the larger process of democratization. Given the low numbers of women in the National Congress, the WPF actively lobbied male legislators who could act as allies and supporters of the quota<sup>51</sup>. Their lobbying strategy required WPF members to put women's political rights above ideological differences. Women would lobby male legislators from different political parties to minimize the possibility of attacks from their own party, and increasing the chances of political success since the issue was perceived as being above ideological differences<sup>52</sup>. This strategy was also used in Mexico where women legislators relied on gender stereotypes, namely "men's gentlemanly deference toward certain women" to

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<sup>51</sup> Virtual interview with member of the WPF. Spring 2016.

<sup>52</sup> Virtual interview with female politician. Fall 2015.

promote the adoption of the quota law (Baldez 2004, 247). As in Mexico, in Bolivia this strategy was based on having a common goal. A member of the WPF explained:

“There was a consciousness among women in political parties, about the need for democratizing political offices. This was a shared objective of our struggle... We also had realistic, not overtly ambitious, goals. These goals were not mediated by ideology. Another element was that we had a solidarity pact among ourselves: all the members of the WPF, from all political parties, even in the media, had to be present when we were talking about women’s political representation. If someone had an interview, there could not be only one party, at least members of two parties needed to be present... when we visited political leaders, women from other parties or from women’s organizations spoke. This was to guarantee that the message was clear: this was not an intra-party issue but was a matter of personal conviction for all of us.”<sup>53</sup>

As explained previously, up until the 1994 Municipality laws, most of the elected offices at the municipal level were filled by appointment. With the decentralization laws, these seats became available for public election. Political parties became more interested in those offices, many newcomers entered the arena, and political parties became increasingly interested in holding on to power in smaller towns (Baldez and Brañez 2005). Similar to the women who were entering the political arena, male newcomers did not have previous experience in politics<sup>54</sup>, however, women’s ‘inexperience’ was used to restrict their access to politics, together with the use of violence<sup>55</sup>. As women were entering into politics through the use of gender quotas, the political landscape became more competitive as new positions and resources were disputed.

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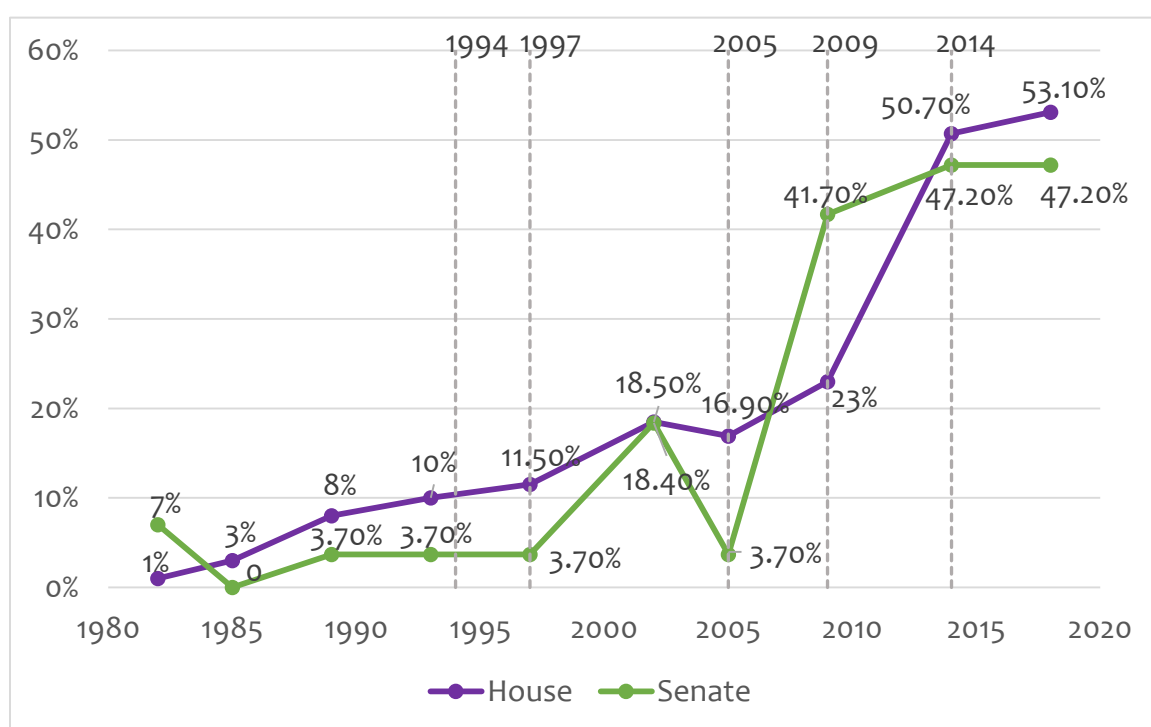
<sup>53</sup> Virtual interview with woman politician, member of the WPF. Spring 2016.

<sup>54</sup> Interview with activist. Summer 2015. La Paz, Bolivia.

<sup>55</sup> Interview with Activist. Summer 2015. La Paz, Bolivia.

The first gender quota law was approved in 1997. It established that political parties had to include at least 30% of women in the electoral lists. However, this did not translate into a 30% representation of women. The increase in women's representation only occurred over time, and with several legislative, electoral, and constitutional reforms as shown in Figure 2.

Figure 2. Women in Chamber and Senate in Bolivia, 1982 - 2018



The broken lines mark when reforms to increase women's political participation, were adopted.

All these reforms were necessary because, as was explained in chapter two, political parties used different measures to avoid complying with the law including putting women's as "*suplentes*" (alternates), assigning women to unwinnable districts, or feminizing men's names, this way, the party was complying with the law but women were

not gaining any seats (Baldez and Brañez 2005; Muñoz-Pogossian 2008; Novillo 2011). These tactics of resistance to the quota law forced the WPF to promote reforms to the quota law. They also used other strategies, besides public protest, to promote political transformation. For example, women's organizations reviewed the lists prior to the elections to guarantee that parties were complying with the quota. Yet, name changing was not always easy to spot, and it was only evident when the newly elected 'women' were sworn in (Albaine 2009; Baldez and Brañez 2005). As the numbers of women rose, cases of abuse and violence started to be reported. This was not a new realization for members of the WPF. During their first meetings, the members recognized that they all faced similar obstacles when accessing public office: they were undervalued, discredited, discriminated against, and suffered violence (Cruz and Calvo 2010). The rise in women's presence in public office increased these incidents and made them more visible. For example, newly elected women were treated as if they did not belong in the political sphere. Women were expected to behave in a way that would please traditional male dominance. That is, women were supposed to be subservient to male authority and not challenge existing power structures<sup>56</sup>. When they questioned traditional authorities they were harassed and threatened (Machicao Barbero 2004).

These challenges forced the network of women's organizations to promote legal reforms to the quota law, including a 30% quota for leadership positions within political

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<sup>56</sup> Interview with women activist. Summer 2015. La Paz, Bolivia.

parties (Novillo 2011). Women also mobilized to promote the adoption of a 50% gender quota in the 2004 law that allowed social and indigenous organizations to present candidates (Law 2771 of 2004). This law also introduced the concept of alternate succession which required that the principal and alternate in an electoral list be of a different sex<sup>57</sup>.

This requirement presented another challenge for women's political participation. The goal of the law was the inclusion of women. However, as a way around this provision, political parties placed female candidates as principals with a male alternate. As soon as the party got the seat and 'complied' with the quota law, women were asked to 'give back' their seat to the 'rightful' male owner. There have been cases of agreements prior to the election, in which the principal has to give the seat 'back' to the alternate<sup>58</sup>. The alternates are very frequently –though not exclusively- the perpetrators of VAWIP. With these practices, parties betray the spirit of the quota laws, but also violate electoral procedures.

This practice is not exclusive to Bolivia. In Mexico, for example, parties were found to be nominating the wife, daughter, or another family member of the male party member in order to comply with the quota law. After the election is guaranteed, and the party 'complies' with the law, the woman resigns, giving the seat 'back' to the male party member. This practice was so extensive that it received its own name. The women were

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<sup>57</sup> The word in Spanish is *alternancia* which literally translates as alternation. However, in studies of women's representation this has been understood as alternating candidates from different sex on the list. I use the phrase 'alternate succession' when referring specifically to the requirement that the suplente or alternate, be from a different sex.

<sup>58</sup> Interview with activist. Summer 2015. La Paz, Bolivia.



known as “Las Juanitas” (Freidenberg and Caminotti 2014; Piscopo 2014; Piscopo 2015). Similar cases were also reported in Argentina (Página 12 2011).

The political pressure against women principals is further exacerbated by another aspect of Bolivia’s political culture. It is traditional for alternates in both the Chamber of Deputies and the Senate to work for one week a month, even when the principal is still in her or his seat. This is so alternates can get paid while the principal works in their home district. The legality of this practice is not clear, it does not appear to be mandated by any law but it is a right expressly mentioned in both the Chamber and the Senate’s internal regulations (Cámara de Diputados 2010, 20; Cámara de Senadores N.D., 15). This practice is only regulated for the National Assembly, regardless of the sex of the principal. Positions at the subnational level have not regulated this practice but it has been used to force women principals to ‘share’ their seat<sup>59</sup>. Despite not being recognized for subnational-level offices, women –but not men- are forced to ‘share’ their seat with their alternates<sup>60</sup>.

Even though there has been continuous resistance to women’s political inclusion, the women’s movement in Bolivia has developed strategies to overcome them, including promoting further legal and electoral reform but also actively challenging parties for not complying with the law. It was women’s organizations that called attention to the so-called ‘crossdresser candidates’<sup>61</sup> –men candidates who feminized their names, with the support

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<sup>59</sup> Virtual interview with female politician. Fall 2015.

<sup>60</sup> Interview with activists. Summer 2015. La Paz, Bolivia.

<sup>61</sup> Men who feminized their names when registering their candidacy to appear to comply with the gender-quota law. This occurred at the subnational level and had the support of political parties. A male candidate

of political parties, in order to appear to comply with the quota law- and to the party's failure to comply with the quota and parity laws (Coordinadora de la Mujer 2015; EFE 2009; Novillo 2011).

The position of the WPF has weakened over time: fewer women have participated and it became increasingly hard for women politicians to participate in a climate of political polarization since the ascent of the MAS<sup>62</sup>. However, the women's movement commitment to women's political participation has not decreased and it has used other strategies in order to promote further political change. Also, NGOs with the support of international organizations and donors have become more relevant in the political landscape (Alvarez 1999; Alvarez 2009).

## **Conclusion**

The sociopolitical context of Bolivia in the last 20 years has allowed for VAWIP to become an important issue in the political agenda of the women's movement. The unrest in the early 2000s and the political and institutional transformations allowed women's organizations and movements to challenge existing institutional rules regarding women's political participation and gender relations in order to promote gender quotas. By working with indigenous women and aligning their discourse to that of the MAS, the women's movement was able to obtain support for parity in decision-making.

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named Juan would change his name to the feminine version Juana, so electoral authorities would approve the list Baldez and Brañez (2005).

<sup>62</sup> Virtual interview with members of the WPF. Fall 2015.

Despite these gains, resistance to women's inclusion has been constant. From political parties' taking advantage of loopholes in the first quota laws, to actively undermining the quota through diverse strategies, the women's movement has had to be vigilant to guarantee compliance with these laws.

As other radical Left governments in Latin America (Levitsky and Way 2010), Morales has used diverse strategies to increase his power, while reducing the access of the opposition to the government. Currently, his party holds almost 70% of the seats in the Senate and 68% in the Chamber of Deputies (IPU). He has also increased the presence of MAS loyalists in the courts and electoral bodies, reducing their independence. The presence of members of social organizations in different governmental offices has also been reduced, and they have been replaced by career politicians less committed with these organizations. All these transformations have reduced the government's accountability to social organizations –including women's organizations- while increasing Morales' power (Anria 2013; Madrid 2011).

At the same time, the government has fought against INGOs that, according to the government, promote foreign interests but, in many cases, support social organizations that have opposed certain policies of the government (Corz 2013; Economía y Negocios 2015). The country has also gotten worse in terms of protection of civil liberties. While in

2002 the country was classified as ‘free’ in 2018 it is classified as ‘partly free’ because of Constitutional Court ruling allowing Morales’ to run for president a fourth time<sup>63</sup>.

Through this process, the alliance between non-indigenous women and indigenous women has deteriorated and tensions have increased. Indigenous women are frequently accused of being subservient to the MAS while ignoring the commitments reached with the women’s movement<sup>64</sup>. At the same time, women’s organizations –both indigenous and non-indigenous- continue working for the advancement of women’s rights. In particular, these organizations have worked to increase women’s political participation and empowerment, and to eradicate ‘political violence and harassment against women’. The work of women activists in conceptualizing this phenomenon and creating a bill proposal which later turned into a law will be discussed in the following chapter.

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<sup>63</sup> <https://freedomhouse.org/report/freedom-world/2018/bolivia>

<sup>64</sup> Interviews with activists. La Paz, Bolivia. Summer 2015.

#### CHAPTER FOUR: WOMEN'S ORGANIZATION AND THE VISIBILITY OF VAWIP<sup>65</sup>

To understand what VAWIP is and to identify cases, it is necessary to analyze the context in which attacks of women politicians occur. The previous chapter analyzed the process by which women overcame differences between indigenous and non-indigenous groups to propose a legislative agenda for women which led to the inclusion of parity in decision-making in electoral procedures. Despite this victory, violence and harassment against women politicians became common, as a novel form of resistance to the inclusion of women in politics. As with the adoption of gender quotas and parity laws, the women's movement in Bolivia was instrumental both in theorizing this phenomenon and in developing diverse strategies to combat it. This chapter analyzes this process. I examine the arguments in favor and against the law, and how differences within the women's movement were overcome in order to get the law approved.

The first section of the chapter will explain how the Association of Female Councilors and Mayors of Bolivia (Asociación de Concejalas y Alcaldesas de Bolivia - ACOBOL) and other women's organizations started to make VAWIP visible among local women candidates and politicians, along with party leaders and political elites at the national level. The following section will analyze the arguments recognizing VAWIP as an

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<sup>65</sup> Preliminary versions of this chapter were presented at the 74th Midwest Political Science Association Annual Meeting. Chicago, Ill. April 5 - 8, 2016 and the 50th International Congress of the Latin American Studies Association. New York, NY. May 27 - 30, 2016. Restrepo Sanin (April 5 - 8, 2016).

independent issue, against criminalization of this issue through a law, and the responses of women activists and politicians. Afterwards, the chapter will focus on the development of the draft proposal for a law against “Gender-based Political Violence” and the processes by which this draft was transformed and ultimately became Law 243 against “Political Violence and Harassment against Women”. The chapter will conclude that women’s organizations in Bolivia have been a fundamental player in ensuring the visibility of VAWIP and the design of strategies to eradicate it. This influence extends beyond Bolivia, as their work has shaped the discourse on VAWIP throughout Latin America.

### **Making VAWIP Visible**

As was explained in the previous chapter, women in Bolivia worked for a long time insisting on the need to approve different measures to increase political participation. These demands –and the gains they obtained- occurred in a larger process of deepening democracy in Bolivia and Latin America more broadly. Among these measures were efforts to decentralize government and give more autonomy and control over resources to municipalities and indigenous groups, as well as to regulate the activities of political parties and social organizations to make electoral processes more transparent (Novillo 2011).

In this context, women demanded first, the adoption of a gender-quota law, which was approved in 1997. Afterwards, they worked on closing loopholes and demanded parity for the Constitutional Assembly. With the election of 33% women as members of this Assembly, and the work of a coalition of women’s organizations around the crafting of an inclusive and egalitarian constitution, women got the recognition of gender-parity in

decision-making in the 2009 Constitution (Art. 11.I, Art. 26.I, Art. 147, Art. 210.II). The process of decentralization and the inclusion of women resulted in clashes between two sets of newcomers: women who were included through gender quotas and men who gained access to local offices and resources as a consequence of the decentralization laws.

As women's numbers in politics increased, so did the incidents of VAWIP. In 1999, in a workshop with 87 councilwomen from all regions of Bolivia, an agreement was reached to create ACOBOL. The organization's goal was to serve as a representative of the interest of councilwomen and mayors, provide training and support, and strengthen women's political representation in local politics (ACOBOL 1999). This association was created after Gloria Aguilar, a former women councilor in La Paz, started to experience harassment and political pressure<sup>66</sup>. This type of treatment came to her as a surprise as she "did not expect the things that were happening to her". The harassment started with smaller, seemingly unimportant actions like assigning her to "second-class" committees, even though she was qualified to sit on more important committees. She was also ignored when she requested the floor in the council sessions and was attacked by people outside of the town hall.

As was explained in chapter two these actions, in isolation, may not be considered VAWIP, but they become so, in light of the larger context of rejection of women's political inclusion, and through the analysis of the patterns of attacks that both the direct victim and other women face. After these initial attacks, this councilor was illegally suspended

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<sup>66</sup> Virtual interview with former politician. Fall 2015.

from her office. This councilor describe what happened to her as violence, and she emphasized that these different actions were all connected. In response to this violence, she was started a hunger strike in order to have her political rights reinstated. The Supreme Court ruled in her favor, but she still had to fiercely defend herself. At some point, she had to travel at a moment's notice to the city of Sucre –where the Constitutional Court is located- because she was informed that the Court would rule against her, in an apparent political move<sup>67</sup>.

Even though her case was resolved in her favor, she realized that she did not have any means for prosecuting the people behind the violence, and although all the actions against her had been deemed illegal, the perpetrators were still part of the city council and were not sanctioned in any way. Moreover, there were no laws or administrative measures that could protect her from being attacked in the future. Her case received national attention and she was contacted by other councilwomen from different regions of the country. These women shared their own stories of violence while asking for advice as to how to proceed. It was evident that hers was not an isolated event. She also realized that she was in a privileged position: she was educated, lived in an urban center, had the support of her family and the media, and had an extensive network of friends and supporters within government institutions and women's organizations. She concluded that the situation must be much worse for women in rural regions, with limited education, and

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<sup>67</sup> Virtual interview with politician. Fall 2015.



without access to women's organizations and other networks of support. She started to work on the creation of an association to protect the rights of women in political office<sup>68</sup>.

ACOBOL has become an important actor in the women's movement goal of parity because it represents and defends the interests of elected women at the local level. This organization also created workshops and training for women councilors in diverse issues, including gender mainstreaming, policy-making procedures, and VAWIP. Soon after its creation, ACOBOL started receiving reports of diverse incidents of violence against councilwomen and mayors. At the beginning, the Association was only able to offer moral support and register the cases. After realizing the attacks were not isolated, ACOBOL began systematizing these reports<sup>69</sup>. The Association distributed a survey among 96 councilwomen who participated in ACOBOL's 2003 meeting, and a two other state-level meetings organized in 2004 meeting organized by ACOBOL in 2004 (about 27% of the total of women councilors and mayors). This study revealed that approximately 32% of councilwomen were pressured by their political parties, and 32% also had been pressured by a colleague (Machicao Barbery 2004).

This study also included in-depth interviews with 30 councilwomen that revealed that the acts included physical, psychological, sexual, economic, and semiotic violence. For example, Gladys Alcalá was appointed mayor of Huanuni, a small town south of La Paz, after the elected mayor was suspended for corruption (Machicao Barbery 2004). When

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<sup>68</sup> Virtual interview with politician. Fall 2015.

<sup>69</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

she assumed her post, she was kidnapped by several members of the council who forced her to sign checks that were not part of the approved budget (La Patria 2002). She was also forced to pay twice the end-of-year bonus to all of the employees of the municipal building. Civic organizers and union leaders pressured her to take bribe and, when she refused, they mobilized people to take the offices of the mayor by force. She was attacked by a mob and received five days of sick leave due to her injuries. Ms. Alcalá was falsely accused of corruption, and the former mayor mobilized people and blocked roads in events that ended with 43 people injured. Even though the Supreme Court ruled that her appointment was legal and cleared her of all corruption charges, she continued to receive death threats from union leaders and civil organizers (Machicao Barberly 2004).

This case exemplifies the most extreme acts of VAWIP, however, as is evident, the perpetrators used a variety of tools to force Ms. Alcalá out. As explained in chapter two, they also falsely accused her of corruption, in an attempt to taint her reputation and generate more pressure. By mobilizing people against her, they use the argument of ‘the will of the people’ to legitimize their actions. Further, the persistence of acts of violence, even when the victim complies with the perpetrator’s demands is one of the hallmarks of VAWIP: it is not about what the victim is doing, it is about the fact that she is a woman – in which ACOBOL realized in this study<sup>70</sup>.

Most of the reports received by ACOBOL emphasized that these actions had the purpose of forcing a woman to resign so that her male alternate could access the seat.

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<sup>70</sup> Interview with activist. Summer 2015. La Paz, Bolivia.

When inquiring about the different cases, activists in Bolivia explained that when they were first elected, many of the women councilors had been forced to sign a resignation letter or a blank paper. This paper would be used against them when the party needed her alternate in her place<sup>71</sup> Women were considered ‘guests’, and were asked to participate only to comply with the quota laws<sup>72</sup>. Both the party, and the male alternate, considered the seat ‘belonged’ to the man the woman had replaced to comply with the quota, they could then ask the ‘guest’ to leave when she was no longer necessary.

The adoption of alternate succession, placing a woman as the principal in the electoral list, with a man as the alternate or vice versa, increased the number of cases of VAWIP reported<sup>73</sup>. This reform was adopted as part of the parity law to guarantee that women would be included as principals, not only as alternates, in electoral lists. Alternates told the newly elected female councilors that alternation meant that the principal (that is, the woman) would be in office for half the time (about two and a half years), and the male *suplente* was going to be in the office the rest of the time. This ‘rule’ did not apply when the principal was a man<sup>74</sup>. When ACOBOL investigated these cases, they found that women had been forced to sign resignation letters and even promissory notes for two and a half years of salary, or half of their term in office. This was to guarantee that the woman would resign, otherwise, she would be in debt with her alternate. Figure 2 on page 97 shows the

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<sup>71</sup> Interviews with activists. La Paz, Bolivia. Summer 2015.

<sup>72</sup> Interview with activist. La Paz, Bolivia. Summer 2015

<sup>73</sup> La Paz, Bolivia. Summer 2015.

<sup>74</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

number of VAWIP cases reported to ACOBOL between 2000 and 2014. Notably, the number of cases increases in 2002, 2008 and 2013, approximately two and a half years after elections were held.

After doing extensive research, ACOBOL realized that existing legislation could not protect victims or sanction the perpetrators. On the one hand, Bolivia had very weak laws to combat violence against women (Htun and Weldon 2010); on the other hand, many of the actions perpetrated against women in politics were not considered crimes or even cases of disciplinary misconduct. They realized the need for a specific law that would allow for the recognition of all these actions as part of the same phenomenon, “violence and harassment against women in politics” which is a violation of women’s rights<sup>75</sup>. This realization led ACOBOL to mobilize its members and allies to stop this phenomenon. ACOBOL also developed other strategies such as providing training for women politicians, making sure they were aware of their political rights, and the necessary procedures to present proposals at the local level<sup>76</sup>.

### **Defining and naming VAWIP**

“Acoso Politico” or political harassment was first conceptualized by ACOBOL in 2004 when they commissioned the drafting of a bill proposal<sup>77</sup> and published a study on this topic (Machicao Barbero 2004) and. This book, as well as the designing of the proposal, were the product of the systematization of the complaints that ACOBOL had received.

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<sup>75</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

<sup>76</sup> Interview with activist. La Paz, Bolivia, Summer 2015.

<sup>77</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

These reports revealed that the most common forms of harassment were cases where women councilors at the local level were pressured and persecuted to resign, approved spending budgets, or act against their will (Machicao Barbero 2004).

As was mentioned in chapter one, many of these behaviors, when taken separately, are not considered violence. However, activists in Bolivia needed a name to refer to the sum of all these behaviors and capture both the impact on the woman who was victimized, and the effects of these behaviors on her performance. The word harassment (*acoso*) was intended to capture the behaviors used to pressure women but did not—in theory—harm them. Despite the emphasis on harassment, the earlier documents recognize it as a form of violence—even if they assumed it did not cause ‘harm.’ This separation—which was later adopted in several other countries in Latin America—, has two main goals. The first goal is to emphasize different degrees of harm that were thought to make the approval of a bill proposal easier<sup>78</sup>. The second goal is to highlight the systematic character of those behaviors that are seen as ‘normal’ but undermine women’s performance (Machicao Barbero 2004). Despite the separation, activists in Bolivia also agree that “harassment always ends in violence”<sup>79</sup>.

Although the word harassment was used in public documents and the bill proposal, there was contention within the women’s movements and ACOBOL regarding this term. One of the objections was that the word ‘harassment’ would be associated—as indeed

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<sup>78</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

<sup>79</sup> *ibid.*

happened- with sexual harassment. Both male politicians and the media joked about this and said that women in politics were sexually harassed<sup>80</sup>. This was not only an effort to undermine the discussion of the issue, but it reduced VAWIP to just one of its manifestations, ignoring the systematic nature of VAWIP and the hostile environment created through constant pressure, humiliation, and persecution<sup>81</sup>.

Although ACOBOL, with the Women's Coordinator worked to make the problem of VAWIP visible among women authorities at all levels of government and party leaders, there was still resistance to the approval of this proposal. One of the challenges was convincing members of the National Assembly that VAWIP was real. During the debate in the senate, the Senate President Gabriela Montañó, said: "We are talking here about harassment, that, in our country, I regret to tell my male colleagues, exist... that why we need this law" (Cámara de Senadores 2012, 179). Men legislators also argued –outside of the chamber and the senate- that the approval of this law would mean that they would not be able to talk to any woman in politics because they would be accused of harassment<sup>82</sup>. During the first debate of the proposal, men also argued that many of the actions classified as 'harassment' were normal politics and that then negotiation between men and women in politics would not be possible. A male deputy commented: "If a man suggests that he be president, and she vicepresident, then that is political harassment" (Cámara de Diputados 2006, 33).

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<sup>80</sup> Ibid.

<sup>81</sup> Interview with activist. La Paz, Bolivia. Summer 2015. Virtual interview with politician. Fall 2015.

<sup>82</sup> Interview with activists and bureaucrat. La Paz, Bolivia. Summer 2015.

Another argument used against the conceptualization of violence and harassment against women in politics, as well as the law to criminalize it, was that politics is violent and conflictive by nature, and men are also victims of political violence. The solution was, according to these opponents, to have a gender-neutral law against political harassment and violence. The argument that VAWIP is not a specific form of political violence against women but an effect of already violent contexts and weak states has been used in other contexts as well (Piscopo 2016b). However, as activists and supporters of the law in Bolivia argued, VAWIP refers to a specific form of political violence with the goal not of pushing out a political opponents, but of forcing out women in particular. In this sense, the debates highlighted, members of the same party were frequently –but not always- the perpetrators of VAWIP.

In response to these arguments, Deputy Rebeca Delgado explained that cases of violence against politicians that were not gender-motivated could be dealt with existing electoral legislation (Cámara de Diputados 2012c). Arguments to support a specific law to protect women from violence also referred to the statistics presented by ACOBOL and Deputy Elizabeth Salguero –who sponsored the first proposal- showing that a high percentage of women were affected by this form of violence (Cámara de Diputados 2006).

Other challenges came from some indigenous women, who said indigenous peoples were harassed and silenced. An indigenous woman reflected that the Bartolina Sisa Federation –the largest organization of indigenous women in Bolivia- had proposed a similar law that was ignored, while deputy Hilario Callisaya (a man) argued that people

from the rural areas were also discriminated regardless of their gender (Cámara de Diputados 2006). Some indigenous women also argued that this law would be used for political purposes against ‘their sons’ (Cabezas Fernández 2014) . The response in this instance was to emphasize that political violence and harassment affects all women, regardless of their ethnicity or whether they live in rural or urban areas. After the workshops and discussions organized by ACOBOL and other women’s organizations, indigenous women became important supporters of this proposal and voted favorably in 2012.

Resistance was also more covert. When the proposal was first approved, it then had to be circulated through all the legislative commissions:

“When it reached the construction commission, I think, there were a bunch of very *machista* men and they started making jokes that they would order ‘picamacho’<sup>83</sup> for lunch. For us, this was an insult, and it was the type of treatment that we had to face when we were fighting for the approval of the law”<sup>84</sup>.

During debates on the proposal, especially in 2012, several Deputies and Senators highlighted that men were absent from the room when this proposal was being debated (Cámara de Diputados 2012c). These tactics are not uncommon. In Mauritius, men parliamentarians would leave the room to smoke when legislation on women’s issues was being discussed (Ramtohul 2017). Although these dynamics are not violence, nor are they

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<sup>83</sup> Picamacho is a traditional dish from Cochabamba, a city in Bolivia. The name is a combination of the words ‘pica’ or spicy and ‘macho’, which mean manly or ‘man enough’. ‘Pica’ also means ‘to chop’. The joke can be interpreted to mean something like ‘man chopper’.

<sup>84</sup> Interview with activist. La Paz, Bolivia. Summer 2015.



a direct form of opposition to the law, they do show that women's problems and voices are silenced, disregarded, and seen as unworthy of men's time and attention.

### **Designing Law 243**

While working to make VAWIP visible in Bolivia, ACOBOL also created other measures to end VAWIP. ACOBOL designed the first draft of a legislative proposal in 2004. This draft was written by lawyer Dr. Liz Escobar and was entitled "bill proposal draft 'Against Gender-Based Harassment and Violence'". It defined political harassment as "any illegal action through which a person in a political position, and in relation to the functions he or she performs, harasses or continuously pressures women exercising their political rights" (Machicao Barbero 2004, 71). Violence was defined as any action that causes physical, sexual, or psychological harm. Both political harassment and violence have the purpose of forcing a woman to act against her will, affect her mandate, or resign in favor of her male alternate.

This draft emphasized the motivations behind violence and harassment, and recognized a wide array of actions used against women. Unlike the approved law, the list of 'acts of political violence and harassment' included in the draft explicitly mentions restricting or impeding women's political rights as candidates and as elected or appointed officials. It lists specific actions such as restricting women's access to economic resources granted by the Constitution and the Law, as well as impeding women's assistance to meetings, voting, and speaking during sessions. While these actions may be contested as

violence, activists in Bolivia recognized that they were part of the same continuum of attacks used against women.

The draft also addressed the use of intimidation or force to coerce women into signing documents or making decisions against their will (Rojas 2008, items b-d). In addition, it sanctioned providing electoral authorities false information regarding the identity and the sex of the candidates. This was an attempt to specifically address the feminization of masculine names that had been used by political parties to appear to fulfill the quotas (Baldez and Brañez 2005). It also included penalties for discrimination against pregnant women (or that had recently given birth) as well as women of limited education or older than 60 years. Finally, it included a provision to penalize the use of indigenous procedures<sup>85</sup> to discriminate against women elected or nominated. All these provisions show that activists were aware of the importance of contextualizing VAWIP, as particular elements of the Bolivian sociopolitical context were used to undermine women's political rights. After writing the draft, ACOBOL worked with other organizations, as well as politicians in the national Congress and in diverse ministries, to get this proposal discussed in the legislature. They also created other strategies to increase support for this project as will be explained in the next section.

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<sup>85</sup> This refers to the recognition of indigenous people's rights to have their cultural practices and traditions respected and recognized. The 2009 Constitution includes this right and it is especially important to the recognition of indigenous justice systems which is based on tradition

### Passing Law 243

The bill was presented to the Chamber of Deputies in 2006 by Deputy Elizabeth Salguero, and the general proposal was approved<sup>86</sup>. However, when it was time to analyze in detail each of the articles of the bill, it was stalled and sent back to the committees. It also failed to be included on the Senate's agenda during that legislative session, thus, the proposal presented did not pass into law.

Deputy Salguero was a longtime member of the women's movement in Bolivia<sup>87</sup>. During her term as legislator she led the a project to Strengthen Human Development with a Gender perspective, the Committee for Women's Political Rights, and the Legislative Agenda by and for Women (Salguero 2008). Later as Minister of Culture (2011-2012), she proposed the project of "de-patriarcalization" of the state. Her dual position as activist-politician gave her a unique advantage in the advancement of legislation to combat VAWIP. As an activist she was aware of the need of approving this proposal; as a politician she was a critical actor (Childs and Krook 2009), gathering support for the project, guaranteeing its discussion in the committees, and working with women in the executive to expedite its revision<sup>88</sup>.

ACOBOL presented the proposal to women in different municipalities across Bolivia through workshops and training sessions with the purpose of gathering support. During this process it was supported by the Coordinadora de la Mujer, the Women's Political

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<sup>86</sup> Aprobación en grande.

<sup>87</sup> Interview with activist. Summer 2015. La Paz, Bolivia.

<sup>88</sup> Interview with activist. Summer 2015. La Paz, Bolivia. Virtual interview with politician. Fall 2015.

Forum, and other local and national women's organizations and politicians. Women politicians at the national level also joined these workshops (Salguero 2008).

The workshops also had the purpose of responding to the concerns presented by indigenous women the first time the proposal was debated, as well as integrating ideas of women from different groups and accounting for differences due to ethnicity or geographical origin. They also aimed to make VAWIP more visible<sup>89</sup>. Similar to sexual harassment, many of the behaviors and actions that constitute VAWIP are considered 'normal', even though they affect women's wellbeing and effectiveness as political actors. These workshops therefore were an effort to denaturalize these actions (Escalante and Mendez 2011; Herrera, Arias, and García 2012; MacKinnon 1979). This process made visible the experiences of many women with violence and harassment, and helped women from all over Bolivia to recognize and name their own experiences<sup>90</sup> while giving them tools to act when their rights were violated (ACOBOL 2010a; ACOBOL 2010b).

ACOBOL also developed a plan to facilitate the approval of the law. This plan included a close collaboration with the Vice-minister of Gender and Generational Affairs, Evelin Agreda, and lobbying parliamentarians, leaders of political parties, indigenous organizations, and sub-national and local authorities to increase recognition of the problem and support for the law. Through working groups, ACOBOL presented the bill

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<sup>89</sup> Interview with activist. Summer 2015. La Paz, Bolivia.

<sup>90</sup> Interview with women activist. Summer 2015. La Paz, Bolivia

proposal and encouraged different actors to sign agreements to include VAWIP in the political agenda (Rojas 2008).

The strategy to facilitate the passing of the law was to pressure through three different fronts: 1) from civil society through women's organizations and NGOs, 2) from within the executive branch through the Vice-ministry of Gender and Generational Affairs, which agreed to expedite the revision of the proposal and support it, and 3) through the legislative bodies, with help from women parliamentarians who would lobby other legislators in committees and the plenary<sup>91</sup>. This work was done by ACOBOL with the help of the WPF and other groups. Among the participating organizations was the Coordinadora de la Mujer, AMUPEI, and the Bartolina Sisa Organization<sup>92</sup>. Other participants included female members of the National Assembly, activists, feminists, journalists, academics, and government officials<sup>93</sup>.

This network of groups and individuals was formalized as the Committee for Women's Political Rights<sup>94</sup>. Its purpose was to develop a legislative agenda that would include eight bill proposals to improve women status, such as the law to guarantee women a life free from violence, a law against sexual harassment in the workplace and in schools, a law against human trafficking, and the law against VAWIP. It also developed gender

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<sup>91</sup> Interviews with Government Official, Summer 2015. La Paz, Bolivia. Virtual interview with women politician. Fall 2015.

<sup>92</sup> Women's Coordinator, a feminist women's organization, Articulación de Mujeres por la Equidad y la Igualdad de Género desde los Movimientos de Mujeres, an umbrella organization of several women's organizations, and the Confederación Nacional de Mujeres Campesinas Indígenas Originarias de Bolivia, the most important organization of indigenous women.

<sup>93</sup> Agenda Legislativa desde las Mujeres

<sup>94</sup> Comité Impulsor de los Derechos Políticos de las Mujeres.

mainstreaming strategies that would impact other bill proposals as well, such as a bill proposal for public investment with a gender lens (Salguero 2008). It also had the purpose of creating a united group with demands and strategies that represented and benefited all women in the country and had the sufficient strength to negotiate with the political parties and social organizations. This strategy is not exclusive to Bolivia. In Mexico and the United States, for example, the women's movement has also worked from within the state to advance women-friendly public policy (Banaszak 2010; Piscopo 2017a)

### **The new Constitution and women's rights**

A Constitutional Assembly was summoned in 2006. Given the strength of the Committee for Women's Agenda, and the support it received from women's organizations around the country, it was able to secure a 30% quota for women in electoral lists for the Constitutional Assembly. This resulted in the election of 28% women (Chavez 2010; Rousseau 2011) which, in turn, translated into a Constitution that explicitly guarantees women equal political participation to men (Art. 11.I, Art. 26.I, Art. 147, Art. 210.II). As was explained in chapter three, after the approval of the Constitution, women in Bolivia were also able to secure other reforms to improve women's political participation, including a reform of the Electoral Code (Law 26) that made parity and alternate succession mandatory for all elected positions and included sanctions for non-compliance.

Many of the women elected to the National Assembly after the 2009 Constitution were part of or close allies of the social organizations that had supported the MAS's ascent

to power. Some were also part of the WPF<sup>95</sup>. This gave new life to the project of criminalizing VAWIP. Women's organizations increased their efforts and presented again the bill proposal draft as a civil society initiative.

### **Setbacks and victories**

The bill proposal was presented again during the 2010 legislature. In 2011, it was analyzed by different committees and members of the Chamber. Deputy Lucio Marca, of the Human Rights committee, suggested changing the name (Cámara de Diputados 2012a). He argued that because VAWIP happens explicitly to women the law should be 'against women' instead of 'gender-based', as the bill proposal suggested. He argued that ACOBOL's version could be perceived as gender-neutral and it was important to emphasize that VAWIP is a type of violence that happens *specifically* to women (Cámara de Diputados 2012a). This change was welcomed by ACOBOL<sup>96</sup>.

During the legislative session that began in 2012, both the Senate and the Chamber of Deputies were headed by women who were deeply committed to women's rights. This gave a boost to the VAWIP bill proposal. Rebeca Delgado, president of the Chamber of Deputies and former member of the Constitutional Assembly, sponsored the project in the Chamber. Senator Gabriela Montaña, president of the Senate, also supported the approval of the legislative proposal and expedited its discussion in the Senate plenary<sup>97</sup>. In her

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<sup>95</sup> Interview with activists and female politicians. Summer 2015, La Paz, Bolivia; and Virtual interviews, Fall 2015.

<sup>96</sup> Interview with activist. Summer 2015. La Paz, Bolivia.

<sup>97</sup> Interview with activist. Summer 2015. La Paz, Bolivia.

intervention during the debate she highlighted the work of the women's movement: "for over ten years, the Association of Female Councilors of Bolivia, some female deputies and former deputies and senators, female alternates... promoted the approval of this bill Proposal, even before the approval of the new Constitution" (Cámara de Senadores 2012).

The work of women's organizations in conjunction with women politicians and members of the executive branch was also highlighted during several interventions during the debates in the Chamber and in the Senate (Cámara de Diputados 2012a; Cámara de Senadores 2012). Women activists and members of several women's organizations also kept each other informed when the debates were going to take place and attended the sessions. They cheered and applauded showing support for the law<sup>98</sup>.

Despite of all of the support from legislators and the activism of the women's movement, the proposal still faced some resistance. In particular, male legislators argued outside of the legislative debates that with this proposal they would not be able to talk to female legislators because anything could be harassment<sup>99</sup>. This resistance was overcome when Juana Quispe, a female councilor from the small town of Ancoraimes, about 75 miles north of La Paz, was murdered. Her body was left out in public, near a river in La Paz, showing signs of torture (Corz 2012; La Prensa 2012).

Ms. Quispe was member of ACOBOL and had been an active supporter of women's participation and the bill proposal to criminalize harassment and violence against women

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<sup>98</sup> Interviews with activists. Summer 2015. La Paz, Bolivia.

<sup>99</sup> Interview with activist. Summer 2015. La Paz, Bolivia.



in politics. She had been vocal about her own experience with this type of violence. ACOBOL also helped her during the legal procedures and condemned her case in the media (Bolpress 2005). Despite making several reports to the police and other authorities about VAWIP, and the evidence pointing out to a politically-motivated assassination, her murder was ruled a robbery and has not been resolved (Pando 2016).

Women activists used the case of Juana Quispe to bring visibility to the problem of VAWIP, its magnitude, and the consequences it has for women in politics. The organizations distributed pamphlets explaining her case among legislators prior to the debates<sup>100</sup>. They highlighted that the absence of a law had allowed those who attacked Ms. Quispe to stay in power with impunity. These strategies helped expedite the discussion of the proposal, and her case was used in the debates to stress the need for having a law to combat VAWIP (Cámara de Diputados 2012a; Cámara de Diputados 2012b).

The proposal was approved both in the Chamber and in the Senate, and was signed into Law by president Evo Morales in 2012. Even though the approval of this law constitutes a victory for the women's movement, there are still challenges to its enforcement as most cases of VAWIP are not reported, and of those that are, only a few find resolution<sup>101</sup>. Since the law was approved in 2012, ACOBOL has received 358 reports of VAWIP—a number that most likely hides the reality of this problem as women are afraid to report. Of these 318, only 53 have been reported to the justice system, and only one

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<sup>100</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

<sup>101</sup> Interview with activist. La Paz, Bolivia, Summer 2015.

has been resolved in favor of the victim (Erbol 2018; Peredo 2018). Nevertheless, women activists keep working both inside the state and within civil society to increase visibility of this problem, as well as raising awareness of the law so that women who are victims know how to take action. ACOBOL and other organizations worked with the Ministry of Justice and the Superior Electoral Tribunal to propose a regulation of the law which was approved in October 2016, and clarifies some of the points of the law that were unclear. The Association also continues training women in politics so they are better informed about their rights. At the same time, they continue to work to promote changes to the current parity law and the electoral code so the quota is maintained even if the principal resigns<sup>102</sup>.

## **Conclusions**

Women's organizations and activists in Bolivia have been fundamental players in the conceptualization and recognition of VAWIP. By differentiating between harassment and violence, women's organizations have made visible innumerable 'non-violent' behaviors used to undermine women's political rights and affect their performance as candidate and elected or appointed officials. This separation, although strategically sound, and very important in highlighting the systematic nature of VAWIP, ignores the ways in which these apparent non-violent behaviors –such as providing false information or pressuring women to resign- affect women's mental health and wellbeing. As was explained on chapter two, violence should be considered as a continuum. The separation

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<sup>102</sup> Virtual interview with activist. Summer 2016.

between harassment and violence emphasizes the perspective that violence is a series of discrete actions.

The role of women's organizations in Bolivia has been relevant not only in the Andean country but in Latin America more broadly. First, other countries have adopted the Bolivian strategy of differentiating between harassment and violence, as will be explained on chapter six. Second, as in Bolivia, activists in other countries have seen the law as the most important means of eradicating VAWIP, and thus legislative proposals have been advanced in Costa Rica, Peru, Honduras, Ecuador, and Mexico.

The approval of Law 243 is not the end of the road. There are many obstacles that women in politics face. Despite the fact that Law 243 and its regulatory framework have been approved in Bolivia, there is a lot of confusion regarding its implementation<sup>103</sup>. Police officers and judges do not know how to proceed and which entity has jurisdiction over the cases. Moreover, although there have been more than 200 reports of VAWIP since the law was approved only one case has been resolved through the penal route (Bustillos 2014). Even in this case, the victim's rights have not been fully protected and the perpetrators have not been sanctioned. Women are also afraid to report because, instead of supporting them, political parties consider them traitors and they risk losing their political careers<sup>104</sup>. These limitations, along with the benefits of having a law will be analyzed in chapter five.

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<sup>103</sup> Interviews with activists. Summer 2015. La Paz, Bolivia.

<sup>104</sup> Virtual interview with Election Observer. Winter 2016.

## CHAPTER FIVE: EXPANDING CONCEPTIONS OF VIOLENCE: CRITICAL REVIEW OF LAW

243 <sup>105</sup>

The previous chapter focused on the role of women's organizations in theorizing VAWIP and developing diverse strategies, including a bill proposal, to combat and punish VAWIP. This chapter critically analyzes the Bolivian law on "Political Violence and Harassment against Women" (Law 243). As was explained in the previous chapter, this work was possible because of the alliance between feminist activists with women politicians and members of the state apparatus which were committed to advancing this legislation as part of the Women's Agenda. With the approval of this proposal in 2012, Bolivia became the first –and so far, only – country in the world to explicitly acknowledge and sanction VAWIP. Law 243 and its regulatory framework approved in 2016, identify as instances of violence and harassment a range of behaviors. Law 243 has also been used as a reference for proposed legal measures in Mexico<sup>106</sup>, Costa Rica<sup>107</sup>, Peru (Congreso de la República del Perú 2013), El Salvador<sup>108</sup>, and Ecuador (Asamblea Nacional del Ecuador 2011). It was also used as the basis for the Model Law on Political Violence against Women designed by the Inter-American Commission on Women of the Organization of American

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<sup>105</sup> An earlier version of this chapter was presented at the 24th World Congress of the International Political Science Association. Poznań, Poland. July 23-28th 2016 Restrepo Sanin (2016b).

<sup>106</sup> Interview with Mexican Politician. Mexico D.F., Mexico. Fall 2015.

<sup>107</sup> Virtual interview with Costa Rican Politician. Winter 2016.

<sup>108</sup> Virtual interview with Salvadorian Politician. Fall 2015.

States<sup>109</sup>. Bolivia's law has thus influenced legislation to combat VAWIP throughout Latin America, shaping both legal definitions and the strategies developed to combat it.

In light of how influential Law 243 has been in regional debates, this chapter takes a closer look at how political violence and harassment against women are defined in this ground-breaking legislation and engages in a critical analysis of the law itself, using feminist content analysis as well as archival material produced by women's organizations with the purpose of disseminating the concept and promoting mobilization in favor of the bill. A key component of the analysis involves original interviews conducted with the women politicians and activists involved in the drafting, sponsoring, and promotion of the law. The use of what Reinharz and Davidman call "found" and "produced" materials (1992, 148) is fundamental for understanding how the bottom-up conceptualization by women's organization is transformed into legal language and what are the implications of these changes. The analysis of the law as a "found" product, paired with "produced"<sup>110</sup> interviews with the activists and politicians involved in its creation will show the relationship between feminist theory and practices, as reflected in the goals set up by the activists and the final version of the law. In line with my previous argument about the need to understand violence in a spectrum, this chapter will also make the argument for a broad legal definition of VAWIP.

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<sup>109</sup> Virtual Interview with staff member from the CIM-OAS. Winter 2016.

<sup>110</sup> Refers to products specifically created for this analysis.

Critically reviewing Law 243 and its regulatory framework is necessary given their use as the basis for other legislative and non-legislative strategies in Latin America and in the world. A critical review will thus inform future policy-making in this area and contribute to the current debate regarding the nature and manifestations of VAWIP, its relation to other forms of political violence and gender-based violence, and its implications for data collection and research (Piscopo 2017b). A critical analysis from a feminist and intersectional perspective, moreover, explores the potential effects this law will have on different groups of women, how this law interacts with other laws, as well as how accurately these legal conceptualizations reflect the social reality of VAWIP (Bumiller 1987; Menjívar and Walsh 2016).

Following the theorization of VAWIP proposed on chapters one and two, this chapter further argues for understanding VAWIP as a continuum of violent acts, and explores the consequences of defining this problem in narrow terms, especially in the law. The first section explains how feminist scholars have conceptualized violence against women (VAW) and makes a connection between these conceptualizations and VAWIP. Then it examines the definitions of political violence and harassment against women proposed by Law 243, the main actors involved in its implementation, and the sanctions faced by perpetrators. The final section reflects on the advantages and limitations this law has and proposes the use of a broader definition of VAWIP.

The analysis of the Law emphasizes that making a distinction between “harassment” and “violence” was necessary to get the law approved, although from the

perspective of interviewees, separating these two concepts as distinct does not accurately reflect how women experienced harassment as a form of violence. The chapter emphasizes the need to have a more comprehensive definition of VAWIP, which not only allows for a more accurate understanding of the problem, but also involves different actors, including state institutions, civil society organizations, and political parties, in developing strategies to prevent and sanction acts of VAWIP. A broader definition of “violence” in legal measures not only better reflects the reality and complexity of VAWIP but also provides necessary tools for protecting women before they face more extreme forms of violence.

### **Feminist approaches to VAW(IP)**

The conceptualization of violence against women as a phenomenon is one of the greatest contributions of feminist thought and practice (Kilpatrick 2004). These works recognize that VAW is a gendered phenomenon and that women suffer from violence *because* they are women. This violence is not restricted to certain countries or social classes but is a systemic phenomenon that affects women of any race, class, or country. Bunch (1990) challenged gender “neutral” conceptions of human rights by explicitly saying that women’s rights *are* human rights. Her breakthrough article argues that women often suffer the same violence as men. However, “many violations of women's human rights are distinctly connected to being female -that is, women are discriminated against and abused on the basis of gender” (Bunch 1990, 486).

Feminist conceptions of violence against women have challenged arguments that explain VAW as a consequence of men's 'nature'. Instead, they have proposed an understanding of violence against women as a form of oppression, power, and control: "male-perpetrated violence against women is... a form of social control used to maintain a subordinate social and political status for women" (Marin and Felipe Russo 1999, 19–20). As Connors and Harway explain: "Violence towards others is the ultimate denial of their power over their bodies and their lives, and abusers' acceptance of violence means that they see nothing wrong in the harm that they cause others" (1995, 31). VAW is thus an expression of, and emanates from, male privilege and power in society.

Given that VAW is a form of social control, it is pervasive in women's lives and occurs both in private and in the public sphere. In order to comprehend VAW it is necessary to understand traditional gender relations (Marin and Felipe Russo 1999). Because it is based on traditional power relations, VAW is often perceived as 'normal' (Connors and Harway 1995; Kraus 1993) especially when it takes less evident forms of violence such as psychological abuse, economic control, and semiotic violence (Celis et al. 2008; Kraus 1993; Krook 2017a; Stark 2007).

Despite the complexity of VAW, legal definitions frequently focus on physical and extreme psychological manifestations of violence (Kilpatrick 2004). Some feminist scholars also argue in favor of narrow definitions of violence claiming that expanded definitions risk making violence meaningless (Price 2005). However, narrow definitions of VAW



exacerbates underreporting and discourage victims from seeking help and do not reflect the reality of VAW (DeKeseredy 2011).

Feminist scholars along with public health practitioners and institutions have called for the use of broad definitions of violence in order to fully understand women's experiences with violence. They argue that VAW is a complex phenomenon with multiple manifestations that is better understood as a continuum of actions that encompass a wide range of behaviors. These behaviors affect the victim's self-worth, emotional wellbeing, and mental health (Connors and Harway 1995; DeKeseredy 2011; Kilpatrick 2004).

More expansive legal definitions better account for women's experiences with violence, acknowledging that these actions are not separate or discrete instances but part of the same phenomenon. In most cases, victims of VAW typically suffer from diverse types of abuse that are not mutually exclusive and may include economic, psychological, physical or semiotic violence (Bunch 1990; Connors and Harway 1995; DeKeseredy 2000; Kraiss 1993; Stark 2007). Classifying certain actions, especially psychological, semiotic, and economic manifestations, as not or less harmful ignores the cumulative effect these actions have, and the potential for triggering stress suffered from prior experiences with violence (Leidig 1992).

These abusive behaviors reinforce power structures and have the same effect as physical or sexual violence because they support traditional power relations, communicate to women that they have a secondary status, and promote more violence (Connors and Harway 1995). Further, coercive control and abuse are perceived by many women to be

worse than physical violence (Follingstad et al. 1990; Stark 2007). Besides, “just because some people do not define what happened to the victims as serious, does not mean that the [victim] experienced the event lightly” (DeKeseredy 2011, 7). Understanding VAW from, and valuing, women’s experience, is a fundamental principle of feminist research (Kilpatrick 2004; Marin and Felipe Russo 1999). This perspective makes an important case in favor of using more expansive definitions of VAW.

VAWIP is a manifestation of violence against women because it occurs as a consequence of unequal power relations between men and women. This is exacerbated by traditional conceptions of the public sphere as a ‘male’ space (MacKinnon 1989; Young 2000). The formal recognition of women’s rights to take part in the political arena through the expansion of suffrage and, more recently, the adoption of gender quotas to increase women’s political representation, has opened up a ‘new’ space in which VAW occurs.

Categorizing VAWIP as actions that occur in the public sphere to women as political actors, whether as candidates or elected officials, recognizes the complicit actions of the state in promoting or condoning violence against women. At the same time, it highlights the political nature of this act: not only is this type of violence *political* in the sense that it occurs as part of the competition for state power (Moser 1999), it is also political because it is a manifestation of unequal power relations in society more generally, and emanates from the perceived ‘intrusion’ of women in a space that ‘belongs’ to men. VAWIP is a way of reminding women “of their secondary status by injuring them, removing them from centers of power, humiliating them for their wants, and denying them space or attention.

These abuses become major methods of denying women power.” (Connors and Harway 1995, 31).

### **Deconstructing Law 243**

This section uses feminist content analysis to examine in detail Law 243, as well as its regulatory framework. It compares the resulting texts with the first draft presented in order to understand how the goals women activists had when presenting this bill are – or are not – accomplished in the final text of the Law and the framework. It also uses the testimonies of feminist activists and politicians in Bolivia to support the conclusions.

The analysis focuses on three specific topics: the definitions of violence and harassment, the actors involved, and the penalties imposed by the law. This analysis focuses not only establishing ‘who is present’ but, importantly, ‘who’ and ‘what’ is left out (Reinharz and Davidman 1992, 145). In order to understand the silences and omissions evident in the law, this chapter relied heavily on interview and archival material.

#### *The goals*

The draft of Law 243 was prepared by lawyer Liz Escobar and ACOBOL (Machicao Barbery 2004). This draft serves as a first point of comparison to understand 1) the goals ACOBOL had when drafting the law and how they changed over time, 2) how this proposal was transformed in legislative committees and debates, and 3) the implications of these changes and the expected effects of the law.

The main goal, as stated in the draft was to “To prevent, protect, defend and guarantee women’s political rights at the national, subnational and local level” (Escobar

2004, Art. 1). There were other goals including typifying political violence and harassment as administrative misconducts or crimes, as well as creating mechanisms to report cases of VAWIP (Rojas 2012)<sup>111</sup>. In this sense, the main difference between the draft and the final text of the law is that the law focuses on the creation of mechanisms to prevent VAWIP while the draft has the more abstract goal of preventing VAWIP at all levels of government.

As the first version of the proposal was presented in the chamber and in the legislative committees, it changed to include different perspectives, including those proposed by indigenous women (Salguero 2008). The main transformation, however, was proposed by members of the Human Rights Committee who suggested changing the name, arguing that because VAWIP happens to women, the law should be ‘against women’ and not ‘gender-based’ as the phenomenon could then be perceived as gender-neutral. Deputies agreed that it was important to emphasize that VAWIP happens specifically to women. The title of the law was thus changed to “Political Violence and Harassment against Women” to emphasize that the law was referring to a specific type of violence that happens to women *because they are women*<sup>112</sup>. This change was a strategic decision to gather support for the proposal. However, it has the normative consequence of defining “Political Violence and Harassment against Women” only in terms of the victim, without consideration for the motivation and the context, a change that is theoretically and pragmatically problematic.

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<sup>111</sup> Interview with activist. La Paz, Bolivia, Summer 2015.

<sup>112</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

### *Definitions*

Both the draft and Law 243 make a clear distinction between harassment and violence. The Law defines political harassment as “any action or actions of pressure, persecution, harassment or threats,” while political violence is defined as “actions, behaviors and/or physical, psychological or sexual aggressions”. The main difference between harassment and violence is that the latter was understood as actions that directly cause harm while harassment refers to pressures and persecution without (in theory) causing any harm<sup>113</sup>. The draft specifically mentions ‘physical, moral or sexual harm’ but is the definitions are otherwise very similar to those included in the law. This was a strategic decision made by ACOBOL in order to facilitate the approval of this law<sup>114</sup>.

This separation between harassment and violence as distinct actions may be strategically useful because it suggests different degrees of harm and allows for more lenient sanctions in cases that may not be considered as violence but hinder women’s work. However, feminist research on violence against women, along with activists and politicians in Bolivia, favor more extensive conceptualizations that include a wide array of actions. Fitzgerald (1993) for example, explains that (sexual) harassment is violence because it includes “intrusive, unwanted and coercive” behaviors, that frequently occur during extended periods of time and lead to emotional distress (Fitzgerald 1993, 1071).

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<sup>113</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

<sup>114</sup> Interviews with Bolivian activists and politicians. Summer, Fall 2015.

The separation of ‘harassment’ and ‘violence’ into two distinctive categories has the added problem of making these actions seem disconnected, rather than part of the same phenomenon. Many of the cases of harassment and violence reported to ACOBOL started with seemingly harmless behaviors such as insults or pressure, but frequently escalated when the woman did not yield to the pressure (Machicao Barberly 2004; Rojas 2012).

In other cases, the harassment happened concurrently with other actions, such as threats, psychological abuse, and physical violence. For example, Gladys Alcalá was appointed mayor of Huanuni, a small town in Bolivia after the mayor was suspended for corruption (Machicao Barberly 2004). When she took over the post, several members of the council kidnapped her and forced her to sign checks and bonuses that were not part of the approved budget. Civic organizers and union leaders pressured her to receive bribes, and when she refused, they mobilized people to take her office by force. She was also attacked by a mob, receiving five days of sick leave due to her injuries<sup>115</sup>.

Moreover, in abusive behaviors, whether physical or otherwise, “the weight of multiple harms is borne by the same person, giving abuse a cumulative effect that is far greater than the mere sum of its parts” (Stark 2007, 94). Thus harassment and abuse – even when they do not become physical- are part of the same phenomenon. Feminist scholars working on VAW have argued that violence is a continuum to which many actions

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<sup>115</sup> <http://www.angelfire.com/az3/minerazufre/abr24/p1abr24.htm>

belong, lending support for the argument for an expanded legal definition (Marin and Felipe Russo 1999). Further, “the intensity of any particular form of violence can be difficult to pinpoint [...] any assessment of the "toxicity" of an act of victimization must take into account its wider social consequences as well as the life circumstances of the victim” (Leidig 1992, 149). VAWIP has many different manifestations, including physical, sexual, psychological, semiotic, and economic (Krook 2017a; Krook and Restrepo Sanin 2014).

It is important to note that men are less likely to evaluate a particular situation as ‘harassment’ including in online settings (Fitzgerald 1993; Pew Research Center 2017). Thus, even if certain actions, such as pressures or unwanted advances, are not perceived as violent, they have affect the victim’s well-being, mental health and work environment, and should be considered violence. This is especially true when the actions occur constantly because their effects accumulate, generating trauma in the victim and reducing her sense of self-worth and safety (Leidig 1992).

Law 243 establishes a legal difference between harassment and violence and defines them in terms of discrete actions. This is emphasized on Art. 8 which enumerates the actions that constitute “harassment and/or violence”. This list includes manifestations that can be classified as semiotic and economic violence such as imposing tasks that are associated with gender stereotypes (such as bringing coffee or cleaning), or the retention of salaries. This explicit list of actions makes it very clear what behaviors are to be sanctioned.

However, it also makes it very difficult to prosecute 'new' actions that may not be part of the list but have the same effect. For example, this law makes no explicit mention of the destruction of campaign material, the distribution of sexualized images, or attacks on social media that are of increasing concern in other countries, creating a legal loophole when these actions occur (Hunt, Evershed, and Liu 2016). The draft included a list of actions that constitute VAWIP similar to that of the law. However, it focused on actions that have a specific *outcomes* including 1) restricting or impeding women's political rights or the fulfillment of the functions of her office; and 2) interfering with or impeding a woman's freedom to exercise her political rights. Thus, the draft theoretically at least, allows for a wider range of behaviors to be penalized if they impede or hinder a woman's political rights.

Another important definition is that of the motivations. From its very title, Law 243 defines political violence and harassment as happening to women. In this regard, this law recognizes that the main victims of this form of violence are women but it does not give importance to the motivations behind the actions. In this sense, any woman who is attacked, whether she is attacked for her policy positions or her gender, can use this law to protect herself. This is in conflict with the original purpose of the draft that specifically focused on gender-based political harassment. The difference may seem trivial but by recognizing the gendered nature of these actions, the draft emphasized unequal power relations between men and women along with patriarchal conceptions of the public sphere as the motivations behind the attacks. In other words, the draft explicitly recognized that



VAWIP is motivated by the idea that the public sphere of politics belongs to men, not by ideology or party affiliation.

#### *Actors*

Law 243 is designed to protect women candidates and elected and appointed officials, in the course of performing a public service. This is broadened by the regulatory framework which includes provisions to protect women leaders in social organizations. This measure is of particular importance in Bolivia given that groups such as unions can present candidate lists. As a result of the discussions with diverse groups of women, the final law and the regulatory framework together include women candidates, women elected for any public office, and women in social organizations.

The main actor in charge of preventing and sanctioning VAWIP as presented in the law is the Vice-Ministry of Equality of Opportunity, which is part of the Ministry of Justice. It has the task of designing, implementing, and monitoring public policy, training programs, and communication campaigns to prevent and sanction cases of harassment and violence. The Vice-Ministry has to coordinate with the state and autonomous regional authorities, and with other public or private institutions. The Plurinational Electoral Body (now the Superior Electoral Tribunal, or TSE) is responsible for defining public policies and strategies that address intercultural issues and gender equality and guarantee women's rights to political participation in equal conditions as men. The responsibilities and tasks of different authorities, institutions, and bodies are further detailed by the regulatory framework.

Besides analyzing who is responsible, feminist scholars compel us to examine who is left out (Reinharz and Davidman 1992, 149). In this case, it is worth scrutinizing who is *not* held accountable or responsible when VAWIP occurs. The draft established that party leaders and members should be held accountable if they perpetrate acts of VAWIP and should be sanctioned as established by the Political Parties Law (Law 2771). In several cases, political parties and its leaders condone and even promote VAWIP, for example by allowing pre-electoral agreements in which women candidates are pressured to sign statements promising they will resign if elected. Party leaders also ostracize women who report cases of VAWIP while favoring the perpetrators who take their seats when they resign<sup>116</sup>. In this regard, political parties and citizen's organizations are the most important actors left out by the law.

This omission is more important in light of the role of political parties in promoting and reproducing VAWIP. Although being in a leadership position within a political party is considered an aggravating factor that increases the sanction, the organization itself is not held accountable. The law determines that political parties must include political harassment and violence as part of their internal regulations, and it gives the parties 180 days to include them. However, five years after the law was approved, neither the Movement Toward Socialism (MAS) nor the National Unity Party (UN), the two main political parties, have included the concept in their most recent internal regulations (MAS-

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<sup>116</sup> Virtual and face-to-face interviews with Bolivian activists. La Paz, Bolivia. Summer 2015. Fall 2015, Spring and Fall 2015, Spring 2017.

IPSP 2012; Unidad Nacional 2014). Ignoring the responsibility of political parties makes it harder for victims to report VAWIP since, instead of offering support, political parties ostracize the victims<sup>117</sup>.

### *Sanctions*

The law establishes three types of sanctions: administrative, penal, and constitutional<sup>118</sup>. The administrative channel is the most readily available since the report is made to party leaders or heads of the institution where she works. This is problematic given that, in many cases, the leader of the institution *is* the perpetrator (Machicao Barbery 2004). This is one of the main issues with the law. Many women do not report the violence they suffer because they are afraid of losing their political careers. Interviewees described reporting VAWIP as “...a political death sentence,” as the women are considered ‘disloyal’ to the political party. In the words of one woman politician, “it is a declaration of war to your own party”<sup>119</sup>.

If the victim decides to report the actions against her, the institution where she makes the claim has the responsibility of opening up a process and determining the sanctions. The sanctions depend on the gravity of the action; it can be minor, serious, or very serious. The penalties can be as mild as receiving a written reprimand up to getting a 30-day suspension (Asamblea Legislativa Plurinacional 2012, Art. 17). When the victim

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<sup>117</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

<sup>118</sup> The constitutional channel was used by some victims of VAWIP before the law was approved, however, there is only one chapter in this regard, and there is no clarification of when or how this procedure should be used.

<sup>119</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

decides to use the penal channel she must report the crime to the Public Ministry. This entity must coordinate with the indigenous justice bodies. Notably, the law forbids negotiation and conciliation between the victim and the perpetrator.

The law further establishes that the resignations from women candidates or elected officials must be done in person at the offices of the TSE in La Paz. This has the purpose of making it harder for perpetrators to pressure women to resign by forcing her to just sign a blank paper, as has been reported (ACOBOL 2010b; Machicao Barberly 2004; Rojas 2008; Rojas and Ardaya Salinas 2011)<sup>120</sup>. Although this measure seems to protect women who are victims of VAWIP, the law does not include any protection mechanisms for the victim, and it forces them to continue working alongside the perpetrator(s), with the aggravating factor that they have already reported the harassment, this can make women more vulnerable to violent attacks.

A final provision of Law 243 determines that the Superior Electoral Tribunal must create the necessary regulations to guarantee parity and alternate succession when a principal resigns (Asamblea Legislativa Plurinacional 2012, Disposición Final). However, the electoral code has not been reformed to include political violence and harassment against women, nor has the provision to uphold parity when a woman resigns (Asamblea Legislativa Plurinacional 2010). Changing this single provision would probably curtail cases

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<sup>120</sup> Interviews with activists. La Paz, Bolivia. Summer 2015.

of VAWIP since men alternates would not have anything to gain from forcing a woman out as her replacement would have to be another woman.

*The regulatory decree*

Although Law 243 was approved in 2012, since the very beginning there has been confusion regarding its limits and procedures. A regulatory framework was necessary to clarify these issues. This framework was approved in October 2016 and was written by the Superior Electoral Tribunal in coordination with the Vice-Ministry of Equality of Opportunity and Women's Organizations<sup>121</sup>. This decree has 20 articles and four final rules. In its motivations, it explains that, as stated on Law 243, acts of political violence and harassment can be reported using the administrative route, and that it is the responsibility of the state to design measures to prevent, attend to, and sanction political violence and harassment against women (Presidencia Bolivia 2016, 18–19).

Overall, the decree reiterates the state's responsibility in preventing, attending to, and sanctioning VAWIP. It also clarifies some of the definitions in Law 243. It defines 'public-political function' as "any activity performed by women leaders in political or social organizations, public servants whether elected or appointed, to any office, in any of the levels or offices of public administration". This definition effectively broadens the reach of the law by protecting women working in social organizations. A woman activist explained that this was one of the limitations of the Law as there was evidence that women working

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<sup>121</sup> Virtual interview with activists and bureaucrats. Spring, summer 2016.

in social organizations, such as unions, were harassed when they became active in those organizations and became potential candidates for different offices. However, given the definitions in Law 243, they were not protected<sup>122</sup>.

The decree also specifies what 'pressure', 'persecution', and 'harassment' mean. Pressure is defined as "negative influence exercised over a woman through actions or omissions so she will act in a particular manner or make a decision, including her resignation, impeding the free exercise of her mandate or work". Persecution is defined as "constant and permanent monitoring of a woman"; harassment is the "continuous or recurrent actions or attacks against a woman, which causes her concern and distress" (p. 20). The definition of 'violence' is also clarified to include threats of physical, sexual, psychological, patrimonial, or work-related injury and harm. Although important from a procedural point of view, these definitions further deepen the differentiation between harassment and violence as two separate phenomena, instead of recognizing that they can occur concurrently or in an escalating fashion, and are thus part of the same problem.

One of the most specific measures to curtail VAWIP established by this decree is the mandate that all deliberative bodies at all levels must video record their sessions. These recordings must be archived chronologically and be made available upon request to any citizen. Further, the decree specifies that any case of VAWIP may be treated as a case of VAW, using the procedures specified on Law 348.

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<sup>122</sup> Interview with activist. Summer 2015. La Paz, Bolivia.

The decree clarifies how the administrative procedure for reporting cases of harassment should be made. This is an important advancement as administrative procedures are the first ‘line of defense’ for women who are victims of VAWIP, and it may help prevent further harassment and graver acts of violence. The decree includes a mandate for the creation of an Ethics Committee in all deliberative bodies, which are tasked with receiving and investigating reports of VAWIP.

Finally, the decree establishes the creation of an Immediate Prevention and Attention Mechanism tasked with the defense of the rights of women victims of VAWIP. This mechanism can be activated by any of its members who know of a grave case of VAWIP that puts at risk the life and physical integrity of the victim, permitting intervention in conflict situations that could turn from harassment to violence, and utilizing public forces when the victim requires immediate help.

Although this decree is an important step in the prevention and attention to VAWIP, it still does not address some of the limitations of Law 243. First, although it has been clear for women’s organization supporting victims of VAWIP that political parties have an important responsibility<sup>123</sup>, this decree does not include political parties in any of its measures. Further, the decree reiterates that resignations must be presented in person at the offices of the TSE. This measures does nothing to deter harassment, and forces

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<sup>123</sup> Interviews with activists. La Paz, Bolivia. Summer 2015.

women to keep working alongside their perpetrators without any guarantee that they will be removed from their seat, even if temporarily, while the accusations are investigated.

## Discussion

The approval of Law 243 is a milestone for fighting against VAWIP as the first law of its type in the world. It has also served as a model for other proposals developed in Latin America, including bills currently under consideration in several countries in the region, including the proposed Model Inter-American Law on Political Violence against Women, being promoted by the Inter-American Commission on Women<sup>124</sup>. The aim of the Model Law is to present a legal framework for other states in the region, in accordance with the Commission's core principle of promoting legislation to protect women's rights<sup>125</sup>.

The most important reason to have a law is that is in the law where people's rights are recognized and it gives authorities a mandate to protect those rights. In a more practical sense, having a law recognizing VAWIP as a criminal offense gives victims legal tools to protect their political rights. Activists in Bolivia explained that one of the main reasons for drafting the law was the lack of legal protections for victims of VAWIP: "[Between 1999] and 2000-2001, we looked for legislation... any article, that could protect women [who were victims of VAWIP] in these public spaces, because it is not the same as domestic violence... but we could not find it... there was no article, not even a small one... so we saw the need to have a law and that's when we created the bill proposal draft"<sup>126</sup>.

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<sup>124</sup> To be published in late 2017. Virtual interview OAS – CIM staff. Spring 2016.

<sup>125</sup> Virtual Interview with staff member from the CIM-OAS. Summer 2016.

<sup>126</sup> Interview with Bolivian activists. La Paz, Bolivia. Summer 2015.



Many of the acts of VAWIP were not criminalized and victims were unable to persecute their perpetrators. This perspective is shared by politicians and activists in other countries where there are currently no laws. The lack of a specific legal framework allows for judges to dismiss charges because they cannot trial a crime that does not exist in the law. A Mexican former Electoral Judge succinctly explained that “judges cannot rule by analogy”<sup>127</sup>.

More importantly, despite Latin America’s poor enforcement of laws, the law has a role in enforcing a moral order in the civil law traditions of the region. As Htun (2003) explains: “The content of the law establishes not merely the hedges constraining individual freedom but the moral rules by which people live and the symbols that shape their social identities.” (10). Further, having a law to specifically criminalize a phenomenon plays a “central role in making situations of oppression visible and hence actionable legally and socially” (Price 2005, 96). In other words, it gives victims of VAWIP and their supporters a means to act. As MacKinnon explains: “The legal claim for sexual harassment made the events of sexual harassment illegitimate socially as well as legally for the first time” (MacKinnon 1987, 104), pointing out not only the legal advantage of having a law but also the *social* advantage as the law helps define VAWIP as socially unacceptable.

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<sup>127</sup> Alanís Figueroa, Maria Del Carmen. Presentation “National Initiatives for Overcoming Resistance to Women’s Leadership” Part of the Conference. Resisting Women’s Political Leadership: Theories, Data, Solutions. Rutgers University, May 22-26, 2017. New Brunswick, NJ.

This perspective was supported by a woman politician who was a victim of VAWIP. Even though the acts of VAWIP against her were deemed unconstitutional and she was reinstated to the office she was forced to leave, the perpetrators were not sanctioned in any way, leaving her vulnerable to retaliation or further harassment and violence<sup>128</sup>. A politician in Costa Rica, who has supported the approval of the law in this country, explains that VAWIP is deeply naturalized, thus “it has to be eradicated using various mechanisms... Having a legal framework helps a lot, even though it is necessary to have a cultural transformation”<sup>129</sup>. These testimonies talk about the importance of having a clear and broad legal framework in order to protect women from VAWIP.

Approval of the law, however, does not guarantee its enforcement “Latin American states simply lack effective police forces and criminal courts, and impunity creates a vicious, self-perpetuating cycle of abuse and non-punishment” (Piscopo 2016b, 446). This lack of capacity and failure to enforce the law is evident in the case of VAWIP. Between 2010 and 2018 ACOBOL received over 518 reports of VAWIP. Of these, seventy-two initiated legal procedures but only fourteen were resolved: nine through the administrative route, 4 through the constitutional route and only one through the penal route (Bustillos 2014)<sup>130</sup>.

The only case that has been resolved through the penal route is illustrative of some of the problems of Law 243. Magda Haase was a local councilor in the town of Tarvita.

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<sup>128</sup> Virtual interview with politician. Fall 2015.

<sup>129</sup> Virtual interview with Costa Rican politician. Spring 2015.

<sup>130</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

During a town council attended by 200 people, she was publicly pressured to sign her resignation so her alternate could become a member of the council. She presented her resignation, under pressure, the next day so there was no evidence of the harassment (Página Siete 2014b).

After her forced resignation, she started a judicial process to get reinstated in her post. The mayor, who was behind her attack, denied his responsibility and argued that the decision to pressure her to resign “was a decision made by the people” (Correo del Sur 2011). During this process, the Supreme Plurinational Court required the president of the town council to give further details about Haase’s resignation. He refused, arguing that he was no longer part of the council, giving the new president of the council the responsibility to reply to this request even though he was not involved (Página Siete 2014a). The mayor and six councilors were accused of political harassment but the charges were dismissed (Correo del Sur 2014). The case was partially resolved on May 16<sup>th</sup>, 2014 when Mrs. Haase was reinstated as a councilor.

This case illustrates three main issues with the implementation of Law 243. The most evident problem is the long time it takes for legal processes to be resolved, and the effects this has on the victim. During three years Mrs. Haase’s political rights were impinged upon: she was denied the right to be part of the decision-making bodies in her town, even though she was duly elected. This problem is even more acute when the victim is a candidate, as it is unclear how she would be reinstated in her post if she never had the chance to win. This raises questions regarding the effectiveness of Law 243 and highlights

the need to create other mechanisms to protect victims. An example of this is the creation of a Special Attorney tasked with dealing with these cases, as has been done in Mexico<sup>131</sup>.

The second problem is that, although Mrs. Haase was reinstated she was not able to gain experience during those three years and was unable to propose the projects she wanted. Her constituents were also affected since they were not represented by the person they chose, but by her alternate who was not democratically elected but was appointed through intimidation and oppression. There are no provisions in the law to account for the effects of VAWIP on democratic institutions and practices.

Finally, although Mrs. Haase was found to be a victim of political harassment and violence, the perpetrators were not sanctioned. The case was sent to a criminal court where the cases were dismissed (Correo del Sur 2014). This reveals a double burden on the victim: not only does she have to prove that she suffered from VAWIP, she also has to prove that the perpetrators were harassing her.

### **A word on intersectionality**

As Crenshaw (1991) notes, women are not a homogeneous group and they are oppressed not only due to their gender but also due to other categories such as race/ethnicity and class. Scholars working on VAWIP have also called attention to the need to account for how gender-based violence interacts with violence rooted in race, ethnicity, religious affiliation, and other characteristics (Kuperberg 2018). Law 243 includes

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<sup>131</sup> Interview with Mexican bureaucrat. Spring 2017.

provisions to protect women who are disadvantaged for reasons of ethnicity, educational level, age, sexual orientation, ideology, civil status, socioeconomic condition, or pregnancy (Asamblea Legislativa Plurinacional 2012, Art. 8, Item l,m). This inclusion was a result of the dialogue between different women's organizations and the workshops carried out in all regions of Bolivia to discuss the proposal<sup>132</sup>.

Despite the inclusion of ethnicity as part of other protected categories, the law itself does not guarantee, for example, that indigenous justice has to address VAWIP. It only says that the Ministry of Justice has to *coordinate* with indigenous judicial authorities. Moreover, it does not include provisions to guarantee that women who do not speak Spanish or who cannot read will be guaranteed an interpreter. Thus, the law does not recognize that "the violence that many women experience is often shaped by other dimensions of their identities, such as race and class" (Crenshaw 1991, 1242).

Additionally, categories of oppression must be understood contextually (Townsend-Bell 2010). Reports by ACOBOL, as well as interviews with activists and politicians, revealed that women in rural areas are especially vulnerable to VAWIP. State structures are weaker in rural areas, making it harder to access justice administrators or other state institutions that may protect them. Moreover, women in rural areas have lower levels of education and literacy, and are less likely to speak Spanish (Novillo 2014). This

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<sup>132</sup> Interview with activist. La Paz, Bolivia. Summer 2015.

makes them more vulnerable to VAWIP and makes even more difficult to access the legal guarantees and procedures –however limited- designed by the law to protect them.

As was mentioned before, the narrow definition of harassment and violence given by Law 243 classifies acts of VAWIP as discrete actions instead of considering them as part of the same problem. This ignores that in most cases, different manifestations of VAWIP occur concurrently to the same victim and over long periods of time. The regulatory framework establishes some protective and preemptive measures to safeguard women. However, these measures are to be adopted by the same authorities that may be harassing the woman. They may also be adopted by political leaders that do not recognize these actions as violence or overlook the risk. This has been the case with femicide and violence against women laws. It is frequent that judges and police forces fail to protect a woman at risk of intimate partner violence, under the excuse that they cannot force a man to leave his house or take the custody of his kids (Menjívar and Walsh 2016).

It is unrealistic to pretend that a single law can address all of the concerns that are important from a theoretical point of view. In this sense, there are differences between a philosophically sound feminist law and a strategically useful law. Some of the criticisms raised in this chapter are not the product of a deliberate omission on the part of the activists and politicians who worked to approve this law, but were a strategic decision to facilitate the approval of the proposal. These types of strategic choices are understandable as having a law, even if it has some issues, is better than not having a law at all. Nevertheless, it is still important to critically analyze this law from a feminist perspective,

as the law should not be understood as a finished product and should be reformed as new issues arise.

## Conclusions

This chapter has used feminist literature on VAW to analyze Bolivia's law 243 to combat "Political Violence and Harassment against Women". It focused on the definitions, actors, and sanctions defined by the law. A few conclusions can be reached from this analysis.

First, although an advance in the fight against VAWIP, legislation is limited and offers imperfect solutions to this problem. Law 243 was constructed by women, and includes women's perspectives when defining this problem. However, the definition provided is still limited in that it is narrow, leaves no room for 'new' and creative forms of violence, and does not hold political parties accountable for actions of VAWIP or for its prevention.

Further, legislation may not solve much. Justice systems are slow and ineffective in Latin America, and levels of trust in the courts are consistently low (Helmke and Ríos Figueroa 2014). This affects reporting and enforcement of legislation, including Law 243. Thus victims of VAWIP, despite their power as state officials, still have to deal with a patriarchal justice system that refuses to enforce laws and to even protect the victim.

The system itself puts a double burden on victims of VAWIP: not only do they have to prove they were victims, but they also have to prove, in a separate process, the responsibility of their attackers. Even if the violence against them is proved and their rights

are restituted, there is no guarantee that perpetrators will be held accountable, making victims more vulnerable.

However, even in light of these problems, having laws is an important step forward. The criminalization of VAWIP recognizes these actions as unacceptable and gives victims legal tools to proceed. Even if legislative strategies are not, overall, the most effective tool to combat VAWIP, it is important to keep in mind the individuals who are directly affected by it, and how legislation can benefit them (DeKeseredy 2011). As a manifestation of VAW, criminal justice measures are only part of the solution for VAWIP. Some of these problems emerge due to the narrow conceptualization of VAWIP provided by Law 243. Instead of conceiving VAWIP as a phenomenon with multiple manifestations that frequently overlap and escalate, the law conceives VAWIP as a series of discrete actions, some of which are criminalized, while leaving other actions go unpunished.

In reality, VAWIP is a more complex problem that calls for a more holistic approach. Although some of the manifestations of VAWIP, *per se*, may not be conceived as violence by some, when analyzed in a larger context in which they interact with other actions they must be considered violence (Price 2005).

An example helps illustrate this point. If a woman in politics is asked to bring coffee or make photocopies for a meeting, this sole action is not violence and would not be prosecuted by any court. If, however, this same woman is constantly asked to bring coffee and perform secretarial duties while her colleagues are discussing proposals and making important political decisions, she is being denied the right to effectively participate in those



meetings, express her opinion, and is being erased on the basis of her gender (Connors and Harway 1995). This example is not a stretch of the imagination but the reality for many women politicians in Latin America as recent studies have shown (Herrera, Arias, and García 2012; Incer Brenes 2014; Machicao Barbero 2004; Quintanilla 2012a; Quintanilla 2012b). In most cases, this behavior occurs at the same time as women are being ignored in plenary sessions, microphones are turned off while they speak or male members leave the room. Many of them are sexually harassed, threatened and denied resources. Even if these actions are not criminalized individually or as a group, the law can offer other strategies to prevent them.

As in the case of VAW, an expanded definition of VAWIP provides a better understanding of this phenomenon and allows for diverse strategies and actors to be involved in its resolution. Understanding VAWIP as a gendered phenomenon, consequence of unequal power relations between men and women in society in general, and in politics more specifically is the first necessary condition to this definition. Acts of VAWIP are not part of 'normal' political activities, nor are they a consequence of 'regular' political violence or struggles for political power in already insecure societies. VAWIP is an explicit attack on women's rights. It is an attempt to 'return' women to their 'rightful' place and keep the public/private divide on which politics has been constructed (Puwar 2004; Young 2000). Although its manifestations may vary across cultures, the motivations and the effects on women's representation are the same (Krook and Restrepo Sanin 2016b).

A broader definition of VAWIP is not only more theoretically sound but also has practical applications. First, it allows for a contextual analysis of the manifestations and their impact. For example, making public women's private lives does not have the same effect in every society (Krook and Restrepo Sanin 2014). Likewise, behaviors or media that are not included in the law today may be used in the future to attack women. A more expansive conceptualization allows for changing manifestations.

Furthermore, an expanded conceptualization of VAWIP allows for strategies that go beyond legislative measures and include diverse actors. Current legislation in Bolivia focuses on victims, perpetrators, and some state institutions. Political parties, women's organizations, indigenous authorities, unions, social organizations, and NGOs are important actors that can develop strategies to provide support for women in politics and prevent VAWIP. Women's organizations in Ecuador, for example, created a hotline designed to report incidents of VAWIP and provide political and legal advice (Arboleda 2012). Similarly, ACOBOL has developed workshops to train women, reducing their vulnerability to VAWIP by giving them diverse strategies to act when it happens<sup>133</sup>.

An expanded definition of VAWIP also allows for different types of measures to prevent it and sanction perpetrators. Under the Bolivian definition of VAWIP, it is understood as performed by individual perpetrators, even if there are many of them. This view ignores that political parties frequently condone and perpetuate VAWIP. It also

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<sup>133</sup> Interviews with activists. La Paz, Bolivia. Summer 2015.

ignores the role of different organizations, such as women's groups and NGOs, in providing different services for the victims such as legal support and training. Understanding VAWIP more broadly allows for the distribution of resources to support these measures and has the potential of supporting the criminal justice system by preventing VAWIP.

VAWIP is a threat to women in politics and women's representation. But it is more than that. It undermines democratic institutions and practices. Understanding it from the perspective of the victims and using a more holistic definition allows for a better comprehension of this phenomenon, and the development of diverse strategies that protect the victims' rights, but also strengthen democratic institutions.

## CHAPTER SIX: STOPPING VAWIP: LEGAL AND NON-LEGAL STRATEGIES

Violence against women in politics has been reported throughout Latin America. Besides the Bolivian legislative proposal first presented in 2006 and approved in 2012, numerous legislative initiatives have been advanced in the region. These measures have mostly adopted the Bolivian strategy of framing VAWIP as a form of violence against women in the public sphere and differentiating between harassment and violence. In some countries, additional manifestations have been included. Some measures, particularly in Mexico, have framed VAWIP as an electoral crime.

This chapter argues that the proposal of legislative proposals in Latin America has occurred due to a process of diffusion (Finnemore and Sikkink 1998; Simmons and Elkins 2004; True and Mintrom 2001). The Bolivian legislation influenced other legislative proposals in the region, which in turn influenced the proposal of a regional-level norm—the Inter-American Model Law. The diffusion of legislative proposals on VAWIP represents an example of the expansion of international norms on violence against women, including CEDAW and the Belém do Pará Convention –which do not explicitly recognize violence against women in politics- to local contexts. Concurrently, it is an example of how local adaptations can influence international norms as the Bolivian law, and similar proposals presented in other countries, have served as models for the Inter-American Model Law proposed by the OAS in 2017. This suggests that processes of norm diffusion and adoption

are more complex than previously thought. Although norms can be adopted by states in a cascading fashion (Finnemore and Sikkink 1998), local interpretations based on specific problems may in turn influence international norms, which then have the potential to transform policy in other contexts. This suggests a circular, instead of a linear process of norm diffusion.

Women's organizations at the local level have been the main actors in this process, as they have served as 'translators' of international norms. At the same time, other actors, including international organizations and non-governmental organizations (INGOs), local activists, policymakers, and the women's movement in Latin America, have been instrumental in the advancement of strategies to combat VAWIP. The interactions between these different actors has resulted in legislative initiatives that are similar in nature but have small but important changes to better adapt to individual contexts. Although the diffusion of VAWIP legislative and electoral proposals has been facilitated by the transnational women's movement in Latin America, legal reforms have been tailored to fit the specific context in which they are adopted.

The first section will situate the process of diffusion of VAWIP proposals in the context of international norm diffusion and explore the role different actors played, focusing on the role of organizations created by elected women. After examining the role of local activists and the transnational women's movement in Latin America, this chapter analyzes eight legislative and electoral proposals focusing on the conceptual differences, their connections with different actors, and the relationship with other proposals. These

differences are key to understanding the potential effectiveness of measures to end VAWIP. While VAW laws in Latin America have been ineffective in reducing violence against women (Menjívar and Walsh 2016), electoral courts and tribunals have been more successful at protecting women's political rights and increasing electoral transparency (Piscopo 2015). These conceptual differences create two distinct framings of state-based strategies to combat VAWIP: either as a form of violence against women or as an electoral crime. These debates have led to four types of reforms: 1) stand-alone laws; 2) electoral reforms; 3) additions to existing legislation on violence against women, and 4) constitutional changes. The use of either framing has important consequences for the strategies used to prevent and sanction VAWIP, as well as for the effectiveness of these measures.

### **Multidirectional diffusion and the proposal of strategies to combat VAWIP**

Policy diffusion refers to the process by which international norms are adopted by different states (Finnemore and Sikkink 1998; Simmons and Elkins 2004). The process of norm diffusion and internalization is complex and involves both local and international actors that are sometimes in contention. Although this process has been recognized as complex and non-linear, with some norms emerging at the local level and later gaining traction at the international level (Finnemore and Sikkink 1998), the analysis of the adoption of norms tends to be linear. Finnemore and Sikkink argue that the process of norm adoption has three stages: norm emergence, acceptance which is evidenced by

adoption cascades, and finally a process of internalization, in which norms are no longer contested (1998).

This linear view is challenged by Krook and True who argue that “the life cycles of international norms do not resemble linear models of norm emergence and diffusion; rather, these trajectories are fraught with contestation and reversals as state and non-state actors compete to identify, define and implement these norms” (Krook and True 2012, 106). This perspective more easily explains the diffusion of VAWIP legislative proposals in Latin America. Legislative initiatives to end VAWIP are mainly a response to international norms on violence against women and women’s political participation. More specifically, these proposals use the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Inter-American Convention to Prevent, Eradicate and Punish Violence against Women (Belém do Pará Convention) as a framework.

Legislative proposals along with the women’s organizations that created and promoted them also used the commitments made by countries in the Fourth World Conference on Women (Beijing Declaration) in regards to women’s political participation. VAWIP, they argue, is an attempt to undermine these commitments and the laws adopted to fulfill them. It is a direct affront to women’s political participation and as such, measures have to be adopted to guarantee state compliance with this commitment.

The emergence of VAWIP as an issue of concern for women’s organizations shows that even though norms on VAW and women’s political participation have been

internalized by acquiring “a taken-for-granted quality and are no longer a matter of broad public debate.” (Finnemore and Sikkink 1998, 895) as most states have signed and ratified different international agreements on this regard, they continue to be contested or ignored. In other words, internalization, as defined by Finnemore and Sikkink, does not end the process of policy diffusion. Instead, as local actors contest international norms, new issues emerge, and activists working on the ground develop new strategies, including re-framing an issue or connecting it with other international norms.

In this regard, activists and policymakers in Latin America have tied VAWIP, not only with international norms on VAW and women’s political participation but also to international norms on electoral integrity (Norris 2013). In Latin America, the Organization of American States has led the efforts to improve the quality of democracy since its ‘return’ to the region in the late 1980s. Between 1962 and 1989, there were 25 electoral observation missions led by the OAS. This number has increased dramatically with 75 missions between 2006 and 2012 (OEA 2012). Similarly, at the national level, electoral management bodies have striven to become more professional and independent (Hartlyn, McCoy, and Mustillo 2008; López-Pintor 2000; Magaloni 2006; Piscopo 2015).

In Mexico, it was precisely Electoral authorities who, given the difficulty in criminalizing VAWIP in the country, developed an electoral protocol with guidelines for different institutions on what to do in cases of VAWIP. The Peruvian National Election Jury has also proposed criminalizing VAWIP as an electoral violation. Both these organizations frame VAWIP as an electoral crime that has direct consequences for electoral processes



(Jurado Nacional de Elecciones 2017; TEPJF 2017). Both the Mexican Protocol and the Peruvian Electoral Reform are framed as attempts at improving the quality of elections in each country and are part of larger efforts to improve electoral procedures. The use of different norms is not only important from a strategic point of view as it may determine the success of a particular norm at the local level but, as will be explained later, it also has important consequences for the types of policies that are adopted at the national level.

The proposals to end VAWIP in Latin America, show that the process of norm diffusion is not linear, confirming Krook and True's finding. It also suggests that the implementation of a particular norm –in this case, VAW- can be connected to other apparently unrelated norms by local actors. In the case of VAWIP, with norms on electoral practices and women's political participation. Finally, the proposal of VAWIP legislation also suggests that local adaptations to international norms can, in turn, transform international norms, as evidenced by the adoption of the Lima Declaration<sup>134</sup> and the publication of the Inter-American Model Law by the Organization of American States.

### **Transnational organizing and the diffusion of VAWIP proposals**

Women's organizations at the local level have played a fundamental role in making VAWIP visible, creating networks of support and information for women politicians, and drafting proposals and lobbying for legislation to criminalize and sanction VAWIP<sup>135</sup>. There

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<sup>134</sup> An agreement between state representatives to the MESECVI to develop strategies to end VAWIP signed in Lima, Peru on October 2015.

<sup>135</sup> In-person and virtual interviews with activists and politicians from Bolivia, Ecuador, and Costa Rica. La Paz, summer 2015, winter 2016, spring 2016. Evidence of this networks can also be found in the reports about VAWIP discussed in chapter one.

is evidence of different forms of resistance and violence to women's inclusion before the formal recognition of VAWIP as an issue, as explained in chapter one. However, the formal discussion of VAWIP began in Bolivia in the late 1990s, shortly after the first gender quota law was approved<sup>136</sup>. The first draft proposal was written in 2004 and presented to the National Assembly in 2006.

There is evidence of cross-national diffusion both in terms of the debate of the issue and of the legislative proposals. First, women's organizations and NGOs did the initial research on this topic and published numerous reports and local studies on the issue. However, they all point to the Bolivian advances in this matter. Second, the legislative proposals recognize the Bolivian proposal or law and use a very similar language, specifically in reference to the separation between harassment and violence. The proposals in other countries make little changes to the definitions of harassment and violence. However, they do include some additions or changes based on particular national conditions. In Ecuador, for example, the 2011 proposal includes verbal violence as one of the manifestations of VAWIP which coincides with the findings in one study suggesting that women politicians were yelled at and received numerous comments regarding the 'proper' place for women (Arboleda 2012; Asamblea Nacional del Ecuador 2011). Verbal violence is also recognized in Costa Rica's proposal. In Peru, activists dropped the word 'violence'

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<sup>136</sup> Virtual interview with Bolivian politician. Fall 2015.

and talk only about political harassment because they did not want VAWIP to be confused with political violence related to the armed conflict<sup>137</sup>.

The influence of the Bolivian law is not surprising given the long history of transnational activism and networking in the region (Alvarez 2000; Sternbach et al. 1992). The women's movement in Latin America has been particularly active in making visible gender-based violence, promoting women's inclusion through gender quotas, and pressuring governments to improve responses to cases of violence against women and femicide (Fregoso and Bejarano 2010; Menjívar and Walsh 2016; Novillo 2011; Piscopo 2017a).

This activism has also been fundamental in the recognition of VAWIP. In particular, associations of women authorities at the local level have been very active in the matter. These associations emerged concurrently as decentralization processes increased in the region in the 1990s, seeking to improve governance by making local governments more democratic (Harbers 2010; Willis, Christopher da C. B. Garman, and Haggard 1999). For example, the Association of Women Councilors of Bolivia (ACOBOL), was created in 1999, just a few years after the approval of the Municipalities Law in 1994 which opened up local governments for election and increased their political power as explained in chapter three.

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<sup>137</sup> Virtual interview with Peruvian activist and politician. Summer 2016.

The first such organizations were created in Paraguay and Ecuador in 1993<sup>138</sup>. After these two, similar organizations emerged in El Salvador (1998), Honduras (1999), Bolivia (1999), Dominican Republic (2006), Costa Rica, Peru (2008), and Colombia (unclear but at least since 2010)<sup>139</sup>. The goals of these organizations included representing and protecting the interests of women in politics at the local level, as well as providing training and information that would facilitate their role as policy-makers. Although not all of these organizations have discussed VAWIP, they have been the primary actor where VAWIP has been discussed. In Peru, the National Network of Women Authorities (Red Nacional de Mujeres Autoridades – RENAMA), and in Ecuador the Association of Women at the Municipal Level of Ecuador (Asociación de Mujeres Municipalistas del Ecuador – AMUME) both published the first reports in these countries and have been actively promoting legislation on VAWIP<sup>140</sup>.

Although these institutions work primarily at the local level, they have shared information, strategies, and resources in regard to VAWIP. There have also been regional events to discuss the issue of VAWIP<sup>141</sup>. In 2008, REDLAMUGOL, a regional network of associations of women politicians at the local level, was formally organized and recognized

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<sup>138</sup> The Paraguayan association is called Red de Mujeres Municipales Del Paraguay or Network of Women at the Municipal Level in Paraguay. The Ecuadorean organization is the Asociación de Mujeres Municipalistas Del Ecuador (AMUME) or Association of Women at the Municipal Level in Ecuador.

<sup>139</sup> <http://www.reamm.org.mx/index.php/enlaces/organizaciones-de-mujeres-municipales-en-america-latina>

<sup>140</sup> Virtual interview with Ecuadorian and Peruvian activists. Spring and summer 2016.

<sup>141</sup> <http://cedead.org/congreso/es/agenda>

in Ecuador<sup>142</sup>. This organization seeks, among other goals, to bring together women elected for public office in Latin America and the Caribbean in order to share information, promote the protection of women's rights and political participation, and "fight against all forms of violence against women, especially political violence" (Redlamugol).

The associations of women in politics at the local level worked both as local "translators" and as policy "entrepreneurs", adapting foreign norms to the particular context and proposing legislation (Acharya 2004; Keck and Sikkink 1999; True and Mintrom 2001). As entrepreneurs, they have attempted to persuade political leaders both that VAWIP is a real issue, and that it is necessary to create legal frameworks to address it. The preambles or justification provided when presenting the bill proposals frequently highlight women's organizations at the local level, and how they worked with women politicians to advance legislative proposals. As translators, women's organizations actively transform foreign ideas and adapt them to local contexts. In other words, they 'localize' them (Acharya 2004). This process worked by adapting the Bolivian proposal (and later Law) into local contexts by providing specific information of cases and including particular forms of violence that were more prevalent in each country.

In the early stages of policy adoption, women's organizations and their political allies used existing international norms on VAW to justify the approval of VAWIP laws. Specifically, they used the Convention on the Elimination of all Forms of Discrimination

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<sup>142</sup> From now on, Regional Network. Stands for Red Latinoamericana y del Caribe de Asociaciones de Mujeres Autoridades Electas a Gobiernos Locales (Latin American and the Caribbean Network of Associations of Women Authorities Elected for Local Governments).

Against Women (CEDAW) of which all Latin American states are signatories, and the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Convention of Belém do Pará) The role of international actors is also evident in the civil society reports. Most of them were published by UN Women (Arboleda 2012; Escalante and Mendez 2011; Herrera, Arias, and García 2012) or other international organizations (IOs) such as the National Democratic Institute or the Netherlands Institute for Multiparty Democracy (Restrepo Sanin 2016a; Torres García 2017). Those published by local actors had important support from IOs including the German International Development Agency (GIZ), the Friedrich Ebert Stiftung Foundation, the Spanish Association for International Cooperation, and the Federation of Canadian Municipalities (Hoyos and Et Al. 2014; Villar Márquez 2015)<sup>143</sup>.

Finally, diffusion was also supported by the creation of different events to discuss VAWIP. These events, organized by international organizations, as opposed to the regional meetings mentioned earlier, bring together activists and politicians from all over the region to discuss this issue. They are also different because among the attendants there are frequently women from countries where VAWIP has not been discussed formally, helping to further disseminate information about it. In 2015 the OAS organized the first Expert's Panel on Violence against Women in Politics as a Hemispheric Challenge<sup>144</sup> with politicians and activists from all over Latin America and the Caribbean. Since then, the OAS has been

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<sup>143</sup> Interviews with activists. La Paz, Bolivia. Summer 2015.

<sup>144</sup> I was invited to participate in this event and had the opportunity to observe the discussion.

working to bring together experts and those in charge of women's policy agencies or ministries from the region to discuss VAWIP. In October 2015, politicians from all over Latin America signed the Lima Declaration making a public commitment to promote different strategies to end VAWIP (OEA - CIM 2015). The Organization also published an Inter-American Model Law to be used as a guideline for countries in the region and is currently working on a protocol for political parties<sup>145</sup>.

ParlAmericas, an organization that promotes "parliamentary diplomacy in the Inter-American System"<sup>146</sup>, has organized different cross-regional meetings and workshops with parliamentarians and women candidates to raise awareness and promote actions to prevent and end VAWIP. The issue was first recognized as a significant obstacle to women's political participation during the Group of Women Parliamentarians meeting in Mexico City in 2014 (ParlAmericas 2015b). In 2015 the organization published an "Action Plan for Preventing Political Harassment and Violence Against Women", after the 7<sup>th</sup> annual meeting of the Group of Women Parliamentarians (ParlAmericas 2015a). This organization also has an online tool to map "gender-based violence and harassment" and includes short videos with testimonies from politicians, both men and women, and regional experts commenting on the issue of VAWIP<sup>147</sup>. Both ParlAmericas and the OAS have been important in disseminating information about VAWIP to the Caribbean countries.

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<sup>145</sup> Interview with CIM staff. Winter 2018.

<sup>146</sup> <http://www.parlAmericas.org/en/about.aspx>

<sup>147</sup> The tool is available here <http://www.parlAmericas.org/en/gender-equality/political-harassment-map.aspx>

## Diffusion and Change in Legislative Proposals on VAWIP

The first attempt at criminalizing “political violence and harassment against women” was presented to the Bolivian National Assembly in 2006. Since then, proposals have been presented in Ecuador, Peru, Costa Rica, Mexico, and Honduras. VAWIP has also been discussed in Guatemala, Colombia, El Salvador, and Argentina, but so far no legislative proposals have been presented in these countries. This section first describes these legislative proposals, making connections among them, as well as with the women’s organizations working on the ground, in order to show how the discussion of VAWIP developed and the importance of these organizations and the transnational women’s movement.

As was discussed in chapters five and six, Bolivia was the first country in Latin America to propose and approve legislation to criminalize and sanction VAWIP. The first draft was commissioned by ACOBOL in 2004 and presented to the National Assembly in 2006 by Deputy Elizabeth Salguero. This proposal was approved by the Chamber of Deputies that same year but was never included in the Senate’s agenda. In 2010, the proposal was presented again and passed in 2012 as Law 243<sup>148</sup>. Even though it was approved only in 2012, the proposal was used as the basis for other legislative proposals in the region prior to that year.

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<sup>148</sup> For a more through discussion of this process see Chapter five.



In 2011, Deputy Lourdes Tibán presented the first Ecuadorean proposal “Against Gender-Based Political Discrimination, Harassment, and Violence”. This proposal was co-sponsored by nine other deputies. Similar to the Bolivian Law, this proposal makes a distinction between discrimination, harassment, and violence. Discrimination is defined as “any distinction, exclusion, or restriction that goes against the principle of women’s equality” while harassment and violence are defined in similar terms as the Bolivian law with the addition of ‘verbal violence’ which refers to the use of offensive or sexist words that seek to undermine women’s political actions (Asamblea Nacional del Ecuador 2011, 11). The proposal was debated in the National Assembly, but the gender-based component was removed and it was approved as a reform to the penal code that recognizes ‘political harassment’ without specifically mentioning how it affects women.

In 2016 Deputy Betty Carrillo presented a new bill proposal to reform the electoral law<sup>149</sup> to recognize, prevent, and sanction gender-based political harassment. This proposal also uses the Bolivian definitions of harassment and violence (Asamblea Nacional del Ecuador 2016, 3). This proposal stipulates that perpetrators of VAWIP will receive a fine of 20% of their salary and the obligation to publicly apologize to the victim as a mode of reparation, in addition to the criminal, civil, or administrative sanctions that should be applied. This proposal is currently being studied by the legislative committees<sup>150</sup>.

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<sup>149</sup> Also called the Democratic Code (Código de la Democracia).

<sup>150</sup> Interview with Ecuadorean politician. Antigua, Guatemala August 2016.

A similar document was presented in Peru, by then Congresswoman Veronika Mendoza in 2012. This proposal uses only the word 'acoso' (harassment) even though it includes actions that are clearly violence such as beatings. The decision to use 'political harassment' instead of political violence, was a strategic one, made by women's organizations who supported this proposal. They argue that using the term 'political violence' could get this issue confused with political violence related to the armed conflict. Instead, they wanted to make a clear differentiation between violence related to the conflict, and that suffered by women politicians because they are women<sup>151</sup>. Although a small change, it shows how local activists adapted international discourses to local contexts with the purpose of making the discussion of VAWIP more easily accepted and facilitate the approval of legislative measures.

The National Network of Women Authorities (Red Nacional de Mujeres Autoridades - RENAMA) in Peru has recognized VAWIP and actively worked to prevent it. This organization has also worked with the National Election Jury (Jurado Nacional de Elecciones – JNE) to develop strategies to combat VAWIP. There is also another proposal to sanction 'Political Harassment' which was presented by congresswoman Natalie Condori in 2014 but this proposal is not gender-specific but seeks to sanction political harassment against politicians in general (Congreso de la República del Perú 2014).

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<sup>151</sup> Virtual interview with Peruvian politician. Summer 2016.

Further, the National Election Jury has proposed a general reform to the Electoral Laws in the Country which includes the recognition of VAWIP as an electoral crime. The proposal explains that only those peoples and institutions involved in the electoral process as candidates or members of a party can be sanctioned by this law. This leaves out citizens and media who are perpetrators of VAWIP (Jurado Nacional de Elecciones 2017). However, the inclusion of political harassment against women in a general reform to electoral procedures is an important commitment since, as the document states, the institution will use tools that it already has available, which will facilitate prevention and protection of victims.

Similar to Ecuador and Peru, Deputy Pilar Porraz sponsored bill proposal 18719 in 2015 in Costa Rica. This proposal is based on the Costa Rican Action Plan for 2012-2014<sup>152</sup> that established as a goal to promote bill proposals to sanction political harassment and promote women's political participation and parity democracy. As the Ecuadorean proposal, this bill differentiates between political harassment and violence, and defines 'verbal violence' as any action that is done through the use of words including offensive words, insults, stereotyping, sexual innuendo, sarcastic comments, mockery, or insinuations with the purpose of hindering the exercise of women's political rights.

This proposal includes separate sanctions according to the position of the perpetrator. It is different for members of the National Assembly, mayors, members of city

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<sup>152</sup> These are national policies to advance specific issues. In this case, gender parity in decision-making.

councils (regidores/as), and síndicos (city administrator or trustee). Sanctions include public reprimands, losing the registry as an elected official and being removed from office (credencial), suspension, dismissal, and losing the right to run for public office again (inabilidad).

Mexican feminists have followed a different route. Although there have been several different legislative proposals, they have been stalled in Congress. Instead, electoral authorities published in 2016 (updated in 2017), a protocol for addressing cases of VAWIP. This protocol was designed by the several different government institutions<sup>153</sup> and defines ‘political violence against women’ as all gender-based actions or omissions that have the purpose or effect of hindering women’s political rights. Because this protocol was created by electoral authorities, and VAWIP has not been typified, it emphasizes the violation of women’s political rights in the context of elections.

The document works as a guide for different authorities at all levels of government by providing very specific procedures for different institutions including the FEPADE, the INE, the CEAV, the SEGOB, the TEPJF, INMUJERES, the Special Attorney for Crimes of Violence against Women and Human Trafficking (Fiscalía Especial para los Delitos de Violencia Contra las Mujeres y Trata de Personas), the National Commission to Prevent and

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<sup>153</sup> National Electoral Institute (INE – Instituto Nacional Electoral), the Federal Electoral Tribunal of the Judiciary (TEPJF - Tribunal Electoral del Poder Judicial de la Federación), the Special Attorney for the Attention of Electoral Crimes (FEPADE – Fiscalía Especializada para la Atención de Delitos Electorales), the Government Secretary (SEGOB – Secretaría de la Gobernación), the National Institute for Women (INMUJERES – Instituto Nacional de las Mujeres) and the Executive Commission for the Attention of Victims (CEAV – Comisión Ejecutiva de Atención a las Víctimas).

Eradicate Violence against Women (Comisión Nacional para Prevenir y Erradicar la Violencia Contra las Mujeres). The protocol also argues that the state can be a perpetrator of VAWIP and enumerates a list of possible actors that should be held accountable in cases of VAWIP. These include political parties, candidates, electoral observers, civil servants, notaries, the media, civil society organizations, unions, etc.

The actions that these institutions have to take to protect victims of VAWIP include preventive and cautionary measures, providing legal advice, making risk analyses, and contacting the relevant authorities. If necessary, the INE and state electoral authorities should cancel the registry of the perpetrator, removing them from the candidates' lists or from office, and sanction the party. The FEPADE has the task of investigating reports of VAWIP and issue arrest warrants.

Despite the tools provided by this protocol, the FEPADE and the TEPJF have emphasized the need to typify VAWIP in the federal laws. Prior to the publication of the Protocol, the Mexican Senate had approved a bill proposal sponsored by Sen. Lucero Saldaña (PRI). This proposal typified VAWIP as part of the General Law that Guarantees Women a Life Free from Violence (from now on, General Law on VAW), and included reforms to the Federal Code for Electoral Institutions and Procedures (COFIPE - Código Federal de Instituciones y Procedimientos Electorales). This proposal was then turned to

the Chamber but was not approved there<sup>154</sup>. Similar proposals were presented in 2014, 2015, 2016, by different senators and deputies as summarized in Table 3.

The last country in which a legislative proposal on VAWIP has been presented is Honduras. A bill proposal against “Political Harassment against Women” was presented in 2015 by Congresswoman Doris Gutiérrez. This proposal was ruled favorably in commission but was not advanced to the plenary because, according to Gutiérrez, “[men] are afraid that women will report the harassment they face” (Radio América 2018). A revised bill proposal “Against Political Violence and Harassment against Women” was again presented by Congresswoman Gutiérrez on February 28, 2018. It was supported by three other members of Congress. As with other initiatives, the Honduran one differentiates between harassment and violence and repeats almost verbatim the Bolivian definitions. The list of acts of acts of political violence and harassment explained on Article 4, is also very similar to the Bolivian description, and includes acts of physical, psychological, sexual, economic, and semiotic manifestations.

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<sup>154</sup> Interview with Mexican Politician and Staff. Mexico City. Fall 2015.

**Table 3. Legislative Proposals at the Federal Level in Mexico<sup>155</sup>**

| Date       | Chamber | Type                      | Status                                                    |
|------------|---------|---------------------------|-----------------------------------------------------------|
| 11/13/2012 | Senate  | Electoral and VAW         | Approved in Senate, stalled in Chamber                    |
| 10/23/2014 | Senate  | Electoral and VAW         | Unknown                                                   |
| 11/14/2014 | Senate  | Electoral and VAW         | Stalled in committee                                      |
| 04/08/2015 | Senate  | Electoral, Parties, VAW   | In committee Commissions (Gender and Legislative studies) |
| 04/12/2016 | Senate  | Electoral, Parties, VAW   | Unknown                                                   |
| 04/14/2016 | Senate  | VAW                       | No response                                               |
| 04/19/2016 | Senate  | VAW, Electoral, parties   | In committee                                              |
| 10/5/2016  | Senate  | Constitutional, Electoral | Unknown                                                   |
| 09/29/2016 | Chamber | Electoral, VAW            | In committee                                              |
| 01/27/2016 | Chamber | VAW                       | In committee                                              |
| 02/9/2016  | Chamber | VAW                       | In committee                                              |
| 02/25/2016 | Chamber | VAW                       | In committee                                              |

This proposal makes the Women’s Institute responsible for creating public policies, strategies, and campaigns to combat VAWIP. It also makes the Superior Electoral Tribunal responsible for creating “policies and strategies for democratic education with gender equity” which “guarantee people’s political rights, especially women, as well as equality of opportunity between men and women”. (Congreso Nacional de Honduras 2018, Art. 5). Political parties are responsible for making sure their members abide by this law according to their own internal regulations.

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<sup>155</sup> Source: Hevia Rocha and Peniche Cabal (2017)

As the Bolivian law, the Honduran proposal classifies different actions according to their perceived degree of harm between mild, moderate, and severe<sup>156</sup>. Sanctions are determined according to the type and they can be administrative or disciplinary. The sanction depends on the political party's rules or the internal rules of the institution where the harassment or violence takes place. Criminal procedures and sanctions are not mentioned. The proposal includes some aggravating factors including if the victim is pregnant, older than 60 years of age, has low levels of education, and has a disability. Other aggravating factors include if the woman is attacked by more than two people, by a person in a leadership position, the perpetrator had previously committed acts of political harassment or violence, or when the actions involve the children of the woman. National-level measures are summarized in

#### *Subnational Level Measures*

Besides the Federal level protocol, twelve Mexican states have created different measures to combat VAWIP within the state. These measures are summarized in Table 5. Nine other states have legislation in process (Hevia Rocha and Peniche Cabal 2017). These measures are frequently changes in the state's law on violence against women to include "political violence". The state of Oaxaca has also modified its Constitution to recognize political violence against women.

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<sup>156</sup> Leves, graves, o gravísimas in spanish



Table 4. Overview of legislative measures to combat VAWIP.

*Subnational Level Measures*

Besides the Federal level protocol, twelve Mexican states have created different measures to combat VAWIP within the state. These measures are summarized in Table 5. Nine other states have legislation in process (Hevia Rocha and Peniche Cabal 2017). These measures are frequently changes in the state's law on violence against women to include "political violence". The state of Oaxaca has also modified its Constitution to recognize political violence against women.

Table 4. Overview of legislative measures to combat VAWIP

| Country               | Status                                              | Date | Definition                           | Type        | Manifestation                                                        |
|-----------------------|-----------------------------------------------------|------|--------------------------------------|-------------|----------------------------------------------------------------------|
| Bolivia               | Approved 2012                                       | 2006 | Violence, harassment                 | Stand alone | Physical, Psychological<br>Implicit: Economic                        |
| Mexico <sup>157</sup> | Protocol developed by electoral Institutions (2016) | 2016 | Violence                             | Electoral   | Physical, sexual, psychological, symbolic and economic (patrimonial) |
| Peru                  | Approved by commission, not debated in plenary      | 2012 | Harassment                           | Stand alone | Physical, psychological<br>Implicit: Economic and Symbolic           |
|                       | Proyecto De Ley Del Código Electoral                | 2016 | Harassment                           | Electoral   | Not explicit: threats, aggression, dissemination of information      |
| Costa Rica            | In Committee                                        | 2015 | Harassment, Violence                 | Stand alone | Physical, psychological, verbal violence                             |
| Ecuador               | Changed to gender neutral                           | 2014 | Discrimination, harassment, violence | Stand alone | Physical, psychological, verbal violence                             |

<sup>157</sup> Because there have been over 10 federal-level proposals in Mexico, this table only includes the federal protocol that is currently operating. The proposals are detailed in The last country in which a legislative proposal on VAWIP has been presented is Honduras. A bill proposal against “Political Harassment against Women” was presented in 2015 by Congresswoman Doris Gutiérrez. This proposal was ruled favorably in commission but was not advanced to the plenary because, according to Gutiérrez, “[men] are afraid that women will report the harassment they face” (Radio América 2018). A revised bill proposal “Against Political Violence and Harassment against Women” was again presented by Congresswoman Gutiérrez on February 28, 2018. It was supported by three other members of Congress. As with other initiatives, the Honduran one differentiates between harassment and violence and repeats almost verbatim the Bolivian definitions. The list of acts of acts of political violence and harassment explained on Article 4, is also very similar to the Bolivian description, and includes acts of physical, psychological, sexual, economic, and semiotic manifestations.  
on page 171.

|          |                          |      |                      |             |                                                     |
|----------|--------------------------|------|----------------------|-------------|-----------------------------------------------------|
|          | New Proposal             | 2016 | Harassment           | Stand alone | Psychological                                       |
| Honduras | Stalled, presented again | 2018 | Harassment, Violence | Stand alone | Physical, sexual, psychological, economic, symbolic |

Table 5. State-level measures in Mexico

| Name                                                                                                                 | Date       | State/entity        | Type           |
|----------------------------------------------------------------------------------------------------------------------|------------|---------------------|----------------|
| Ley de Acceso de las mujeres a una vida libre de violencia del estado de Baja California                             | 09/07/2016 | Baja California     | VAW            |
| Ley de Acceso de las mujeres a una vida libre de violencia del estado de Campeche                                    | 11/06/2014 | Campeche            | VAW            |
| Ley de Acceso de las mujeres a una vida libre de violencia del estado de Coahuila                                    | 08/03/2016 | Coahuila            | VAW            |
| Ley de Acceso de las mujeres a una vida libre de violencia del estado de Jalisco                                     | 01/12/2015 | Jalisco             | VAW            |
| Ley Estatal de Acceso de las Mujeres a una vida libre de violencia de genero                                         | 29/02/2016 | Oaxaca              | VAW            |
| Ley número 235 Acceso de las mujeres a una vida libre de violencia para el estado de Veracruz de Ignacio de la Llave | 26/07/16   | Veracruz            | VAW            |
| Ley electoral del Estado de Nayarit                                                                                  | 05/10/2016 | Nayarit             | Electoral      |
| Penal Code                                                                                                           | 26/03/2016 | Oaxaca              | Penal Code     |
| Ley de Acceso de las Mujeres a una Vida Libre de Violencia del Estado de Baja California Sur                         | 20/12/2016 | Baja California Sur | VAW            |
| Constitutional Amendment                                                                                             | N.D        | Chiapas             | Constitutional |
| Ley Electoral del Estado de Nayarit                                                                                  | 10/05/2016 | Nayarit             | Electoral      |
| Ley de Acceso de las Mujeres a una Vida Libre de Violencia del Estado de San Luis Potosí                             | 09/17/2016 | San Luis Potosi     | VAW            |
| Ley de Acceso de las Mujeres a una Vida Libre de Violencia del Estado de Nuevo León                                  | 01/18/2017 | Nuevo León          | VAW            |
| Electoral Code                                                                                                       | 05/29/2017 | Aguascalientes      | Electoral      |
| Ley de Acceso de las Mujeres a una Vida Libre de Violencia para el Estado de Colima                                  |            | Colima              | VAW            |
| Guía para la Prevención y Atención de la Violencia Política contra las Mujeres en el Estado de Puebla                | 2017       | Puebla              | Electoral      |
| Constitución Política                                                                                                | 2017       | Mexico City         | Constitutional |

### Typology of legislative proposals

Based on the characteristics of the bill proposals, legislation frame VAWIP either as a as a gender-based crime or as an electoral crime. Within these two categories, laws on

VAWIP can take four forms: 1) a standalone VAWIP law; 2) an addition to existing VAW legislation; which frame VAWIP as a form of VAW, or 3) an electoral law or protocol; or 4) a constitutional reform, which frame VAWIP as an electoral crime. This typology is detailed in Table 6.

**Table 6. Typology of Legislative Proposals**

| VAW                                  | Electoral                   |
|--------------------------------------|-----------------------------|
| Stand alone                          | Electoral laws or protocols |
| Addition to existing VAW legislation | Constitutional reform       |

The framing of the proposals signal important elements about how the state conceives of VAWIP. Standalone laws and additions to existing VAW laws frame VAWIP as an affront to gender equality and women’s human rights, even if they recognize the electoral and democratic implications of VAWIP. In contrast, electoral reforms and protocols regard VAWIP first as an affront to democratic practices and electoral procedures, even if they recognize unequal power relations as the root of VAWIP. In the first case, existing institutions and procedures that are used to combat VAW are extended to address VAWIP. In the second case, electoral institutions take primary responsibility for responding to VAWIP.

This difference is not merely academic. Although VAW laws in Latin America are comprehensive, they remain largely unenforced and the region still has very high levels of violence against women and femicide (Bott et al. 2012; Menjivar and Walsh 2016; Neumann 2017). Electoral procedures and authorities, on the other hand, are frequently

scrutinized by international and regional actors, and are seen as a fundamental element in improving the quality of democracy in the region (Uges 2014). Electoral authorities have also been critical actors (Childs and Krook 2009) in the protection of women's political rights in the region (Piscopo 2015). Thus, framing VAWIP as an electoral crime has the potential to make sanctions more effective and its consequences for democracy more evident. However, without the specific criminalization of VAWIP, women depend on the will of electoral authorities who can choose to disregard or even reverse these electoral protocols.

The first approach – stand-alone laws – is the most commonly strategy to date in Latin America at the national level. Out of the twelve proposals studied, six are stand-alone laws. These proposals rely heavily on the Bolivian law with a few additions or changes based on the particular context. They frame VAWIP as a form of violence against women, extending existing legislation to combat VAW. They add, however, specific considerations regarding the procedures that must be followed in cases of VAWIP, as well as the institutions that must be involved. Specifically, they mention electoral authorities as responsible for certain activities, such as designing campaigns or developing protocols for political parties. They also tasks women's institutes or ministries for designing strategies to combat VAWIP, as well as for disseminating the law.

Despite the inclusion of electoral authorities in these laws, the texts frame VAWIP as a form of violence against women, with criminal procedures emphasizing this quality. Indeed, the Bolivian law on Violence against Women (Law 348), which was approved

shortly after Law 243, includes political violence and harassment against women as one of the type of violence described (Presidencia Bolivia 2013, Art. 7 No. 13). These proposals frequently refer to the laws on violence against women to specify procedures and sanctions.

The Model Law proposed by the Organization of American States also falls within this type. This Model Law was designed by a group of experts from the Follow up Mechanism to the Belém do Pará Convention (MESECVI), which is the Latin American agreement to end violence against women. Although it emphasizes the effects of VAWIP on democratic practices, the Model Law recognizes that VAWIP is first a form of violence against women, rooted in unequal gender relations between men and women (OAS-CIM 2017, 2).

The second approach involves electoral reforms. These can be in turn of two types. The first are specific reforms to electoral codes and regulations, which are legally binding and codify the political harassment and violence against women as an electoral crime. These includes the 2016 proposal presented in Ecuador and the proposal presented in 2017 in Peru. Similar reforms have also been adopted by the Mexican states of Nayarit, Aguascalientes, and Puebla. The second type involves protocols to handle cases of VAWIP. These protocols have only been created in Mexico (first in 2016 and updated in 2017), but offer an important example for other countries. Although they are not legally binding or criminalize VAWIP, they provide tools to electoral authorities, women's institutes, victims' units, among other institutions, offering guidelines to act in cases of VAWIP using existing

electoral legislation. In other words, they use a ‘gendered lens’ to analyze electoral crimes and violations<sup>158</sup>.

Despite the existence of the protocol –and its success in protecting women’s political rights- both legislators and electoral authorities in Mexico have called for the approval of a law criminalizing VAWIP<sup>159</sup>. To date, twelve such proposals have been presented in the Mexican Congress but none has been approved (Hevia Rocha and Peniche Cabal 2017).

The third approach entail reforming or adding articles to existing legislation on violence against women by recognizing VAWIP as a particular manifestation of VAW. These reforms also use the Bolivian definition with a few changes. They are most common at the subnational level in Mexico where they have been approved in the states of Baja California, Campeche, Coahuila, Jalisco, Oaxaca, Veracruz, Baja California Sur, San Luis Potosi, Nuevo Leon, and Colima. This has been the primary legislative approach adopted by Mexican senators and deputies: of the twelve bill proposals that have been presented, eleven take this format. These proposals also include reforms to the electoral code or the penal code, but their main purpose is to add political violence to the federal-level VAW law.

The fourth approach involves constitutional reform. This type has only been used in Mexico at the subnational level. The first state to change its constitution to recognize VAWIP was the state of Chiapas, which states that women have a right “to be protected

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<sup>158</sup> Virtual interview with former member of the TEPJF. Spring 2016.

<sup>159</sup> Interview with former member of the TEPJF. Winter 2018.



against all types of violence, including violence during electoral and post-electoral processes” (Estado de Chiapas 2016, Art. 8 No. VII), thus, criminalizing VAWIP as an electoral crime. In 2017, for a very brief period of time, the Constitution of Mexico City included VAWIP. This recognition would have meant that electoral processes could be nullified if there was evidence of VAWIP (Saldaña 2017). However, the addition was later removed because “there was a mistake when including it” in the transcription of the law approved, according to Deputy Leonel Luna even though gender-based political violence had been approved by the Constitutional Assembly’s Plenary (A. García 2017). Now the Constitution includes political violence as a reason to nullify elections but does not specifically mention gender or women (INMUJERES 2017).

### **Evaluating the level of commitment**

Regardless of the type of legal reform used, these measures will not be effective if states do not demonstrate a true commitment to end VAWIP. Part of the success of a law is determined by the will of those involved in its enforcement, as well as the capacity of the state to enforce those laws. Both these elements are absent in Latin America, as states have proven ineffective enforcers of existing legislation, even if they have the capacity to do so, and diverse actors have shown a lack of will to enforce particular laws, even when they have the means to do so (LeClercq Ortega, Juan Antonio and Rodriguez 2017; Neumann 2017). This is predominantly the case with violence against women (Menjívar and Walsh 2016). Regardless of these problems with enforcement and political will, there

are some elements within the proposals that show different levels of commitment in criminalizing and sanctioning VAWIP.

Although there can be other elements that are important, I focus here on the specific design of the different mechanisms to combat VAWIP. Particularly I look at the institutions involved in enforcing the law; whether it reforms other laws (and which laws); whether new institutions are created to support these laws or protocols; whether it allocates specific budgets to new or old institutions to monitor implementation; and what types of activities and compliance mechanisms were created by the laws. I also analyze the sanctions and whether it includes references to how to identify whether an act of violence against a woman politician is motivated by her gender. Although the existence of specific sanctions itself does not say much about whether the law will be enforced, they do signal at how grave the state considers an issue to be. Likewise, including references to how to identify an attack as gender-based as opposed to 'regular' political violence is an important element. Including references on how to identify gender-specific elements is an important component of VAWIP legislation as it helps overcome some of the difficulties expressed by justice administrators in regards to other gender-specific crimes such as femicide (Menjívar and Walsh 2016). For this section, I will only focus on national-level measures as the subnational level measures are, for the most part, addition to existing laws on violence against women.

To be effective, legislation on VAWIP needs to modify existing legislation including electoral laws and penal codes. These reforms should be included in the proposal as this

signals a stronger commitment and avoids delays in the inclusion of VAWIP in other procedures. In Bolivia, for example, despite the approval of Law 243 criminalizing VAWIP, it has not been included in the penal code<sup>160</sup>. This absence was used by legal authorities to avoid initiating procedures (Méndez Vedia 2017). Of the existing national-level proposals, including the Mexican protocol, only the Bolivian regulatory framework creates institutions to explicitly deal with cases of VAWIP. In Bolivia, it is the Immediate Attention Mechanism to respond to victims of VAWIP. This mechanism is composed of representatives from the government, the police, the Ministry of Autonomy, the Electoral Body, the Public Ministry and the People's Attorney. This mechanism is activated when a member of the mechanism believes a woman's life or physical integrity is at risk and mandates that the police must provide protection.

The Costa Rican and Peruvian proposals both include reforms to the country's penal code to recognize the crime of political violence or harassment against women. In the Costa Rican proposal, there are also reforms to the electoral code. This reform revokes the electoral credentials of those found guilty of political harassment or violence, effectively suspending their political rights for the duration of their sentence (Asamblea Legislativa de la República de Costa Rica 2013, Art. 43). In this regard, although the proposal frames VAWIP as a crime of VAW, it also recognizes its effects on democratic practices.

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<sup>160</sup> It was going to be included in a new penal code approved in 2017, but this code was later rescinded.

Another indicator of the level of commitment is whether the law allocates a budget or mandates that a budget has to be allocated. Of the existing legislative proposals, including the Bolivian law, only the Costa Rican proposal explicitly says that institutions need to allocate part of their budget and human resources to fulfill their commitments and responsibilities to combat VAWIP. The Peruvian legislative proposal sponsored by Veronika Mendoza explicitly says that the approval of the proposal would not increase economic costs to the state (Mendoza Frisch, Veronika Fanny 2012). This is a clear contradiction within the proposal as it both demands the creation of different strategies that will need a budget but denies any budget allocation.

Legislation on VAWIP also mandates that institutions create specific measures to raise awareness and combat VAWIP. Some of the activities created by these proposals are focused on raising awareness of this issue, including posting the approved law in all government offices as is the case of the Peruvian proposal (Mendoza Frisch, Veronika Fanny 2012, Art. 5). This is considered a 'preventive' measure. The Costa Rican and Ecuadorean proposals do not include specific activities to prevent or combat VAWIP. The Bolivian regulatory framework and the Peruvian proposal also mandate that all sessions at legislative bodies must be video-recorded in order to document all the activities happening during the debates.

The Mexican protocols have very specific activities for each of the institutions involved in the prevention of and response to VAWIP. The general guidelines include listening to the woman who files a complaint in order to determine the best course of

action; providing support and communicate with the Victim's Unit or victim's hotline; advising and accompanying the victim during any legal procedure and serving as a representative of the victim during these procedures; providing protective measures assessing the level of risk of harm for the woman; and putting the victim in contact with networks and organizations that can provide support. The protocol also includes very detailed and specific procedures that different state institutions must follow in cases of VAWIP.

An important element of the Mexican protocol is that it also includes specific guidelines that help different actors identify attacks on women politicians as being gender-based. This is a fundamental element of this protocol as it explains very clearly how VAWIP is different from other forms of political violence. This include attacks that targeted a woman because of her sex or attacks that disproportionately affect women. While the first type is harder to recognize without an analysis of the context in which the acts occurred (as explained on chapter two), the second is easier, especially for authorities unfamiliar with gender issues. The Protocol mentions the case of resignations as a useful example. The TEPJF found that most of the resignations by elected authorities in the state of Chiapas were women (55.6%) and most of these seats were taken by men. In the case of men's resignations, the seats were also taken by men. As a result, women's political representation was greatly reduced, which was evidence of a disproportionate effect of these resignations on women. Finding that these resignations were forced or product of coercion indicates that they are indeed gender-based (TEPJF 2017, 47–48).

## Conclusions

This chapter has argued that there is evidence of diffusion in regards to VAWIP and the legislative measures to combat this problem. The diffusion of the VAWIP legislative and proposals suggests that the process of norm diffusion is less linear than suggested and may be, instead described as a circular process in which international norms influence state-level legislation which may be internalized but may also be contested as Krook and True suggest (Krook and True 2012). Further, different international norms may be adapted in different contexts or to overcome resistance to particular norms by reframing a problem.

In the case of VAWIP laws, international norms on violence against women have been largely adopted in Latin America. They have not, however, been internalized despite the signature of different agreements and the approval of multitude of laws recognizing and criminalizing different manifestations of VAW. Internalization means not only that states are willing to recognize a problem and design strategies to address it, but they are also willing to enforce those laws and effectively sanction perpetrators. At the same time, as resistance and contestation occur, other groups push forward for the adoption and creation of different laws to respond to local issues or use other international norms to combat these problems.

In regards to VAWIP, there is ample evidence of resistance to women's inclusion in politics –as exemplified by the use of violence against them. The creation of legislation to end this problem signals not only that activists are transforming how international norms on VAW are interpreted locally, but also are in turn influencing international norms by

bringing light to a different manifestation of an old problem. In this process, the Bolivian legislation has been used in other countries as an example, providing support for the argument that there was diffusion.

Evidence of this process of diffusion can also be found in the timing and similarities between the different legal proposals and reforms advanced in the region. Through the analysis of these measures, it becomes evident that diffusion of the Bolivian work on this matter has been key. First, most of these measures have been proposed in the last ten years, gaining momentum after the approval of the Bolivian law in 2012. Second, they share common characteristics with the Bolivian law, including the separation between harassment and violence, the definition of the issue, as well as the manifestations. At the same time, these proposals also show how context becomes fundamental in understanding VAWIP, as discussed in chapter two since the proposals add particular manifestations or practices that are used to undermine women's political participation.

The diffusion of the diverse strategies to prevent and sanction VAWIP is a direct result of the transnational nature of the women's movement in Latin America. Organizations of women at the local level have shared information and strategies to make VAWIP visible, lobby legislators, draft proposals, etc. These organizations also translate and locate the discussion on VAWIP and help adapt international laws to the local context.

This adaptation and changes have resulted in several strategies to combat VAWIP. These proposals fall into four categories: 1) standalone laws; 2) additions to existing VAW legislation; which frame VAWIP as a form of violence against women, or 3) electoral laws;

or 4) constitutional reforms, which frame VAWIP as an electoral crime. The most common in Latin America at the national level has been the stand-alone law that frames VAWIP as a form of violence against women while recognizing its effects on democracy. This framing is important as it is a direct recognition of VAWIP as a particular crime with specific manifestations. At the same time, given that VAW laws in Latin America have been largely ineffective, these laws –if approved- will probably not be very effective.

As most of these proposals have not been approved yet, this chapter has not systematically evaluated their effectiveness. However, it remains an important area of research. Since more states in Latin America and beyond are recognizing the effects of VAWIP for democracy and the issue becomes more visible, it is fundamental to understand what strategies are most effective in preventing VAWIP, protecting victims, and punishing perpetrators.



## CHAPTER SEVEN: CONCLUSIONS AND DIRECTIONS FOR FUTURE RESEARCH

Violence against women in politics is an increasingly recognized global phenomenon that affects women's representation, democracy, and electoral integrity and also has important consequences for those who are victimized. This problem has become more visible as women's numbers in politics have increased worldwide with cases reported in the United States, Kenya, Australia, the United Kingdom, India, Japan, among other countries (Asian Human Rights Commission 2006; Dalton 2017; Hunt, Evershed, and Liu 2016; Krook 2018b; SAP International 2006; Shepherd 2014). However, Latin America has been at the vanguard in the discussion of VAWIP and the development of diverse strategies to punish perpetrators and eradicate VAWIP. This research has analyzed the debate on VAWIP –or on 'political violence and harassment' as is known in Latin America - to understand 1) what VAWIP is, 2) what its manifestations are, 3) and what strategies have been created, both by civil society and states, to prevent VAWIP and sanction its perpetrators. This concluding chapter will bring together the findings of the research, discuss the contributions to political science, and conclude with a discussion of future areas of research.

### Analyzing VAWIP

VAWIP refers to acts of pressure, persecution, and violence against women politicians *because they are* women (Krook and Restrepo Sanin 2016a). This research has found that VAWIP is a complex phenomenon: the motivations behind attacks on women

politicians are seldom clear-cut. Attacks on a woman politician may be the result of discontent with her policy positions or the result of generalized criminal activity. They share, however, the desire to –explicitly or implicit- maintain the gender status quo of politics.

To differentiate these attacks from VAWIP, it is necessary to understand VAWIP as part of a continuum instead of analyzing discrete actions that 1) may not be –by themselves- considered violence, or 2) may seem to be motivated by reasons other than the victim’s gender. To understand this continuum, it is necessary to analyze both the *context* and the *patterns* of attack. Analyzing the contexts involves, not focusing on single incidents but studying how a particular woman and other women are attacked. It also entails examining the environment in which women access politics: is there evidence of larger resistance to women’s political participation? Are women-friendly public policies that support gender equality in place? Or is there evidence of broad rejection and dismissal of gender equality? Looking at the broader picture will also provide information about the *patterns* of attack, what tools are used to undermine women’s political rights, and how they change over time.

The discussion of VAWIP in Latin America began almost concurrently with the first steps to increase women’s political representation through gender quotas in the late 1990s. The adoption of these measures was met with resistance from political parties and leaders who took advantage of lack of placement mandates, sanctions for non-compliance, and other loopholes in the laws to avoid including women (Baldez 2004; Bruhn 2003; Htun

2016; Zetterberg 2008). As the loopholes were closed, and parties were forced to include women (Piscopo 2015), they used other tactics, including nominating women who would later resign to give the seat to a man, among other measures. All these tactics show a clear context of resistance and hostility towards women in politics, and create new challenges for quota and parity laws.

Besides the contextual elements, analyzing the stories of women in politics provides a clear image of the patterns of attack. First, women are rarely harassed one single time. Instead, they face daily indignities and humiliations that make their work more difficult, undermine their authority, render them invisible, and silence their voices. They also face physical and sexual abuses. A larger pattern also reveals that several different women face the same actions, regardless of their political party, policy position, or political connections. Attacks frequently continue even if women comply with the demands from the perpetrator or if they toe the party line (Machicao Barberly 2004). All of this points towards a phenomenon that is different from other forms of political violence, even if they share similar characteristics and the motivations behind the attacks are obscure or entangled with political and criminal motivations.

The means used to intimidate and harass women worldwide may be different, given specific contexts, state capacity, and cultural practices that render certain actions more effective than others. Women politicians in the United Kingdom frequently face

online abuse and sexual harassment, even if they are seldom kidnapped<sup>161</sup>, while women in other contexts, where physical violence is more normalized or the state is slower to react to it, may be beaten or killed at higher rates (Krook and Restrepo Sanin In preparation). Despite these apparent differences, all these actions are connected in that they seek to push women out of politics or keep them submissive, *maintaining the gendered status quo of politics*. Analyzing particular contexts shows how specific sociopolitical and cultural practices are used to attack women. In Latin America, informal rules are used to justify the exclusion of women or force them out, as illustrated by the meaning given to ‘alternate succession’ by male alternates in Bolivia.

Institutions and procedures created to strengthening democracy also provide powerful tools to attack women. Corruption has received particular attention in Latin America as it affects the quality of democracy and the legitimacy of political institutions (Husted 2002; Maldonado and Berthin 2003; Morris 2012; Seligson 2002). Women politicians are frequently forced to defend themselves against false accusations of corruption, both in court and in the public opinion. Corruption also functions as the trigger of attacks, as many women who investigate and challenge dishonest practices are attacked. Mechanisms for popular participation, created to make democracies more responsive, such as recall referendums, are used to justify attacks on women, accusing them of ‘not fulfilling campaign promises’ or being ‘incapable’. Pressures to resign and

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<sup>161</sup> However, there are also cases –although rare, of women who are murdered, such as was the case with MP Jo Cox.

other attacks thus become ‘the will of the people’, masquerading gender-based violence as an effort to make governments more ‘democratic’ and ‘responsive’.

Bolivia has had an important influence in the debates on VAWIP in Latin America. The first debates on this issue began in the Andean country in the late 1990s, after the adoption of gender quota laws and decentralization measures created to increase women in politics and to make governments more responsive and democratic. Activists in the country not only ‘named’ it, but were fundamental in drafting and guaranteeing the approval of the law criminalizing ‘Political Violence and Harassment against Women’ (Law 243). By creating alliances with diverse women, doing workshops and training sessions for women politicians at the local level, and crafting agreements with political leaders, women activists guaranteed both that the issue was well known, and that the bill proposal was approved. Law 243 is the only one of its type in the world, and despite its limitations, is the best tool women politicians in Bolivia have for protecting and guaranteeing their political rights.

The women’s movement in Bolivia has become a critical actor in the discussion of VAWIP in the region. Their work has shaped the discussion of VAWIP in other countries, including the separation between ‘harassment’ and ‘violence’ that has been adopted in most countries in Latin America. The bill proposal drafted by ACOBOL and approved by Bolivia’s National Assembly in 2012, has also become a model for other legislative proposals created in the region, including the Model Law proposed by the Inter-American Commission on Women. Currently, legislative proposals have been advanced in Ecuador,

Peru, Costa Rica, Honduras, and Mexico. Although these proposals borrow different elements from the Bolivian Law –especially in regards to the definition of the issue- they also adapt it to the particular context, accounting for specific institutions and practices that affect how women are attacked, and the mechanisms they can use to protect them.

The state-developed measures created in Latin America to prevent, handle, and eradicate VAWIP address this problem in two manners: 1) either as a form of violence against women that takes place in the public sphere; or 2) as an electoral crime that has important implications for electoral integrity and democracy. This, in turn, give rise to four types of reforms: 1) stand-alone laws; 2) additions to existing legislation on violence against women; 3) reforms to electoral codes and procedures; and 4) constitutional amendments. Both the framing and the type of measure adopted determines which institutions are responsible for dealing with cases of VAWIP, what the appropriate response is, and what recourse the victim has for protecting her rights and her physical and mental integrity. These differences have the potential of determining whether the measure is effective or not.

These findings highlight the need to collect data on VAWIP carefully, keeping in mind not only diverse manifestations and tools used to attack women but also the attacks that several different women may receive. In this regard, it is necessary to include gender as an important category of analysis (Scott 1986) to understand other forms of political

violence, which have not considered the gendered dimensions of the attacks<sup>162</sup>. As other forms of political violence, VAWIP is complex, and the motivations are not always evident. Women politicians may be attacked not only on the basis of their gender but because of policy positions, ideology, criminal activity or simply because politics is violent. What this means is not that gender is unimportant and should be disregarded or subsumed under other motivations. Instead, it means is that gender plays a key role in producing the attacks, in the manner in which they are carried out, and in the differentiated effects they have on women. In short, gender should be a central part of the analysis in the study of political violence as highlights an important element of both the causes of violence and the forms it takes. This dissertation thus contributes to the study of political violence by emphasizing the need to look at violence as a spectrum, not as a series of discrete actions as violence expresses in multiple ways, changes as the context changes, and affects multiple women at the same time.

Further, by emphasizing that VAWIP is at the intersection of political violence *and* of violence against women this dissertation contributes to both these literatures. It highlights perpetrators of VAW that are not frequently recognized, including individual and institutional state actors. This research also emphasizes the role of unequal power relations between men and women as a source of political violence, one that should not

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<sup>162</sup> This is not to say that feminist scholars have not made important contributions to the study of diverse forms of political violence, instead it is a call to include gender as an integral variable in the study of this phenomenon in all of its manifestations.

be disregarded either as a 'private issue' as frequently happens, or as irrelevant in explaining larger manifestations of violence in the public sphere.

In this same line, studies on women's representation need to take violence into account when analyzing barriers to women's inclusion in politics. Gender and politics scholars have been concerned about the reasons behind women's underrepresentation. Explanations vary from women's 'lack' of political ambition (Fox and Lawless 2010; Lawless and Fox 2010b), to more structural explanations that analyze gendered barriers that make women's access to politics harder (Carroll and Sanbonmatsu 2013; Escobar-Lemmon and Taylor-Robinson 2008; Kenny 2013; Mackay and Krook 2011; Sanbonmatsu 2002; Zetterberg 2008). Although most of these works take sexism and misogyny as one of those barriers in some way, they have not systematically studied violence as one of the barriers, nor have they studied how violence may impact ambition. This dissertation has contributed to the study of women's representation by bringing attention to violence both as a deterrent, preventing women from running for office, and as a restraint, making women's work in politics so difficult that they leave, or preventing them from performing their duties as representatives.

Another contribution of this dissertation to the study of women and politics and women's representation is the focus on barriers not only before women decide to run and during their campaigns. This research has shown that women's descriptive representation is not only affected by institutional barriers limiting their ability to enter into politics, but also by barriers that force them out. Studies on women's descriptive representation look



at the number of women in public office, without interrogating whether those women who are elected actually stay for the full length of their terms (Beckwith 2007; Piscopo 2011; Rosenthal 1995; Sanbonmatsu 2003).

As was shown in this research, violence is a powerful deterrent for women who want to enter the political arena. VAWIP also influences women's desire to stay in office when they are elected as it is perceived as such a hostile and dangerous environment that it is not worth their dignity or their lives –as succinctly put by the #NotTheCost campaign. When women leave politics, democracy loses as their voices, experiences, and ideas are missed, while electoral procedures are held hostage to intimidation and violence.

Gender and politics scholars analyzing the effects of women in politics, and more specifically, substantive representation, should also take VAWIP seriously. Women reported that these attacks not only targeted them personally but also their performance as representative of the interests of their constituents. If a woman has to spend most of her time in office defending herself in court from false accusations, she will have little time to perform her duties or advance the projects she promised. Moreover, if they are afraid to work to support women's rights and advance feminist policies because this makes them an easy target, women's interested more broadly -and thus substantive representation- is affected. Violence can be part of the answer to the still debated question about the relationship between descriptive and substantive representation. This is also a significant contribution of this dissertation.

### Directions for future research

Although there is evidence that women in politics were attacked even before their political participation became more common, academic studies on this topic are scarce. Initially, the discussion on the topic on this issue has focused on conceptualizing VAWIP and determining its boundaries and limits (Bardall 2011; Bardall 2013; Krook 2017b; Krook 2018b; Krook and Restrepo Sanin 2014; Piscopo 2016b; Piscopo, Bardall, and Bjarnegård May 22-26). Relative consensus has emerged amongst most scholars and international and local organizations working on this issue regarding the definition of VAWIP. This consensus supports a broad definition of VAWIP that recognizes physical, sexual, psychological, economic, and semiotic manifestations (Krook 2017a; Krook and Restrepo Sanin In preparation; Krook and Restrepo Sanin 2016a).

As has been shown by this research, these broad definitions account for most women in politics' experiences with violence and harassment and are better suited for making connections between the different manifestations of VAWIP before women are nominated, during the electoral process, and –importantly- once they are elected. Understanding violence not only in terms of physical and psychological abuse, but more broadly, considering different tools used to attack women, accounts not only for the effects on the woman who is directly victimized, but also for the effects on legislative performance, electoral integrity, and democracy more broadly.

Given the –understandable- focus on defining this issue and the novelty of this topic in academic research, there are numerous directions in which future research should

go. First, the global nature of VAWIP, calls for comparative studies which are necessary to have a clearer understanding both, of how this issue has emerged globally, and how the manifestations of VAWIP vary as the context changes. These studies must analyze the use of particular cultural practices and political institutions to attack women. As this dissertation has shown, institutions to combat corruption in Latin America have become an easy tool to attack and undermine women, not only affecting their performance and credibility as politicians, but also bolstering their attackers' credentials as anti-corruption crusaders.

Further, given the growing importance of social networks such as Facebook and Twitter, and instant messaging services, such as WhatsApp or SnapChat in politics, particular attention must be paid to how violence manifests online and how it translates into the 'real' world. Analyzing how these tools are used to attack, humiliate, and silence politically active women has become much more relevant. This research is facilitated by the availability of cross-country data that is relatively easy to collect given its public nature. This allows for large-n analysis to understand variations by context and to find patterns of attack.

This does not mean that single-case or medium-N studies are not important or necessary. As was shown in this research, VAWIP is profoundly shaped by the context in which it happens. As such, particular political and cultural practices and institutions in different countries are likely to affect how VAWIP manifest there. Analyzing the particularities of these contexts is fundamental for designing effective strategies to support

politically active women and protect democratic institutions. These efforts should also focus on collecting quantitative data, both at the national and the cross-national level, as it will facilitate the analysis of the incidence and provide a broad picture of the perpetrators, the global patterns of attacks, and the effects.

Some of the first data-collection efforts have been done by international institutions, including the Organization of American States, the National Democratic Institute, the Inter-Parliamentary Union, and the United Nations. These organizations have convened experts' meetings and events with women politicians to increase the visibility of the problem, and have brought together different actors with the purpose of eradicating VAWIP. These efforts have also included the creation of guidelines for electoral observers, global calls to action, and the support of civil society organizations working on the ground to track and report cases of VAWIP. At the same time, women's organizations working at the local level have devised innumerable strategies ranging from workshops and training sessions for women candidates, to call centers, smartphone applications, and instant messaging services, created to provide support and legal advice for women in politics who face violence. Research in this area should analyze the connections between these different tools and measures to eradicate VAWIP, and how international and local actors can work together to support women politicians in different contexts.

Equally important is the analysis of the state-sponsored measures to criminalize VAWIP, facilitate reporting of attacks on women politicians, and sanction perpetrators. These measures can include, as in Latin America, specific laws that address both personal

and electoral effects of VAWIP. They can also be codes of conduct regulating parliamentary behavior, regulations for political parties, sexual harassment in the workplace policies, among others. Studying both the state-sponsored, as well as the civil society and international organizations measures must focus on the effectiveness of these measures both in protecting women victims, and strengthening democratic practices. An important element of analysis in this regard is whether these measures effectively support women candidates. This is one of the main limitations of existing legislation: because legal processes take so long, women candidates are not effectively protected, nor are there effective mechanisms to provide justice when their chances to of being elected were affected by violence.

As I finish writing up the results of this research, protest has erupted Brazil over the murder of Marielle Franco, a black, lesbian, and *favelada*<sup>163</sup> local councilor in Rio de Janeiro, who promoted women's, LGBTI, and Afro Brazilian rights, and openly and strongly criticized the Brazilian government for its use of the military to police the favelas in Rio, and the brutality that has ended the lives of several black inhabitants of these neighborhoods. Ms. Franco was murdered as she returned home from an event promoting black empowerment (Carneiro 2018). Her murder highlights the connections between VAWIP and other forms of violence against political actors. Although Ms. Franco was vocal about a specific policy and evidence suggests that her denunciation of police brutality is at the

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<sup>163</sup> Favelada refers to a woman living in the favelas in Brazil. The favelas are the poorest, most marginalized neighborhoods in the large cities of the country. Ms. Franco proudly called herself a *favelada*.

root of her assassination, the fact that she openly and loudly supported and identified with the most vulnerable groups in Brazil, is very significant and cannot be ignored. Her assassination is not only an attempt at silencing those who question police brutality but an attempt at silencing the voices of women, Afro Brazilian, LGBTI people, and the poor.

This silencing of women belonging and defending different groups, also stresses the need for research on VAWIP that accounts for how politically-active women from marginalized groups are affected by violence not only on the basis of their gender, but also on their race, ethnicity, religious affiliation, sexual orientation, gender identity, disability, age, etc. (Kuperberg 2018). Evidence suggests that women who support women's rights and openly identify as feminists are more likely to be attacked, thus, intersectional analysis of VAWIP needs to take into account the role of ideology both in regards to how it is used to target women, but also in how it is used to justify attacks (Biroli 2018). As threats to democracy emerge from every corner worldwide, protecting democratic practices - especially when they threaten the representation and political participation of those most oppressed- becomes much more necessary. The study of VAWIP is an integral part of this enterprise.

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