“The status of women in Latin America is generally improving. Women’s basic opportunities have increased from a few decades ago, which can be seen in better health, higher levels of educational attainment, and greater access to economic resources... Some governments have [also] made major advances in the areas of legal reform, violence against women, and education. Still, many new laws and policies are not enforced or implemented, leaving an immense variation in women’s status between and within countries.”

Women in Latin America: Unequal Progress toward Equality

MALA HTUN

As the century draws to an end, the basic elements of democracy, such as free elections and the rule of law, have been consolidated in virtually every Latin American country. But the extension of democratic rights and liberties to all citizens remains an unfinished task. Improving the rights of women, who make up just more than half the region’s population, represents a fundamental and immediate challenge.

Women form one-third of Latin America’s labor force, constitute more than half of university students in many countries, and hold 16 percent of the seats in national legislatures. Governments have created state agencies on women, changed discriminatory laws, and introduced new public policies designed to improve women’s lives. Yet, many new laws and policies are poorly implemented and funded, or target only small groups of women. Women’s status varies greatly between and within countries according to socioeconomic status, regional origin, and skin color. In short, progress toward gender equality in Latin America is uneven.

A NEW TREND IN POLITICS...

Women’s political representation in Latin America has increased gradually since the 1970s, but it is still low relative to women’s share of the electorate and their participation as active party members. Historically, women tended to rise to power at the margins. Their opportunities to participate in decision making were greater at lower levels of the organizational hierarchy, in less prestigious government ministries, and outside major cities. Many women leaders gained power as the wives, daughters, or sisters of prominent men.

The 1990s brought some changes to these traditional patterns. Women in Argentina, Costa Rica, and Guatemala headed political party lists in national elections. A woman was named president of Peru’s Congress, and there are women at the helm of powerful ministries, such as justice in Chile and foreign affairs in Mexico.

Governments are taking dramatic steps to boost women’s presence in decision making. Under pressure from women politicians and women’s movements, Argentina, Bolivia, Brazil, Costa Rica, the Dominican Republic, Ecuador, Peru, and Venezuela have adopted national laws requiring political parties to reserve 20 to 40 percent of candidacies for women.

Whether quotas actually improve women’s presence in power depends on each country’s political

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1For comprehensive data on the status of women in Latin America, see the Latin American Faculty of Social Science (FLACSO), Latin American Women: Compared Figures (Santiago: FLACSO, 1995). Data on women in parliaments around the world is available at the Inter-Parliamentary Union website at http://www.ipu.org/wmn-e/classif.htm.
parties and its electoral system. Quotas work best in a closed-list electoral system under which voters cast ballots for a party list, not for individual candidates, and the party leadership controls the placement of candidates on the list. In this system candidates have an incentive to cooperate to maximize votes for their party. In Argentina, where a closed-list system is in place and a quota law was passed in 1991, women occupy 28 percent of the seats in Congress, the highest percentage in the region.

There must also be effective enforcement mechanisms to ensure that political parties comply with the quota. In Argentina in 1993, when male party leaders failed to apply the women’s quota to the placement of candidates on party lists, women challenged the lists in court, where they were declared invalid.

In Brazil, applying the women’s quota has proved more problematic because of the country’s open-list electoral system and undisciplined parties. In the national elections of October 1998, Brazilian parties uniformly failed to comply with the 25 percent women’s quota. Brazil’s open-list electoral system provokes competition for votes among candidates from the same party. Because they are relative newcomers, women lose out to their male colleagues in the struggle for money and resources. Thus, despite the quota, the number of women in the Brazilian Congress actually decreased following the October election.

Women legislators have also been able to exercise power more effectively by uniting into broad, multipartisan alliances. Organized around specific women’s issues, political alliances have secured the approval of new laws on domestic violence, sex crimes, and workplace discrimination in Argentina, the Dominican Republic, Mexico, and Peru.

But an Unchanged Legal Culture

Latin American countries have adopted major reforms to grant women equal rights in family and constitutional law, to recognize domestic violence as a crime, and to outlaw sex discrimination. In the region’s labor codes, women have long enjoyed mandatory maternity leave and they cannot be dismissed from their jobs for becoming pregnant. All Latin American countries have ratified the United Nations Convention on the Elimination of All Forms of Discrimination against Women, and most have ratified the Inter-American Convention to Prevent, Punish, and Eradicate Violence against Women.

However, in many countries laws remain in force that are antithetical to gender equality. Women in all countries except Chile, Cuba, Mexico, and Venezuela are prohibited from certain types of employment, including working at night, holding dangerous or unhealthy jobs, lifting heavy objects, working in mines, and distilling or manufacturing alcohol.

In many countries, rape is considered a crime against custom, not against a person. This means that the goal of the law is to protect good customs, not the person who is raped. In some countries rape and other sex crimes can only be committed against “honest women.”

With the exception of Cuba, abortion is considered a crime in all Latin American countries. Many permit “therapeutic abortion,” or abortions performed to save the life of the mother, and some countries also permit abortions if the pregnancy results from rape. However, legal abortions are rarely performed in public health facilities. Middle- and upper-class women who can afford private doctors and clinics have safe access to legal abortions, but poor women do not.

Although few women are prosecuted for having abortions, criminalization pushes the practice underground. The millions of women who undergo abortion every year in Latin America must do so in unregulated and often dangerous circumstances. Clandestine abortions put women at risk of infection, hemorrhage, damage to the uterus or cervix, and adverse reactions to drugs. Botched abortions account for a high proportion of maternal mortality in the region today.

Even where laws reflect principles of gender equality, discriminatory practices persist. The central problem with women’s legal rights in Latin America is not the lack of legislation and regulation, but the inconsistent application of the law. Women’s movements today are focusing on increasing a woman’s knowledge of her rights and training lawyers and judges to be sensitive to gender prejudice. A promising trend is the growing number of women with legal training and the entrance of more women into the legal profession; in many countries almost half the students enrolled in law school are women. Women now make up 45 percent of trial court judges in the region as a whole but merely 20
The most important policy change has been the establishment of women's police stations. First created in Brazil in 1985, the stations are staffed by women police officers trained to handle cases of domestic violence and rape. Today hundreds of women's police stations can be found throughout Latin America.

Women's police stations have helped communities recognize domestic violence as criminal behavior that constitutes a violation of human rights. And with the establishment of the stations, the reporting of domestic violence and rape has grown. However, the rates at which violent offenders are investigated, prosecuted, and sentenced remain low.

Studies from Brazil show that only about one-third of the complaints received by women's police stations lead to an investigation, and far fewer than this to prosecution. In Chile, only one in five domestic violence suits ends in a judgment, and only one in twenty of these results in conviction of the offender. In Ecuador in the early 1990s, the state prosecuted 10 percent of those arrested for sexual violence, with little more than half of these convicted. Although victims of violence feel increasingly empowered to seek help, perpetrators continue to enjoy impunity.

A major problem is securing medical evidence acceptable to law enforcement authorities. Many victims find it difficult to obtain medical examinations because of the scarcity of officially recognized facilities, few female personnel at those facilities, and demeaning treatment. Women's police stations, unfortunately, are often inadequately funded and poorly organized; working at these stations is also considered to be a low-prestige position within the police force.

**NEGLECTED HEALTH ISSUES**

Latin American women's basic health has improved from a generation ago: female average life expectancy was 54 years in the 1950s, 64 years in the 1970s, and is now 71 years. Still, there are major gaps in the area of reproductive and sexual health, and in some countries there have been alarming increases in rates of breast and cervical cancer, heart disease, and AIDS.

The 1994 United Nations Conference on Population and Development in Cairo urged governments to approach women's health in an integral manner. The integral approach represents a major advance over past policies, which tended to treat women exclusively in their roles as mothers and reproducers.
Brazil has been a pioneer in the integral approach. In 1984 the government introduced a Program for Integral Assistance to Women's Health that had been designed according to the recommendations of experts and activists from the women's movement. However, the program remains unimplemented in the vast majority of cities and states around the country. The Brazilian example reveals that women's health programs often lack sufficient funding and the political will to seriously implement them.

Women’s access to prenatal care and obstetric services has increased in most countries, leading to lower rates of maternal mortality since the 1970s, although the variation among countries is substantial. In general, the coverage and quality of health care remain inadequate, a situation reflected in the low frequency of screening for cervical cancer. In most of the region, cervical cancer is the most common form of cancer death in women. Cervical cancer is preventable by regular pap smears and effective laboratory analysis, but few women have access to prevention and treatment options. In Mexico, for example, a 1997 survey of 4,000 women found that 42 percent were unaware of the purpose of a pap smear, and that 97 percent had never had one. In Peru, one study in 1997 estimated that merely 7 percent of Peruvian women had had a pap smear taken.

Limited access to health care is also reflected in high unmet demand for modern contraceptives. Government-run family planning programs frequently have limited coverage, so many women have no access to safe and reliable contraception, or they self-medicate, without good information and at some risk. As a result, illegal abortions are frequent and many poor women suffer complications because of dangerous and unsanitary conditions. In many countries, women’s NGOs, such as Si Mujer in Nicaragua and sos Corpo in Brazil, have begun to fill the gap left by inadequate state action in family planning and women’s health.

Sterilization is among the most widely used methods of family planning in Latin America, except in countries such as Argentina and Chile, where it is illegal or access is restricted. High rates of sterilization are common in most developing countries: the percentage of contraceptive users who are sterilized is two times higher in developing countries than in developed countries (22 versus 11 percent). Latin America is not an exception. In 1990, the percentage of women contraceptive users who were sterilized was 38 percent in Mexico, 44 percent in Brazil, and 69 percent in El Salvador. Data from Brazil show that there is a high correlation between low levels of economic development and the frequency of sterilization; in 1991 there was a much higher proportion of sterilized female contraceptive users in the poorer northeast (63 percent) than in the wealthier city of São Paulo (36 percent). Sterilization is seen as the cheapest option for women who have little money to buy other methods or who lack information about their options and proper usage.

Many women are sterilized without receiving prior information about the procedure or without giving their consent. A recent study from Mexico found that one-quarter of women who had been sterilized were not informed beforehand that the procedure is irreversible. Nationwide family planning targets in Peru have created incentives for public health officials to pressure women into sterilization, leading to widespread abuses that have been documented by women's organizations, members of the Peruvian Congress, and the Roman Catholic Church.

In Argentina and Chile, improved economic conditions have led to improvements in women's general health. But the governments of these two countries continue to neglect reproductive health, which contributes to high abortion rates. Although the procedure is considered a crime, in 1990 there were an estimated 4.5 abortions per 100 women aged 15 to 49 in Chile, compared with 2.7 in the United States, 2.3 in Mexico, and 1.2 in Canada. Abortion rates are high in Chile because of a lack of information about contraceptive methods. In Mexico, Colombia, and Brazil, state activity in family planning has lowered the abortion rate. Many Latin American governments do little concerning reproductive health and sexuality because they are reluctant to confront the Roman Catholic Church. The consequences of this inaction are grave for women's health.

**Women's work?**

One of the most salient trends in Latin America over the past several decades has been the increasing participation of women in the economy. Women make up one-third of the region’s labor force, but they continue to participate on unequal terms with men.

Women are generally clustered into lower-status and lower-paying jobs from which promotions are rare. In Brazil, for example, 50 percent of women
work in occupations that employ only 5 percent of the male labor force; conversely, 50 percent of men work in areas where only 5 percent of the female labor force is employed. More than 80 percent of tailors, primary school teachers, secretaries, telephone or telegraph operators, nurses, and receptionists are women.

As a result, women earn less than men. Women's average wages were between 20 and 40 percent lower than men in 1992 (a gap comparable to that found in Western Europe and North America). Since the 1970s, however, income differentials between men and women have generally decreased, particularly in urban areas. And the gap is smaller for younger women than for older women. In 9 out of 12 countries surveyed by the United Nations Economic Commission on Latin America and the Caribbean, women 25 to 34 years of age earned between 80 and 90 percent of men's income in 1992.

The problem of pregnancy discrimination is widespread in the region. In theory, laws in Latin America demand that employers protect the rights of pregnant women and new mothers to care for their babies and retain their jobs. Labor laws designed to protect women include mandatory maternity leave, protection from being fired for becoming pregnant, prohibitions in some countries against the administration of pregnancy tests, and requirements that businesses with a certain number of women workers provide day-care services on the premises and allow women to take breaks to nurse their babies. Many countries forbid companies from firing workers during their maternity leave, and others protect new mothers from dismissal for an established period of time following their return to work. Women are often allowed to take a paid leave to care for young children who are sick.

In practice, however, employers, in order to cut costs, go to great lengths to avoid situations where the law is applied. Some companies are reluctant to employ women full time and resort to strategies such as subcontracting, part-time employment, and paying for piecework done at home. Others deliberately pay women less than men to compensate for the perceived higher costs of employing women.

Even when child-care facilities do exist, many women find that commuting to work with children in tow is time-consuming and unpleasant for the child, and prefer instead to use child care that is close to home. Most mothers working outside the home rely on family members or domestic employees to care for their children.

Some businesses require a pregnancy test or a sterilization certificate as a condition of employment, or fire women workers once they become pregnant. Pregnancy tests are widespread in the maquiladoras and factories in the export processing zones of Mexico, Central America, and the Dominican Republic, even though national laws prohibit them.

**EDUCATION: NOT SEPARATE, BUT NOT EQUAL**

Women's enrollment in schools and in institutions of higher education has advanced in the region, but there are substantial variations among countries in women's access to the educational system, women's levels of educational attainment, and women's choices in school. Although Latin Americans have become steadily more literate since the 1970s, female illiteracy tends to be higher than men; women's illiteracy is most acute in rural areas and among older populations.

In 1995, 48 percent of primary level students and 52 percent of secondary level students in Latin America were female. Yet there is tremendous variation among countries. In Guatemala, primary school education is obligatory, but only 45 percent of school-age girls are enrolled.

The percentage of women enrolled in universities in the region has climbed steadily: in 1970, women made up 35 percent of enrolled university students; in 1980, 43 percent; and in 1995, 49 percent. In terms of gender equity, enrollment rates offer some encouragement, but need to be carefully examined among other trends. Women are enrolled at higher rates than men in several countries, and women tend to repeat fewer grades than men. However, because of labor-market discrimination, women are in practice required to have higher levels of education than men—in one case four more years of schooling—in order to compete in the workforce on equal terms.

School dropout rates are highly correlated with poverty and maternity. Families who take children out of school generally cite the lack of economic resources as the reason. Forced to pick between keeping a son or a daughter in school, families generally choose the son on the assumption that he will be a more profitable investment for the family's future. Adolescent pregnancies also keep women from completing their education.

Certain areas of study remain predominantly masculine or feminine. Women are underrepresented in fields related to science and technology, but overrepresented in lower-paying occupations such as education, nursing, and library science.
However, women's presence in schools of business administration and, as noted, law is growing steadily. School textbooks and curriculum content tend to reproduce gender stereotypes. Women appear less frequently than men in images and references in textbooks. When they do appear, they are frequently depicted in stereotypical roles, cooking or cleaning in the home.

Women's studies programs are becoming more numerous, and have consolidated into a reputable field of study and research. Brazil was one of the first countries in the region to develop women's studies programs and today there are more than 20 university centers around the country dedicated to the field. However, few courses about women are offered to undergraduates, even though this is a crucial mechanism for teaching future generations about women's rights and equal opportunities.

THE BALANCE SHEET

The status of women in Latin America is generally improving. Women's basic opportunities have increased from a few decades ago, which can be seen in better health, higher levels of educational attainment, and greater access to economic resources. International conventions and agreements related to women's rights have proliferated in the 1990s, intensifying the pressure on local governments to take steps to improve women's status. Most have responded at least symbolically to this pressure by formulating national plans concerning women, announcing new public policies, and creating special mechanisms to represent women's interests in public decision making. When pressured by women's movements and women politicians, some governments have made major advances in the areas of legal reform, violence against women, and education. Still, many new laws and policies are not enforced or implemented, leaving an immense variation in women's status between and within countries.

Relative to their numbers and potential, women are an underorganized social constituency and political force. Women's movements have become more numerous and diverse since the 1970s but lack the national political presence of other interest- and identity-based organizations such as labor movements and church groups. The socioeconomic, political, and ideological differences that exist among women often serve as barriers to women's organization. But when women find ways to mobilize despite their differences, they are able to push local governments and civil societies to take more action to promote gender equality.

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