Machismo Mandates and Feminist Formulas: Effective Feminist Social Movements in Costa Rica and Mexico

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Machismo Mandates and Feminist Formulas: Effective Feminist Social Movements in Costa Rica and Mexico

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Pacific University

Abstract:
This thesis explains the factors required for a feminist movement to have success regarding the mobilization of the political elite to pass a substantial gender representation law to increase the number of women serving in political office. It examines the feminist movement in Costa Rica, which has been incredibly successful, taking part in the passage of the most effective gender representation policy in Latin America, and the feminist movement in Mexico, which has not been able to achieve the same results. It concludes with the usage of social movement theory to explain Costa Rica’s success, and Mexico’s inability to attain the same outcome.
May 8, 2010 was a beautiful day in San Jose, Costa Rica. A woman in white with long dark hair walked down the aisle to the stage. She made a vow to serve with humility, honesty and firmness, and kissed her husband.¹ Contrary to what you may have been thinking, this image is not that of a traditional Latin American wedding. This illustration is the Costa Rican Presidential inauguration of Laura Chinchilla, Costa Rica’s first female President.

Less than 100 years ago in the United States, women were not even able to vote for the men who “represented them,” let alone run for office themselves. Today, the percentage of women in the United States’ Congress is still only 16.8.² The political representation of women has become an increasing concern around the world. In response to this concern, many countries have passed laws with the intention of increasing the number of women serving in national legislatures.

These policies have come in many different shapes and sizes, some requiring that a certain percentage of the legislature be women, and others requiring that a certain number of positions on a parties’ ballot be held by women. Some of these policies have had phenomenal results, such as the gender quota policy in Costa Rica, which has increased the percentage of women in the national Legislative Assembly to nearly 40%, and the number of municipal delegates to 47%.³ Other policies have not had quite as striking results, doing little to diminish the inequality gap. Mexico is home to one of these policies. The gender parity policy in Mexico has not wielded

results anywhere near as striking as those of Costa Rica’s law, only accounting for a national legislature that is approximately 25% female.\textsuperscript{4}

Gender representation policies are anomalies. These policies are passed by primarily male legislatures, and are meant to increase the representation of women in said legislatures. In theory, these male dominated legislatures are passing laws that will require some of them to give up their congressional seats. Why? Why would a person in control willingly give up the power that they wield? What outside forces are putting pressure on male dominated legislatures to increase the representation of women, thus cutting into the gender inequality gap, and slicing away at the political monopoly currently held by men around the world? Are feminist social movements this driving force? If so, how have feminist social movements bridged the fissure that has generally sat between social movements and the political elite? How have these social movements “forced” the legislature to pass policies of their choosing? The majority of the literature on gender representation policies has focused on what types of policies are effective, as opposed to what factors were needed for a policy to actually get passed into law and what is required for a feminist or women’s social movement to effectively mobilize the political elite to pass such a policy.

To answer these questions, it is pertinent to take a closer look at two fairly similar countries with gender representation policies, which have had very different outcomes. Costa Rica has had the most effective gender representation policy in Latin America, and recently elected their first female President. The country passed several policies, resulting in one that chipped away at the glass ceiling, allowing the national legislature to become close to gender parity. Mexico passed a policy that was similar to the initial policy passed by Costa Rica, but failed to pass subsequent

legislation, and their current policy has had little effect on gender inequality. This study looks first at Costa Rica’s political system, the work that has been done by the women’s movement in the state, and gives an overview of the policy outcome. The study then takes a look at the same factors in Mexico, giving an explanation as to why the feminist and women’s movement in Costa Rica have historically had a better working relationship with the political elite. The methodology of this thesis hopes to serve the purpose of not only showing what is necessary for a gender representation policy to be effective in a Latin American country, but to bring about a deeper understanding of the relationship between women’s social movements and the policy making elite, as well as the ability of the former to mobilize and insert their grievances upon the latter.

**LITERATURE REVIEW**

**AFFIRMATIVE AND POSITIVE ACTION POLICIES**

In countries around the world, including the United States, governments have passed policies to level the playing field for minorities who have historically been discriminated against and underrepresented. These policies are sometimes in the form of an extra “plus” for being of a certain race on an application for law school, or an established percentage of women needed for an incoming medical school class. In the United States, the Supreme Court ruled that quota policies were not acceptable, and that they violated the Equal Protection Clause of the 14th Amendment. In efforts to implement more women into the national legislatures, countries around the world have done just the opposite and passed more quota laws in recent years.

Amy G. Mazur, author of *Theorizing Feminist Policy* discusses political representation policies and cites an Inter-Parliamentary Union Action Plan that clearly divided political representation policies into two categories: “general legal sanctions regarding men’s and
women’s equality’ and ‘political involvement at the national level.’ The first category, ‘general legal sanctions regarding men’s and women’s equality’ refers to the idea that political representation policies will create a crack in the glass ceiling, and have an “aim to improve women’s inferior status in the work place, particularly when women in top jobs in business are involved.”

Mazur asserts that there are three types of political representation policies: symbolic, positive action, and positive discrimination. The first, symbolic representation policies, are policies that “state general principles of women’s and men’s equality without providing specific target numbers for women or the means to actively pursue sex balance in top positions.” These policies are very common around the world.

Positive action policies “actively promote women in decision making positions.” By “actively promote,” Mazur means conducting recruitment activities, as well as campaigns to raise awareness and mobilize voters. These policies focus on a solution to the problem of underrepresentation, but are not always effective.

Positive discrimination policies “officially state the specific balance between men and women, sex or gender balance, in decision-making hierarchies of organizations, public commissions, or on candidate lists.” Quota laws, which reserve spots for women and designate a certain balance, such as the policy in Costa Rica, are positive discrimination policies.

The most effective gender quota law to be implemented has been the 30% requirement policy in Costa Rica. Mark P. Jones has become the leading scholar and researcher on the law, and has

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7 Mazur, *Theorizing Feminist Policy*, 64.
8 Mazur, *Theorizing Feminist Policy*, 64.
10 Mazur, *Theorizing Feminist Policy*, 64.
looked at the law as “an independent experiment.”\textsuperscript{12} Jones concludes that “while quota legislation without a placement mandate can have a positive effect, this legislation overly relies on the goodwill of the political parties.”\textsuperscript{13} Jones is making reference to the fact that many countries pass laws that require women to be put on the election ballots, but not actually in office, or even placed in electable positions on the ballots. Jones conducts a close analysis of the four different gender representation policies that Costa Rica has passed and implemented. He engages in a discussion concerning the laws and policies that other countries have passed, and compares the countries’ respective electoral systems and whether or not they have open or closed party lists. Jones focuses on how the wording of Costa Rica’s policy and the nature of their electoral system have affected the success of their gender quota policy.

Lisa Baldez is another leading scholar who is sitting at the gender quota discussion table. Baldez accepts that there is a plethora of existing arguments regarding why gender quota systems have become so popular around the world. She theorizes that in Mexico, “public support for women’s rights issues proved sufficiently high that politicians considered it unacceptable to oppose issues framed in terms of the need to incorporate more women into political life.”\textsuperscript{14} According to Baldez, the first set of arguments worth noting “explains the adoption of gender quotas in terms of electoral system factors.”\textsuperscript{15} This is the school of thought that Mark P. Jones belongs to. Another set of arguments that Baldez examines relates to how international influences affect the implementation of quota systems. This inventory of arguments includes


\textsuperscript{13} Jones, Mark P., “Quota Legislation and the Election of Women,” 1203.


\textsuperscript{15} Baldez, \textit{Elected Bodies}, 231.
“changing norms and transnational activist networks.” Baldez accepts that these arguments do have merit, and must be included in the dialogue, but believes that there are other pieces to the puzzle as well that these two arguments have not adequately addressed.

The literature that has been discussed regarding affirmative action policies is valuable, but ignores the bigger picture. Both Jones and Baldez focus on policies in single countries, and do not attempt to gain a deeper understanding of why certain countries have had incredibly successful affirmative action policies, in both results and implementation. This thesis is attempting to address that.

**POWER**

This dialogue begins with three different views of power, as defined by Steven Lukes. The first view of power is one-dimensional, and is characterized by visible decisions. The second outlook of power is described by Lukes as “two dimensional.” The two dimensional position is slightly more inclusive than the one dimensional view, as it is comprised of both decisions, and non-decisions. Finally, Lukes’ conceptualized a third view of power in response to the first two that is more comprehensive. This notion of power is known as the “three dimensional view.”

Lukes’ first dimension of power, commonly known as pluralism, was theorized primarily by Robert Dahl. Dahl defined the first dimension of power as “A has power over B to the extent that he can get B to do something that B would not otherwise do.”

The second dimension of power, like the first, also requires an observable conflict. This dimension, characterized by the theoretical work by Peter Bachrach and Morton Baratz, swells

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the idea that is illustrated by the first dimension of power. Bachrach and Baratz assert that inhibiting someone from doing something is just as much an act of power as forcing someone to do something. The second dimension of power includes emphasizing “social and political values that limit the scope of the political process to public consideration of to only those issues which are comparatively innocuous.” This idea is identified as the “mobilization of bias.”

The mobilization of bias is the set of laws, policies or rules that benefit some groups over others, thus allowing them to be able to exercise power more easily.

The third dimension of power includes pieces from the parts of both the first and second dimensions. It focuses on both decisions and non-decisions. The third dimension of power is characterized by those with authority exerting their power by creating an atmosphere where those who do not have power do not feel that they may express concerns. Those in power make those who are oppressed “see or imagine no alternative to it.”

The third dimension of power is most relevant to this thesis, as it includes both observable and unobservable conflict. The three views of power that have just been discussed represent the most well known theories of power, but they are only a few of many. Other theories that are relevant to the topic are feminist theoretical conceptions of power.

**FEMINIST THEORETICAL CONCEPTIONS OF POWER**

As this thesis is concerned with women gaining political power, it is necessary to address feminist theoretical conceptions of power. The first conception of power that will be addressed is

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24 Bachrach and Baratz, 948.
25 Bachrach and Baratz, 949.
known as “girl power.” Girl power or “girlie” feminism is the idea that women can do whatever they wish. They may wear whatever clothes they want to wear, and do whatever they want, “so long as it is done with an appropriately fierce, optimistic attitude.” This realm of power is seemingly a counter-attack to Luke’s third dimension of power. Girl power is a rejection of unquestioning submission and an assertion of independence.

Naomi Wolf, Katie Roiphe and Camille Paglia, who are considered to be postfeminists, have created two theoretical sub-categories within girl power. Although Wolf, Roiphe and Paglia are rather controversial in the feminist community, the work that they have done with power is relevant to this thesis. Due to the fractionalized nature of the feminist movement, the two sub-categories are entirely different. The first is “victim feminism.” Victim feminism is directly related to the third dimension of power. Victim feminism is the idea that women must identify with powerlessness, and enter into a group oriented culture. The concept is that women must be anti-sexual, and judgmental of other women’s physical appearance, sexuality and achievements. This is related to the third dimension of power because of the idea that women must embrace submission, and not look for more appealing opportunities. Essentially, victim feminism is the idea that powerlessness is power; one is only truly powerful when they do not stand out from the crowd. For this particular case study, the concept of “victim feminism” will be utilized, but because of the negative connotations of the word “victim,” we will refer to this concept as “group dynamic feminism,” because of its relation to the idea that one is more powerful within a group.

30 Showden, “What’s Political about the New Feminisms?” 172.
31 Showden, “What’s Political about the New Feminisms?” 172.
The second sub-category is entirely different from group dynamic feminism. The second understanding of “girl power” is “power feminism.”33 Power feminism focuses on the experience of the individual. It embraces female sexuality, and expresses the theory that all women should feel like “starlets and queens.”34 The motto of power feminism is: “if I can’t dance, it’s not my revolution.”35

These feminist theoretical conceptions of power relate to my thesis, because they give more insight into what conflicting ideologies are possibly at play in the women’s social movements in Costa Rica and Mexico. Women’s social movements are complex, not just because of fractionalized feminist literature, but many other factors.

WOMEN’S SOCIAL MOVEMENTS

According to many, the phenomenon of gender quota laws is not one that simply emerged out of an abyss of male dominated legislatures and parties. Many attribute much of the success of such policies to women’s social movements, which mobilized party leaders and legislators, and shaped the general public opinion.

A significant discussant of women’s social movements, specifically in Latin America, is Maxine Molyneux. Molyneux discusses the inherent link of women’s social movements to the political sphere, even if they are not directly connected to parties or the legislature. Molyneux asserts that there are two different types of women’s movements: practical and strategic. Practical movements are those that revolve around women’s basic needs, specifically what they need to fulfill their “obligations as wives, mothers and members of their communities.”36

33 Showden, “What’s Political about the New Feminisms?” 172.
36 Molyneux, Maxine, Women’s Movements in International Perspective: Latin America and Beyond, (New York: Palgrave, 2001), 133.
Practical movements refer to women’s movements that are concerned with the position of
women ‘relative to men, and support their claims as citizens.”37

Molyneux’s examination of women’s social movements is relevant to this thesis because
women’s movements played a part in the implementation of the affirmative action policies to
increase representation of women in government settings.

Many scholars of women’s social movement theory feel it important to define the term
“politics.” Niki Craske defines “political” in the book Women and Politics in Latin America as “a
wide range of activities in which women have participated and through which they have had an
effect on institutions and practices.”38 Craske takes a similar method to that of Molyneux,
examining social movements in terms of “motherhood and citizenship and the extent to which
the two are compatible.”39 The main assertion that Craske makes in Women and Politics in Latin
America is that the idea of women’s movements being social, as opposed to political, is
incorrect.40 Unlike Molyneux and many other feminist and social movement scholars, Craske
includes women’s personal experiences with the other categories that scholars generally focus
on, such as “institutional politics, the workplace, social movements, revolutionary movements
and feminism.”41 Craske concludes that many ineffective women’s movements are characterized
by “shifts in gender relations and the implications of politicized motherhood.”42

Craske’s work is pertinent to this thesis, as she examined why some women’s movements
fail, or are not as effective as they possibly could have been. Since this thesis includes an

37 Maxine, Women’s Movements in International Perspective: Latin America and Beyond, 182.
39 Craske, Women and Politics in Latin America 1.
40 Craske, Women and Politics in Latin America 23.
41 Craske, Women and Politics in Latin America 196.
42 Craske, Women and Politics in Latin America 193.
examination of the relatively unproductive women’s movement in Mexico, Craske’s conclusion will be a valuable piece to the quota law puzzle.

Elizabeth Friedman challenges the idea that women’s movements are always “explained by changes in socio-demographic trends such as declining fertility rates, higher education, and rising labor force participation.”\(^{43}\) Friedman also examines the relationship of women on the left and right, and identifies that there is not an automatic “sisterhood” between those of different political ideologies. Friedman’s work is useful to this thesis because she identifies another barricade to women’s movements—mobilizing on both sides of the political ideology fence.

**Political Opportunity Structure**

When examining women’s social movements, it is important to take the political opportunity structure into consideration. Understanding political opportunity structure helps examine the prospects that a social movement has to effectively mobilize collective action. According to Doug McAdam, there are four dimensions of political opportunity.\(^{44}\) The first is “the relative openness or closure of the institutionalized political system.”\(^{45}\) By this, McAdam is referring to how accessible or inaccessible the political system is for a certain group. This is relevant to this thesis, because of the sheer fact that the quota policies being discussed are attempting to make the political system more open for women. McAdam’s second dimension of political opportunity is “the stability or instability of that broad set of elite alignments that typically undergird a


\(^{44}\) McAdam, Doug, John D. McCarthy, Mayer N. Zald, “Introduction: Opportunities, mobilizing structures, and framing processes—toward a synthetic, comparative perspective on social movements,” in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, edited by Doug McAdam, John D. McCarthy and Mayer N. Zald, 2—20 (New York: Cambridge University Press, 1996), 27.

\(^{45}\) Ibid.
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policy.”46 Basically, if the political elite are not stable, or not a unified group, it will be much easier for a social movement to insert its grievances onto the agenda. The third dimension is the “presence or absence of elite allies.”47 If a group has an elite ally, who is dedicated to helping them command and manipulate the policy agenda, then they will be inherently more successful than a group with no ally. McAdam’s fourth dimension is “the state’s capacity and propensity for repression.”48 If the state is able and willing to suppress dissent, then the social movement will not have the same capability to be successful.

Due to globalization, Jules Boykoff believes that it is suitable to add a fifth dimension to the political opportunity structure. This dimension is “the presence of international pressures.”49 Boykoff asserts that “the international political milieu can significantly affect the frames, timing, and modes of action that social movements adopt, especially in the context of globalization.”50 When examining the feminist social movements in relation to the quota policies in Costa Rica and Mexico, it is imperative to examine the international influences, due to the fact that the United Nations first called for quota policies, making this issue one with global context. 51

**METHODOLOGY**

The effectiveness of feminist and women’s social movements to mobilize members of the government and the elite, as well as to create policy has long been in question. This thesis is attempting to show the relationship of women’s social movements with the policy making elite,

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46 Ibid.
47 Ibid.
48 Ibid.
and to also show what it takes for a women’s social movement to be successful. To complete this analysis, and also gain a deeper understanding of what political and social factors are required to create a policy window to pass an effective gender representation law at a national level, I conducted a case study. According to Bennett and George, a case is a “class of events.”52 This class of events may be a revolution, or another occurrence. Bennett and George recognize both single case studies, where only one class of events is examined, and groups that include comparisons of a few multiple single case studies, as case studies. 53 The classes of events that I am examining are the women’s movements in Costa Rica and Mexico following up to and during the implementation of gender representation policies in each country.

I am conducting a comparative case study of the gender representation policies that were passed in Mexico and Costa Rica. To best analyze gender quota policies, a most similar systems approach is most appropriate. A comparative case study will allow me to have more insight into what works, and what doesn’t, as well as a better look at what factors allowed for such a strong policy window, and it will allow me to gain a deeper understanding of what tools were utilized by the feminist social movements in Costa Rica and in Mexico, and what allowed for one movement to be more successful than the other. According to Timothy C. Lim, a most similar systems strategy is “based on matching up and then comparing two or more systems that share a whole range of similarities (political, social, demographic, economic, cultural, and so on).”54 By doing a case study of two fairly similar countries with fairly similar policies, but very different outcomes and different implementation levels, I will be able to examine the cultural and structural factors that are needed for a policy to have a more effective outcome, such as Costa

53 George and Bennett, *Case Studies and Theory Development in the Social Sciences, 18.*
54 Lim, Timothy C., *Comparing to Learn, Learning to Compare*, 1993, 34.
Rica’s. A case study of two extremely different countries would tend to focus heavily on the differences of the countries, as opposed to what small factors helped to make the policy effective.

I have chosen Costa Rica and Mexico because although they are incredibly different countries, they are the most similar countries to pass gender quota policies in their national legislatures, and they also have the most similar initial policies. Both countries are in Latin America, and both allowed women to vote in the late 1940’s. The initial gender parity policies that were passed in Costa Rica and Mexico were also similar. Since the countries have certain principles in common with each other, this will allow me to use these features as dependent variables. The factors of the political culture, as well as the methods of mobilization that have been utilized by the women’s social movements in each country will be considered the “dissimilarities between the two systems,” or the “independent variables.”

Feminist Social Movements in Costa Rica and Mexico

In 1995, the United Nations, during their Fourth World Conference on Women in Beijing urged countries around the globe to help bring an end to male dominated political systems and “advocated a series of policies to rectify the underrepresentation of women.” The most prominent suggestion of the conference was that countries should implement positive action policies. Numerous countries around the world have passed these policies, as well as positive discrimination policies. Costa Rica and Mexico are two of many countries to have stories and policies such as those discussed below.

Costa Rica

55 Ibid.
56 Ibid.
POLITICAL SYSTEM

Costa Rica has been a leader in Latin American democracy since 1953, when they began holding fair democratic elections, and is considered by many to be the most consolidated democracy in Latin America.\(^{58}\) Costa Rica has a democracy that is fairly similar to that of the United States, with power divided up evenly between the executive, legislative, and judicial branches.\(^{59}\) The Judicial branch includes the Supreme Elections Tribunal, a court-like body which governs all things to do with the election process. The Supreme Elections Tribunal is a well respected part of the government, and a prominent body to the Costa Rican people in the political process. The Costa Rican elections are different, however. They are closed party list municipal elections.\(^{60}\) This means that legislators are elected for each Canton, or municipality from single-party lists, where voters have a choice of parties, but not candidates.\(^{61}\) The candidates are ranked in order on the party’s ballot.\(^{62}\) The seats for parties are allocated by proportional representation.\(^{63}\) Costa Rica also has another piece to the legislative branch, which is known as the legislative assembly, and is elected in the same manner as the municipal delegates.

During the last 20-25 years, Costa Rica’s political system has been dominated by two parties; a center-right party, the Partido Unidad Social Cristiana (PUSC) and the center-left Partido Liberacion Nacional (PLN).\(^{64}\) Many Costa Rican feminist leaders belong to the PLN, including Gladys Rojas, who will be discussed in the next section. This caused the PLN to be a leader in advancing political equality for women.

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\(^{58}\) Jones, Mark P., “Quota Legislation and the Election of Women,” 1205.
\(^{59}\) Ibid.
\(^{60}\) Ibid.
\(^{61}\) Ibid.
\(^{62}\) Ibid.
\(^{63}\) Ibid.
\(^{64}\) Ibid.
WOMEN’S SOCIAL MOVEMENTS

Women’s movements have proved to be incredibly effective in Costa Rica. The first law that was passed, a symbolic representation policy, was advocated for by the collective feminist movement in Costa Rica, which put pressure on Margarita Penon, the First Lady at the time. Penon formed a task force which consisted of feminist lobbyists, attorneys and activists, to work to meet the demands of the feminist movement, mainly by writing legislation. The bill that this task force composed was fashioned after the Convention for the Elimination of Discrimination Against Women (CEDAW). This bill originally included a quota to increase the number of female candidates for parties, but the language was removed by the legislature, and the bill was changed from being called “the Law of Real Equality” to the “law for the promotion of social equality of women.” This watered-down piece of legislation called for political parties to voluntarily create their own quota policies to increase the representation of women, and few political parties followed in this spirit.

Due to the failure of many parties to fashion some representation guidelines, Gladys Rojas, a deputy of the PLN proposed a new law that would actually reform the electoral code, and create mandatory quotas. Her proposal was opposed by the Supreme Elections Tribunal, because it appeared to be yet another vague and weak reform, which would not generate substantial results, in terms of electing more women. Rojas’ proposal did generate a renewed hope from female activists in other political parties though, who found success in a new, more clear and concise

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66 Ibid.
67 Ibid.
proposal to reform article 60 of the electoral code, and create mandatory quotas. These mandatory quotas became yet another obstacle for feminists, as political parties found a way around the law by placing women in only alternate spots on the ballots.

The Instituto Nacional de las Mujeres, or the National Institute of Women, an organization that is dedicated to increasing the political representation of women, made a request to the Supreme Elections Tribunal to fix the issue of parties being able to skirt around the quota law by placing women in unelectable positions. In response to their request, the Supreme Elections Tribunal told political parties that they would not accept any party registrations that did not have women occupying 40% of the electable positions on the ballot. This request made a huge difference in the number of women elected to the national legislature, increasing the number of women in the national legislature to 19%. The Instituto Nacional de las Mujeres not only had success with their request to the Supreme Elections Tribunal, but they have been successful at bringing feminists in Costa Rica together, to work for a common goal. They have utilized the internet for many years to be able to get out a unified message to both citizens and the political elite about what their agenda is, and how they plan to achieve their goals.

The experience of the Instituto Nacional de las Mujeres with the Supreme Elections Tribunal gave way for an effective lobbying movement from many women’s organizations, including the Nueva Liga Feminista, or New League Feminist Party. This lobbying movement persuaded the Supreme Elections Tribunal to permanently reform the electoral code, so that in all future elections parties who failed to meet the quota would not be able to have their registrations accepted.

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69 Ibid.
There have been many successful feminist groups in Costa Rica, but the major player in the lobbying effort for an effective quota policy was the Ministra de la Condicin de la Mujer, or the Minister of Women’s affairs. The Minister of Women’s affairs was a huge advocate of quota policies, and appeared to be a unified voice for the various women’s and feminist groups that were advocating for quota policies at the time.

**OVERVIEW OF POLICY**

Costa Rica’s stab at gender representation policies began with the Presidency of Oscar Arias, a member of the PLN, who was incredibly concerned with increasing the representation of women in politics. In 1990, Arias passed the Law of Real Equality, which among other things, required parties to implement some sort of policy to increase the political participation of women. This symbolic law had no real impact on the political representation of women, as it did not have a specific policy that all parties needed to implement, and therefore parties were essentially encouraged, but not mandated to put women on the ballots.

In 1996, Costa Rica passed the countries’ first positive discrimination policy. The policy required that 40% of all positions on closed party list ballots must be women. This policy, although an incremental step towards taking a mallet to the glass ceiling, proved to be rather ineffective. The law had no specification as to which positions women had to be in on the ballots, and therefore parties generally placed women in unelectable positions. In 1999, the election tribunal in Costa Rica ruled that the true ‘spirit’ of the 1996 law was to in fact put women in electable positions, so the law was tweaked so to speak, to include a mandate of

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72 Ibid.  
73 Ibid.  
74 Ibid.  
75 Ibid.  
76 Ibid.
putting women in electable positions on the ballots.\textsuperscript{77} The Supreme Elections Tribunal declared that:

The 40 per cent participation provided as an electoral rule is a minimum and not a maximum…The policy development of the quota for women’s participation…is the recognition of the legislator that, in spite of the principle of equality being guaranteed in the Political Constitution and in the diverse instruments for Human Rights ratified by the country, there is historically an inequality between men and women in the electoral sphere which should be remedied by positive discrimination, to avoid this discrimination.\textsuperscript{78}

Soon after, the electoral code was permanently changed to reflect this mandate. In the 2002 election, the effects of the new mandate became obvious, with 35\% of the legislative assembly elects being female. The municipal delegation almost achieved parity, with 47\% of the delegate elects representing the female gender. These figures, as well as the daunting climb that they have made over the years, are represented below in Figure 1 and in Figure 2, which respectively illustrate the number of women elected over time to municipal delegate positions, and the female percentage of the legislative assembly over time.\textsuperscript{79}

\textbf{Figure 1: Number of Women Elected Over Time to Municipal Delegate Positions}

\includegraphics{figure1.png}

Source System of gender Indicators (SIEG) – INAMU (Instituto Nacional de las Mujeres; National Institute for Women).

\textbf{Figure 2: Percentage of Women Elected Over Time to the Legislative Assembly}

\textsuperscript{77} Ibid.

\textsuperscript{78} Sagot, “Does the Political Participation of Women Matter?” page 6.

\textsuperscript{79} Sagot, “Does the Political Participation of Women Matter?” page 5.
Mexico

Political System

Mexico has a federal republic, which has been independent since 1810. Mexico has 500 members of congress, who are elected in two ways. 300 of the members are elected through single member districts, while the other 200 are elected through proportional representation districts. They have closed primary elections for parties, which elect members to serve in the Mexican National Legislature, which is better known as the Chamber of Deputies. Mexico’s political system has been dominated by three political parties. The Partido Acción Nacional, or the PAN, the Partido Revolucionario Institucional (PRI), and the Partido de la Revolución Democrática (PRD). The PRI had complete control over Mexican politics until the year 2000, when Vincente Fox was elected President. The PRI was originally considered a center-left

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80 Baldez, “Elected Bodies,” 239.
81 Ibid.
82 Ibid.
83 Ibid.
84 Ibid.
party, but is now considered to be more conservative. The PRI adopted an internal party policy in 2001 that required that every spot on the ballot include both a man and a woman. The PAN is a primarily Catholic party, and in recent years supported women’s rights, and implemented an internal party policy which served as an example to the PRI’s, in 1999, which required that all spots have both a man and a woman. The PRD, formed in 1988, is the newest of the three parties and was the first to adopt any kind of gender representation policy. The PRD likely was the first political party in Mexico to implement a gender representation policy because many of the few national women legislators were members of the PRD, and they were likely the driving force behind the decision.

**WOMEN’S SOCIAL MOVEMENTS**

Historically, the feminist and women’s movements of Mexico have not put in the effort needed to effectively mobilize the political elite. In the 1930’s, Mexican women organized an inclusive suffrage movement, that crossed party lines and was well supported. Although this movement was party inclusive, the typical activists were of the highest economic class. This movement failed to produce the desired outcome of voting rights, and provided a disincentive to the Mexican women’s movement at large.

After gaining suffrage, the feminist movement in Mexico emerged at full-speed, comprised of upper-class, well-educated women. These elite feminists repeatedly attempted to reach out to working class women by creating groups that were targeting women in the labor force, and their needs as perceived by the upper class, so as to create a more unified movement, but were

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85 Ibid.
86 Baldez, “Elected Bodies,” 240.
88 Ibid.
89 Ibid.
90 Ibid.
unable to cross class-lines. The problem of divided classes has continued to plague the feminist movement in Mexico up to the present day, because working class women continue to support the dominant machismo ideology. The working class women rejected the ideas of the upper class feminists, and identified as a class, with their male counterparts in the labor force. They took on group dynamic power, discarding the idea that they should break out of their class and join their gender across class-lines to mobilize the political elite to address their needs.

The women’s organizations that were able to cross class-lines briefly, and have a semi-unified movement, such as Colonias Populares, attempted to make small, yet incremental demands for women’s citizenship. These demands included equality in social citizenship, as well as government accountability to women and fair representation. None of the demands made by Colonias Populares or any other women’s group included an actual proposal for a structural change that would promote more women in political positions, or make the advantage gap between male and female politicians any smaller.

In recent years, women’s social movements have had little success in terms of having a unified message, bridging party lines, and as an effect of these disadvantages, they have put little to no pressure on the political elite to pass policies that will advantage women. According to Susan Franceschet, the women’s movement in Mexico has been “plagued by sectarianism and unable to build a unified movement, probably as a result of the less repressive nature of authoritarianism in that country and the success of the dominant party for many years, the Institutionalized Revolutionary Party (PRI), in dividing and co-opting opposition.”

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91 Ibid.
92 Ibid.
93 Ibid.
Marta Lamas, a very well known Mexican Feminist scholar and activist attempted to bring women’s movements together in the early 1990’s. Lamas’ attempt at a pluralist movement failed, due to the fact that conservative women’s organizations such as the Partido de Acción Nacional (PAN) were skeptical of the feminist movement. Indigenous women of Mexico were also unable to support the feminist movement, because they associated “feminism with urban middle-class women and consider feminism detrimental to their shared struggles with indigenous men.”

In response to this, urban feminists began a group known as Feminismo Rural, which essentially means rural feminism. Many groups like this one also emerged, all with the agenda of protecting the rights of interests of indigenous women, as seen by upper and middle class feminists. These groups experienced a few victories, including the right of the mother to choose how many children she wanted, and the right to have an abortion up to 12 weeks through the gestation period. The feminist movement in Mexico has come in many shapes and sizes, with groups that are attempting to provide women with rights that are inherently connected, but are very different politically, such as reproductive rights and political representation.

In the 1990’s, a few women’s groups came together for a short time and formed the National Convention of Women for Democracy, a group that was committed to electing women to Congress in Mexico to further the women’s rights agenda. In 1991, 39 women from this group campaigned in the election, and not a single one was elected to congress. After this failed attempt, the groups switched their focus from electing women, to actually mobilizing the

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94 Ibid.
96 Ibid.
97 Basu, Women’s Movement’s in the Global Era: The Power of Local Feminisms, 326.
99 Ibid.
political elite to pass a policy that would help even out the playing field for male and female politicians.\footnote{100}

In 1995, following the United Nations Fourth World Conference on Women, the President of Mexico started an institute for women.\footnote{101} Many feminists argued that an institute for women was not enough, that the true spirit of the United Nation’s recommendations during the conference was to found a Ministry for Women, similar to that of Costa Rica. President Zedillo formally launched the \textit{Programa Nacional de la Mujer}, or National Women’s Program in 2006, delegating PRI leader, Maria Sauri who had shown through her career a strong commitment to women’s issues, to be the leader. Sauri attempted to make women’s issues interdepartmental, by proposing that there should be secretaries for women’s rights in multiple Mexican ministries, including the Ministry of Labor. This proposal went unrecognized, as Sauri quickly resigned from her position, to become secretary general of the PRI.\footnote{102} After Sauri’s resignation, Guadalupe Gomez Maganda was appointed to the position. Maganda was a controversial figure to Mexican feminists, because she was what they called a \textit{dinosaurios}, or “one of the \textit{priistas} that many want to forget.”\footnote{103} Under the rule of both Sauri and Maganda, little was done to provide women with a ladder to climb up the male dominated political tree. The main focus of the women’s program was health and education.\footnote{104}

In 2000, to achieve more female votes, every party made women’s rights, and the move towards an independent women’s institute a policy priority in their platforms. After being inaugurated in 2001, President Fox replaced the \textit{Programa Nacional de la Mujer} with the

\begin{footnotes}
\item[100] Ibid.
\item[101] Rodríguez, \textit{Women in Contemporary Mexican Politics}, 16.
\item[102] Rodríguez, \textit{Women in Contemporary Mexican Politics}, 130.
\item[103] Ibid.
\item[104] Ibid.
\end{footnotes}
country’s first independent women’s institute, Instituto Nacional de las Mujeres. The leadership for the newly founded institute was primarily delegated to Maria Elena Chapa of the PRI, and Maria Elena Alvarez of the PAN. The objective of the institute was that:

There must be adherence to and respect for the principles of nondiscrimination enshrined in the constitution and in international agreements, particularly as they pertain to human rights, and that public policies must be designed and implemented in a manner commensurate with this respect for women’s rights and nondiscrimination.

To officially replace the program with the institute, President Fox had to first obtain the support of the legislature, which proved to be fairly difficult. After the institute was founded, it proved to be relatively unsuccessful as an advocate for women’s issues, due to their budget and lack of authority to make or pass laws.

The Mexican feminist movement essentially failed to effectively mobilize the intrinsically male political elite because they were unable to amalgamate across party lines and provide the public as well as the legislature with a unified message. The various women’s organizations in Mexico made demands for social and political citizenship, but gave the government no specific example of how to solve the problem of male advantage and meet the groups’ demands.

OVERVIEW OF POLICIES

As in Costa Rica, Mexico passed a few different policies. First, in 1993, the Mexican government passed a policy recommending that political parties pay close attention to the idea of electing more women. This policy made little difference in the percentage of women elected, so in 1996 another policy was passed that recommended that each party implement a 30% quota

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105 Rodriguez, Women in Contemporary Mexican Politics, 133.
106 Ibid.
107 Ibid.
108 Ibid.
for women on their ballots. Again, this policy was a symbolic representation law; simply a recommendation, similar to the first policies passed in Costa Rica, and did not increase the representation of women. Parties found a way around this, by placing women on the ballots, but only in positions that were at the very bottom, and not considered electable. They were placed in alternate positions.

Finally, in 2002 there was a set of reforms to the federal election code in Mexico. These reforms are to Article 175 of the election code. One mandates that in both the single member districts, and the proportional representation districts, “no case will include more than 70% of main candidates of the same sex.” The other reform was that in the single member districts, which have three candidates, one must be a woman. The law also includes sanctions for breaking the rules. If a party does not comply with the law, they have 48 hours to fix it. If the party fails to fix their mistake, and include women in the correct positions on the ballot, they have another 24 hours to fix it. After the second period of 24 hours, if the party still fails to nullify the mistake, they are then unable to elect any candidates. In 2003, this law accounted for only a 7% increase in the percentage of women elected to the National legislature. Figure 3 shows the increase of women in the Chamber of Deputies from 1952, until 2003.

Figure 3:

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110 Ibid.
111 Ibid.
113 Ibid.
114 Ibid.
FEMINIST FORMULAS DON’T ALWAYS EQUAL OUT: KEY DIFFERENCES BETWEEN COSTA RICA AND MEXICO

The women’s movements in Costa Rica and Mexico were much different than what I expected them to be. Originally, I was expecting to be researching movements that were characterized by rallies and protests, women getting out their message not only to the legislature, but to the media and the public as a whole. Surprisingly, this was not the case. Instead what I found was a movement in Costa Rica that was illustrated by feminist lobbyists and lawyers drafting up policies, and feminist politicians fighting for the rights of women everywhere to occupy the same seats as them and their male colleagues. In Mexico, there was a deficiency of both rallies and protests, as well as behind the scenes policy maneuvering for the cause.

After examining the tools utilized by women’s movements in Costa Rica and in Mexico, as well as looking at how unified each movement is, and examining the ability of the movements to communicate their desires for strong quota policies to the political elite, it is evident that for a women’s movement to be effective, it must have a unified voice. The movements in Mexico
were ineffective because they were rarely unified across party lines, and were unable to effectively communicate exactly what kind of a gender representation policy they wanted to the national legislature. The women’s and feminist NGO’s rarely agreed with each other, and were not able to cross the strict borders that characterize classism.

In Costa Rica, the women’s movements utilized tools such as technology, and were able to effectively communicate their message to the citizenry and the legislature to gain stronger support from those outside of their groups. Essentially, in Costa Rica, those women who had the most control over the movement, who were generally upper class, were able to connect with women in the working class. Along with being able to communicate across economic class lines, the women in Costa Rica were able to provide the legislature and Supreme Elections tribunal with concrete pieces of legislation, drafted by feminist lawyers and activists. They were well connected with elite allies. In Mexico, the feminists never gave the legislature a concrete piece of legislation, or gave clear demands. Communicating a specific demand with the political elite proved to be an effective mobilization method for the women’s movement in Costa Rica.

The other major difference between the movements in Costa Rica and in Mexico is that in Costa Rica, the Minister of Women’s Affairs, a governmental position, brought all of the quota advocating groups together, which meant that they had a more amalgamated movement. The quota advocates in Costa Rica had a blanket message, which they all used, and were able to better mobilize the political elite, because they were better able to communicate their demands and structural policy ideas to the national legislature. The fact that a governmental organization, the Minister of Women, was the one spear-heading the movement and setting the agenda may also have had a major part in the effectiveness of the movement. Many in Mexico opposed the feminist movement, because it was something that appeared to be inherently urban and upper
class. The Costa Rican feminist movement appeared to be characterized more as a government program, designed to help those who were not members of the elite already, but could be with a more even playing field. Table 1 shows the ability of feminist movements in Costa Rica and Mexico to meet certain criteria that seem important to having an effective social movement. To give numerical value to the outcome of this study, I have ranked four qualities from 1 to 5 for Costa Rica and Mexico. These factors are the ability of the social movement to get out a cohesive message, the ability of the social movement to provide the political elite with a specific demand or policy agenda, the level of government support for the movement, and the ability of the movement to work across economic class lines.

The scale is as follows:

1: Little to no success in this area.

2: The movement may have had some small, but not necessarily incremental victories.

3: The movement has had some victories in this area, but has room for improvement.

4: The movement put substantial effort in, experienced incremental success, and was able to effectively mobilize the political elite to do their bidding.

5: Agenda-setter status. The movement had evident success in this area, and utilized these successes to set the agenda for the formation of a quota policy.

Costa Rica’s feminist movement was successful because they were able to provide the political elite with specific and detailed demands, as well as written legislation. This gave them the power to mobilize the political elite, because the elite had no way of not interpreting the movement’s wishes, as they were precise and unambiguous. Due to these factors, in the first category, Costa Rica receives a score of “5,” for their ability to effectively communicate with the political elite. Mexico did not provide the government with exact details as to what their requests were, leaving their fate essentially up to the legislature. Because of the high level of
ambiguity in the message of the Mexican feminist movement to the political elite, they receive only a “2,” because they did attempt to communicate with the legislature, by essentially asking for a policy to be passed, but did not provide them with any specificity.

Costa Rica women’s movements also had strong government support for their policy, from the Ministry of Women’s Affairs, which in fact spearheaded a huge lobbying movement to help pass the positive discrimination policy. For this reason, Costa Rica receives a score of “3.” In Mexico, there was the institute of women, but the institute did not have near the same man power or financial power as the Institute of Women in Costa Rica, or the Ministry of Women’s Affairs. Since the Mexican women’s institute was fairly unsupportive in terms of helping women achieve gender parity in politics, Mexico receives a score of only “2.”

Due to the fractionalized nature of feminist movements in general, because feminism is something that is not simply party or class based, both Costa Rican and Mexican feminists had a difficult time getting out a cohesive message to the public regarding what their agenda is, as well as being able to work across class lines. In Costa Rica, they were able to overcome these difficulties to a great extent, but were not able to completely bridge classism, or completely come together to have a fully unified feminist movement. In Mexico, the idea of a unified feminist movement was one that was far from attainable, and this made the prospect of an amalgamated message far from possible.

Table 1:

<table>
<thead>
<tr>
<th>Factors</th>
<th>Costa Rica</th>
<th>Mexico</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ability of social movement to get out cohesive message</td>
<td>4</td>
<td>2</td>
</tr>
</tbody>
</table>
To better analyze the factors that were present in terms of political opportunity for both movements, it is important to look at how present each dimension of political opportunity is. Looking back to McAdam’s and Boykoff’s dimensions, it is evident that there was more opportunity in Costa Rica then there was in Mexico. To better show this, I have created another scale from 1 to 5 to grade the relative amount of opportunity in each country. The scale is as follows:

1: This type of opportunity is either not evident at all, or incredibly limited.

2: This type of opportunity is evident, but limited.

3: The opportunity is evident and the social movement has the ability to utilize the opportunity.

4: The opportunity was substantially utilized by the social movement.

5: The opportunity is unmistakably clear, and the social movement employed it to mobilize the political elite.

Traditionally, Costa Rica’s political system has been fairly open. Costa Rica is, according to Montserrat Sagot, one of the most consolidated democracies in Latin America. The country

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has also been holding democratic elections for 57 years now.\textsuperscript{117} For this reason, in the category of the first dimension of opportunity, “the relative openness of the institutional political system,” Costa Rica receives a score of “3.” In Mexico, the political system has historically been rather closed, because of the hostility caused by the party politics. For this reason, Mexico receives only a 1 for this category.

When looking at the instability of the political elite in Costa Rica and Mexico, it is clear that Costa Rica’s political elite is much more stable. In Costa Rica, the dominant parties have a strong hold over the political system, allowing only 2-3\% of the elected positions to go to third parties.\textsuperscript{118} For this reason, when examining the stability of the political elite, Costa Rica receives a score of “4,” because of the fact that the opportunity is evident, as some third parties have been able to break through into the legislature, and the social movement took advantage of the opportunity. In Mexico, the PRI was in power for a number of decades, until the election in 1989, when during a presidential election, the PRI lost control of the government. Since the government has been under the control of a new party, the national government has been fairly unstable. For these reasons, Mexico receives a score of “2.” Although generally it would appear that a more stable government would make it more difficult for a social movement to break through and mobilize the political elite to do their bidding, in the case of quota policies, it appears that it is actually more beneficial for the social movements to have a stable elite, because they are attempting to get the legislature to pass a policy. Generally, if a legislature is disconnected, if there are cracks so to speak, then there will be a greater chance of political deadlock, and an absence of the ability to pass laws.

\textsuperscript{117} Sagot, “Does the Political Participation of Women Matter?” page 1.
\textsuperscript{118} Ibid.
It was evident that throughout the policy process, Costa Rican feminists had elite allies in a number of different government organizations. First off, there were already a few feminist leaders in the legislature, such as Gladys Rojas, who were able to lobby from the inside for a quota policy. The ministry of women’s affairs proved to be an incredibly cooperative comrade for the movement, launching an extensive lobbying movement. The Supreme Elections Tribunal also became an ally, by not only succumbing to the demands of the feminists, but upholding what they thought to be the true message of the positive discrimination policy—and making a 40% quota for all of the parties electable positions mandatory. Without the presence of the Supreme Elections Tribunal, and their judicial ability to essentially create legislation by decreeing orders, Costa Rica may not have been able to achieve such a strong policy. Due to these strong ties, Costa Rica receives a score of “5” when examining the presence of elite allies.

In Mexico, the women’s movement did not have any allies similar to those in Costa Rica. When examining the presence of elite allies in Mexico, we see that there were fewer women in governmental positions to begin with, and there was not a strong governmental organization spearheading a lobbying movement, and there was not an overbearing judicial-like elections tribunal declaring the meaning of policies in favor of the unorganized feminist movement. In Mexico, prominent feminists such as Marta Lamas had a difficult time simply creating feminist NGOs, and were completely unable to gain the support of an elite ally of any sort. Although there was a women’s institute created after much debate, the institute was not able to lobby to the same degree as the Institute of Women in Costa Rica. Since the feminist movement in Mexico was able to find an elite ally in the women’s institute, but the institute did not focus on the political representation of women, Mexico receives a score of “2” in the opportunity category of the presence of elite allies.
When examining the Costa Rican state’s capacity and propensity for repression, it is evident that the Costa Rican state has the capacity to oppress others from gaining political power, but not necessarily for repression. The political elite in Costa Rica were able to keep third parties to only 2-3% of the legislature. The Costa Rican government has historically been considered one of the least repressive, as they do not even have a military. In the category of the state’s capacity and propensity for repression, Costa Rica receives a score of “2,” due to the state’s lack of propensity to repress the feminist movement, as well as the lack of capacity, considering that there isn’t any military. In Mexico, the dominant party, the PRI has historically had a strong control over the public opinion. The PRI, even after losing presidential power after the 1989 election, was able to have a strong say in the political agenda. It wasn’t until after the dominant political parties in Mexico made their own substantial efforts to increase the representation of women, and made it their own policy agenda that any country wide policy became a reality. Due to this reason, Mexico receives a score of “4” because the state did appear to have a strong capacity for repression.

Both Costa Rica and Mexico were impacted by international influences, although Mexico much more so than Costa Rica. Mexico was inspired by the United Nations Fourth Conference on Women, which took place in 1995. Costa Rica, which passed the country’s first attempt at an effective gender representation in 1990, was not incredibly impacted by this conference, but was heavily influenced by the quota policy formation in Argentina, the first country to pass a quota law. Since Costa Rica was influenced by international forces, but international forces were not prominent in the policy making discussion, Costa Rica receives a score of “3” under the category of the presence of international pressures.

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Following the United Nations conference, the Mexican state took into consideration many of the policy recommendations that the United Nations put forth, including creating a government program for women. Due to the fact that Mexico took into consideration both the quota policy recommendation made at the conference, and the women’s program proposal, yet took many years to actually pass a comprehensive quota policy, the country receives a score of “3” in the category of the presence of international pressures.

Table 2:

<table>
<thead>
<tr>
<th>Dimension of Opportunity</th>
<th>Costa Rica</th>
<th>Mexico</th>
</tr>
</thead>
<tbody>
<tr>
<td>The relative openness of the institutional political system</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>The stability of that broad set of elite alignments that typically undergird a policy</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>The presence of elite allies</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>The state’s capacity and propensity for repression</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>The presence of international pressures</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

Although all of these factors came into play with the Mexican feminist movement’s inability to mobilize their own, as well as the elite, there may have been much greater factors at hand. Many Mexican feminist organizations had the most difficulty attempting to assemble the indigenous women. It is evident that the indigenous women of Mexico were partaking in group dynamic feminism. They were seeking power as a group, but not as women, as an indigenous people. The women were identifying not with the struggles of women in the current machismo
culture of Mexico; they were recognizing their needs and difficulties with those of indigenous men. Since the Mexican feminists were asking these women to reject the dominant machismo perspective of their culture, they instead rejected the ideals of the feminists.

Essentially, for a feminist social movement to effectively mobilize the political elite to pass a gender parity law, they must be unified. Without a unified message that is being delivered to the government and citizenry by all advocates for a positive discrimination policy, the movement will be unable to effectively communicate their message to the political elite. Women’s organizations and quota advocates around the world may learn a valuable lesson from Costa Rica. A fusion of all advocacy groups, as well as a cohesive message is imperative for a feminist or women’s movement to reach success, and take control over the agenda of the political elite. In the case of Mexico, they had more pushing against their success than just ineffective mobilization techniques. The feminist social movement was up against the dominant ideology of an indigenous people, who to keep their culture alive, entered into a group dynamic form of power.
BIBLIOGRAPHY


