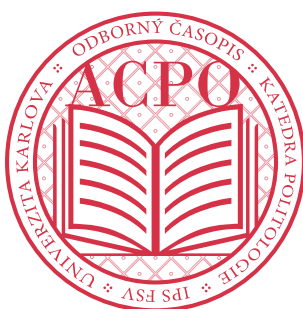


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Transitioning from Descriptive to Substantive Representation: a Study of the Mexican Congress¹

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Abstract:

The increasing number of women in the Mexican Congress could lead us to expect that women's interests are being better represented. However, there is no sufficient recent evidence on a correlation between a more robust descriptive representation and women's substantive representation in Mexico. Has the increase in the number of women led to greater focus on women's issues? Are the contents of bills sponsored in fact representing women? The objective of this paper is to address the links between women's increasing descriptive representation and the substantive representation of this group.

To this end, a sample of legislative bills of the Mexican Chamber of Deputies, authored between 2015 and 2019, are assessed. Evidence points towards a change in the legislative work, embracing women's issues, as more women are elected. Issues raised include those related to gender violence, including various forms of classification of crimes. They also highlight the reforms that push parity in the composition of various governing bodies, including the Supreme Court of Justice. Legislation is pushing to close the gender pay gap, and to mandate government institutions to include a gender perspective in all of their processes. But even if the substantive representation of some types of women has improved, major breakthroughs through legislation are seldom achieved due to conservative conceptualizations of women's roles.

Key words: *women; politics; legislative studies; Mexico; representation*

Are Women Legislators Representing Women?

Some of the crucial questions in the literature on women's representation are whether women are transforming the legislative agenda and if this has any connection with substantive representation. Furthermore, has the increase in the number of women advanced a more inclusive agenda on women's issues? Are women's interests particularly advanced by women (or men) in a congress elected with parity laws? To answer these questions, this article examines a sample of bills presented in the Chamber of Deputies in Mexico in the first year of two congresses in which parity laws applied for selecting candidates – the LXIII congress and the LXIV congress. The period under review is significant due to the gendered transformations in its membership composition. The central objective is to assess whether the said equal composition has had significant differences in the representation of women's interests.

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This paper seeks to build from the literature on women's representation in several ways. First, it studies a period in which the descriptive and symbolic representation gained a lot of ground, but questions whether the substantive side of representation progressed accordingly. Second, this work builds on previous studies assessing the effects of women's presence on women's substantive representation before gender parity was adopted (Piscopo 2014). Third, unlike other studies of women in Mexico that examined the composition of Congress through its numbers, bill passage and committee membership (Cervantes et al. 2019; Ke-revel and Atkinson 2017; Méndez 2019; Piscopo 2011), this paper examines the first step for the creation of laws and the introduction of bills, specifically those aiming to advance women's interests.

Studying bills is central because by the time they reach the plenary for debate, important decisions about content and voting will have already been discussed and agreed upon in Congressional Committees (Piscopo 2014). It is true that for the successful creation of public policy, both institutional actions (hearings, debates, and votes), and external conditions (lobbying and public support, reflected e.g. in opinion polls) are required. However, bill introduction is a necessary and unavoidable step. Moreover, looking into public policy solutions is consequential. The way these solutions are conceived, how the causes of the problems they target are imagined, and the possible consequences such solutions can create because of their configuration, all provide information on the ideas members of Congress hold about women and how they represent women (or do not).

For this, this paper looks into existing studies about women's representation and the large body of literature on the link between the descriptive and substantive representation of women. It engages with the literature on critical mass and gender quotas. Then, a brief but necessary description of the Mexican political system is given, exploring the relevance of the case selection. After this, the methodological process is described, including all details about the selection of the bills studied, the coding criteria and categories. Next, the paper breaks down the analysis into two elements: an agenda for women's interests and the content of specific bills on women's interests. The article ends with a general conclusion that ponders the findings and their relevance for the study of the link between descriptive and substantive representation.

Linking Substantive and Descriptive Representation

Previous literature (Dodson 2006; Reingold 2000; Thomas and Wilcox 1998; Kathlene 1994; Darcy et al. 1994) suggested that a greater presence of women in parliaments would have a positive impact in terms of symbolic implications and policy ramifications. This led to the idea or concept of a critical mass, a threshold number which, once surpassed, would imply significant transformations upon legislation and policies (Norris and Lovenduski 2001; Studlar and McAllister 2002). Most scholars on critical mass theorise that a critical representation threshold ranging between 15 and 30 per cent would constitute the tipping point and any number less than 15 per cent would constrain women's influence (Beckwith and Cowell-Meyers 2007; Studlar and McAllister 2002: 235-238; Bystydzienski 1992: 15). Based on these ideas, policies were pushed to secure gender quotas.

A large body of work exploring the effectiveness quotas had in increasing women's presence in parliaments worldwide and its effects over policymaking ensued (Krook 2009a; Matland 2006; Paxton et al., 2010; Schwindt-Bayer 2009; Tripp and Kang 2008). Moving on,

the objective was no longer to study just the effects of quotas but to analyse their influence on the representation of women's interests (Beaman et al. 2009; Devlin and Elgie 2008; Franceschet and Piscopo 2008; Chattopadhyay and Duflo 2004), political participation and engagement (Barnes and Burchard 2013, Kittilson and Schwindt-Bayer 2012).

Research has established that legal gender quotas have a positive impact in terms of increasing the number of women elected (Baldez, 2004, 2007; Dahlerup 2006; Dahlerup and Freidenvall 2005; Krook, 2004, 2009b). Regarding the Mexican case, Baldez (2007) looks into the interaction between primaries and the principles for the application of the quota. Using data on both candidates and elected members, she argues that the absence of law enforcement criteria reduces the effectiveness of gender quotas. Furthermore, Vidal-Correa (2014) look into enforcement mechanisms on quotas at the subnational level. Using data on the nomination and election of women in a sample of 12 states, she argues that, in some cases, this subnational system has resulted in partial enforcement or none at all. Additionally, the author sustains that in states where quotas applied only to *suplentes*, women became entrapped in a substitute and powerless position.

Further research observed a connection between more balanced environments and legislators' behaviours, regardless of their sex (Cervantes et al. 2019; Piscopo 2014). Early research found that parliaments with the highest percentages of female legislators introduce and pass more bills dealing with issues of women and children than those with lower representation (Thomas 1991). Using Congressional data, Vega and Firestone found that women introduce legislation proportionate to their numbers (1995). These findings are mirrored by Htun, Lacalle and Micozzi's work on Latin America, particularly Argentina. Using a dataset of all the bills submitted to the Argentine Congress between 1983 and 2007, the authors confirm changes in legislators' behaviour, and women's rights bills increasing when women held a greater share of seats (Htun et al. 2013).

However, this idea that a critical mass is a necessary factor to secure the representation of women's interests has been criticised (Celis and Childs 2008; Celis et al. 2008, Dahlerup 1988, 2006; Phillips 1995; Pitkin 1967; Reingold 2000; Sapiro 1998). Careful analysis demonstrates that women's political presence is "neither absolutely necessary nor entirely sufficient" for legislative action on women's rights (Reingold 2008: 128). More importantly, critical mass theory has fallen short in tackling significant issues and questions, as it has attempted to explain access to nominations and its connection to being elected to parliament, but also its power to transform legislators' abilities to formulate and enact policy, changes in legislative behaviour, and ultimately, being the source of the increased feminisation of public policy (Beckwith and Cowell-Meyers 2007; Bratton 2005; Childs and Krook 2006).

The crucial link between descriptive and substantive representation is not about a specific number of women (percentage or threshold) needed to foster change, but on how much one (the descriptive) can promote the other (the substantive). If critical mass theory and its idea of inevitable change are to be accepted, one would expect sudden changes, that are abrupt and quite visible. But if this is not the case, then the analysis of any connection between descriptive and substantive representation should ponder other forms of a more complex connection. In this case, this paper contemplates the possibility of a link that sometimes exists due to a large number of bills on women's issues, but that at other times perhaps, is possible because of a small number of bills seeking to regulate more complex situations (i.e. a large number of insignificant bills vs a small number of more comprehensive and widely enforced bills).

With the intention of analysing the bill introduction on women's interests as a proxy of women's substantive representation, this paper analyses quantitatively the changes in the legislative agenda, as in the number of bills introduced seeking to protect or represent women. However, the paper also focuses qualitatively on the contents of those bills, paying special attention to those that directly address women's interests. The latter, in order to attest if the link between substantive and descriptive representation, in this case, is achieved through rather small but complex bills. The intention is to analyse substantive representation within a context that itself was supposed to be ideal. The LXIV congress (2018–2021) is not only important because of its gender composition but because of its public commitment to gender parity. An example is that all members of the Chamber of Deputies approved an agreement of the Board of Political Coordination to add the legend "LXIV congress of gender parity" to the communication platform, in all official documentation and in stationery used by this congress.

Building a Path Toward Women's Representation: Transformations of the Mexican Political System

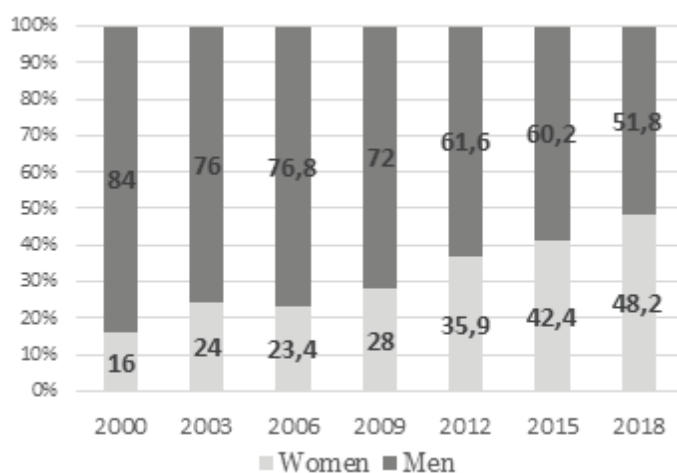
The process of democratisation in Mexico has not followed the path of other Latin American countries (Agüero and Stark 1998; Helmke and Levitsky 2006; Lujambio 1994; Mainwaring and Shugart 1997). Mexico did not experience a transition from a military junta regime, but from something O'Donnell and Schmitter referred to as *democradura*, or a limited political democracy where the hegemonic government liberalised some aspects of politics and participation (O'Donnell and Schmitter 2013).

In terms of powers, in addition to those granted by the Constitution to the president, there were several informal competences practised only by the executive (Garrido 1982). These "metaconstitutional" powers, or "unwritten norms of the Mexican political system granted the Mexican president the power to act as a constituent power with the authority to amend the Constitution, to act as chief legislator, to establish himself as the ultimate authority in electoral matters" (Garrido 1982: 422). Because the president controlled all aspects of law decision-making, work in other institutions, including the congress, was irrelevant. For instance, between 1997 and 2000 the number of bills presented in the Chamber of Deputies was 645. After political alternation in 2000, that number would double and continue to grow exponentially: Congress received 6,656 bills between 2015 and 2018 alone.

Democratisation meant the dissolution of power, centralised in the almost authoritarian presidential figure, giving all congresses a real capacity for action (Cornelius et al. 1999; Eisenstadt 2003; Nacif 2004; Ochoa–Reza 2004; Ward and Rodriguez 1999). This repositioned the legislative branch. Mexico's path towards democracy altered women's access to political office as well. Structural differences forced women to seek legal modifications to fight inequalities. Some of the most important changes seek opportunities for political participation. For example, the 1993 reform recommended parties to promote greater participation of women by nominating them. In 1996, the new rule recommended that nominations should not exceed 70% of the same gender, both in proportional representation and majority systems. In 2002, the law required all parties to comply with the aforementioned quota, with sanctions for non-compliance. In 2008, the quota would be modified to a 60% same-gender cap. By 2012, changes to the laws specified how proportional lists would have to be composed to prevent political parties from nominating women at the end of the lists.

In December 2013, and with a change to the Constitution, parity was secured. It would apply to candidates nominated for both national and state congresses. Consequences were observed in the composition of the LXIII congress (2015-2018). In the Chamber of Deputies, 117 women were elected by plurality voting (Favela 2015). Women recovered 44 districts identified as unwinnable and were elected to 95 seats by proportional representation (Favela, 2015). In all, women occupied 42.4% of the seats in the Chamber of Deputies (see Figure 1). The result shows a 15% increase compared to the 2012 elections (Instituto Federal Electoral 2016).

Figure 1: Men and women in the Chamber of Deputies (%), 2000–2018



Source: The author’s own calculation, based on data collected from *Centro de Estudios para el Adelanto de las Mujeres y la Equidad de Género de la Cámara de Diputados*, (2008) & *Instituto Nacional de las Mujeres, INMUJERES* (2019).

The 2018 election results would give the LXIV congress its nickname: the gender parity congress. The Chamber of Deputies has 51.8% men and 48.2% women legislators, while the Senate has 51% women and 49% men (Senate elections are held every six years, and there was no election in 2015).

However, gender parity in the composition of the country’s legislative institutions does not necessarily translate into a better and more robust representation of women’s interest, as some figures of the country would attest. For example, in terms of labour conditions, the gender pay gap in the country has increased, from 9.9% in 2015 (ILO 2018) to 15.6% in 2018 (ILO 2019). Moreover, the average number of hours a week women spend on childcare and support for other household members is almost three times that of men, 11.2 and 4.8, respectively (Instituto Nacional de las Mujeres 2019).

The renewed powers and legislative capacities to influence political outcomes place the legislators and their agendas, including issues such as women’s representation, at the centre of the political debate. The significance of analysing norms and institutions lies in the abilities these hold to transform women’s lives. Institutions matter, for they have the capacity to reinforce gender hierarchy by preserving male privilege (Banaszak and Weldon 2011: 269) or to work as a counteracting force. Thus, identifying and studying these, including policy issues sponsored in regime change such as democratisation, should provide new and extensive knowledge.

Women’s representation: a note on methodology

The approach for the analysis is both quantitative and qualitative. This was done by studying the bills sponsored, especially those related to women’s issues and rights, and the content of these bills. The purpose was to highlight aspects of the legislative process, including the number of bills drafted in relation to the whole legislative agenda and the gender of those advancing women’s bills.

Congress selection and time frame

Content analysis of 3,061 bills was conducted for the following periods:

- a. 63rd Congress first year of sessions: September–December 2015 and February–April 2016.
- b. 64th Congress first year of sessions: September–December 2018 and February–April 2019.

Table 1: The number of bills, arranged by actors, introduced in the first year of each congress by sessions (2015–2018)

Congress	Session	Number of Bills	Bills authored by men and women legislators	Bills authored by other actors*
63 rd (2015–2018)	first term	703	586	117
	second term	800	645	155
	first year total	1503	1231	272
64 th (2018–2021)	first term	766	650	116
	second term	792	709	83
	first year total	1558	1359	199

Note: * Other actors include the Senate, the president, State Congresses, parliamentary groups, and (in 2018) citizen initiatives. The Mexican Constitution grants the right to author bills to the president, Congress and its members, individually or in groups, the States Congresses, and since 2012, also to citizens.

Source: *The author’s own elaboration based on data collected from Cámara de Diputados (2018).*

The study is based on content analysis of all bills introduced in the first year of each congress, covering two terms each. The Constitution has established that there ought to be two terms per congressional year: from September 1st to December 15th, and from February 1st until April 30th. At the time of writing, the 2018–2021 Congress had only held one complete year (between September 2018 and April of 2019).

The 63rd and 64th Congresses were selected as they were elected using the same parity rules, where political parties are mandated to nominate women to 50% of all positions, including in both majority and proportional systems. The intention was to assess whether such equal composition has had any significant consequences on how women’s interests are represented and to complement previous research on bill introduction that employed quantitative data of the Chamber of Deputies between 1997 and 2012 (Piscopo, 2014). It is possible to contend that laws and bills have changed progressively with the growing number of women in the Chamber. Given that the relationship between legislative work and the increase in female representatives could take place gradually, and that a selection of only two periods does not allow us to account for it, we initially worked with a sample of bills presented in the first two terms of each congress since 2000. A total of 2,396 bills

were reviewed, but only 317 were coded as addressing women's issues. However, between 2000 and 2012, only 37 were focused on women's issues. This agrees with what Piscopo argues (2014) based on a collection of data (hers and from the Center for Studies on the Advancement of Women and Gender Equality, CEAMEG), "Women's substantive representation accounted for roughly 3.5 to 5 percent of overall bill introduction between 1997 and 2009" (Piscopo 2014, 94). Thus, the majority of bills so far were sponsored between 2015 and 2019, and change was indeed abrupt.

The first year of sessions was selected as this is crucial for the definition of agendas and the legislative work each deputy will engage with during his or her full term. It is important to underline that in the case of the Mexican congress, the limitation of no consecutive re-election, removed only recently with enforcement due in the 2021 elections, has seen highly inexperienced congress members, with many legislators lacking previous legislative involvement (Campos 2003; Nacif 2004; Bárcena 2017). As there is a learning curve, it could be argued that the legislative work at the beginning of congress is different than the work carried out at the end of it. However, this does not imply that the study of the first year of legislative work is not relevant in the Mexican case. Firstly, in Mexico, legislative work is organised in such a way that the first year can be the most relevant in terms of agenda-setting. Many legislators would be seeking, in their third year, a new position. Thus, the legislative work of the first two years is truly relevant. Béjar and Bárcena sustain that since there are no limits to the power of legislators to propose new laws, "it is common for them to use this resource to promote their careers; that is, to present proposals focused on meeting the particular demands of potential voters" (2016: 113). Second, substantive legislative work from day one is encouraged, not only because it shows the legislator's capabilities before the electorate, but it is also encouraged as a mechanism that allows the legislator to position themselves among other legislators, and within the commissions or governing bodies of the Chamber. Third, the possible evaluation and transparency of the legislative work, as elements of democratisation in Mexico, also stimulates legislators. Finally, data on legislative work between 2009 and 2018 shows that on average 30% of bills were initiated in the first year of the congress, indicating the relevance of the first year's work. Nonetheless, it is important to recognise that the conclusions reached from these data are not necessarily conclusive, although they do allow us to propose the first scenario with certain premises.

Content coding

Two research assistants, supervised by a senior researcher, were responsible for coding all bills. Before performing the work, raters went through three training sessions, through which they became familiar with the units and categories of analysis. Subsequently, to measure inter-rater reliability, both raters independently analysed a random sample of 342 bills. The differences generated from the sampling process were discussed and resolved in a fourth session for each rater. Afterwards, each rater continued to process all the reports. Krippendorff's α was used to calculate reliability (see variable descriptions below).

First, raters coded all bills drafted in the first year of each congress selected (3,061) either as women's issues or as other legislative issues (Bárcena 2017; Piscopo, 2014; Schwindt-Bayer 2006). Once this coding took place, those identified as women's issues moved to the second part of the process. This included coding for: sponsoring agent of the bill, hierarchy or value of the regulations bills targeted, and the themes on which the bill was focused.

First, the study questions whether bills on women's issues are being sponsored by deputies or other agents, and if female legislators are responsible for most of the bills on women's issues. Second, the study questions, quantitatively, if bills on women's issues are a collective or individual endeavour. Third, the analysis looks at the hierarchy or value of the regulations that bills targeted and if work conducted is significant or is mostly ornamental. Additionally, all bills were coded to indicate: the date they were introduced, the sex of the sponsoring agent, party affiliation of the sponsoring agent (as in the author's name registered in the legislative information service), whether the bill was voted on, and if the bill was approved.

Variables descriptions

Thematic categories

Based on the following descriptions (Dodson and Carroll 1991; Reingold 2000; Swers 2002; Schwindt–Bayer 2006; Taylor–Robinson and Heath 2003), bills were first coded either as women's issues or other legislative issues ($\alpha = .88$):

- a. Women's issues: these bills addressed concerns such as reproductive health or freedoms, violence against women, gender equality legislation including quotas and parity, civil rights for women, sexual harassment, equal pay for equal work, care conditions, education programmes targeting women, economic policies addressing women's issues. All bills crossing into other thematic categories but targeting women directly were coded as women's issues. Examples include bills on women's health, educational programmes, pink taxes, and care facilities for working parents. Also, bills on women's issues include those extending parental rights to all genders. For example, fathers' access to public day-care, or paternity leave.
- b. Other legislative issues: bills on children and family issues, such as divorce and other family contract matters, children's welfare, sex crimes against child and child labour. It also included bills on education, health and the economy; in these cases, all except for those explicitly designed for women or women's issues. This category also includes bill on agriculture (cultivation of the soil for the growing of crops and the rearing of animals to provide food, wool, and other products). Bills on employment, such as wages, gratuities, benefits, worker's rights, and any form of working contract relations were included when these did not target women explicitly. Fiscal affairs and government affairs were also included.

Coding followed a three-stage process. First, raters grouped bills according to the Commission to which these were initially sent. This allowed the easy identification of some bills on women's issues as they were allocated to the Equidad y Género/Igualdad de Género Committee (Gender Committee). However, due to the process of bill allocation, coding bills based only in the Commission to which they were sent could potentially leave out many bills related to women's issues. Many of these were not assigned by the *Mesa Directiva* (Chamber directive body) to the Gender Commission. For example, in the 63rd Congress, only 27 of the 110 bills coded as women's issues were allocated specifically to the Igualdad

de Género Commission. Therefore, in a second coding process, raters check the descriptions provided of each bill in the legislative-information-service digital platform. These brief descriptions allowed the identification of most of the bills addressing women's issues.

Finally, and to make sure no bill on women's issues would be left within the other category, the legislative-information-service digital platform was used to check for any inconsistencies. This database allows searching all bills by words contained in their titles or contents. A list of words was given to the coders (see annex), which they used to check if the bills with those words were already coded in the women's issues category.

Sponsoring agent

To study who the sponsoring agent was, bills were coded as follows (Krippendorff's $\alpha = .96$):

- a. Deputies (one or multiple);
- b. Senators (one or multiple);
- c. Senate (as in the whole chamber);
- d. The Executive Branch (the President);
- e. State Congresses;
- f. Parliamentary groups;
- g. Citizen initiatives (only since 2018).

In the case of bills sponsored by a single deputy and later co-signed by the whole parliamentary group, these were coded as bills sponsored by deputies (see Table 1).

Sponsoring agent Sex

The sex of the sponsoring agent was coded as follows ($\alpha = .96$):

- a. Female
- b. Male
- c. Multiple
- d. None

Raters were given access to the photographic album of the Chamber of Deputies for both congresses. Thus, names and photos were compared to identify the sex of the sponsoring agent. In the case of institutional agents, such as State Congresses, these were coded as none. When multiple deputies sponsored the bill, and when one or more were from different sexes, these bills were coded as multiple (see Table 1a).

Women's bills content

As mentioned before, the approach for the analysis is both quantitative and qualitative. To qualitatively study the representation of women's issues, these bills were subject to another coding process. This involved the raters coding all 282 bills based on their content and the rules and laws they targeted.

Women's issues were understood as those where policy consequences were having a more immediate and direct impact on significantly larger numbers of women and those in which women are the envisioned beneficiaries and intend to secure women's rights and opportunities (Carroll 1994, Piscopo 2014). Based on this definition and on previous findings (Dodson and Carroll 1991; Reingold 2000; Swers 2002; Schwindt–Bayer 2006; Taylor–Robinson and Heath 2003), categories for content included: care, economy, employment, government institutions, health, justice, violence, quotas, care, the gender perspective, social security and social programmes.

Categories were identified as follows ($\alpha = .86$):

- a. **Care:** Bills intended to regulate access to care and care work. For example, bills pushing for an equitable distribution of housework, child upbringing, and care of the sick and the elderly, etc.
- b. **Economy:** all bills related to economic policies, including commerce, transportation, and telecommunications explicitly designed for women or women's issues (i.e. special programmes for promoting women's entrepreneurship; tax deductions for women-owned companies).
- c. **Employment:** Bills addressing the relation between two parties, the employer and the employee, such as bills targeting the gender wage gap, gender disparities on gratuities and benefits and the inclusion of women into formal employment.
- d. **Gender perspective:** These bills aimed at modifying norms, laws, government programmes and administrative procedures to include a gender perspective. For example, the curricula of the Ministry of Public Education, the design of the annual expenditure budget, etc.
- e. **Government institutions:** these bills were designed to create or change administrative procedures and government organisations and include gender units within government offices, mandate government institutions to collect data with a gender perspective, etc.
- f. **Health:** all bills targeting the health system and health programmes explicitly designed for women or women's issues (i.e. pregnancy-related bills; bills on women's health issues such as ovarian and breast cancer; abortion).
- g. **Justice:** these bills aimed to reform any aspect of the legal system in order to secure women's rights and their access to justice, including the judicial system, fair trials, and new laws to secure new rights.
- h. **Quotas:** These bills are intended to modify the composition of the governing bodies to introduce gender quotas or parity in the composition of said bodies, including the Supreme Court of Justice or security forces.
- i. **Social programmes:** These bills aimed to create programmes that directly improve the situation of women in different areas. For example, the regularisation of land tenure, possession of real estate, training programmes and financial inclusion, etc.
- j. **Social security:** these bills aimed to create laws or change laws to promote equal conditions in accessing social benefits, like widow's insurance and pensions for both men and women on equal grounds.
- k. **Violence:** these bills targeted violence in all its forms (obstetric, sexual, labour, political, in the education system, institutional, economic, family or couple related, psychological, etc.).

Hierarchy or value of the regulations bills target

One of the biggest challenges of any political system is that bills (eventually laws) will in fact contribute to governance, and are not merely focused on cosmetic changes. Evaluating legislative work just by the number of bills initiated would not necessarily reflect the performance of said congress in seeking to represent the interests and rights of a group (Ugalde 2013), in this case, that of women.

The relevance of the bills is related to the hierarchy or value of the regulations that they seek to modify (Barcena, 2017, Espinoza and Cárdenas 2007). This means that constitutional changes involve the most important transformations, while proposals to modify secondary laws and regulations are less relevant.

In the particular case of Mexico, constitutional bills require the vote of two-thirds of the members present, but also the approval of a majority of local congresses, endorsement of the other Chamber and the approval of the Executive. This means that bills seeking constitutional amendments are not only more important hierarchically, they require coordination and stand in Congress. On the other hand, bills seeking to modify secondary laws and regulations require an absolute majority (50% + 1 of the members present), plus the endorsement of the other Chamber and approval of the Executive. Finally, bills intending to change internal regulations or administrative procedures only require the absolute majority of members present.

Bills were coded as follows ($\alpha = .87$):

- a. **Significant proposals:** bills that require a qualified majority of two-thirds of the Congress, most of the local congresses and the Executive's approval; bills aiming to change the constitution.
- b. **Secondary bills:** those that modify, create or annul a secondary law. This includes those seeking legal changes of a smaller scale that only require a majority vote to be approved.
- c. **Ornamental work:** projects that refer to issues of protocol, administrative procedures or modifications to internal regulations that only require a majority vote to be approved.

Bills were coded, taking into account the legal framework of greater rank they intended to modify. For example, if a bill aimed to change the Constitution and other additional federal or secondary laws, this bill was coded as a significant proposal.

Working for Women: Sponsoring Bills Related to Women's Interests

A greater number of women representatives does not automatically give the legislative agenda broader, authentic, and truly representative perspectives of women's interests. In order to determine the weight of women in Congress, the following section examines, in detail, all bills coded as women's issues, 282.

Of all 3,061 bills initiated, the percentage identified as being on women's issues is quite small (9.21%). This already says a lot about the relevance this subject holds in the legislative agenda. This is more evident when numbers are broken down by Congress (see Table 2). The data show that the number of bills related to women's issues (WI) was smaller

in 2015 than in 2018. The 110 WI bills in 2015 represented only 7.3% of the total of bills initiated during the first years of the Congress, compared to 11% in 2018 (see Table 2). Although there is a positive relationship between the increase of women elected in 2018 and the number of WI bills sponsored, the relative weight of WI bills on the agenda is still low.

Table 2: WI bill’s sponsored in LXIII and LXIV Congresses (first year)

Congress	Total of WIB*	As % of the total number of bills sponsored
63 rd (2015–2018)	110/1503	7.31
64 th (2018–2021)	172/1558	11.03
Total	282/3061	9.21

Source: The author’s own calculation, based on data collected from Cámara de Diputados (2018).

Sponsoring agent

Sponsoring agents, according to the Mexican Constitution (article 77), include not only deputies. The Constitution also allows other agents. In fact, there are few restrictions. In the Chamber of Deputies and Senate, members can introduce legislation individually or collectively; the Senate as an institution can also bring bills to the floor. All parliamentary groups can sponsor bills as may governmental bodies, including the president and state congresses. Additionally, since 2012, citizens can sponsor bills.

Of the 282 bills sponsored in the period studied, the data indicates that, for the most part, the legislative work on women’s issues is carried out individually and by deputies. It is not surprising that in the Chamber of Deputies, its members are carrying out most of the legislative work on women’s issues. In both Congresses, deputies are sponsoring bills individually (at least according to the name with which the bills are being presented). It is also important to stress that the ratio of individual/ group work has changed over the two periods. Individual work has decreased by seven points in relation to the total number of bills presented. In 2015, 96 of the 110 bills (87%) were sponsored by individual actors; in 2018, 138 of the 172 bills (80%) were sponsored by individual actors.

It is possible to suggest that a greater number of women encourages collaborative work, and that this is being conducted among female legislators. The following section explores this possibility.

Table 3: WI bill’s sponsoring agents, 2015 and 2018

Sponsoring Agent	2015	2018	Total
The Senate	3	1	4
Deputies	106	162	269
Parliamentary Groups	1	8	9
Senators	0	1	1
Individual agents*	96	138	234
Group agents**	14	34	48

Note: *Individual agents include deputies and senators working by themselves. The number of bills does not add up, since a deputy or senator could sponsor more than one. ** Group agents include the Senate and Parliamentary Groups.

Source: The author’s own calculation based on data collected from Cámara de Diputados (2018).

Sex of the sponsoring agents

Regarding the sex of the sponsoring agents, the data show first that most legislative work on women’s issues is carried out by female legislators. This is true for both congresses. In the 63rd congress’s first year, 74 of the 110 bills (67%) were promoted by women legislators. In the first year of the 64th congress, 134 of the 172 bills (80%) on women’s issues were sponsored by female legislators. Second, women deputies are not the only ones invested in promoting a gendered agenda, as a number of bills on women’s issues were sponsored by male legislators (see Table 4). However, the data show that bills sponsored by male legislators have reduced in proportion to the total number of bills on the subject. In the first year of the 63rd congress, 24.5% of the bills on women’s issues were sponsored by male legislators. In the first year of the 64th congress, it fell to 12.8%.

Finally, it is important to note that when sex and sponsoring agent categories are crossed, the data show that women are more likely to act in groups than men. There were 48 bills sponsored by groups in the two periods studied, 14 in 2015 and 34 in 2018. Of the 48, 13 were sponsored by government organisations, such as parliamentary groups. Without counting these, 20 of the remaining 35 were sponsored by groups composed by female legislators. In 2015, 4 of the 14 bills sponsored by group agents were drafted by female legislators. This figure increased between September 2018 and April 2019. Of the 34 bills sponsored by groups, female legislators working together presented 14, representing 41% of the legislative work conducted by group sponsoring agents in that period. It is possible to contend that a greater number of women encourages collaborative work. It is necessary that future research continues to explore this possibility.

Table 4: Women’s rights bills sponsored by female and male deputies, 2000–2018

Sponsoring Agent	2015	2018
Female legislators	74	134
Male legislators	27	22
Female & Male legislators	5	7
Institutional	4	9
Total	110	172

Source: The author’s own calculation based on data collected from Cámara de Diputados (2018).

Despite the above-highlighted changes, it is important to stress that the number of WI bills in relation to the total number of bills sponsored is quite low. At this point, it is appropriate to consider how can the link between the descriptive and substantive representation of women in Mexico be characterised. The number of women elected is the highest in the 2018 congress just as this is the congress with the highest number of bills on women’s issues. But if substantive representation is understood both as a process and as an outcome, in order to understand more about how legislators in the Chamber of Deputies advanced (or did not advance) women’s substantive representation, at least as a process, it is central to ask whether the contents of these bills truly sought to represent the interests of women, and in what ways they have tried to.

Are Women's Interests Being Better Represented?

The Chamber of Deputies is being transformed as the number of women elected to it increases, at least in its numerical/gender composition. The number of bills that target WI, although more slowly, also continues to rise. For gaining a deeper understanding of how these transformations may better represent (or not) women's interests, the contents of the bills coded as women's issues were analysed. This allowed recognising what representatives saw as problems women are facing and what solutions they were bringing to the debate, providing an insight into how representatives think about and characterise women. Bills were also studied according to the importance and level of political coordination of the legal system that they sought to create or change.

Hierarchy or value of the regulations bills targeted

In both periods studied, most of the work on women's issues was focused on changing or expanding federal laws. In 2015, 92 of the 110 bills on women's issues were aimed at modifying secondary regulations, including the Federal Labour Law, the General Law for Equality between Women and Men, the General Law on Women's Access to a Life Free of Violence, the General Law of Electoral Institutions and Procedures, and the Federal Criminal Code, among others. In 2018, 136 of the 172 bills were focused on federal laws or secondary bills.

The change between the 63rd and 64th congresses, in relation to the importance of the ordinances that the bills intended to modify, is small. The difference is likely due to the increase, in 2018, of bills aiming for Constitutional reforms. In 2018, with more women elected, women's bills aiming to change the Constitution (significant proposals) increased in relation to those in 2015 (see Table 5).

Table 5: Women's issue bills' importance and level of political coordination: 2015 and 2018

Importance and level of political coordination	2015	2018
Significant proposals	14	31
Secondary bills	92	136
Ornamental work	4	5

Source: The author's own calculation based on data collected from Cámara de Diputados (2018).

In both periods studied, a large part of the bills (21 out of 45) that sought to change the Constitution (i.e. significant proposal), intended to add quotas for the composition of the governing bodies or to include parity mechanisms in their election or designation. Specifically, the purpose of many of these bills was to mandate gender parity in the composition of the Supreme Court of Justice, in the election of candidates for municipal presidencies, including municipal councillors and trustees; local courts; the composition of the Federal Judiciary Council; in the autonomous organisations, such as the National Electoral Institute and in various areas of municipal governments.

The largest group of bills, coded as secondary (228 in total), were largely focused on transforming federal and general laws to fight violence against women, with 83 bills sponsored. To put things in perspective, the second most important issue (i.e. as in the number of bills drafted) was employment, with 35 bills.

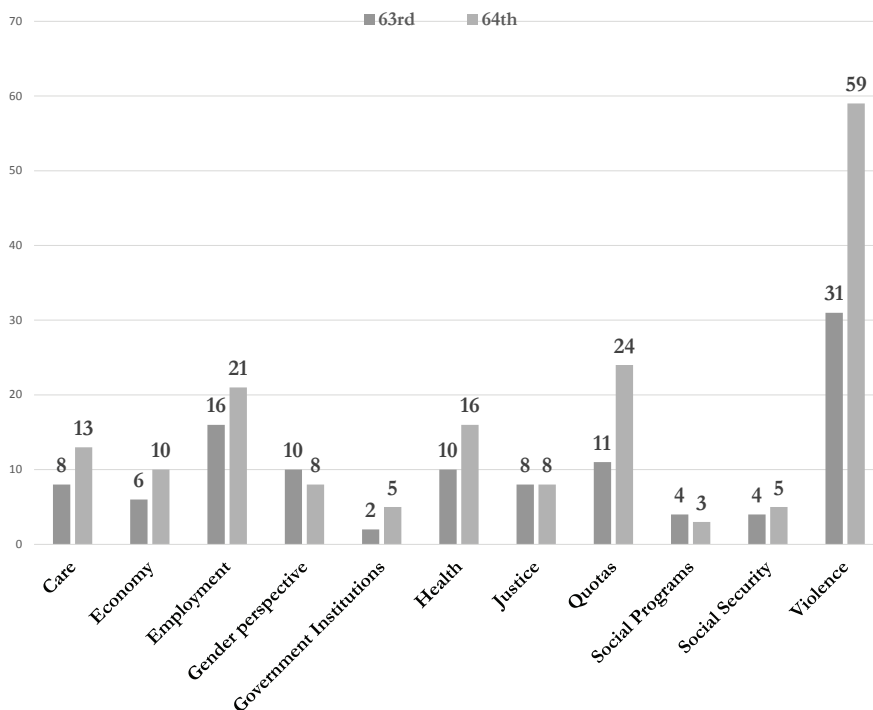
As far as the hierarchy or value of the regulations that the bills sought to modify, legislative work carried out on women’s issues has been important and in some cases, when looking for constitutional changes, transcendental. For example, bills aiming to modify the composition of the plenary of the Supreme Court of Justice, so it is gender-balanced. In general, legislative work on women’s issues is not symbolic and requires approval by an absolute majority. There were few bills, in both periods, which suggested ornamental changes (9 out of 228). These sought to create national days, such as the National Day on Breast Reconstruction or to convey national awards.

Women’s bills: an examination of the content

All identified bills on women’s issues were coded into 11 categories, including: care, economy, employment, gender perspective, government institutions, health, justice, quotas, social security, social programmes and violence.

A general overview of the bills codified in these 11 categories allows us to observe specific areas that have been prioritised in the legislative agenda, including: violence, quotas, employment and health. These four stand out for the number of bills they group, 188 of the 282 bills on women’s issues. This represents 69% of the legislative work on the subject. The rest of the bills are distributed into the other seven categories. An overview of the data by congress confirms the same behaviour. In both the first year of sessions of the 63rd and 64th congresses, bills on women’s issues are mainly focused on violence, quotas, employment and health (see Figure 2).

Figure 2: Distribution of women’s rights bills according to their content, group by congress



Source: The author’s own calculation based on data collected, categorised, and codified from Câmara de Diputados (2018).

Bills on Violence

The number of bills focused on violence against women is no surprise given the existing detrimental conditions in the country for more than a decade now. For example, between 2017 and 2018, 75 women candidates were assaulted or murdered.

The 90 bills on violence against women approach the situation from multiple perspectives. Bills are focused on a variety of issues, including harassment at work, femicide, the gender alert, or obstetric violence. A common and shared characteristic among all is that they attempt to create actions that prevent, measure, or punish violent behaviour against women.

The concept of gender violence, in legislative terms, has been quite developed. For example, legislators have sponsored bills that identify and characterize violence from different sources, such as labour harassment (September 2015 and November 2015), lack of property rights (especially arable land, sponsored in October 2012), dating violence (November 2012), obstetric violence (November 2009 and in October 2015), institutional violence (September 2015), violence experienced by indigenous women (October 2015), and economic violence (October 2012).

The data shows that bills on violence were mainly focused on the gender violence alert, femicides, political violence and social programmes. The “gender violence alert programme” is a policy consisting of a set of emergency governmental actions to confront and eradicate femicide violence and/or any grievance that impedes the full exercise of women’s human rights, and it works in a specific territory. Nine bills have been advanced in order to change, adapt, or improve this programme. For example, in 2015, Deputy Ochoa Ávalos sought to broaden the grounds for the declaration of the gender alert and include other forms of violence, such as structural violence or comparative grievance (September 2015) as causes to trigger the alert. In 2018, Deputy Josefina Salazar Báez was responsible for all the bills sponsored in the LXVI congress about the gender alert. A thorough review of the contents allowed identifying the relevance of victims’ protection within the bills. For example, Salazar Báez sought to improve the channels of information so that citizens are more or better informed. Furthermore, she pushed for transparency in the processes that must be followed for the implementation of the “gender alert”. Her bills also look to provide further responsibilities to the Ministry of the Interior, including it periodically reviewing the results and operative changes in the entities or municipalities in which the programme exists.

Femicides, which are murders of women committed because of their gender, are an alarming issue in the country. Every day, nine women are murdered for reasons related to their gender. It is not surprising that a good part of the bills on violence seek to increase the sentences for this crime (bill by deputy Esmeralda de los Angeles Moreno Medina, 2018). Others demand preventive detention of those accused (bill by deputy Silvia Lorena Villavicencio Ayala, 2018) and some look to create homogeneous punishments across the country (bill by deputy Adriana Dávila Fernández, 2018). Up to 2020, each state has their own regulations.

Femicide is related to another very particular crime, that of gendered political violence. This form of violence involves all actions that obstruct the right to vote or to be voted. In the 2018 elections, 106 cases of political violence were reported, including 16 women candidates killed. However, until December 2019, in Mexico, no general law criminalised political violence based on gender. Bills sponsored (i.e. bill by deputy María Candelaria Ochoa Avalos in 2015 or bill by deputy María Lucero Saldaña Pérez in 2018, among other

15 more) sought just that, to recognise political violence based on gender as a particular crime with special considerations.

Legislators did not only characterise or envisage punishments for violent behaviours or actions. Of the 90 bills sponsored on this subject, 14 sought to generate social programmes to prevent violence, and care for victims. For example, in September 2009, the PRI sponsored a bill that, after its approval, mandated the state create centres to assist victims of family violence. More recently, in 2018, Deputy Tagle Martínez sponsored a bill with multiple objectives, including new responsibilities for the Ministry of the Interior, like monitoring and promoting guidelines so that the media favour the eradication of all types of violence towards women. It also mandates this Ministry strengthen existing mechanisms for the systematic collection of data on violence against women and girls, to provide objective information for the development of government policies on prevention, care, punishment, and the eradication of violence against women.

Bills on Employment

Another relevant subject was bills aiming to regulate employment, with 37 proposals submitted. These bills focused on guaranteeing maternity leave or enabling breastfeeding facilities. For example, a bill drafted by Deputy Jorgina Gaxiola Lezama (2015) hoped to increase maternity leave from 12 to 18 weeks. Deputy Julio Saldaña Morán (2015) sponsored a bill decreasing the number of worked weeks needed to gain access to maternity leave, from 30 to 20 weeks. Other subjects included the gender pay gap and regulating housekeeping employment. Gender pay gap bills sought to hold the State responsible for generating conditions and programmes to guarantee wage equality. Rules targeted included the Constitution (article 123) and the Federal Labour Law.

Bills on Quotas

As regards quotas and parity, 35 bills were sponsored on the subject. Legislators focused on securing quotas for the composition of the federal legislative branch, and quotas for the composition of other government bodies, such as the Council of the National Electoral Institute and the Supreme Court. For example, Movimiento Ciudadano sponsored a bill to modify the composition of the Supreme Court, having parity as a criterion for the designation of judges (introduced in September 2015). Bills were also sponsored to mandate quotas in the composition of the legislative committees and other bodies necessary for the internal functioning of the Chamber of Deputies and the Senate (sponsored in September 2018).

Some of the bills on quotas deviate from the traditional approach and targeted other groups. For example, Deputy María Elena Orantes sponsored a bill to establish a gender quota in the top brass of the Federal Police (September 2015). One of the few that were actually approved, sponsored by Deputy Germán Ralis, modified the Military Service Code. Before, this code mandated a differentiated education between women and men, the former being taught “work only proper to their sex” (Military Service Law). However, as of January 2019, military education must be imparted in the same way and with the same content, for both women and men.

Bills on Health

Bills on health were mostly concerned with regulation that protects women during pregnancy. Of the 26 bills on the subject, 11 were focused on this. Bills drafted aimed at securing and improving the conditions of care that pregnant women received in public hospitals and clinics (bills introduced in September 2012, September 2015, and October 2018). Additionally, four bills were focused on legislating abortion³. Some look to modify the Constitution and decriminalise abortion nationwide. Specifically, left-wing parties, including the PRD and Morena, advanced all bills drafted about abortion. Except for one, all were sponsored in the 64th congress, but none became law.

How Women Are Representing Women's Interests (or not): Final Ideas on the Substantive Representation

Contributions of this paper are pondered in light of the work conducted by a congress that claims to be representative of women. It also examines the significance of a gender agenda in a congress that is equal in its composition. The evidence suggests that the presence of women for transforming politics is necessary. When more women are involved, legislative work, more than before, focuses on regulating and promoting a gendered programme, including women's issues on health, education, violence, and more. This is supportive of those arguing for gender quotas or parity rules. Women matter, and electing more women tends to favourably transform politics. However, the link between descriptive and substantive representation is not straightforward.

The evidence suggests having more women elected does not automatically translate into congressional work that will boost or tackle, in an innovative way, women's issues. In the Mexican case, even with clear changes to the membership composition of the Chamber of Deputies and a slight increase in the number of related bills, women's issues and rights are not central nor have been approached more holistically. As far as descriptive representation and its link to substantive representation, the latter reproduces the ideologies and stereotypes of the representatives. Increases in the number of conservative deputies, men and women, could certainly favour a conservative gender agenda. If a more feminist agenda is wanted, it is important that the electorate vote accordingly.

Moreover, if women's substantive representation is to be understood as actions that truly aim to subvert and transform conservative notions of women's concerns, issues, and problems, women's descriptive representation has to be conducive to this idea. In the cases studied, the legislative agenda shows that bills authored did not promote feminist or progressive visions of women's rights and roles. In fact, most bills still conceive women in a social environment where obligations are pre-assigned to their gender. For example, health issues focus on pregnancy or employment bills on maternity leave. Legislative work has addressed employment policies, economic or health issues, but focused on a particular type of woman: women in the formal sector, where laws can directly regulate employers (i.e. bills protecting employment during pregnancy or minimum basic conditions for nursery rooms, or access to day-care centres for men and women).

³ Bills on abortion were categorized as a health issue, although it is a matter of reproductive rights. This was done because as with other issues on reproductive rights, these are addressed by the Health Commission of the Chamber of Deputies.

Few bills conceived of women beyond care giving. Some bills aimed at women who own SMEs seeking preferential conditions in accessing financial aid. The absence of certain issues and concerns was evident, such as sex work without a proper regulatory framework, or women's limited access to land (as owners), free access to contraceptives, or inequality of indigenous women with respect to other women. Legislators have also left out problems faced by women in rural areas, such as the lack of identity documents or access to financial services; or women's scarce involvement in STEM fields.

Recently elected legislators restrict their agendas on women's issues to pregnant and formally employed high-paid women. This may be linked to party politics, and legislators' ideologies. Yes, women legislators seem to be more likely than men to sponsor WI bills, but the work of all legislators is yet to embrace identity politics. Furthermore, the connection between descriptive and substantive representation exists. However, it is not isolated from the political context and from the beliefs and ideologies of the legislators. Perhaps the best way to guarantee substantive representation that truly targets women's issues is by defining this concept through a collective process. If this is the case, legislators need to work hand in hand with women's agencies and committees as well as any other organisations capable of articulating interests. This does not imply that women legislators are not addressing women's interests. As the data show, women legislators, until very recently, were mostly the ones pushing the issues on the agenda. By working with other actors, individuals, or organisations, and maybe becoming more experienced, legislators will achieve a process that recognises the significance of articulating interests, and with this, better represent all types of women, of all identities.

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Annex

List of words given to raters to establish differences between women's issues and other legislative issues.

Other legislative issues = Defense Issues, Arms Control, Foreign Affairs, International Organizations, Treaties, Economy, Taxes, Employment/ Jobs, Energy Assets, Drugs Politics, Crime, Drug trafficking, Business, Government Spending, environmental.

Women's issues = Child Care, Welfare, Parental Leave (paternity and maternity leave), equal Education, equal Pension access, Abortion, pregnancy, Women's Rights, Violence Against Women.