

Paper Abstracts for Chile Workshop April 29 2014

Panel One: Gender and Politics in Bachelet's Chile

Bachelet is Back: Reform Prospects and the Future of Democracy in Chile

Peter Siavelis (Wake Forest University)

Michelle Bachelet swept to victory for the second time in the 2013 Chilean presidential elections, ushering in a fifth Concertación (now Nueva Mayoría) government. However, the political moment President Bachelet faces is fundamentally different from that of her first term. By most accounts Chile is experiencing a deep crisis of democratic representation, with widespread discontent, protests, and demands for reform. This political discontent is largely a response to the enduring legacy of the Pinochet dictatorship's policies and the lack of significant and audacious reforms to challenge Chile's deep inequalities during the four Concertación governments and single government of the right that followed. Bachelet thus comes to power facing demands for deep and significant reforms, including a rewriting of the Pinochet era constitution. At the same time, she must build a majority for reform, holding together her potentially fractious Nueva Mayoría coalition that includes parties ranging from the centrist Christian Democrats to the Communists, as well as four recently elected deputies from the powerful student movement. This paper will evaluate the governing and reform record of the first Bachelet administration, the current state of democratic institutions in Chile, the likelihood of the emergence of a political reform agenda, as well as the potential for success of this agenda under a second Bachelet government.

Marcela Rios (UNDP) **Gender and Politics in Bachelet's Chile**

Panel Two The Gendered Politics of the Executive under Bachelet

Disrupting Informal Institutions: cabinet formation under Michelle Bachelet

Susan Franceschet (University of Calgary)

Although cabinets are, in principle, at the core of politics and policymaking in modern democracies, the formation of cabinets and the criteria for ministerial recruitment are not well understood. Part of the problem is that cabinet formation is governed mainly by norms and practices that are informal rather than formal. Yet despite being unwritten and not legally enforceable, informal institutions create expectations about behaviour, and failure to conform carries negative consequences. The fact that they are unwritten means that informal institutions become more visible when the rules they prescribe are violated and political actors and the media begin to speak more publically (although often opaquely) about a breach of established practice. More important, the dynamics surrounding change in informal institutions differs: Because they are legally enforceable negative reactions to their violation may be more successfully resisted in certain contexts. The unwritten character of informal institutions may

open up space for contestation of their meaning. Political actors can potentially use this space to resist established practices that they perceive to be problematic or disadvantageous and even recast their meaning in more favourable ways.

The process of forming Michelle Bachelet's cabinets (in 2006 and 2014) represents a unique opportunity to reveal the informal dimensions of cabinet formation in Chile as well as the possibility for changing deeply-entrenched informal institutions. Prior to her election in 2006, Michelle Bachelet promised that she would have gender equality in Chile's core political institutions, most notably, the cabinet. She also promised to bring in other 'new faces' and to break with long-established political traditions that allowed elites to take decisions behind closed doors with little transparency or accountability. But keeping these promises required that Bachelet break with existing norms and practices surrounding cabinet formation. In this paper, I examine the reactions to Bachelet's violation of established practice, and explore the extent to which various political actors – Bachelet herself, her supporters, and her critics – sought to recast the meaning of the informal rules surrounding cabinet formation. Looking at the expectations and reactions to the formation of Bachelet's cabinet following her second election in December 2013 allows us to see the extent to which the informal rules have changed: Were expectations, practices, and reactions to the formation of Bachelet's cabinet in 2014 any different from those in 2006?

Challenging Masculine Privilege: Michelle Bachelet and Formal and Informal Institutional Change within the Chilean Presidency

Gwynn Thomas (University at Buffalo SUNY)

This paper examines whether and in what ways Michelle Bachelet was able to change the gender regime within the institution of the Chilean presidency. To date, the ways in which the presidency functions as a specifically gendered institution has not been the focus of sustained scholarship in either the growing fields of institutional analysis or gender and politics. Using a feminist institutional analysis, this paper analyzes the attempts of Bachelet to change the gendered patterns and norms within the presidency and the ministries of the executive branch. The paper argues that Bachelet promoted gender equity through combining both the formal and informal powers granted to her as president. Formal changes included strengthening the power of existing institutions and policies tasked with overseeing gender issues, particularly the Servicio Nacional de la Mujer (National Women's Service, SERNAM), the Consejo de Ministros para la Igualdad de Oportunidades (Council of Ministers for the Equality of Opportunities, hereafter Council of Ministers) and the System of Gender Equity of the Improvement of State Capacity Program (PMG de genero). Informally, Bachelet invested her own political capital in promoting gender equality within the state. Taken together, the formal and informal changes promoted by Bachelet can be seen as an attempt to change the dominant gendered practices within the Chilean presidency. Bachelet's demonstrated commitment to gender equality throughout her presidency positions her presidency as a type of "best case" scenario for analyzing whether and in what ways changes to the masculine gender order of the presidency can be promoted.

This paper also examines whether these changes, or which ones, lasted beyond Bachelet's administration and whether Bachelet will once again push for gender equality within the presidency. One impediment that Bachelet will face in her second administration is the possible

lack of an existing network of well-trained professional bureaucrats committed to the resident's gender agenda. In her first term, Bachelet benefitted not only from existing institutional policies put in place by her predecessors in the Concertación, but also from professionals trained in and committed to gender equality. However, during Piñera's presidency, many of these people left state service. What this turnover might mean in terms of state functioning and capability in promoting gender equality is not yet known.

Panel Three: Gender and Policy Change under Bachelet

Michelle Bachelet's social protection agenda (2006-2010): Opportunities and constraints on gender-egalitarian policy change

Silke Staab (UN Women)

In many ways the government of Michelle Bachelet (2006-2010) represented an ideal scenario both for far-reaching social reforms and for integrating gender equality as a guiding principle within these reforms. Bachelet headed the fourth consecutive center-left government after the return to democracy (the second under socialist leadership) and her room for maneuver was comparatively greater than that of previous administrations: politically—owing to the elimination of important authoritarian enclaves—and fiscally—as a result of the boom in commodity prices. Furthermore, Bachelet was not only the first female President of the country, but had campaigned and won based on an electoral platform in which both social protection and gender equality figured prominently. One of the declared goals of her government was to articulate a rights-based social protection system that would guarantee equal opportunities from the cradle to old age. In how far did this ambitious agenda translate into substantive policy change? And to what extent were gender inequalities taken into account and addressed? The paper seeks to answer these questions by looking at two of her administration's flagship initiatives: the 2008 pension reform and the expansion of childcare services between 2006 and 2010. It argues that while the women-friendly thrust of the Bachelet presidency provided an unprecedented mandate for incorporating gender into social sector reform, policy legacies and political institutions limited the extent to which this mandate could and would be converted into concrete policy measures. Indeed, neither reform involved a frontal attack on pre-existing policy frameworks. Instead, the paper points to more subtle shifts in policy principles, goals and instruments through institutional layering, re-activation and conversion. In doing so, it draws attention to the gender implications of gradual change strategies in the context of strong institutional constraints.

The Constitutional Tribunal and the Emergency Contraception Pill under Michelle Bachelet's presidency: new institutional challenges for women's reproductive rights in old institutional settings.

Carmen Sepulveda (UCL)

The legal and political battles behind the legalisation and distribution of Emergency Contraception (EC) in Chile (2000-2010) raise many questions regarding the role of institutions for women's rights. In the context of a country that still lives under the Constitution shaped by Pinochet's regime, and is yet to fully democratise, these battles highlighted the limitations and challenges to the president's power but also the opportunities available for policy makers supporting progressive measures. Feminists and the medical lobby competed to influence key state and judicial institutions, and both faced harsh opposition by conservative forces and the

government itself. Due to the political strategies surrounding EC, the judiciary and in particular the Constitutional Tribunal became central arenas where conservative and progressive actors fought to influence the outcome of the EC policy.

This paper analyses why the Constitutional Tribunal became such a central actor for the political and legal battles surrounding the EC policy, and evaluates its impact for policymaking. This paper sustains that the political use of the judiciary or 'judicialisation', was a direct consequence of the post-authoritarian institutional setting in which all political actors have had to interact since the transition in 1990. In doing so it pays particular attention to the Constitutional Tribunal as a space where both the formal aspects of institution-building and informal aspects of institution-functioning were still strongly influenced by the legacy of the dictatorship of Pinochet's military regime. By looking at how formal and informal institutions shaped the advancement of this particular gender progressive policy and the strategies to support or hinder its distribution, the paper examines the role that the President and different ministries, on the one hand, and feminists and other EC advocates and civil society actors, on the other hand, had during the EC policy battle. The paper therefore analyses gendered institutional change as a result of the impact of the judicialisation process and Bachelet's bill to revert the Constitutional Tribunal's ban on EC distribution. The paper concludes that the eventual type of gendered change observed corresponds to the strategy used by the Bachelet administration which used the existing institutional setting and new environmental changes to their favour. In this way the paper contributes to the current research on Gendered Institutional Change.

Institutional Constraints to Consolidating Gender Justice within the Health Sector in Bachelet's Chile

Jasmine Gideon (Birkbeck, University of London)

During the first Bachelet administration it seemed that some advances were made towards integrating 'gender' into the health sector. Feminist groups were consulted on a range of health issues, a leading advocate of women's health issues was employed within the Ministry of Health to advise on gender issues, training programmes were initiated and a number of other activities occurred. Yet under the Piñera government there has been little evidence of any of this work and the health sector remains resolutely gendered. This paper will examine the Chilean health sector as a gendered institutional structure and look at how gendered norms within the sector were historically constructed and reconstituted over time. The analysis will highlight how this has led to a number of formal and informal barriers to implementing more gender-equitable policy outcomes in health and consider what the prospects are for the 2nd Bachelet government.