

# Debates on female participation in brazilian parliament: under-representation, violence and harassment

## Los debates sobre la participación de las mujeres en el parlamento brasileño: subrepresentación, la violencia y el acoso

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## Abstract

Women were one of the last social groups to conquer political rights in contemporary democracies. Although there are no more legal obstacles for female political participation (active and passive), women's presence in Brazilian parliaments is minimal. In the Lower House of Parliament (*Câmara dos Deputados*), after 2014 Elections –that is, 19 years after gender quota regulations in Brazil– women still occupy less than 10% of the seats. That being the case, in this brief study, we revisit cultural, social and institutional variables which are commonly presented as a justification for female under-representation in Brazil. Subsequently, we address gender violence situations which took place in Brazil's Lower House of Parliament, as well as how they were dealt with by this organization. Furthermore, in attempt to better understand the relations between gender, representation, violence and harassment in the political field, questionnaires were sent to representatives in the Lower House of Parliament, where the two paradigmatic cases which are object of this study took place. In this attempt, we also interview the Vice-Governor of a Brazilian state, a woman who can provide the perspective of the executive branch on the matter. The analysis of these results –including the percentage of answers– should allow us to raise a connection between gender violence in politics and female under-representation.

**Keywords:** *Democracy. Political rights. Gender. Violence.*

## Resumen

Las mujeres han sido uno de los últimos contingentes sociales en alcanzar derechos políticos dentro de las democracias contemporáneas. A pesar de no subsistir impedimentos legales para su participación política (activa o pasiva), la presencia de mujeres en el parlamento brasileño es insignificante. En la Cámara de los Diputados, tras las elecciones de 2014 –19 años después de la regulación de las cuotas de género en Brasil– las mujeres todavía ocupan menos del 10% de los asientos. En este breve estudio, se revisan las variables culturales, sociales e institucionales que se presentan comúnmente como justificación para la baja representación femenina en Brasil. Posteriormente, serán revisadas algunas situaciones de violencia de género ocurridas en la Cámara de los Diputados y el trato que se les dio dentro del organismo. Asimismo, en el intento de obtener una idea de la relación entre representación, violencia y acoso político y de género, se enviaron cuestionarios a los miembros del Parlamento Federal, escenario en donde se desarrollaron los dos casos paradigmas que serán estudiados en este trabajo. Con el mismo fin, también se entrevistó a la vicegobernadora del Estado de Piauí-Brasil, que nos proporcionó una perspectiva sobre el tema objeto de estudio en el Poder Ejecutivo. El análisis de dichos resultados –incluyendo los porcentajes de las respuestas– permite delimitar la relación entre violencia de género en la política y la escasa representación femenina.

**Palabras clave:** *Democracia. Derechos políticos. Género. Violencia.*

## Introduction

We ought to remind ourselves that the understanding of democracy has varied widely. Indeed, not so long ago, one could consider a government which granted voting rights only to male citizens as a democratic regime. Considering this, it was only after the First World War, under the influence of the *suffragette* movement, that women began conquering the political arena.

That being said, this study takes into account Robert A. Dahl's concept of an ideal democracy which consists of five criteria, under which is the inclusion of adults. According to this conception, we must consider the inclusion of women in the political sphere as a requirement for democracy. Furthermore, we must highlight that women's political participation can be regarded as an indicator of the quality of democracy (Moisés and Sanchez 2014).

In Brazil, however, women's political participation statistics as elective office holders are still very low. That is so even though the female electorate has been numerically superior to the male electorate in that country since 2002.

This minor representation in legislative houses has remained even after Brazil adopted affirmative action policies in favor of female political participation, such as a gender quota for candidates. With this in mind, and taking into account minor percentage variations on the occupation of seats in the Lower House of Parliament from 1990 to 2014, we will analyze the legislative alterations regarding the quota policy.

We shall also revisit some of the reasons for women's underrepresentation as presented both by common sense as well as by related studies. Under cultural and social variables, we analyze the following factors: underpayment, lower levels of education, double burden, different socialization process and electors prejudice. As institutional variables we point out to the role of political parties, gender quotas and the electoral system.

While highlighting the minor female representation in power contexts –specifically legislative houses– we will analyze two cases of violence against women directly related to their political activities, which took place in one of these houses. Doing so, we consider the possible relation between underrepresentation, violence and political harassment against the few women which have political, decision-making, roles. The aforementioned paradigmatic cases involve representatives Jair Bolsonaro and Maria do Rosário, in 2010, and Jandira Feghali, Roberto Freire and Alberto Fraga, in 2015.

Aside this theoretical take on the matter, we will also consider primary data. Being more specific, we will work with answers to gender violence questionnaires sent to Brazil's Lower House Congressmen and women, as well as the answers provided by Margarete Coelho, the Vice-Governor of Piauí, who was interviewed especially for this study. These results' analysis –including the percentage of answers– should allow us to raise said connection between underrepresentation, violence and political harassment.

## Democracy and women's participation

Bearing in mind the theoretical and doctrinal disputes around the definition of democracy, we have taken into account Robert A. Dahl's concept of democracy –«a modern representative democracy with universal suffrage» (2000: 90)– as well as its essential institutions.

With an ideal democracy in mind, the author indicates five criteria which a «process for governing an association would have to meet in order to satisfy the requirement that all the members are equally entitled to participate in the association's decisions about its policies»:

effective participation, voting equality, enlightened understanding, control of the agenda and inclusion of adults (Dahl 2000: 37).<sup>1</sup>

Especially important to this study is Dahl's notion of inclusive citizenship, one of democracy's political institutions which, according to the author, is necessary to satisfy the criteria of enlightened understanding, control of the agenda and inclusion of adults (Dahl 2000: 86).

That being so, in order to constitute a democracy, it is essential to include all adults in a democratically governed state, with the exception of those who are just passing by, and those who are incapable of taking care of themselves (Dahl 2000: 80). Therefore, it is necessary to acknowledge the political rights of such adults, which together, with civic education, would allow for a democratic government based on the grounds of political equality.

Regarding this matter from the quality of democracy standpoint, we have based ourselves on the studies of Diamond and Morlino (2004). These authors have developed a research line, under the quality of democracy theory, which has the following premises: deepening the studies on democracy is an imperative and reforms to improve the quality of democracy are essential, even for stabilized democracies.

The authors suggest eight dimensions under which democracies vary in quality and which may, therefore, be used as indicators to assess the quality of democracy. Some are procedural dimensions (principles regarding rules and practice): Rule of Law, participation, competition, vertical accountability and horizontal accountability. Some are substantial dimensions: respect for civil and political freedom and progressive implementation of political, social and economical equality. Last, but not least, as a connection between these two dimensions, is responsiveness.

Of special significance for this study are the indicators of participation, respect for civil and political freedom and political equality. Moisés and Sanchez (2014: 98) are precise in clarifying that:

«Fundamental rights depend on the pre-eminence of Law, whose effectiveness guarantees that the values of freedom and equality materialize; however, this only consummates with the effective political inclusion of different social groups, which allows two fundamental components of the political system – the functioning of institutions and their social context – to be joined together. On this manner, assuming that the balance in the distribution of power resources – organization and money – is an essential factor for the stabilization of the political parties system and the good functioning of democracy, the equality of opportunities in the dispute for votes, as well as political equality, take on a fundamental role for the assessment of the quality of a democratic regime. That being so, the discrimination which excludes women from representative democracy, be it formal or informal, lowers the quality of democracy, and in Brazil's case, compromises the inclusion required by the principle of political equality».<sup>2</sup>

1 On a democracy, the citizen's right to interfere on decision making must be given to the greatest possible number of people, without such restrictions as the ones existent on the last century, related to income or education criteria. As stated by Dahl (2000: 38): «all, or at any rate, most adult permanent residents should have the full right of citizens that are implied by the first four criteria».

2 Direitos fundamentais dependem do primado da lei, cuja efetividade assegura que os valores da liberdade e da igualdade se realizem; mas isto só se concretiza com a efetiva inclusão política dos diferentes segmentos sociais, o que permite articular dois componentes fundamentais do sistema político, o funcionamento das instituições e o seu contexto social. Nesse sentido, supondo que o equilíbrio na distribuição de recursos de poder – organização e dinheiro – é um fator essencial da estabilização do sistema de partidos políticos e do bom funcionamento da democracia, a igualdade de oportunidades na disputa pelo voto e a inclusão política assumem papel fundamental para a mensuração da qualidade do regime democrático. Nesse sentido, a discriminação que exclui as mulheres da democracia representativa, independente de ser formal ou informal, rebaixa a qualidade da democracia e, no caso do Brasil, compromete a inclusão requerida pelo princípio de igualdade política. (All quotes were freely translated by the authors).

That being said, it is clear that women's political inclusion and their equality of chances are factors which must be taken into consideration while assessing the quality of a democratic society.

## Women's political rights

Women's ability to exercise political rights was achieved only after a historical struggle throughout many nations, in which the role of the suffragists stood out. In Latin America the right to vote was implemented between the years of 1929 and 1961, according to data from the Inter-Parliamentary Union (2006)

In Brazil, women's right to vote was regulated in 1932, with the first Electoral Code (*Código Eleitoral*). Whereas article 2 defined an elector as (Câmara dos Deputados 1932) «the citizen over 21 years old, without gender distinction, enlisted according to this Code»;<sup>3</sup> article 121 established women's vote as optional<sup>4</sup> by stating that: «men over sixty years and women at any age may exempt themselves from any electoral obligation or service». <sup>5</sup> In order to become a candidate it was necessary to be a voter and to have at least four years of citizenship, without, as of that moment, any legal restriction regarding gender for women's exercise of passive political rights. Nonetheless, one cannot disregard the difference in treatment evidenced by the lack of obligatoriness of the women's vote.

In 1995 the 4<sup>th</sup> World Conference on Women, organized by the United Nations, took place in Beijing and resulted in the drafting of the Beijing Declaration and Platform for Action (Viotti 1995), which has impacted on public policies designed to increase female participation.

Considering the relevance of this matter, Inter-Parliamentary Union has produced a table, compiling data provided by 191 Parliaments until the 1<sup>st</sup> of February 2016 and classifying the countries according to the percentage of women in their Lower House or Single House in decreasing order. In this table, Brazil appears on 154<sup>th</sup> position, with 9.9% female presence on the Lower and 16% on the Upper House (Union 2016). It is important to observe that the first percentage is lower than half the world average.<sup>6</sup>

In order to understand this phenomenon, some explanations are in order. Therefore, in the following topics, we will analyze Brazilian's gender quota policy, as well its current situation regarding women's political participation. We will also study cultural, social and institutional variables, as to fathom women's underrepresentation in parliaments in a more comprehensive manner.

## Women's political participation in Brazil: quota regulation and current situation

The first law to address gender quotas in Brazil was Law N. 9100, of 1995, which established the rules for the 1996 local elections. This law was not a consequence of great political debates, nor was it a result of the action of feminist groups, but it derived from a bill created by the congresswoman Marta Suplicy, from Brazil's Workers' Party (*Partido dos Trabalhadores - PT*) (Araújo 2003: 80).

The law, (article 11, §3), states that «twenty per cent, at least, from each party's or coali-

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3 «O cidadão maior de 21 anos, sem distinção de sexo, alistado na forma deste Código».

4 This is no longer the case.

5 «Os homens maiores de sessenta anos e as mulheres em qualquer idade podem isentar-se de qualquer obrigação ou serviço de natureza eleitoral».

6 9% of Brazil's Lower House of Parliament, whereas the world average reaches 22,7%, according to Inter Parliamentary Union, 2016.

tions vacancies, must be occupied by women's candidatures».7 The same article, in its heading, had increased the total number of candidates to 120% of the disputed seats per party or coalition (Ministério da Justiça 1995).

Law N. 9504 has also addressed the subject with greater range: this law provides elections' general rules, which must be observed in all elections, in every sphere. This law requires a higher quota percentage, a minimum of 30% of candidates per gender (art. 10, §3º), while increasing the percentage of candidates that each party or coalition could present to 150% of the disputed seats (art. 10, heading) (Casa Civil – Presidencia da República 1997).

This increase in the number of candidates each coalition or party can present, occurring simultaneously to the insertion or enlargement of the gender quotas, had a significant impact. That is so because, if more candidates could be presented, no male candidate would be disadvantaged due to the inclusion of female candidates.

Another important aspect concerns the observance, by the parties and coalitions, of the percentage required by law. As such, the manner in which the law is interpreted can result in very different outcomes. Article 10, §3º, of Law N. 9504/1997 originally stated that «from the number of vacancies, resulting from the rules stipulated in this article, each party or coalition *must reserve* a minimum of thirty percent and a maximum of seventy percent for candidatures of each gender» ( Casa Civil – Presidencia da República 1997).

It then was considered that it would be enough for the party or coalition to reserve 30% per gender, which could or could not be filled by candidatures, without the imposition of any sanction. That is, if the party/coalitions could present candidates with an amount correspondent to 150% of the disputed seats, in case they didn't obtain the necessary 30% of female candidatures, they could simply present less than the total amount allowed by the norm.

Such interpretation somewhat weakened the effects of the quota rule to the point that the Institute for Democracy and Electoral Assistance identified that after the Elections' Law, the percentage of female candidates to the Lower House was still 10.4% in 1998 and 11.5% in 2002 (Araújo 2003: 83). The same can be said regarding 2006 elections, in which only 12.7% of the Lower House candidates were women (Tribunal Superior Eleitoral 2006).

In 2009, with the promulgation of Law N. 12034, §3º of article 10 was so modified: «from the number of vacancies, resulting from the rules stipulated in this article, each party or coalition *shall fill* a minimum of 30 % (thirty percent) and a maximum of 70% (seventy percent) with candidatures of each gender» (Casa Civil – Presidencia da República 2009).<sup>8</sup>

This modification to the wording of the article has provided the motivation for a change of jurisprudence on the subject matter, and the Superior Electoral Court began considering the number of candidates effectively presented by the party/coalition in order to calculate the minimum gender percentage required by law.<sup>9</sup>

The observance of this percentage is evaluated in the analysis of the Document on the Regularity of Parties' Acts (*Demonstrativo de Regularidade dos Atos Partidários – DRAP*) presented by each party/coalition. The nonobservance of the minimum percentage is a factor in DRAP's rejection, which impairs the analyses of all the candidatures related to it. That is to say, since independent candidature does not exist in Brazil, once the DRAP is rejected, all of the candidates presented by their respective party/coalition will have their requests for registration rejected.

7 «Vinte por cento, no mínimo, das vagas de cada partido ou coligação deverão ser preenchidas por candidaturas de mulheres».

8 «Do número de vagas resultante das regras previstas neste artigo, cada partido ou coligação preencherá o mínimo de 30% (trinta por cento) e o máximo de 70% (setenta por cento) para candidaturas de cada sexo».

9 Recurso Especial Eleitoral nº 78432, Acórdão de 12/08/2010, Relator(a) Min. ARNALDO VERSIANI LEITE SOARES, Publicação: PSESS - Publicado em Sessão, Data 12/8/2010 RJTSE - Revista de jurisprudência do TSE, Volume 21, Tomo 3, Data 12/8/2010, Página 62 ). No mesmo sentido: Recurso Especial Eleitoral nº 2939, Acórdão de 06/11/2012, Relator(a) Min. ARNALDO VERSIANI LEITE SOARES, Publicação: PSESS - Publicado em Sessão, Data 06/11/2012.

In spite of the aforementioned modification to the law and its interpretation it is possible to observe, on official statistics related to the 2010 elections, that amongst the candidates to the Lower House, only 22.7% were women (Tribunal Superior Eleitoral 2010). And even though it was quite close to the legal requirement, in 2014 the female candidates to the Lower House were limited to 29.2%. The violation of the minimum percentage established by law, therefore, remains. A possible explanation for this fact is that some female candidates waive their candidatures after the replacement deadline.<sup>10</sup>

However, plausible this may be, it must be highlighted that, in many cases, several women affiliated to political parties end up being presented as candidates without their knowledge or consent, with the formalization of what has been called a straw-woman (*mulher laranja*). In some cases, we encounter falsified signatures of the supposed candidates on the documents. In others, the party or coalition representative signs such documents without presenting the necessary power of attorney, granting specific authorization.

There are some other rules regarding women's political participation and inclusion which must also be mentioned. Together with the gender quotas rule, Law N. 12.034/2009 has also modified Law N. 9096/1995, establishing the obligation that at least 5% of the total amount received from the Parties Fund be applied to «the creation and maintenance of programs to promote and disseminate women's political participation, according to a percentage which will be established by the national direction organ of each party» (Casa Civil – Presidência da República 2009).<sup>11</sup>

Another modification implemented by Law N. 12.034/2009 was the insertion of article 45, IV, in Law N. 9096/1995, obligating parties to «promote and disseminate women's political participation, dedicating them a time which shall be fixed by the party's national organ, observing a minimum of 10%» of their free advertisement time (Casa Civil – Presidência da República 2009).<sup>12</sup>

However, one may question the effectiveness of such legal requirements, considering, firstly, that political parties' advertisement –contrary to electoral advertisement– aims at obtaining support for the party by, amongst other things, trying to increase the number of affiliates. Therefore, the party still has the ability to, for example, distribute amongst its candidates its free electoral advertising time. There is no assurance that, once being a candidate, a woman will be able to count on the actual support of her party.

Under this legal scenario, even though women represent more than half of Brazil's population (51,03%, according to IBGE 2010); more than half of the country's electorate (52,13%, according to TSE 2014: 20); more than 40% of political parties' affiliates (Alvarez 2008); and 46,1% of the economically active population (IBGE 2012). Nevertheless, this percentage does not replicate itself proportionally when we look at the occupation of elected offices. In 2014's election, from 15,918 presented candidatures, only 6,470 were female. That equates to 28.9% of all candidates being female, according to TSE (Tribunal Superior Eleitoral 2014: 20).

When we consider, however, those who were actually elected, the percentage is considerably inferior. From a total of 1,627 disputed seats, only 178 were occupied by women, which represent 10.94% of the total of elected (Tribunal Superior Eleitoral 2014). It is necessary to highlight, therefore, that even though 19.77% of the candidates to Senate and 20.02% of the

10 *Recurso Especial Eleitoral nº 21498, Acórdão de 23/05/2013, Relator(a) Min. HENRIQUE NEVES DA SILVA, Publicação: DJE - Diário de justiça eletrônico, Tomo 117, Data 24/06/2013, Página 56.*

11 «Na criação e manutenção de programas de promoção e difusão da participação política das mulheres conforme percentual que será fixado pelo órgão nacional de direção partidária».

12 «Promover e difundir a participação política feminina, dedicando às mulheres o tempo que será fixado pelo órgão nacional de direção partidária, observado o mínimo de 10% (dez por cento)».

candidates to the Lower House (*Câmara dos Deputados*) were women, only 18.52% of the elected Senators and 9.94% of the Deputies are female.<sup>13</sup>

Such disproportional correlation between candidates and elected women was recognized by Moisés and Sanchez (2014: 101), through the analysis of Superior Electoral Court’s data (*Tribunal Superior Eleitoral-TSE*), in which they have verified that, though female candidatures were implemented, they were not successfully converted into parliament seats. Indeed, from 6,470 women who ran for an elected office in Brazil in 2014, only 178 were actually chosen. That is a success rate of approximately 2.75% for female candidates.

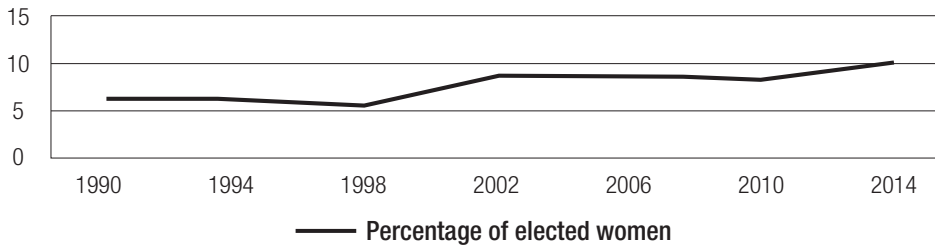
For this reason, we verify that, in spite of the quota regulation and the considerable female electorate in the country, the number of women in elective offices is still not proportional. That being so, in order to better understand the current situation, it is fundamental to analyze cultural, social and institutional variables around this subject.<sup>14</sup>

### Institutional variables

Under the institutional variables which are usually pointed out as justification for women’s underrepresentation arise the already mentioned existence of quotas, the role of the political parties, and the electoral system.

As we have pointed out in the previous section, the Brazilian quota regulation has not been successful in overcoming underrepresentation. According to historical data presented by Inter-Parliamentary Union, it is possible to compare the percentage of female participation in the Lower House of Parliament between 1990 and 2014:

**Graph 1. Percentage of elected women in Brazil between 1990 and 2014 – Lower House**



Source: Self-elaborated with data provided by Inter-Parliamentary Union

Firstly, it must be noted that the legal requirement was introduced on the Brazilian legal system for the general elections in 1998. However, we can identify a decrease in representation between 1994’s election and 1998’s election: from 6.23% to 5.65% with the implementation of quotas.

<sup>13</sup> Percentages may vary a little according to the source: IPU or TSE.

<sup>14</sup> It is important to highlight that we do not mean to say that these variables are determining, but intend only to verify if the usually appointed justifications for women’s low success rates are without reason or not. That is, we do not assume that such variables are established and determining.



The modification of article 10, §3º of the Elections' Law, which led to a change in jurisprudence, happened in 2009. That being said, it is interesting to notice that in 2010 there has been, same as in 1998, a decrease in women's representation: from 8.77% in the Lower House in 2006, to 8.54% in 2010.

Not even in the 2014 elections was the quota's impact intense: female participation increased to 9.94% of the seats in the Lower House. In fact, the variation between women's representation in 1990 –when there was no mechanism to support female candidatures– and 2014 –conducted with the legal requirement to present a minimum of 30% candidatures per gender, under the penalty of the DRAP's rejection– is a 3.98% (in 1990 5.96% from all the elected were women, and in 2014 that number increased to 9.94%).

As seen, such increase in female presence in the legislative house represents nothing but a natural growth, not at all propelled by the insertion of the quota policy in 1997 or its modification in 2009. That is so because, as pointed out by Bruno Bolognesi, «the chances of election are an important aspect under the standpoint of the impact and success of an affirmative action adopted as a public policy» (2012: 114),<sup>15</sup> and a simple candidature quota does not take that into account.

Under this conception, it must be pointed out that the approach adopted by political parties reinforces the idea that the quota policy, such as formulated in Brazil, is not effective. The parties dedicate themselves to formally fulfill the legal requirement, but do not engage in the development of women's political capital or in ensuring them real chances to be elected. In some cases, as mentioned before, they falsify registers for women who have not agreed to be candidates in the first place. It seems, therefore, that political parties are the main institutions acting against female participation in political candidatures. This assertion can be verified in the context of the numerous situations that are intended to fool the quota rules. As stated by Fernanda Feitosa (2012: 164):

«The political parties are the most resistant institution to open up to women's political participation. There is a correlation of forces, a natural dispute for power spaces, since every place made available to a woman implies the reduction of male participation. That being so, women's insertion in Brazilian politics happens not by means of formal politics, but through their actions in civil society institutions. On top of that, studies conducted on the last few years have found that the electors are more willing to vote both for men and for women, in equal conditions, whereas the parties and, particularly the political elites, show an exacerbated conservatism».<sup>16</sup>

Last but not least, it is important to consider that Brazil adopts the proportional electoral system with an open single-name (uninominal) list to choose their representatives in Parliament, except for election to the Senate (*Senado*), which utilizes the majoritarian system. This model of proportional system allows the elector to choose his preferred candidate from those presented by a political party or coalition on a non-ordered list. The electors in Brazil may opt to vote for

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15 «Chances de eleição são um aspecto importante do ponto de vista do impacto e do sucesso de uma ação afirmativa tomada como política pública».

16 *Os partidos políticos são as instituições mais resistentes a abrir-se à participação política das mulheres. Existe uma correlação de forças, uma natural disputa por espaços de poder, uma vez que cada vaga que se abre a uma mulher implica a redução da participação masculina. Dessa forma, a inserção da mulher na política Brasileira acontece não por meio da política formal, mas sim pela sua atuação em instituições da sociedade civil. Além disso, os estudos feitos nos últimos anos constataram que os eleitores estão mais dispostos a votar tanto em homens como em mulheres em igualdade de condições, enquanto os partidos e, sobretudo, as elites políticas mostram um conservadorismo exacerbado.*

a single candidate, or simply on the party label (Nicolau 2004: 57). The parties may still form coalitions (Constitutional Amendment n. 52/2006, art. 17, §1º, CR/88).

Once the non-ordered candidate list is presented, citizens are free to vote for any candidate or party (label vote), or even for no candidate at all (blank/null vote), in such a manner that it is not possible to ensure the election of any percentage of female candidates with the quota regulation as it is. Having analyzed the impact of the institutional variables on female political participation, we go on to the cultural and social ones.

### **Cultural and social variables**

Taking into consideration the factors which are commonly presented –also by common sense– as a justification for female underrepresentation in Brazil, one can point out social and cultural variables regarding underpayment, lower level of formal education, double burden, different socialization process (prioritizing private life) as well as the electors' prejudice.

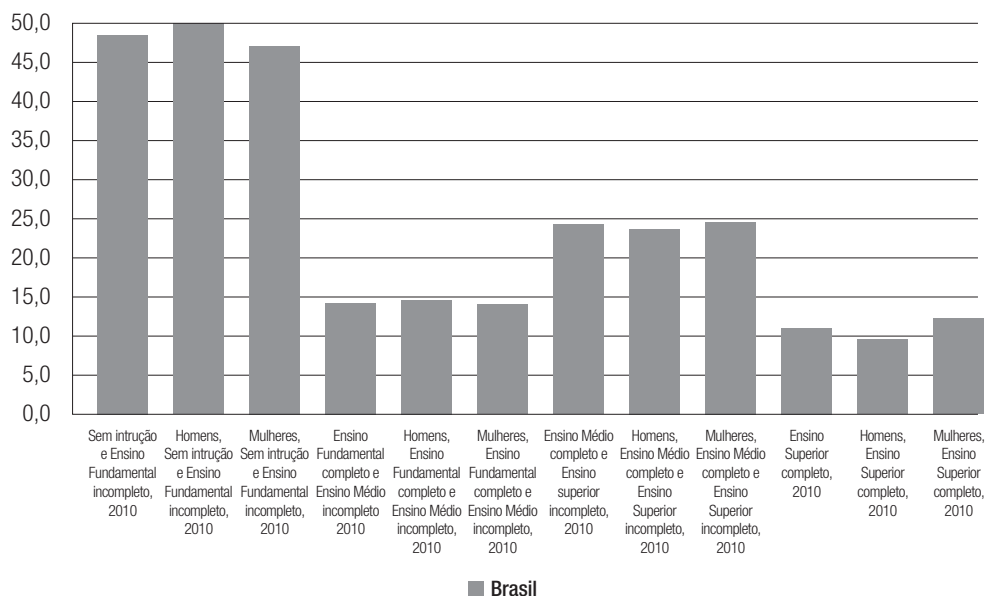
IBGE's 2010 demographic census confirms the first variable: women are paid 67,60% of men's revenue. When one compares this result with the one obtained on the 2000 census, it can be verified that the inequality between men and women in the formal job market has increased. And even though historically the difference between men and women's revenue has decreased, it is important to keep in mind that this decrease is small, and, if it continues in the same rhythm, it will take many years before women achieve payment equality.<sup>17</sup>

The allegation that women have lower levels of formal instruction, however, is a fallacy. IBGE'S 2010 demographic census has identified a very small difference in formal instruction levels between genders. It is noticeable, nonetheless, that the number of women who have graduated high school and who have graduated college is greater than the number of men. Between uneducated people and people who have not finished middle school, men are the majority.

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17 On the subject: <http://www1.folha.uol.com.br/asmiais/2015/09/1675183-no-ritmo-atual-fim-da-desigualdade-entre-homens-e-mulheres-demoraria-240-anos.shtml> We also suggest the article *Diferenças de rendimento do trabalho de homens e mulheres com educação superior nas metrópoles*, by *Eugenia Troncoso Leone and Paulo Baltar*, 2006.

**Graph 2. Proportion of people according to the instruction level (respectively: total/men/women)<sup>18</sup>**



Source: IBGE, Demographic Census, 2010

Women’s double burden is certainly related to the socialization variable, which is very different than the socialization process which men go through. Generally, women’s socialization is directed to family life – responsibilities regarding home, family, children, amongst others– whilst men’s process highlights public life, career, competition, and so on.

Teresa Sacchet (2009) tries to analyze the formation of social capital between men and women under Putman, for whom social capital can be defined as the connections between individuals inside a community: their networks and the rules of trust and reciprocity which derive from them.<sup>19</sup> Initially, Sacchet (2009: 327) detects that men and women have similar patterns regarding the amount of social capital, but there is a great variation on the type of social capital:

«Data analysis has shown that men tend to take more part in public associations, which involve activities from the public sphere, are more heterogeneous and handle diverse matters. Women, on the other hand, participate in more homogeneous groups, related to the care and well being of family and community. The existence of distinct associative patterns between men and women results on the creation of different networks by these two groups, which would bring different benefits»<sup>20</sup>.

18 Due to the impossibility of translating the graph, the categories are, as follows (always presented in the order of total, men and women): No instruction or incomplete middle school level; complete middle school and incomplete high school level; complete high school and incomplete college level; graduated college.

19 According to Putnam, «social capital refers to social networks and the associated norms of reciprocity» (Clarke 2004).

20 *A análise dos dados demonstrou que os homens tendem a participar mais em associações de caráter público, que envolve atividades da esfera pública, são mais heterogêneas e que tratam de temas diversos. As mulheres, por outro lado, participam em grupos mais homogêneos ligados ao cuidado e ao bem estar da família e da comunidade. A existência de padrões associativos distintos entre homens e mulheres resulta no estabelecimento de redes diversas pelos dois grupos que trariam diferentes benefícios.*

According to this analyzes, the type of social capital can interfere, for example, with women's chances of political success.

Concerning elector's prejudice, the first research that must be highlighted was performed by Patrícia Galvão agency, together with IBOPE in 2013. The research regarding women's political participation concluded that most Brazilians support a political reform to ensure greater political participation for women: 74% of the interviewed said that real democracy only exists with more women in decision-making and power spheres; and 80% of them agree that «Brazilian laws should change in order to ensure that there is the same number of women and men in all elected office such as congressmen, etc».<sup>21</sup>

Another research, performed by Procuradoria Especial da Mulher and DataSenado (2014), detected that the interviewed agreed to greater women political participation: 83% of them said that the gender of the candidate does not matter. Considering both studies, we can recognize that there is no such thing as elector's prejudice, that is, an elector does not decide not to vote for a certain candidate only because she is a women.

However, it is important to remind ourselves that, amongst other difficulties, women tend to find greater obstacles to obtain campaign funding. Indeed, Tereza Sacchet and Bruno Speck (2010) have identified that the chance of electoral success is directly proportional to the amount of financial resources utilized by the candidate in his campaign. They have also observed that women receive less funding resources than men in every front, even if they have similar political experience.

On this subject, according to the database *As Caras*, the 15 biggest campaign donors for federal representatives in 2014 have destined R\$325.447.961,00 for men and R\$41.829.384,00 for women, which have received, therefore, *circa* 13% of men's resources.

With this consideration, we conclude the study of the cultural and social variables around women's political participation and go on to the analyzes of the gender violence situations which took place in Brazil's Lower House of Parliament. Furthermore, we will analyze the answers to gender violence questionnaires sent to Brazil's Lower House Congressmen and women, which should allow us to raise said connection between underrepresentation, violence and political harassment.

## Gender violence in Brazil's Lower House of Parliament

The first paradigmatic gender violence situation in Brazil's Lower House which we will analyze of Parliament had its origin when congressman Jair Bolsonaro told Congresswoman Maria do Rosário that «he would not rape her, because she did not deserve it».<sup>22</sup> This was said during the congressman's interview to Rede TV on the reduction of criminal responsibility age.

During this interview, the congresswoman argued that Jair Bolsonaro was promoting violence, in reaction to which he interrupted the interview to ask «so I am a rapist?». In the chaos that took place after this statement, the congresswoman –which had not made such affirmation– ended up answering «yes» to Bolsonaro's questioning. In this context, the congressman answered by saying that he would not rape her because she did not deserve it, pushed Maria do Rosário and called her a «slut».

The mess was then controlled by the security team in the Congress' Green Room. The congresswoman moved away in tears, and did not want to give any statements. The entire scene was recorded and can be easily found in Youtube (2008). However, in spite of the repercussion,

21 «As leis Brasileiras deveriam mudar para garantir que haja o mesmo número de mulheres e homens em todos os cargos políticos, tais como deputado, vereador e senador» (Ibope and Patrícia Galvão 2013).

22 «Não a estupraria porque ela não merece».

it is not possible to find on the Chamber of Deputies' website any proceedings against the congressman on the subject.

On the December 9<sup>th</sup> 2014's legislative session, congressman Bolsonaro recalled the 2003 episode and further attacked the congresswoman by saying «don't leave, Maria do Rosário, stay there. [...] A few days ago you called me a rapist in the Green Room and I told you I would not rape you because you did not deserve it. Stay here and listen».<sup>23</sup>

On the next day, four political parties represented against Bolsonaro before the House's Council of Ethics and Parliamentary Decorum (Representation number 36/2014) A process was then established on December 16<sup>th</sup> 2014 (Process number 20/2014). However, it was archived shortly after, on the grounds that the Parliament's legislature time had ended.

Despite the institutional result on the Lower House, the Federal District's Court condemned the congressmen to pay ten thousand reais on moral damages, as well as to publish a retraction in an ostensive manner (Poder Judiciário da União 2015).

The second case took place on May 6<sup>th</sup> 2015, during a Voting Session in which congresswoman Jandira Feghali was physically assaulted by congressman Roberto Freire and verbally attacked by Congressman Alberto Fraga.

While a fellow congressman was making a speech, congresswoman Feghali placed herself next to him, keeping other congressmen from interfering by holding up her arm. At that time, congressman Roberto Freire came closer and forced her arm down, causing her to speak out against the physical violence.

In reaction to this complaint, when the session resumed, congressman Alberto Fraga asked for the right to speak and said on the microphone that «no one can use their position as a woman to assault whomever. And I always say that women who take part in politics and hit like a man must take a beating like a man as well. That is right, [...] and those who are brave enough can come look for me afterwards».

Under this scenario two representations were presented before the House's Council of Ethics and Parliamentary Decorum: Representation 02/2015 against congressman Alberto Fraga (Câmara dos Deputados 2015) and Representation 03/2015 against congressman Roberto Freire (Câmara dos Deputados 2015).

It is interesting to point out that, in the first of these representations, there is a letter of solidarity signed by other congresswomen. In it, they present some other cases of gender violence in the Legislative House, such as offensive and prejudicial declarations made by congressman Duarte Nogueira about congresswoman Manuela D'Ávila's personal life.

According to the letter, congresswoman Alice Portugal was once abruptly interrupted in her speech, had her microphone cut, and was almost physically assaulted by the aggressor –a legislative employee– who was held back by colleagues. They also point out that congresswoman Janete Capiberibe was interrupted and intimidated by congressman Roberto Góes, while making a speech.

The letter concludes that «the Lower House of Parliament is impregnated with the worst references of conservatism, machismo, and misogyny».<sup>24</sup> Many other entities and authorities, including the president Dilma Rousseff, also manifested their support for the congresswoman.

This representation, however, was archived in November 18<sup>th</sup> 2015, on the grounds that the congressman's attitude was not against Parliamentary Decorum. According to the approved opinion, he had been only speaking figuratively, and did not mean to hurt whomever. «Hitting» and «taking a beat» in this context, were merely expressions for the political debate, so the opinion.

23 «Não sei daqui não, Maria do Rosário. Fica aí, fica. Há poucos dias você me chamou de esturador, no Salão Verde, e eu falei que não ia esturpar você porque você não merece. Fica aqui pra ouvir».

24 «A Câmara dos Deputados está impregnada com as piores referências de conservadorismo, machismo e misoginia».

Representation 03/2015 against Roberto Freire was also archived on March 16<sup>th</sup> 2016. The arguments presented on the approved opinion must be highlighted here:

«In the middle of the mess, in order to maintain balance and make his way into the crowd of representatives, it may be possible that the PPS Congressman touched and even pulled Jandira's arm. She then started to yell aggressively, stating that she was being attacked by a man. Accused Freire's machismo and his alleged truculence.

At this time, by the way, Congressman Alberto Fraga (DEM-DF) went to the microphone to Freire's defense. He stated that he was nearby, he watched everything and the Congressman did not harass anyone.

Gentlemen of the Council, Roberto Freire is one of the most respected and influent Brazilian politician»<sup>25</sup>

It must be pointed out, firstly, that the utilized reference –as a witness of what had happened– was precisely Alberto Fraga, who had verbally assaulted the congresswoman. Furthermore, the Council who archived these two last Representations was composed only by male representatives. This fact makes us question the relation between women's underrepresentation and tolerance for gender violence.

### Gender violence questionnaires

We have e-mailed all the 513 representatives of the Lower House of Parliament a questionnaire on gender violence and politics. It consists of three identification items –name, represented state and the number mandates held–, three objective questions on gender violence in elective offices, two questions on their experience regarding gender violence, and two items on the possibility to disclose provided information.

Unfortunately, only eight congressmen and women –all of whom held more than mandate– provided responses. Though this is a factor which must be considered as a result, the context in which this research took place must be taken into account. Brazil's recent political scenery is considerably troubled: the president is undergoing an Impeachment<sup>26</sup> process with great Parliamentary involvement, it is not possible to state that the result demonstrates indifference.

Firstly, it is interesting to point out that one of the congresswomen who has provided answers is Jandira Feghali, who was victim of one of the analyzed episodes. Her response happened to approach precisely the before mentioned episodes, and the archiving of Representation 02/2015, which –as she highlighted– happened exactly on the week of the International Day for the Elimination of Violence against Women.

According to her, the emitted opinion has «trivialized violence against women and, particularly, their political engagement. This decision also places a question made important by the struggle of brave women as a minor thing».<sup>27</sup>

While explaining the physical and verbal attacks she underwent, she states that Alberto

25 *Ali, em empurra-empurra, para se equilibrar e transitar no aglomerado de parlamentares é até possível que o Deputado do PPS tenha tocado ou, até mesmo, puxado o braço de Jandira, que começou a gritar de forma agressiva, afirmando que estava sendo agredida por um homem. Acusou o "machismo" de Freire e sua suposta truculência. Nesse momento, aliás, o Deputado Alberto Fraga (DEM-DF) foi a um microfone em defesa de Freire. Afirmou que estava ao lado, que assistiu a tudo e que o deputado do PPS não havia agredido ninguém. Senhores do Conselho, Roberto Freire é um dos mais respeitados e influentes políticos Brasileiros.*

26 The choice of the term impeachment does not imply any position of the authors regarding the regularity or irregularity of the process. It was chosen here to identify the adopted procedure, in which the Parliamentarians took part and to point out the troubled political scenery.

27 *«O parecer do relator banalizou a violência praticada contra a mulher e, particularmente, a atuação política delas. Essa decisão também coloca uma questão que só tomou relevo pela luta de mulheres corajosas, como uma coisa menor».*

Fraga's speech was clear and can be so translated: «If women dare enter the political sphere and defend their opinions, they are taking on a behavior which is particular to men and therefore they must be treated as he judges it is normal to treat other men, with violence».<sup>28</sup>

She also highlights the severe consequences and repercussion of this speech in a country where two thousand women are killed by their partner or ex-partners each year.

Congresswoman Jô Moraes also highlighted Jandira's case as a gender violence situation which she got to witness. She too considered that the congressmen committed acts of violence –and instigation of violence– against the congresswoman and, when the case was brought to the Ethics Council, it was minimized and they attempted to blame Jandira for the situation.

Other situation she considered relevant took place between congresswoman Alice Portugal and a Lower House's employee who disrespected her in such an absurd manner that he failed to consider the most basic rules of conduct in the House.

She also thought important to accentuate that gender prejudice is deeply rooted in our society and can manifest itself in the smallest of acts. She then narrated that once, in a political meeting of party leaders, she and congresswomen Luciana Genro were left on their feet. In the same context, the person responsible for serving coffee ignored the congresswomen and served only the men present.

Congresswoman Luciana Santos also alerts that gender discrimination can be very subtle. For this reason, she does not consider they can all be classified as aggression, though they are clearly expression of the machismo rooted in our society.

The congressmen who answered the questionnaire, however, have not expanded on their answers. One of them stated he witnessed verbal harassment with gender background many times in his mandates. Two others mean they have witnessed it more than once. And two more said that they have never witness such situation.

Amongst the congresswomen, one stated she has suffered verbal harassment with gender background many times in her mandates and two others pointed out that they have experienced it at least once. When it comes to physical aggression with gender motivation, two congressmen say they were present in such a situation at least once and three other deny having seen it during their mandates. Only one of the three congresswomen answered to being victim of this aggression. All of the interviewed men answered that they were never disfavored in their political activities because of their gender, and only one of the women answered that she has been disfavored.

Having concluded the presentation of the results of the research between member of the national legislative, we then focus on the interview that can disclosure a new point of view, the one from a member of the executive branch.

### **Vice-governor's interview**

Margarete Coelho got involved with politics while she was still in Law School. At the age of nineteen years old, she was already part of the political campaign of the men who later became her husband, and with whom she began building a political project. She was seen as a reference in her party, having worked as a lawyer for free and presided many coalitions. She had already been invited to be a candidate many times when her party chose her to run for the state assembly. She was successfully elected and ended her mandate with a great evaluation, which is why she was invited and decided to run for Vice-Governor of Piauí.

Addressing the matter of gender violence, she points out that it is «invisible», in a way, because we have grown accustomed to it. As an occupant of an elected office, she has undergone

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28 «Se as mulheres se atrevem a entrar na política e defender com veemência suas opiniões estão assumindo um comportamento que é próprio dos homens e, portanto, devem ser tratadas como ele julga normal tratar outro homem, na violência.»

two gender related situations, both involving a newspaper. The first time she has to replace the Governor, a festivity was organized to celebrate the first time a woman was in charge of government in the State. The next day, the newspaper published the following sentence: «what good is it to have a woman Governor, if the stones in the Governor's House are dirty and the gardens are poorly taken care of?».<sup>29</sup>

The next time she had to take the Governors' place, the state was undergoing a serious crisis. At this moment she was interviewed by a journalist who asked her, amongst others, a political question not related to the state's situation. This journalist published a story whose title read: «what good is it to have a woman in government when there are women dying, prison mates rebelling and she is talking politics?».<sup>30</sup>

The Vice-Governor makes two reflections on these episodes: firstly, they clearly show the expectation that women do not meddle in politics, but remain in the domestic environment; secondly, it is as though the gate for women was always pushed further always, the more they struggle to take part in the political life.

The information provided by the interviewee shows another aspect of the harassment women may undergo for occupying the political space: the one of the media.

### A brief appointment on gender violence

According to Lima and Mélo (2012: 191), «gender must be conceived as a relation of power and not a fixed position attributed to people»,<sup>31</sup> so that violence against women must be understood in this context (Carlotto 2001: 205). Furthermore, «this violence is motivated by expressions of inequality based in the biological gender condition» (Bandeira 2014: 450).<sup>32</sup>

That being the case, it must be highlighted that there are many forms of violence against women, from which the physical one is only the most apparent. There is, for instance, moral violence, identified by Bandeira (2014: 459) as the «foundation for all other types of gender violence, which can occur without an explicit verbal offense, through gestures, attitudes and looks, once it is part of the customary environment».<sup>33</sup> This is illustrated by both paradigmatic cases analyzed in the former topic, as well as by the way they were handled by the Lower House, through the archiving of representations.

One of the means this violence reveals itself is through gaslighting: the naturalization of women as emotionally uncontrolled. When the opinion emitted in Representation 03/2015 presents congressman Freire as a political role model and congresswoman Feghali as an aggressive person, this form of violence is made clear. Another gender violence briefly indicated in this study is known as mainterrupting: situations in which a woman is unable to finish a speech because she is constantly interrupted, normally by a men, were evidence in the cases of Janete Capiberibe and Alice Portugal.

### Final considerations

In this study we have approached two important perspectives on women's political participation. The first one relates to why its participation is so low and the second one –as will be seen– demonstrates why it is so important to increase it.

29 «De que vale ter uma mulher governadora, e o palácio estar com o mármore encardido e os jardins *mal-cuidados?*».

30 «De que basta ter uma mulher no governo e ter mulheres morrendo na maternidade e ter rebeliões nos presídios e ela está falando só de política?».

31 Gênero deve ser concebido como uma relação de poder e não uma posição fixa atribuída às pessoas.

32 *Tal violência ocorre motivada pelas expressões de desigualdades baseadas na condição de sexo.*

33 *Argamassa para todos os outros tipos de violência de gênero, podendo ocorrer sem ofensa verbal explícita, por meio de gestos, atitudes ou olhares, uma vez que se inscreve no ambiente costumeiro.*



The identified reasons for underrepresentation, related to institutional variables, were Brazil's electoral system, its inefficient quota policy and the position of political parties. Amongst the social and cultural variables, we have pointed out –with no pretension to exhaust the discussion– women's socialization process and formation of a different social capital, restrained to the private sphere, as well as the difficulty to obtain campaign funding.

The importance to increase participation can be deduced from theory's which indicate equality as a criterion for democracy, or those who consider women's participation as an autonomous indicator of the quality of democracy.

Furthermore, it was verified that there is an important relation between underrepresentation and violence against women in political spaces. Such relation is evidence by the paradigmatic cases of violence against Congresswomen and how they were handled.

It is somewhat surprising how there was no embarrassment in practicing acts of violence and harassment in such an important public and political area. It is even more frightening how the aggressors found support in their peers who chose to archive all presented representations based on a very short and simplistic opinion, in which the aggressor can almost appear as a victim and the woman's statement is discredited as an overreaction (especially in Representation n. 03/2015).

As we have pointed out, the archiving decisions were taken by a Commission composed entirely by congressmen. That being the case, these decisions are representative of an appropriation of speech by the men, who end up with the final word on a gender related – and therefore a power related – violence.

Regarding the gender violence questionnaires, we can identify a clear difference in the perception of the situations amongst Congressmen. Even though they have taken part on at least one legislature together –the one with Jandira Feghali's case took place– some of them considered that they had never witnessed any gender violence. As for the congresswomen, the most important lesson in this study is that of the recognition of gender violence situations –no matter how small– in the political context they inserted on.

Another relevant conclusion is that also, for a part of the media, the women's role is restrained to the private aspect: even acting as a governor, a woman should be more concerned with cleanness of the physical space. There is also a clarifying metaphor of what women go through when struggling in the political arena: the gate is always pushed further away.

Under these considerations, we must ask ourselves: if violence against women happens in power and public spaces and still goes unpunished, what is the message the rest of the society receives?

The reaction to the gender violence situations which take place in the Parliaments representative of the role attributed to women in Brazilian society, which must urgently be rethought. With this in mind, the increase in women's political participation appears once again as an essential factor: as the society gets used to seeing women in position of power, this not only impacts on the way they are perceived and treated, but also allows them to make decisions by, for example, taking part on the Ethic and Decorum Council.

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