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**GENDER-BASED POLITICAL HARASSMENT AND
VIOLENCE: EFFECTS ON THE POLITICAL
WORK AND PUBLIC ROLES OF WOMEN**

**ACOSO Y VIOLENCIA POLÍTICA EN RAZÓN
DE GÉNERO AFECTAN EL TRABAJO POLÍTICO
Y GESTIÓN PÚBLICA DE LAS MUJERES**

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ABSTRACT

This article shows the significance of the problems of political harassment and violence against women in positions of political responsibility in Bolivia. This phenomenon is seen in both rural and urban areas and transcends borders. It has been shown that these attacks constitute a violation of women's civil and political rights and a threat to the physical and mental health of women leaders in Bolivia. Furthermore, there is no punishment of guilty parties, reparation, or moral or material compensation for the women who are affected. In Bolivia, gender-based harassment and violence is a fundamental barrier to women's political participation. However, this phenomenon is still not addressed by government programs and is not part of the public discourse and debate. In spite of the measures taken to promote women's political participation, several different administrations have been unable to guarantee women the capacity to occupy positions of responsibility without being threatened or harassed. The results of our research led to a bill addressing this problem. Subsequently, Ecuador took this bill as an example and replicated it in a legislative initiative. These results show the importance of research by organizations that represent women in preventing unjust situations and health problems.

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RESUMEN

Este artículo muestra la importancia de los problemas de acoso y violencia política hacia las mujeres que ejercen puestos de responsabilidad política en Bolivia. Este fenómeno se encuentra tanto en áreas rurales como urbanas y traspasa fronteras. Se ha demostrado que tales ataques constituyen una violación de sus derechos ciudadanos y políticos y una amenaza para la salud física y mental de nuestras lideresas en Bolivia sin que medie un castigo a los culpables, la reparación ni satisfacción material ni moral hacia las mujeres afectadas. En Bolivia, el acoso y violencia política en razón de género, es la barrera fundamental para la participación política de las mujeres. Sin embargo, este fenómeno es todavía desconocido e ignorado en los programas de gobierno, en el discurso y debate público. A pesar de las medidas para promover la participación de las mujeres, los diferentes gobiernos bolivianos han sido incapaces de garantizar el que las mujeres puedan ocupar puestos de responsabilidad sin ser amenazadas, ni acosadas. Los resultados de nuestra investigación dieron lugar a una propuesta de Ley sobre la problemática para su prevención y atención. Posteriormente, el Ecuador tomó este ejemplo para replicar la iniciativa legislativa. Estos resultados muestran la importancia de las investigaciones que nacen de las organizaciones que representan a las mujeres para la prevención de situaciones injustas y problemas de salud.

Women in Bolivia have never been absent from the economic life of the country. In fact, according to the Institute of Statistics (*Instituto de Estadísticas*, or INE), in 2001 women represented about 40 percent of the economically active population [1]. Despite the importance of women's role in the economy, they lack political representation. During the period 1985-2009, during which a representative democracy was established, only 31 women have occupied one of the state ministry's 120 positions.¹ Similarly, over this period only nine of 162 senators, and 83 of 780 representatives, were women. In local representation, we also see a deficit in the same time period: only 1145 women have held positions on city councils, and only 46 have been elected mayor.

Women's inroads into the political decision-making arena have met many obstacles, including harassment and violence that threaten women's physical and mental integrity. The harassment of one female member of a city council by a municipal authority led to the creation of the Association of Female City Council Members of Bolivia (*Asociación de Concejales de Bolivia*, or ACOBOL), whose goal is to unite and organize female city council members, ex-city council members, mayors, and ex-mayors in the country, in order to defend their interests and political rights. Until that time, the presence of women in the municipal public sphere was not part of the public agenda of women in Bolivia; nor was it

¹The first female Minister of State was appointed in 1969 in the Department of Labor and Workforce Development.

part of the government agenda or of the agendas of feminine or feminist social movements.

This article describes the arduous 10-year-long process led by ACOBOL to guarantee women's rights to political participation in Bolivia without harassment or violence, in order to protect the physical integrity and mental health of women in the political decision-making arena. This article also discusses the results of this process.

INITIAL PROCESS

In 2000 and 2001, ACOBOL worked on filing complaints. For example, during the Seminar of Female City Council Members held in November 2000, and in the Commission on Decentralization and Popular Participation in the House of Representatives, complaints were filed involving cases of harassment and violence in various rural districts of the country.

ACOBOL analyzed the national and district-level legislation in search of articles providing legal protection in cases of harassment and political violence. Finding none, in 2001 the president of ACOBOL and her technical team proposed developing a bill for a law against political harassment of women.

The same year, ACOBOL began providing free services in the areas of legal consulting and the compilation and follow-up of cases filed with state institutions. ACOBOL provided support and consulting through the nine District Associations of Female City Council Members in two ways: first, by sending letters to the political party to which the affected council woman belonged and to the presidents of the relevant city councils, asking for their impartiality and help for the victim; and second, by providing guidance for the victim and defending her.

DOCUMENTING COMPLAINTS OF HARASSMENT AND VIOLENCE

Between 2000 and 2005, 117 testimonies were gathered regarding several types of cases for which complaints were filed—about 19 cases per year. Analysis of these testimonies shows that the main acts against women fell into broad categories (see Figure 1). Nearly 80 percent of these acts were of one of three types: pressure on women to resign from positions as city council members, other political positions, or political organizations (36%); acts of violence (sexual, physical, and psychological) and abuse of authority (21%); or interference with council members' ability to carry out their responsibilities and illegal succession to the council (21%). Smaller numbers of cases concerned illegal freezing of salaries and denial of compensation for costs related to their protection (9%); discrimination (7%); or defamation, slander, and libel (6%). Female

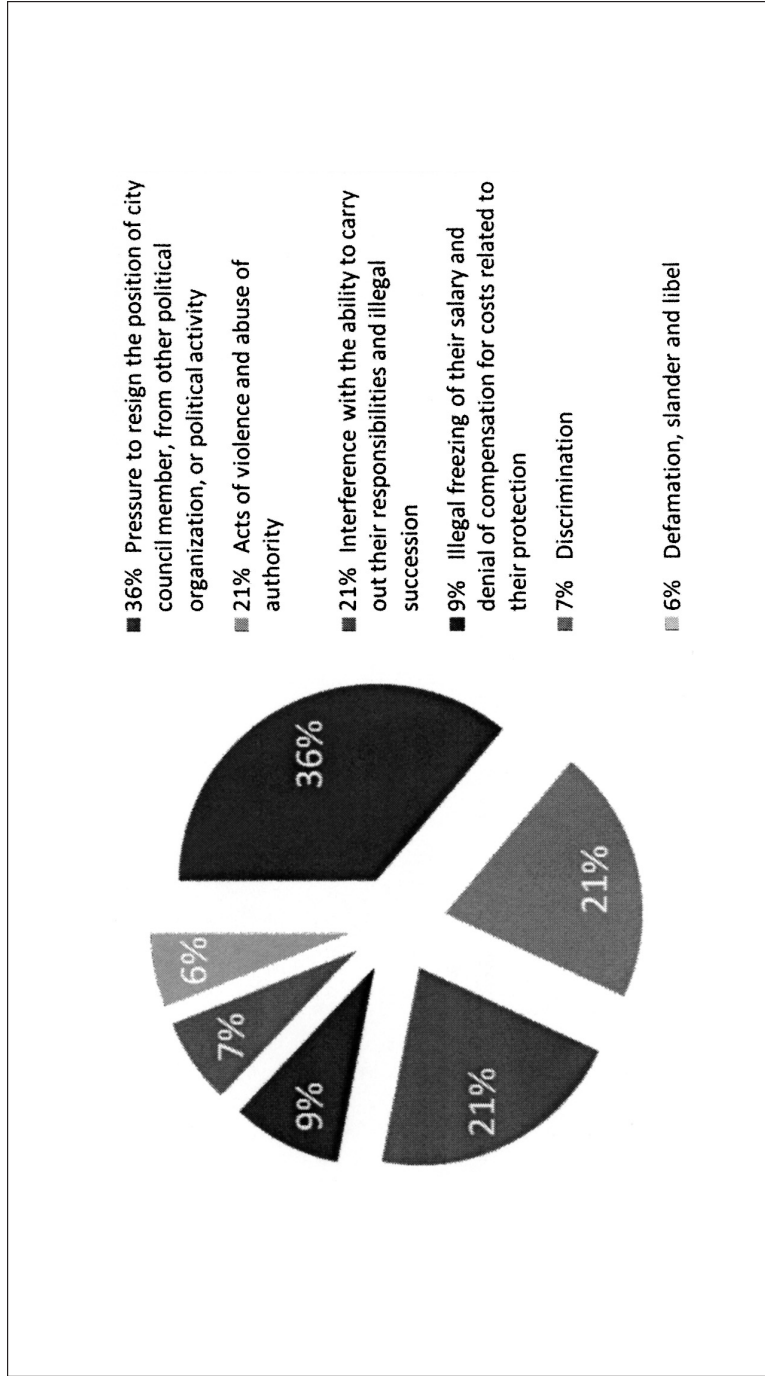


Figure 1. Cases of political harassment and violence by type of complaint, 2000-2005.
Note: Information and design by ACOBOL.

council members were discriminated against not only for being women, but also because of color/race and for other reasons.

So far there have been no studies about the physical costs, much less the psychological costs, of this type of violence. However, during the process of compiling complaints, we found situations of violence that had physical consequences. For example, one city council member from Achacachi developed respiratory problems after an attempted choking.

Forty percent of the cases were tried publicly by the government but resulted in impunity for the accused: in 32.4 percent of the cases, there was no official response to the original complaint, and in 7.6 percent of the cases the institutions recused themselves from the case, arguing that they did not have jurisdiction in that situation. Furthermore, when complaints were filed in district-level institutions, the internal administrative process defined by district law was not followed; this process was created to impose sanctions on district authorities and refer cases to the main justice system when crimes are committed.

The harassment and violence is concentrated more in some districts than others (see Figure 2); estimates of the reported cases in the last decade affected 8 to 18 percent of women officials in six districts, and as high as half in one district. In the period 2000-2005, cases were reported in eight of the nine districts. However, this does not mean that there were no cases of violence in the district of Pando, where in 2008 there were several cases of physical violence and violations of human or constitutional rights against various female authorities at the district level. These cases were presented verbally and thus were not officially counted.

The graph reflects only those cases that were accepted for review, registered, and documented by the authorities. It excludes cases that were presented verbally. We estimate that the number of cases that were not filed, registered, and documented totals more than five times the number cited per district.

FRAMEWORK FOR A LAW AGAINST GENDER-BASED POLITICAL HARASSMENT AND VIOLENCE

Based on the analysis of the cases documented by ACOBOL, the existing legislation was reviewed more broadly by governmental and non-governmental organizations. It was found that harassment and violence against women in public positions is not classified as a crime or offense and that there are no current policies in effect to provide specific mechanisms or vehicles to file and process complaints. Thus, the legislation did not cover the political rights of women and there was no legal definition of gender-based harassment or violence.

The goal of the bill developed by ACOBOL in collaboration with various institutions is: “to protect, defend, and guarantee the exercise of political rights of female candidates and elected officials as they carry out their work, as well as to provide legal security and establish sanctions for individual or collective conduct that constitutes gender-based political harassment or violence.” The law

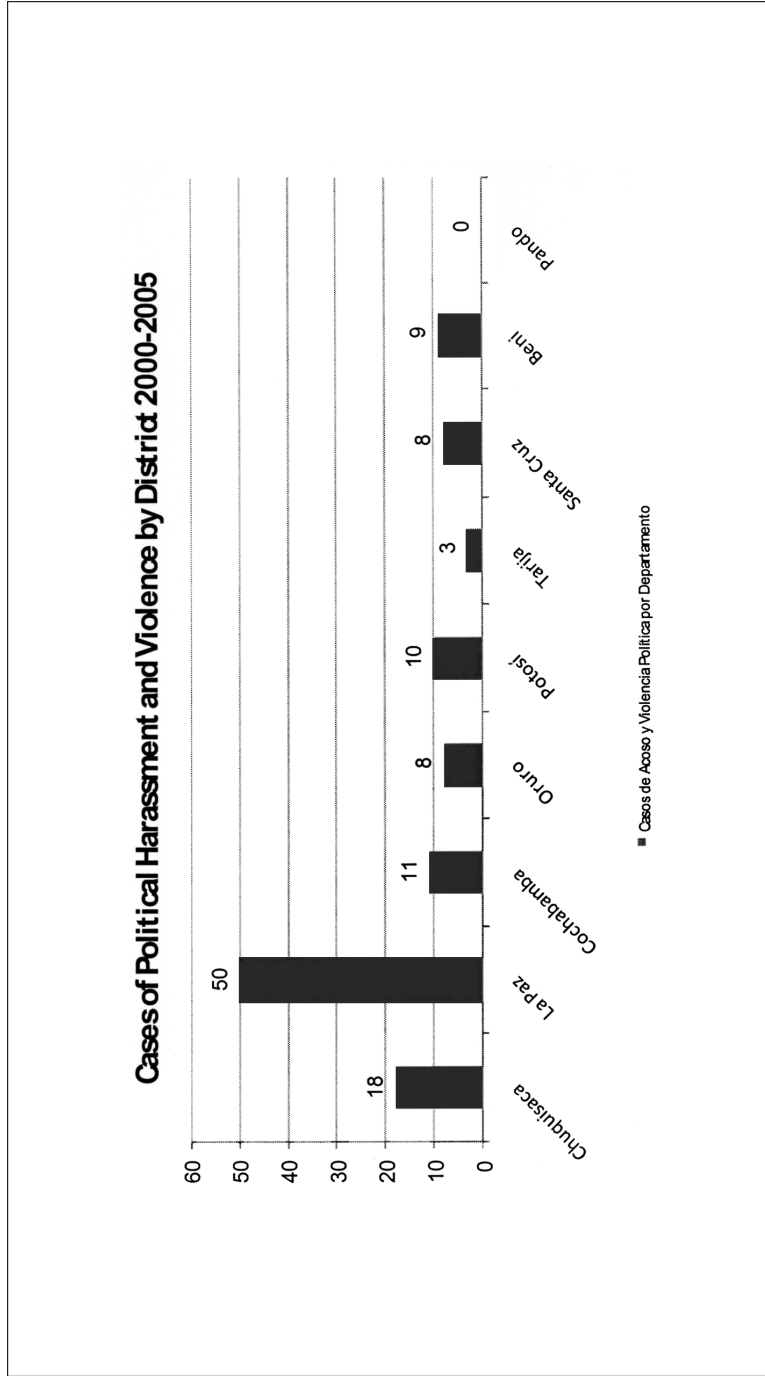


Figure 2. Percent of women officials affected by cases of political harassment and violence, by district, 2000-2005.
Note: Information and design by ACOBOL.

defines various types of acts that constitute political harassment and violence, as well as aggravating circumstances, and establishes applicable sanctions. Lastly, it defines the jurisdiction of public authorities to denounce acts of political harassment and violence.

The Process of Developing the Law

The process of developing the law was initiated by a strategic alliance between governmental and non-governmental institutions created to support its passage. The Law Against Gender-Based Political Harassment and Violence was presented to the 2005-2006 legislature by Representative Elizabeth Salguero Carrillo as part of a civil society initiative. In 2006, Secretary Casimira Rodríguez and the Assembly recommended its passage and provided formal comments.

Representatives from various committees of the Assembly, the Association of Female Parliamentary Members of Bolivia, the Association of Female City Council Members of Bolivia, and the Committee for the Law Against Gender-Based Political Harassment and Violence met to respond to these comments.

Responding to the initiative of the Vice President for Gender and Age-Related Issues of the Department of Justice, the revised bill was submitted for consultation to the female authorities and leaders of social organizations in nine cities. The revised consensus bill will be re-introduced and considered by the new Assembly members in 2010.

The contributions of civil suits filed by women, international cooperation, and the participation of other non-governmental organizations (NGOs) have facilitated—and will continue to facilitate—advocacy, continued progress, and improvements to the bill. This combination has also generated the necessary pressure in the national parliament and has helped dissemination and socialization efforts, thus promoting a favorable context that clearly helped put the issue raised by the law on the national agenda.

Several initiatives by national and international organizations benefited the process and contributed to creating a favorable context. For example, the United Nations Committee on Eliminating All Forms of Discrimination Against Women [2] recommended improved representation of women in decision-making arenas without political violence (Recommendation Number 31), as well as the adoption of dynamic and effective policies to increase women's participation and guarantee their ability to carry out their work without political violence (Recommendation Number 32).

In addition, Bolivia's National Plan for Equality of Opportunities [3] demanded "equality of opportunity in access to services, full participation in decision-making arenas . . . to promote a life free of gender-based violence." And finally, women's organizations and networks were able to include women's political rights in the current political constitution of the country in articles

dealing with gender-based discrimination (Article 14), respect for gender equity (Article 8 and Article 300, Number 30), the right to live without gender-based violence in public and private arenas (Article 15), the right to work with dignity, without discrimination, and with an equal salary (Article 48), and the guarantee of political rights of women (Articles 147 and 210).

Dissemination of the Law in Latin America

ACOBOL presented the bill in seminars in Latin America and the European Union in order to introduce it to people in other countries. Our initiative found an echo. For example, the Association of Female Members of District Government of Ecuador developed and submitted its own version of the bill [4]. Similarly, international organizations such as the United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRAW), the International Knowledge Network of Women in Politics (iKNOW Politics), One World Action, and others promoted forums, workshops, and conferences to disseminate information about the bill. In addition, they carried out consultations in 15 countries. The results of these consultations indicate the need to legislate protections to prevent political harassment and violence against women [5].

CONCLUSION

In this article, we demonstrate the significance of the problem of political harassment and violence against women. We believe that these attacks constitute a violation of women's political and civil rights as well as a threat to the physical and mental health of our female leaders. These attacks do not result in punishment of the guilty parties, reparations, or material or moral support for the women affected by them.

We describe the process of the development of a bill that addresses the issues and provides preventive measures. We show how working with other national organizations, along with the actions and statements of international organizations, benefited the process. These results show the importance of research that comes from organizations that represent women in preventing unjust situations and health problems.

Currently, the situation of women in the political sphere in Bolivia has improved. The most recent cabinet was, for the first time, 50 percent female; the Senate 47 percent, the Assembly 25 percent, and the Multi-National Legislative Assembly 30 percent female.

In spite of these advances, gender-based political harassment and violence continues to be a fundamental barrier to the political participation of women. Because of this, passage of the law will be very important in order to prevent and penalize gender-based political harassment and violence.

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REFERENCES

1. National Institute of Statistics (Instituto Nacional de Estadísticas). *Projection of the Economically Active Population by Time Period and Gender*. <http://www.ine.gov.bo/indice/proyecciones.aspx?codigo=30101>. Accessed: March 2010.
2. The United Nations Committee on Eliminating All Forms of Discrimination Against Women. *Final Recommendations of the Committee on Eliminating Discrimination Against Women in Bolivia* (CEDAW/C/BOL/2-4), p. 5, Recommendations 31 and 32. January 15, 2008.
3. Ministry of Justice, Vice Ministry of Gender and Age-Related Issues. National Plan for Equality of Opportunities: "Women Building a New Bolivia To Live Well," Official Gazette of Bolivia, Supreme Decree Number 29850. December 10, 2008.
4. Margarita Carranco, Ex Vice-Mayor of the Metropolitan District of Equito, Ex-President of the Association of Female Members of District Government of Ecuador. Bill Against Gender-Based Harassment and Violence, pp. 51-67. Developed by Dr. Antonio Machado and Dr. Irene Pasánte; edited by Rocio Aráuz, Technical Secretary; design by Graphus.
5. Forum: Systematization: Women and the New Debate Society, AECID- INSTRAW, project to strengthen governability with an emphasis on gender and political participation of women in the local arena; Forum: Political Harassment and Violence Against Women: Should it Be Penalized? pp. 7-12, <http://www.un-instraw-org>. Accessed: 2009.

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