# The case of the Chilean law against street harassment: How a feminist social movement took advantage of the political opportunity structure

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To Martina, Pascal and Isabella.

*Que el mundo les sea siempre justo y amoroso*.

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**ABSTRACT**

Even though street harassment (SH) is not new, its social problematisation in Latin America spans no more than a decade, when feminists in their early 20s organised against it. Nowadays, five countries in South America have specific laws against SH: Chile, Peru, Argentina, Brazil, and Uruguay, in all cases, this was achieved in no more than five years from start to finish. Although it is clear that feminist movements have effects on and influence political agendas, it is relevant to understand the particular context that allows newer feminist generations in Latin America to achieve political changes through diverse strategies.

Using political opportunity structure (POS) theory with a gender approach, this thesis analyses the internal structure of a feminist social movement that enabled it to take advantage of changes in the POS to achieve legal change. The case study selected is the Chilean social movement against SH headed by the Observatory Against Sexual Harassment (OCAC). With a qualitative methodology, the analytical corpus was interviews with crucial actors or groups of people who were directly involved in, or whose actions were related to, the legislative process of the Chilean law against SH between 2013 and 2019. The results of this research lead to conclusions in three areas: the need to understand the POS as gendered; the importance of OCAC's highly valued characteristics that made it easy for them to speak publicly; and lessons learned for future research regarding the need to acknowledge the gender-based system that shapes every political process.

**Keywords**: Political Opportunity Structure Theory – Gender-Based Violence – Feminism – Gender Approach – Policy Analysis

**CONTENTS**

## GLOSSARY

Because of the research topic, the analysis uses several Spanish words and acronyms. This section aggregates the most used Spanish words and acronyms and their meanings and definitions.

- ABOFEM: Feminist Lawyers Association.
- *Alianza por Chile*: Alliance for Chile. Centre-right political and electoral coalition.
- *Coalición por el Cambio*: Coalition for Change. Centre-right political and electoral coalition.
- *Concertación de Partidos por la Democracia*: Parties for Democracy Concertation. Centre-left political and electoral coalition.
- *Corporación Humanas*: [Female] Human Corporation. Chilean feminist organisation.
- *Frente Amplio*: Broad Front. left-wing political and electoral coalition.
- SERNAM: *Servicio Nacional de la Mujer*. Chile's National Women's Service.
- SH: Street harassment.
- *Marea Verde*: Green Wave. The feminist movement for abortion rights (started in Argentina).
- *Mayo Feminista*: Feminist May. Chilean feminist movement which started in May 2018.
- *Ni Una Menos*: Not one [women] less. Latin American feminist movement against gender-based violence.
- *No Fue Sexo*: It was not sex. Feminist platform.
- *Nueva Mayoría*: New Majority. Centre-left political and electoral coalition.
- OCAC: Observatory Against Street Harassment.
- *Piropo*: Spanish word commonly used to refer street harassment, and which means "compliment". Actually, *piropo* is used to refer to a compliment that someone pays another (usually a man to a woman).
- *Red Chilena Contra la Violencia Hacia las Mujeres*: Chilean Network against Violence towards Women.

# INTRODUCTION

The World Health Organisation (WHO) defines gender-based violence as a public health pandemic given that, worldwide, one in three women has been a victim of physical or sexual violence during their lives (UN Women, 2019). Nevertheless, this data does not take sexual harassment into consideration, a type of gender-based violence that would, if taken into account, sharply increase WHO's figures. Sexual harassment is a non-consensual act that includes physical and nonphysical contact that can be characterised by the space in which the violence occurs and the relationship between the victim(s) and victimiser(s). One of its most well-known forms is sexual harassment in the workplace, however, there is also sexual harassment in educational institutions, on online platforms (such as social media), and in public spaces (such as streets, public transport, and spaces with public access like shopping centres). All forms of sexual harassment share the characteristic that they are all done against the will of another person.

Data from various surveys show the high frequency at which women suffer sexual harassment in public spaces, from girlhood and on. UN Women United Kingdom (2023) showed that only 3% of 18–24-year-olds have never experienced street harassment. Sexual provocations or actions committed by a stranger against another person without her/his consent (OCAC, 2015) in public spaces or with public access[2] are suffered by girls from a very young age. For instance, in Chile, girls begin to experience street harassment at age 12 on average, in some cases when as young as 9 (OCAC, 2014). Street harassment (henceforth SH) is one of the most recent types of sexual harassment that has been socially and legislative problematised, an earlier example being sexual harassment in the workplace. For instance, in North America and Europe, academic contributions on this topic have been coming out for between three and four decades. However, in Latin America it has only gained this kind of

[2] Such as catcalling, obscene gestures, exhibitionism, stalking, non-consensual touching, etc.

attention in the last twenty years. It can be said that the recent problematisation is not related to the frequency of the violence.

Regardless of the academic research development, since 2013, several Latin American countries had active feminist social movement organisations make demands against street harassment, requesting that their governments take measures to prevent and act against SH. Indeed, by 2019, five of the 12 countries in South America had passed national laws against street harassment: Peru, Uruguay, Argentina, Brazil, and Chile.

It is interesting how these organisations, in only a few years of social problematisation, had been able to make such advances in legal problematisation with their governments. This is a thought-provoking area also because these organisations were mostly formed by feminists in their early 20s bringing up a topic that was irrelevant in the political arena. Because of the hegemonic gender system division, men—not women—are the default political subject, meaning that women's experiences are less likely to be politically discussed. Consequently, it is interesting that although the claimers and the claim were not invested in political power from which to discuss, problematise, and legislatively regulate, street-harassment organisations achieve success. In this sense, it seems relevant to ask how these women's and feminist movements, despite a gender division that renders them invisible and socialised as private objects rather than political actors (Pateman, 1998), managed to achieve this impact in the political arena.

The research question of this thesis emerges as a consequence of the above: "How does the internal structure and composition of a feminist social-movement organisation enable it to take advantage of changes in the political opportunity structure to get important legislation passed?" In this regard, the case selected to address this research aim was the Chilean feminist social movement against SH headed by *Observatorio Contra el Acoso Chile* (Chilean Observatory Against Sexual Harassment, henceforth OCAC). I selected OCAC as a case for this study due to its relevance in the OCAC LatAm Network. After OCAC was created, its experience inspired other women, and OCAC Chile offered its knowledge and experience to open OCACs in other countries. The OCAC LatAm

Network now includes OCACs from seven Latin American countries: Chile, Bolivia, Colombia, Costa Rica, Guatemala, Nicaragua, and Uruguay.

Studies on social movements, their dynamics, impacts, and development have demonstrated that to understand them, the analysis must consider multicausality. Thus, the political opportunity structure (henceforth POS) theory is helpful for addressing the research question. The POS theory dimensions—the political opportunity structure, the framing process, and the mobilising structure—give particular vertices and approaches by which to analyse different ways in which social movements begin, impact, and are impacted within their context, such as changes in the political arena; the cultural stock available to the organisations and their leaders; emotions needed to engage in collective action; cultural breaks; the different arenas in which the social movement organisations put their efforts to impact and frame their claims, among things.

Concerning this study, Tilly and Tarrow's (2015) definition of a social movement as a "sustained campaign of claim-making, using repeated performances that advertise the claim, based on organisations, networks, traditions, and solidarities that sustain these activities" (p. 11) is both specific and general enough to encompass both the women's and the feminist movement. Nevertheless, it is crucial to specify two relevant features in those movements. First, the key agents of mobilisation are women, which means that they have been socialised in a particular way regarding public and private space. And the political context in which they develop their claims is gendered, thus, being women is not an innocuous characteristic but a particular one, which helps to understand the development of their social movements (Murdie & Peksen, 2014).

The particularities of the women's and feminist movements have do not relate only to 'women' as isolated actors, but to the general gender structure that characterises all of society. In order to understand these factors, it is necessary to recognise the difference between when the people making claims are recognised as political actors and when they are not, and whether the claim itself is validated or not. As a consequence, women's and feminist movements need to be analysed through recognition of the patriarchal context in which their claims originate and develop and their own

experiences and identities are shaped. This context is characterised by the division and hierarchy of public versus private spaces, the first reserved for men and the second for women. As a result of this division, the social order is characterised by gender stereotypes, gender gaps, gender biases, female underrepresentation and participation in the political arena, and female overrepresentation—or stagnation—in private and less valued roles, all of which also reinforces the division. Consequently, to analyse women's and feminist movements' recognition of the patriarchal context, the gender perspective is crucial because it acknowledges not only biases and gaps but also the reasons for these: there are no natural explanations, here, only social ones. Through taking a gender perspective, we can understand that the political context is not the same for men and women, and thus, the theories of social movements should be reviewed by acknowledging this main difference, not to dismiss the theory or its dimensions but to enrich it. Hence, the gender lens allows us to use the theory in more depth.

Given the above, although women's human rights are not completely guaranteed, the movements' impact on the political agenda is undeniable. In most of the countries worldwide, the women's and feminist movements have won important legal fights, from women's right to vote, to contraception and abortion regulations. However, those wins do not mean that every topic that women and feminists try to put on the public scene have been adopted without resistance by government or society. It does, however, show women's path to becoming political subjects. The political science of gender studies show that critical feminist policy analysis is crucial, not only for understanding gendered policies but to contribute to rethinking the political system (Ferree & Merrill, 2000).

In what follows, I will briefly address the development of street harassment as a political and research topic. Then, I introduce the Chilean feminist movement's background to give context to the origins of the claim against SH. In what is next, I argue why I understand the claimers against SH to be members of a generation that can be conceived as a new actor in the political arena. Afterwards, I briefly address my former roles in OCAC, considering that I was part of that organisation for six

years: first as a volunteer, then as a research director and ultimately as the president. Finally, I described how this thesis will develop, giving a brief overview of the content of each chapter.

**The development of street harassment as a political and research topic**

As mentioned above, street harassment has been addressed in North American and European academic research for at least 35 years. Gardner started writing about street remarks in 1980 and published *Passing by: Gender and public harassment* in 1995. In her book, Gardner explains that common abuses in public places take different forms, and identifies one form of street harassment as evaluative practices. As the author writes, this type is "where one set of individuals receives the evaluative opinion of strangers in situations where such evaluation is normally not warranted" (Gardner, 1995, p. 75). In 1984, Cheryl Benard and Edith Schlaffer published a pioneering study about the reason why men harass women in public places. In 1993, Cynthia Grant showed that although this kind of violence was then systematic in women's lives, the legal system did not reflect it as such, describing her contemporary legal system as having a strong resistance against women. Finally, in 1993, Deborah Thompson, inspired by Grant's (1993) article, contributed a new perspective to legal street harassment research, proposing to make this type of gender violence a criminal misdemeanour.

In Latin America, the academic development of street harassment started two decades later. Around 2000, shy efforts appeared that pointed to a lack of security for women in public spaces (Macassi, 2005). In 2007, Patricia Gaytán published a qualitative study focusing on the different expressions that comprise street harassment and the way such harassment is interpreted in Mexico City. Gaytán recognised the high frequency of this gender violence in women's lives all around the world, although she already regretted the scant attention that street harassment received in the sexual violence context. Since then, a broad range of articles has been published about gender violence in public spaces as well as street harassment experiences and perceptions in different Latin American

countries (Billi & Guerrero, 2015; Llerena, 2016; Medina, 2016; Meza, 2013; Pérez et al., 2012; Zuñiga, 2014, among others).

In addition to specific academic research, different public, educational, and social organisations have been publishing surveys about street harassment. For instance, in 2012, the *Servicio Nacional de la Mujer* (Chile's National Women's Service, henceforth SERNAM) published the first government survey in Latin America revealing the issue of street harassment. A few years later, in 2015, OCAC published the first survey that specifically covered street harassment in Chile. In 2013, a survey conducted by the Public Opinion Institute of the Pontifical Catholic University of Peru showed the frequency and the effects of street harassment in Peru. In 2016, the Argentinian organisation *Paremos el Acoso Callejero* (Stop Street Harassment) published a street harassment survey in Buenos Aires, Argentina. All this data revealed the high frequency at which women suffer sexual harassment in public spaces, and from a very young age (OCAC, 2014), showing that while almost every woman has been a victim of this type of violence, the law did not consider it illegal. Since then, different organisations have been working to legally sanction street harassment.

Sexual harassment operates as a power mechanism (Foucault, 1995) that produces and reproduces bodies reflecting the dynamic of gender-based violence, and thus gender subordination. Sexual abuse in public spaces has a performative effect (Butler, 1990) reinforcing gender-appropriate behaviour in line with the public and private space division. In a patriarchal system, women's public role is not to build the space but to behave according to the standards set by the patriarchal social order (Amorós, 1994; Pateman, 1988). Therefore, street harassment has a tremendous effect on the level of democracy in public spaces. A study of women's security in public transport in three Latin American capitals (Quito, Buenos Aires, and Santiago) showed that after being harassed on public transport, a high percentage of women decide not to make the trip again (Allen et al., 2018).

**The Chilean feminist movement context**

The journey of Latin American women's and feminist movements is characterised by the dictatorships of the 70s and 80s, before which they had a strong tradition with popular and worker's feminism starting in the mid-19th and the beginning of the 20th century. Between the 30s and the 50s, the Latin American women's and feminist movements were focused on civil rights, and especially universal suffrage. This was a powerful regional movement that was influencing public policies (especially about children and welfare) until the dictatorships arrived and the movement began to focus on human rights violations and the search for truth. At the end of the 1980s and beginning of the 1990s, democracy started to return to Latin America, but most of the feminist and women's movements no longer had the same strength. For instance, in Chile, the creation of the institutionalised organisation for women—SERNAM—contributed to dividing the protest because some of the female leaders, who until then were on the streets demanding democracy and truth, occupied seats on the new government's women's service. This led to a division among feminists between the institutionalised—those who entered the governmental departments—and the autonomous.

In a regional context, during the 1990s, when other Latin American countries were advancing in areas of women´s rights, such as divorce, parliamentary quotas, and abortion rights, Chile stressed the traditional family model reinforced by the dictatorship (1973–1990), which slowed down the development of women's autonomy. This, as I explain later in this thesis, was the result of an agreement between the traditional political parties and the dictators to end the military regime, that there would be a transition period towards democracy. The transition-agreement included both the economic and moral spheres, making it difficult to make structural changes to either model (Piscopo et al., 2023). In this context, any claim associated with discourses against the morals of the traditional family, like reinstituting the right to abortion or the right to divorce, was silenced. Because of this, it was not surprising that the first woman to lead SERNAM was a member of the Christian Democratic Party. Thus, the Chilean women's and feminist movements were weak during this period, and had little visibility.

In the middle of the 2000s and the beginning of the 2010s, a previously-unknown political actor appeared on the scene: the youth. Teenagers and young men and women, born at the end of the 80s and early 90s, began to make new demands, and they were quickly dubbed 'the fearless generation'. The fearless generation shares a common characteristic: they did not fight against the dictatorship, and thus never suffered repression and human violation. At this time a new feminist generation also appears, young women who put non-problematised types of gender violence in the public eye. This is the case for street harassment: an old phenomenon, but with a new gender problematisation.

Even though SH is an old phenomenon, it has recently become politically problematised in Latin America. In Chile, the social movement against SH was led by OCAC, which was born at the end of 2013, achieved parliamentary support, and—in March 2015—10 deputies across the political spectrum sponsored the bill against SH:

- Camila Vallejo: Chilean Communist Party (left-wing).
- Giorgio Jackson: *Frente Amplio* (left-wing).
- Loreto Carvajal: Party for Democracy (left-wing).
- Karol Cariola: Chilean Communist Pary (left-wing).
- Yasna Provoste: Cristian Democracy Party (centre).
- Karla Rubilar: Independent for the right-wing political coalition.
- Daniela Cicardini: Chilean Socialist Party (left-wing).
- Marcela Sabat: National Renovation (right-wing).
- Vlado Mirosevic: Chilean Liberal Party (left-wing).
- Gabriel Boric: *Frente Amplio* (left-wing).

The bill was unanimously approved through every legislative process, and was enacted in May 2019. The four years of the legislative process for SH was three times shorter than the last sexual harassment bill discussed in Congress: sexual harassment in the workplace. It can thus be considered a success.

Although it is clear that the feminist and women's movement have had an effect and influence on the political agendas (Baldez, 2002; 2003; Bensimon & Marshall, 2003; Franceschet, 2004; Tarrow, 1998), it is relevant to understand the particular conditions that allow newer generations,

without the dictatorship marking their experiences, to achieve political changes through diverse strategies, such as electoral and nonelectoral participation. In the Chilean case, several political, cultural, and social shifts took place before and during the time OCAC was claiming against SH, which makes this an interesting case to study.

Scholars enlighten the path of social movements to impact the political arena, and the feminist movement is no exception (Baldez, 2002; 2003; Franceschet, 2004; Tarrow, 1998; among others). But what seems important in this case is the new context. Several political studies analyse how different conditions operated on the feminist movements achieving their demands prior to and after the Latin American dictatorships. Specifically, some scholars have been showing the effects that feminist movements had on the women's state departments that appeared with the transition to democracy in several South American countries, pointing out the differences from past movements and the opportunities and barriers that these differences generate (Franceschet, 2003; 2004). Researchers have reviewed the distinction between different moments of the feminist movements, their demands and their achievements, specifically the demands of civil rights; the fights for justice in dictatorships, and the first decade of democracy. However, the topic of this proposal is allocated not just at a different time, but with a different protagonist. In the next section, I address why.

**The fearless generation post-transition to democracy**

The division between autonomous and institutionalised feminists was left behind in early 2010 because of the appearance of new actors. As described above, teenagers and young women and men were the new protagonists of the social movements in several Latin American countries, including younger feminists. In Chile, this was not the exception (Acosta, 2018; Gálvez, 2021; Seca, 2019). Diverse new feminist organisations were born at the end of the 2000s and in the first half of the 2010s, bringing new problematisations, new subjects, and questioning of the economic and gender systems. In other words, a new political social movement commenced, considered as "actors and organizations

seeking to alter power deficits and to effect social transformations through the state by mobilizing regular citizens for sustained political action" (Amenta et al., 2010, p. 288).

I consider this generation a new actor because most were not part of the direct sequence of the previous movement. Normally, we will see a repetition of demands in former feminist movements or historical campaigns. This is not always the case, however, indeed several Chilean women who demanded the universal vote in the 30s also fought against the dictatorship in the 70s and 80s. And some of the new women who started to fight against the dictatorial regimes without participating in the demand for the vote were also part of the movements in the 1990s. These connections and the coherence of the movement broke in the 90s during the transition period to democracy. In this context, at the beginning of the 2010s, many of the younger feminists had never had any contact with their predecessors (Follegati, 2018). The little to no contact between the newer feminist generations and the older ones had effects on the ways that the former acted and were interpellated to the transitions and recent governments. The newer feminists had no debt to any political party or coalition, and they came along as a generation without fear and with a political education in a strong student movement (Gálvez, 2021).

These new actors emerged in a Latin American context that was turning to the right in democratic elections, which characterised the new actors. As Franceschet (2004) said 20 years ago, "a change to a government led by the right would alter the political opportunity structure for feminists, in turn, necessitating changes in strategy" (p. 527). Considering Baldez's (2002) study, the Latin American political realignment could be one of the conditions for the strong feminist movement that started to take hold in several countries, and which is now composed of new and old civil organisations, NGOs, feminists within political parties, and feminist without allegiances to any organisation.

An example of these new feminist organisations is those created to fight SH, with young women undertaking communication campaigns and research to measure this type of violence, using social media to spread their demands, and launching claims to sanction sexual harassment in public

spaces. In Chile, in less than five years, these organisations achieved legal sanctions, which is exceptionally speedy for bills sponsored by members of parliaments, and especially for feminist demands. All Latin American countries with SH laws share a common factor: in all four the feminist movement was the initial engine, either through an already existing feminist organisation or through a small group of women forming one. Thus, even when the conditions for gender resistance are extremely tough, in this case, the fight to legally sanction SH took just a few years in each of the Latin American countries that have laws against SH.

Therefore, before analysing the laws against SH, I am interested in the problematisation of how a new feminist generation managed to introduce what was considered a non-problematic phenomenon in the public arena. Scholars have been showing how the political context impacted the feminist movement and their advocacy and law-making process, explaining how the cultural framing operated in shaping their perceptions to conceive some conditions as opportunities to act (Gülel, 2021; da Silva-Ribeiro-Gomes, 2017; Charles, & Mackay, 2013; Chappell, 2000, Baldez, 2002; Tarrow, 1998; among others). A gender critical analysis of a problematisation that ended with a new public policy forces a holistic critical examination. Therefore, it is necessary to observe the path, as opposed to only the finalised policy, because "uncovering the gender dimension in political discourse would not only bring women more fully into the picture but also correct partial and politically biased understandings of *political man*" (Ferree & Merrill, 2000, p. 454).

**Researcher's former role in OCAC**

Before continuing with this thesis development it is important to acknowledge my previous role at OCAC. My relationship with OCAC commenced in May 2014 when I joined the organisation as a member of the Research Department. A year later, I became a member of OCAC's board, leading the Research Department, and from 2017 to 2020, I was named president. These roles made me a crucial actor in the Chilean movement against SH because I was directly involved in the lobbying strategy, I

had high exposure to the media, and I had relevant networking with public, private, and international institutions and organisations. My roles in OCAC characterise my role as a researcher of the present study in at least three ways: 1) make me an informant; 2) facilitate my access to key interviewees; and 3) demand particular care with the data management to avoid bias, be careful with the informants – especially those with whom I had worked directly–and, recognise when my former role could be interfering in any step of my research. Nevertheless, despite facilitating access to some interviewees, I would not characterize my role in OCAC merely as an advantage or disadvantage, but as an important feature to be addressed. Consequently, in order to do it, I expanded more on this in the methodological chapter (specifically section 3.3 Strategy for data collection).

**Thesis development**

In what comes next, I develop six chapters. In Chapter 1, I present a literature review, in which, by addressing state-of-the-art social movement analysis, I highlight the gap in the literature regarding taking a gender approach to POS theory in order to gain a deep and holistic understanding of how social movements develop. Following on from this, in Chapter 2, I develop the theoretical framework of this research, arguing for the need for a gendered approach to POS theory. The following chapter reviews the methodological decisions made to address the research question. Chapter 3 describes the case selected in more depth, and argues for the qualitative methodology that frames this thesis and the use of interviews to generate the data for analysis. Further, the methodological chapter addresses the ethical considerations of this process.

Because of the characteristics of the research topic, the results of this thesis are presented in two chapters. Thus, Chapters 4 and 5 address the results of two analytical periods: 1) the first legislative process in the Chamber of Deputies (Chapter 4), and 2) the second legislative process in the Senate and the third legislative process in the Chamber of Deputies (Chapter 5). Finally, Chapter 6 concludes this research by highlighting three main arguments: the gender approach sheds light on

the theoretical male consensus of the POS; OCAC's main characteristics, which made it easy for them to speak publicly, and lessons learned for future research.

# CHAPTER 1

## State-of-the-art social movement analysis

In this chapter, I examine the literature that has enabled me to address my research question, which is "How did the internal structure and composition of a feminist social-movement organisation enable it to take advantage of changes in the political opportunity structure so as to succeed in getting important legislation passed?". As mentioned in the introduction, the case study selected to address the research question is the Chilean NGO Observatory Against Sexual Harassment (OCAC), the first Chilean organisation to raise the issue that sexual street harassment should be understood as gender-based violence. OCAC had a short but intense path: it was born at the end of 2013 through a Facebook page, and by 2015 had its first public campaign against street harassment, its first survey, and found sponsors for a bill against street harassment, which was unanimously approved by Parliament in April 2019. The legislative process of this bill was a significant achievement in the history of sexual violence laws in Chile, given that the previous law on this subject took 12 years to be approved (Biblioteca del Congreso Nacional de Chile [BCN], 2021a).[3]

As stated in the introduction, the achievement of the street harassment law serves as an example of the relevance of the legal context concerning gender-based violence, since—as all discrimination against women is embedded in gendered social power relations—all nations should work to overcome gender stereotypes that form the base for these types of violence (Beate, 2020). The legal context is important as it can shed light on a situation being a gender violence problem,[4] which could also provide more tools for feminist movements to demand further actions from the state. Any achievement of pro-women legislation is an important issue, then, especially considering that improvements in women's rights emanate from the bottom up, rather than from the top down, and

[3] The law against sexual harassment in the workplace.
[4] If it is problematised as a gender-based problem (Bacchi, 1999).

that bottom-up approaches are furthered by and made up of emancipative values (Alexander & Welzel, 2015).

However, as argued in the section above, achieving legislative advancement in pro-women issues is never easy, because of the patriarchal structure operating in both the legal system and across society as a whole. This is the main reason why any analysis on this subject must include the dimension of gender perspective in the law-making process (Mantilla, 2013). In Chile, which until recently afforded different rights for women depending on whether they were single or married, the women's civil rights struggle has been tough (Lepin, 2016). This is one of the reasons that understanding how a feminist social movement—in this case OCAC—could take advantage of changes in the POS to succeed in getting legislation passed is so important.

This chapter is divided into four main sections. First, I will give an overview of the theory to understand the dynamics of social movements, specifying its three main features: political opportunity, mobilising structures, and cultural framing. In this section, I conclude that the best way to address my research topic is via a curvilinear relation of these three features, meaning that while the social movement is impacted by the dynamic, it also impacts it. However, a general discussion of the political process approach obscures the relevance of a critical approach to the analysis, which opens up the need for a gender perspective in the analysis. Consequently, in section 1.2, in a literature review on women's rights movements, I flesh out the relevance of a gender perspective in an analysis of the dynamics, development, and outcomes of social movements, arguing that a political analysis requires a critical approach, considering that neutrality does not exist on the political arena. Thirdly, in section 1.3, I briefly review the nature of the analysis of political opportunities in feminist social movements so far. Finally, I discuss research on street harassment as a social movement, concluding that this research makes a significant contribution to the understanding of the present-day feminist movement analysis.

### 1.1 Dynamic of social movements as a research topic in the modern era

This section examines how researchers have approached the dynamics of social movements of their emergence, development, and outcomes.

Sidney Tarrow (1994) mentions that contemporary Western societies are social-movement societies, defining social movements as "collective challenges by people with common purposes and solidarity in sustained interaction with elites, opponents, and authorities" (pp. 3-4). Different arguments have been made about conceptualisation in this area, forming critiques about the link between social movements and contentious politics (Snow, 2004). However, as Tilly and Tarrow (2015) argue, contentious politics contain complicated social processes,

> […] involving interactions in which actors make claims bearing on other actors' interests, leading to coordinate efforts on behalf of shared interests or programs, in which governments are involved as targets, initiators of claims, or third parties. Contentious politics thus brings together three familiar features of social life: contention, collective action, and politics. (p.7)

These "interactions in which actors make claims" are context dependent. For instance, Korolczuk and Saxonberg (2015) studied the different strategies of contentious actions of the women's movement in Poland and the Czech Republic, and while the former uses transactions and participatory strategies—being more active in mobilising the population— in the Czech Republic, strategies of contentious actions are focused on transactional activities, such as lobbying and cooperation with national and international organisations. Additionally, contentious strategies can take different shapes, especially in today's technological era. As various scholars have shown, social media facilitates collective action while also functioning as a tool with which to perform claims (Bennett & Segerberg, 2012; Bimber, Flanagin, & Stohl, 2005; Chon & Park, 2020; Murdie & Peksen, 2014).

To understand collective action, the link between social movements and political context is crucial (Della Porta, 1996). Scholars have taken the political process approach to research the dynamics, emergence, development, and outcomes of social movements, establishing links between

institutionalised politics and social movements/revolutions within three key dimensions: 1) the structure of political opportunities and constraints confronting the movements; 2) the form of organisation (informal as well as formal) available to insurgents; and 3) the collective processes of interpretation, attribution, and social construction that mediate between opportunity and action (McAdam, 2017; McAdam, McCarthy & Zald, 1996; Snow, 2004; Tarrow, 1994; 1996). In other words, political opportunities, mobilising structures, and cultural framings. These dimensions have been used in isolation or in interaction with each other to study social movements.

Tarrow (1996) refers to political opportunities as "consistent—but not necessarily formal, permanent, or national—signals to social or political actors which either encourage or discourage them to use their internal resources to form social movements" (p.54). In this regard, two different questions emerge. On the one hand, scholars wonder about the emergence of particular social movements regarding changes in national political systems by shifts in institutional structures of informal power relations. This approach tends to produce case-study driven research of a particular movement. On the other hand, scholars sought questions about cross-national differences between similar movements based on "differences in the political characteristics of the nation-states in which they are embedded" (McAdam, McCarthy & Zald, 1996, p. 3). Kitschelt's (1986) research is an example of the latter approach, looking at the political opportunity structures in anti-nuclear movements in France, Sweden, the United States, and West Germany. Kitschelt shows the different ways in which the political opportunity structure influenced the choice of protest strategies and the impact that the social movements have on their environments by encouraging or restraining the collective action. Vráblíková (2014), regarding political opportunity, also argues for the relevance of context for encouraging non-electoral participation (NEP). In her comparative research about citizen activism in 24 old and new democracies, she finds that decentralised institutions determine NEP, but that, in contrast, in more territorially and horizontally decentralised countries, "decentralization based on power sharing and joint responsibility does not increase nonelectoral citizen activism" (Vráblíková, 2014, p. 221).

In addition, in the study of social movement dynamics and its effect in shaping collective action, the relevance of the political-opportunity structure always depends on two other aspects: a) the types of mobilising structures through which groups seek to organise; and b) the shared meanings and definitions of the participants. Mobilising structures are crucial for social movements to achieve their goals, as McAdam (2017) described them as "the organizational vehicles available to the group at the time the opportunity presents itself that condition the challenger's ability to exploit the opening" (p. 194). Hence, those vehicles—formal or informal—are through people engaging in collective action. At the same time, when a formal vehicle becomes a social movement organisation, its organisational development can be analysed in this dimension.[5]

In her research on the political cycle of the USSR between 1985–1991, Zdravomyslova (1996) shows how political opportunities are able to encourage different preferences for the framing and symbolism of democratic social movements by shifting and expanding their "locus in the course of the political cycle" (p. 122). She emphasises that symbolic framing helps the development of participant consensus in social movements, strengthening group consciousness and sense of belonging, and thus promoting participation in collective actions. Throughout her research, Zdravomyslova stresses that the function of symbolic framing is also linked to expanding political opportunities within the political cycle, concluding that changes to opportunities determine the content and priority of framing. In a more recent study, McAdam (2017) explains the lack of mobilisation regarding climate change in the United States. From a political opportunity perspective, McAdam sought to investigate whether the partisan structure of institutionalised politics in the United States in the past 40 years has facilitated or impeded the emergence of grassroots activism on the issue of climate change. He concludes that the reason for the weak development of grassroots movements has more to do with subjective impediments to mobilisation than with objective

[5] This will be described and analysed in more depth in the next chapter.

opportunities or the presence/absence of a mobilising structure. In his findings, he reveals the lack of development of identity as key.

The political opportunity structure has been analysed according to various dimensions. The traditional ones are a) the relative openness or closedness of the institutionalised political system; b) the stability or instability of the broad set of elite alignments that commonly support a polity; c) the presence or absence of elite allies, and d) the state's capacity and propensity for repression (McAdam, 1996a; 2017). Gamson and Meyer (1996) argue for an analytic distinction between relatively stable aspects of political opportunity (such as traditions and institutions), and more volatile elements of opportunity (such as public policy, political discourse, and elite alignment). These categories have been expanded in various ways by scholars in the field, which preoccupies some other scholars who argue that this expansion of the dimensions makes the concept too open and thus useless (Della Porta, 1996; McAdam, McCarthy & Zald, 1996).

An example of these additional dimensions is Della Porta's (1996) research. By pointing out that the POS concept is the most inclusive approach to face the external conditions for protests, she adds protest policing as another key aspect of the political opportunity structure, considering it an essential barometer. In the same way, Obserschall (1996) argues that four dimensions must be distinguished in the analysis of social movements: "a) discontents and grievances; b) ideas and beliefs about injustice, right and wrong, and more comprehensive ideologies through which discontents and issues are frames, and institutions and leaders evaluated and criticised; c) the capacity to act collectively, or mobilisation of a challenger, and d) political opportunity" (p. 94). Moreover, in his analysis of the Eastern European revolts of 1989 (in Poland, Hungary, East Germany, and Czechoslovakia), he adds a fifth, crucial, aspect: the international aspect of political opportunities.

The discussion above, regarding the POS dimensions to study social movements, in which different scholars highlight particular aspects to be aware of, shows that the relationship between the three main aspects of the dynamic—political opportunities, mobilising structures, and cultural framings—such as which one is to be the dependent variable, depends on the research question

(McAdam, McCarthy & Zald, 1996). For instance, two questions about the three aspects could be about a movement's emergence on the one hand and the movement's development on the other. Nevertheless, as several scholars stress, both questions suppose that social movements also impact the dynamic. As Eisinger (1973) points out, the relationship between political opportunities and social movements is curvilinear.

Since the end of the 1970s and beginning of the 1980s, several other scholars—including Kitschelt (1986)—have demonstrated that conceptualisation of opportunity structures is useful when analysing the emergence of social movements, not only for their input process of political decision cycles but for their own impact on the political opportunity structure (McAdam, 2017; McAdam, McCarthy & Zald, 1996; Weldon, 2004). As Tarrow (1996) mentions, social movements have the capacity to make opportunities by demonstrating the possibility of collective action, making claims to and exposing the weakness of elites. As Tarrow puts it: “Once collective action is launched in part of a system, on behalf of one type of goal, and by a particular group, the encounter between that group and its antagonists provides models of collective action that produce opportunities for others” (p.59). These can be seen by expanding the group's own opportunities, expanding the opportunities for others, creating opportunities for opponents, and even making opportunities for elites (Meyer & Staggenborg, 1996). In summary, participants in social movements can alter political opportunity and it must thus not be seen as a fixed external environment only confronted by insurgents (Tarrow, 1993).

This overview of the general approach towards the dynamics of social movements is crucial for my research since it shows the key dimensions of the dynamics of the emergence, development and outcomes of social movements. In this sense, to be able to understand how the internal structure and composition of a feminist social movement organisation (in this case the Chilean Observatory Against Street Harassment) enabled it to take advantage of changes in the POS, I argue that the curvilinear relationship between the three key dimensions (POS, mobilising structure, and framing process) is the optimal approach to the analysis. However, the literature review presented here does not stress the relevance of critical perspectives in the analysis, a crucial aspect to be discussed given

that society is not a neutral space and many inequalities are embedded within it. A fundamental approach of the present research relates to the gender perspective, because although some researchers conclude that the factors that make people act collectively in protests are the same for men and women (Murdie & Peksen, 2014), I argue that taking a gender perspective helps to understand the dynamics of social movements insofar as the shape of public and private spheres follows a gender pattern.

The lack of analysis of gender in mainstream discussions about social movements indicates that for many scholars, wars, revolutions, and social movements are gender-neutral contexts. This is why, in the next section, I review the relevance of the gender perspective and the contributions of women and feminist social movements in this field.

### 1.2 Relevance of gender perspective in social movement analysis

Several scholars have recognised the relevance of the gender perspective in political science analysis, pointing out that this perspective is not just an approach to enrich the analysis, but that without it, the analysis will be unbalanced and inaccurate, as it would suppose gender neutrality (Bensimon & Marshall, 2003; Cornwall & Goetz, 2005; Mansour, 2021; McCammon, et al., 2001; Marshall, 1999; Ferree & Merrill, 2000; Orloff & Palier, 2009; among others). Therefore, considering that "discursive elements in the broader culture moderate the political influence of movement framing" (McCammon, et al., 2007, p. 745), it is crucial to acknowledge gender biases in discourses, ideologies, and frames, in order to understand how ideas matter in all contexts, but especially regarding social movements. Acknowledging the gender bias means including the 'hotter' concepts of emotions and values in the analysis, given that a non-gendered approach excludes them. In other words, social-movement researchers must pay attention to the "feminist theories of science and be more honest and self-reflective about their own values" (Ferree & Merrill, 2000, p. 459).

In order to answer the question "Under what circumstances are women more likely to protest?", Amanda Murdie and Dursun Peksen (2014) constructed a global analysis of mass

mobilisation among women by using data on women's nonviolent protest from 1991 to 2009, based on a theoretical contentious politics approach. The results indicate that the likelihood of women's protest is linked to, among other factors, the "levels of gendered economic and political discrimination, strong presence of women's organizations, and higher female population rates in the general population" (Murdie & Peksen, 2014, p. 180). Murdie and Peksen found support for each of the major research traditions of the contentious politics approach, concluding that the factors that affect women's nonviolent actions "are similar in many regards to the determinants of protests by the overall polity" (p. 190). This conclusion, they say, is important because, the findings of other theoretical political approaches are that women behave differently to men (e.g. regarding political leadership and voting), but that no differences are found when it comes to contentious politics. In their words, their "findings indicate that women's protest is likely to be driven by the same motivations, structures, and processes cross-nationally as contentious politics that do not centre on women" (p. 190).

Murdie and Peksen's research is, without a doubt, interesting and brings a conclusion that is seemingly easy to agree with. However, it is important to discuss such a conclusion through a gendered perspective. It is fair to say that, according to their research, women and men are likely to be driven to protest by the same motivation, structures, and process—according to the theoretical contentious politics approach—nevertheless, other questions arise when adding a gender perspective to this conclusion, such as: what are the motivations, structures, and processes when framed by patriarchal discourses? Are these motivations, structures and processes gendered? If so, what are the differences between women and men? With this, I do not intend to say that Murdie and Peksen's conclusion is wrong, only that their analysis can be enriched by questioning the assumption of the gender-neutrality of the political arena. In this sense, in order to understand the internal structure and composition of a feminist social movement that enables it to take advantage of changes in the political opportunity structure, I argue that it is necessary to consider the broad context in which the movement operates.

Accordingly, McCammon et al.'s (2001) critique of the state-centred approach to studying movement success results is interesting. In their research on suffragists and how they achieved their goals in the United States, they criticise the limited vision of POS, which is commonly used when examining the success of social movements. McCammon et al., object to a focus that sees only the momentary strategies or examines only the context because it limits the understanding just to political institutions and actors. Instead, they propose a model of movement success which considers not only mobilisation but the "broad context in which those movements operate, including political and other social dynamics that can affect movement success" (2001, p. 50). This model, they say, must theorise the impact of movements and their context on political decision-makers. They point out that the suffragist movement needed the willingness on the part of political decision-makers, all of whom were men, to support the proposed change. A model for movement success must, then, "specify the circumstances fostering such willingness on the part of political actors" (p. 50) by shifting the perspective from polity or state-centred theory to a society-centred approach to policymaking. The society-centred approach includes feminist, class, and racial theories of the state, assuming that gender, economic class, and race relations can influence policymaking. Consequently, the gender perspective is key for political analysis, since gender-conventional conceptions reproduce bias at multiple levels. Integrating gender discourse into political discourse will allow for debate of the core questions of politics regarding who gets what, when, and how (Orloff & Palier, 2009).

Using a mix of polity and society-centred theories, McCammon et al. (2001) argue that changes in the dynamics of formal politics impact the political interests of political decision-makers. However, this impact emerges in gendered ways. Therefore, they conclude, in the case of the suffragist movement, both political dynamics and changing gender relations resulted in political actors voting for suffrage. Their analysis reveals that no single cause can explain the success of women's suffrage: "Women did not win the vote simply because of particular political circumstances, or solely because of the strategies used by the suffragists, or simply because of changing gender relations. A combination of factors was required to broaden democracy to women" (p. 52).

Chappell (2000) highlights an alternative Western feminist approach to the state that is an interactive co-constitutive relationship with social agents, instead of a monolithic and "fixed structure that controls and dominates its subjects" (p. 245). Chappell uses this approach to analyse how the feminist strategies of activists in Australia and Canada are not only shaped by the POS, but can also shape the POS. The key factor in this approach—and to differentiate with the general focus that social movements and POS engage in a curvilinear relationship (Eisinger, 1973; McAdam, 2017; McAdam, McCarthy & Zald, 1996)—is the gender perspective, which underlines that the institutions are gendered. Therefore, her focus is on the way feminists have,

> Through their engagement with political institutions, been able to take advantage of existing political opportunities to challenge certain gender dimensions within institutions […] and, through their engagement with institutions create new opportunity structures through which they can pursue their aims. (Chappell, 2000, p. 249)

In other words, Chappell shows that the relationship between feminists and political institutions is interactive as well as dynamic.

In the same way, Htun and Weldon (2010) underline how the field of comparative politics has been focusing on men's lives and activities, understanding these as political, while women's activities have been seen as part of the private sphere (not political, not economically productive). Consequently, Htun and Weldon argue that the traditional approaches and typologies to understanding politics are not the best ones for understanding gender politics. Nor are the assumptions that underpin them the best for analysing feminist social movements. Htun and Weldon write, "We should formulate new theories of change in women's rights. Moving gender from the margin to the center of comparative politics demands that we start to form a global perspective and with a fresh intellectual agenda" (2010, p. 208). In order to do so, they present a typology of gender issues, which can be used to identify the sets of actors relevant for each type of policy issue. Moreover, it helps explain the varying importance of these actors across issues and countries.

Htun and Weldon's (2010) typology of sex equality policy has two dimensions: one wonders if the policy challenges the religious doctrine or codified cultural traditions, and the other asks if the

policy empowers women as a status group or addresses class inequalities. In any case, any issue involves both aspects of the state–society relation and actors.

> The priorities, strategies, and effectiveness of these advocates, allies, and opponents are shaped by aspects of the national context, including state capacity, policy legacies, international vulnerability and the degree of democracy. Showing these different issues, actors, and contexts combine provides a framework to guide the analysis of political struggles over sex equality policy. (Htun &Weldon, 2010, p. 213)

In the same way, Bensimon and Marshall (2003) recommend several alternatives for acknowledging feminist critical analyses, such as employing alternative methodologies, namely narrative and oral history, which allows for the uncovering of some overlooked issues and actors (Bensimon & Marshall, 2003). McPhail (2003) also emphasises the need to bring gender into the picture. In her paper "A feminist policy analysis framework" she proposes a model for the analysis. This model, she stresses, will never and can never be complete, and it does not represent an immovable framework but a resource for analysis. The questions that McPhail put into her analysis model acknowledge values, context, language, equality/rights and care/responsibility, material/symbolic reforms, role change and role equity, and power analysis, by "making questions that bring gender into de picture" (McPhail, 2003, p.55), such as,

- "Are women's unpaid labor work of caring considered valued or taken for granted?" (McPhail, 2003, p.55).
- "Does the policy contain elements of social control of women" (McPhail, 2003, p.55).
- "Does the policy replace the patriarchal male with the patriarchal state?" (McPhail, 2003, p.55).

To sum up, the use of the gender perspective in the development of political analysis is necessary, especially concerning women's and feminist movements. As Susan Franceschet (2005) puts it, "feminist scholars have warned that an accurate study of women's politics must avoid taking masculine models of politics as the norm […]. Instead, as Jill Vickers argues, a feminist approach to political science must 'start from where women are'" (p. 5). Consequently, to understand the internal structure and composition of a feminist movement that enabled it to take advantage of changes in the

POS to succeed, the classic theoretical approach needs to be used through a critical, not a hegemonic, lens, to include feminist analysis, which "acknowledges that there is no such thing as an objective and value-neutral policy approach" (McPhail, 2003, p. 45). As Chappell (2000) mentions, the challenge in the feminist movement impacts not just the formal political institution but also the opportunity to challenge certain gender dimensions within it.

After supporting the use of a gender approach for political analysis, the next section will review specific research and literature about political opportunities for women's and feminist movements in order to understand the scholarly treatment of these.

### 1.3 Political opportunities for women's and feminist movements

The previous section argued that assuming a gender perspective in political science analysis, and recognising that there is no such thing as neutrality -not only within the academic field but in society as a whole- allows for more accurate analysis in that it acknowledges gender bias. In this sense, it is relevant to see how the political opportunities of women's and feminist movements have been studied. This section will therefore discuss studies that recognise the challenge represented by the analysis of political opportunities through a gender lens. Finally, I review how this topic has been studied in Chile, focusing on the work of different scholars who analysed women and social movements (such as Baldez, 2001; 2003; Piscopo et al, 2023; Franceschet, 2003; 2004; 2005, Waylen, 2016; among others), thus arguing my contribution to the literature.

Several studies analyse dimensions of political opportunity structures and highlight different aspects of the emergence and development of women's and feminist movements. As described above, the emergence and development of women's and feminist social movements has been complex, due to the patriarchal hierarchy at work. As Mansour (2021) mentions, "Informal gender rules are often 'invisible' as they are 'naturalised' as part of the status quo" (p. 378). Therefore, the question of how

an idea gains enough momentum, legitimacy, and support to gain dominance is not that easy to answer in gendered situations (Marshall, 1999).

Consequently, it is challenging to analyse political opportunities about gender issues with a gender approach because it forces us to understand reality in a holistic instead of in a patriarchal linear way. In this sense, Mansour (2021) shows how patriarchal hierarchies close any opportunity to engage with a gender equality agenda even when the context seems to be perfectly set up for success. One example Mansour highlights was the 25 January revolution in Egypt, which seemed to provide a golden ticket for feminists to achieve various goals. Through questions such as "What kind of constraints did women activists operate within? What resources were available to them? What were the formal and informal rules that constrained or enabled change?" (p. 387), Mansour showed how women's choices were limited from the very beginning, both on a formal and informal level. This was due to disadvantages pertaining to inadequate political representation of women, gender-blind electoral laws, and general patriarchal tendencies.

Simone Da Silva-Ribeiro-Gomes (2018) points out a similar case in Nicaragua. In 1979, with the triumph of the Sandinista Revolution and the collapse of the Somoza dictatorship (1934–1979), a significant transformation took place in Nicaragua, providing an example of a great change of political opportunities. Since 2006, the 'revolutionary Sandinismo' has shifted towards conservatism, and the government has attempted to centralise, directly or indirectly, all feminist guidelines in the organisations it commanded. This situation interfered with the POS for activists, causing a stronger split among the autonomous young activists who did not identify with the Sandinista women's organisations.

Furthermore, a comparative analysis of POS on women's and feminist issues shows the need for a gender perspective in order to understand the bias that underlies the political institutions, and how these constrain opportunities. An interesting case is Güel's (2021) research, which analysed the changes in the political opportunity structure in Turkey in 1998–2018 when the country shifted from Europeanisation to selective Europeanisation and finally to 'de-Europeanisation', a process that

further constrained the feminist movement's capacity to achieve legislative changes. Güel underlines that patriarchal structures also make it harder to achieve women's rights through feminist movements. The earlier discussion on civil code and penal code reforms in Parliament is an example of this, where the first draft of the new penal code was similar to the previous one with regards to women's rights, "only after the feminist movement became involved in discussions were women's individuality, bodily integrity, and sexual and bodily autonomy incorporated into the code" (Güel, 2021, p. 17).

These research examples of how the patriarchal hierarchy constrains the opportunities for women's and feminist movements make the question regarding the contrary case—under which circumstances have women's and feminist movements succeeded?—even more interesting. Analysing the internal structure and composition of a feminist social movement that enabled it to take advantage of changes in the POS to facilitate the passing of important legislation would shed some light on one aspect of the above question.

It seems that a key aspect of analysing the political opportunity structure of gender issues from a gender perspective falls upon the focus of the framing. Charles and Mackay (2013) present an interesting case. They analyse the impact of devolution in the UK in the 1990s, and the newly gendered political opportunity structures for feminists in Scotland and Wales, who were seeking to impact on the political agenda through policies on domestic violence. Even when both countries had a large number of women policy-makers, different devolutions impacted on policy trajectories (as different powers held the parliament in the two countries), resulting in different framings. In Scotland, the policy was framed as gender-based violence. In Wales, it was framed in gender-neutral terms. This emphasises the key aspect of framing, as "the policy-making process can be seen as a contest over ideas and meanings, control over the interpretation of policy problems (diagnosis) and the framing of solutions (prognosis)" (Charles & Mackay, 2013, p. 595), which from a gender perspective demands holistic observation and analysis of reality.

Blofield and Haas (2005), in their analysis of Chilean women's rights laws in the period 1990–2002, also highlight framing as holding a key role. During this decade, which followed the Pinochet

dictatorship, the Chilean government was run by the central-left wing, with a strong familyist view—a gender-conservative stance—with strong participation of the right-wing in Parliament.[6] In this context, Blofield's and Haas's analysis shows how the discourses and bills of the more radical left began to contain more references to traditional family roles (such as maternity and traditional family-structures). The scholars clarify that even if this strategy did not necessarily change parliamentarians' beliefs, it did make the proposals harder to oppose. However, by doing so, there are some short-and long-term risks in accomplishing gender equality in the proposals. As the authors affirm, framing the bills in conservative terms, even if only strategic,

> […] will affect the type of legislation passed and the degree to which the new law expands women's equality in practice. Adopting the traditional gender frames of congressional conservatives risks playing into the hands of those opposed to women's rights by legitimating their logic and discourse. In this way, long-term, more extensive changes may be sacrificed for short-term expediency and political pragmatism. (Blofield & Haas, 2005, pp. 63-64)

In her book *Women, Policy and Politics. The Construction of Policy Problems*, Carole Lee Bacchi (1999) also stresses the importance of framing, arguing that any policy proposal contains problem-representation in its diagnosis of the problem (explicit or implicit). Consequently, according to Bacchi, given that all social institutions are gendered, a political analysis needs to focus on discourse—understood as the language, concepts, and categories—employed to frame an issue. Again, highlighting the framing from a gender perspective serves to underline the false neutrality in the analysis and the need for a critical view, and political opportunity is no exception.

Continuing with the review, we can also find research on the political opportunity structure in Chilean women's and feminist movements. An example of those is Baldez's (2002) analysis of the anti-Pinochet and anti-Allende women's movements, which stresses not only the conditions under which protest occurs, but also indicates why women perceive some conditions as opportunities for taking gender action. In other words, she puts gender perspective at the centre of the cultural framing,

[6] Because the case selected is from Chile, the post-dictatorship period is reviewed in Chapter 3.

and points out that in both the above-mentioned movements, women explicitly differentiated themselves from men (Baldez, 2002).

One of the key elements that Baldez points out is that in the anti-Allende and anti-Pinochet movements, Chilean women organised as outsiders, due to their exclusion from politics, which finally—in her analysis—led to the inevitable decline of the movement. In her words,

> Framing women's participation in terms of an outsider status, combined with women's inexperience in partisan politics, left women without an effective strategy in the formal political arena. These findings contrast directly with research that suggests women's ability to achieve policy gains is highest when they organize autonomously. The very factor that led to the success of these movements -mobilizing as outsiders- allowed male politicians and "antipoliticians" to marginalize women. Studies of women's movements frequently conclude with a call to consolidate women's mobilization, but that recommendation may prove self-defeating when it comes to meeting women's particular demands. (Baldez, 2002, p. 207)

In the same sense, Susan Franceschet (2005) analysed the two Chilean women's mobilisations based on motherhood (hence, as outsiders). The first wave of women's movements (before Pinochet's dictatorship) demanded citizenship rights for mothers, seeking autonomy from parties regarding their difference from the corrupt political world, as they—as women—were above politics. In other words, and as Franceschet points out, the women of the first wave of the Chilean women's movement did not see themselves as political actors, even when they sought political advancement. In her research, Franceschet (2005) concluded that the first-wave women's movement's political opportunity structure did not drive the politicisation of women as a gender identity, since the political discourse was class-based. She describes that, "In a context dominated by political parties and the language of class, women could not successfully politicize their gender interests. As a result, Chile's gendered patterns of citizenship remained relatively unchanged" (p. 55).

Franceschet (2005), like Baldez (2002), reviews the reemergence of the women's movement during Pinochet's dictatorship (1973–1990) and underlines the continuity of the politics of difference in women's collective-action frame as mothers. Nevertheless, the discourse had shifted, since "the meaning of the maternal identity that served to mobilize women in the 1970s and 1980s was

politicized in contrast to the claims of first-wave feminists that women were above politics" (Franceschet, 2005, p. 57). In the authoritarian context of the Pinochet era, the political opportunity structure allowed the politicisation of women as a group due to one main feature: the political parties were forced underground, closing them off from the formal political arena. This erased the division between the formal and informal political arenas, and because women were historically in the informal, in an authoritarian context they were part of the political opposition. "Women's activism, therefore, emerged in a context in which politics, as traditional practices, had ceased to exist and people had to invent other forms of collective action to pursue their goals" (Franceschet, 2005, p. 58).

Baldez's (2003) comparative study of Chile (in the Pinochet era), Brazil, East Germany, and Poland, shows that, in all four cases, the resources for collective action are present in the form of women's participation in formal and informal networks, providing the infrastructure for developing women's movements. However, in the cases of Chile, Brazil, and East Germany it was not enough to build a women's movement, with another two variables being present: a) contact with feminist activists in other countries, which helped women's groups in each country to see the benefits of gender-based mobilisation; and, b) male opposition that excluded "women and women's issues from the agendas they established during the process of realignment" (Baldez, 2003, p. 245), which helped to frame demands in a gendered way.[7]

Despite the open political opportunity structure for the mobilisation of women in an authoritarian time, in the period of democratic transition, the Chilean context was different (Baldez, 2001; Franceschet, 2005): the political parties became the protagonists of all activities considered political and women's issues were transferred to the new *Servicio Nacional de la Mujer* (SERNAM). This context closed movement opportunities.

[7] Other academics have pointed out other aspects that have been operated as open or closed POSs depending on the context and social movements, e.g. the creation of specific state institutions for women (Franceschet, 2003); the development of feminist NGOs and feminist civil societies (Cornwall and Goetz, 2005; Weldon, 2004); economic contraction (Cullen; 2015), and the relationship of the participants of social movement organisations with other institutions (Franceschet, 2004).

As we can see, the research on political opportunity structures in the Chilean women's and feminist movements reviewed above takes place between the 1930s and the 1990s. These times speak to particular and distinctive moments in Chilean history. Between the 1930s and 1950s, the Chilean women's and feminist movements were about political rights, and the vote; between the 1960s and 1970s the movements went silent[8] (Kirkwood, 1986), and from 1970-1973 there was a right-wing anti-Allende women's movement. Then, in the 1980s, we can see how the women's and feminist movements recovered strength in the fight against the Pinochet dictatorship, however, it declined in the democratic transition during the 1990s with the division among the feminists between the institutional and autonomous. Nevertheless, post-transition studies (2010s decade) about opportunities to impact the political scene are also relevant to review.

For instance, Waylen's (2016) research about Michelle Bachelet's two administrations (2006-2010 and 2014-2018) is fascinating in understanding how the political opportunities for pro-women legislation are also gendered, even for the country's maximum authority: the president. Along this line, the author described the differences and continuities between the two administrations in three main areas: the context, the workings of government, and policymaking and outcomes. Under this examination, Waylen (2016) analyses the different results of Bachelet's two presidencies, where the first one was more constrained for pro-women policies than the second one. In her words, "the first Bachelet administration was constrained by a lack of power vis-a-vis some members of the *Concertacion* and the right-wing opposition. As a result, its reform agenda was limited and particularly around gender-explicit policies" (Waylen, 2016, p. 218). On the contrary, under her second administration, Bachelet was able to advance significantly in the pro-women agenda. Nevertheless, this does not mean that the president did not face barriers, but how the political opportunities worked and how she confronted them.

[8] This will be explained in Chapter 2.

Piscopo et al (2023) research about Chile as a later adopter of gender quotas, is an excellent example of a post-transition study. Chile is characterised not only because it suffered a dictatorship during the 70s and 80s but also because during the democratic transition period (1990s), state administrators legitimised the dictatorship model (neoliberalism).[9] In this context, Piscopo et al. research wonders why Chile adopted a gender quota 25 years after the democratic transition (2016) in a Latin American context in which several countries adopted one during the democratic transition. In this sense, they argue that the opportunity window was closed after the regime change because the system was made and dominated by [elite] men. It was during Bachelet's second administration (2014-2018) that the opportunity windows opened, and she was able to pass a constitutional reform to change the political system, including a gender quota reform. During this time, as the authors explain, the feminist movement in the street was relevant because it "fueled the demand for political power" (Piscopo et al., 2023, p.17).

On a more recent topic, Piscopo and Suarez-Cao (2023) studied gender parity in the process of writing a new constitution proposal during 2020 and 2021[10], a process which was an outcome of a strong mobilisation named *estallido social* (social upheaval), in which the feminist movement was a key element since 2018. Regardless of the outcome of that process, the study addressed how gender parity and newness combined gave the 'feminist designers' influence power to impact not only the convention's procedural rules but also the final document. In their research, the authors stressed the relevance of the framing process to impact the informal male rules to achieve the gender footprint looked for. In their words,

> The women delegates learned important lessons in the convention's first weeks as they sought to secure the feminist procedural code. They realised that translating gender parity into policy influence would require more than just winning gender-equitable formal rules; they would have to continue working together, a collaboration that would itself require coordination and,

[9] The Chilean context is reviewed in Chapter 3.
[10] This proposal was not approved, and after a second failed process Chile still is regulated by the 1980 Constitution made under the dictatorship.

> thus, informal rules. As a woman party delegate reflected, “We realised very early on that we needed to work as a group in order to win our proposals” (Interview 13). (Piscopo and Suarez-Cao, 2023, pp. 11)

This research's case study takes place between the transition period and the strong feminist movement in 2018, which makes the case interesting. Not only was the political context different during the dictatorship and the transition period, but the feminist generation changed, as did the technology that allowed new spaces and collective action strategies (Chon & Park, 2020; Hsiao, 2018; Rovira, 2018, among others).

The internal structure and composition of feminist social movements enable them to take advantage of changes in the realm of political opportunity, facilitating the passing of important legislation. Understanding these structures adds a gender perspective to the social movement field, which helps to correct the knowledge bias within contemporary feminist movements.

Studying the case of the Chilean movement against street harassment sheds light on one example of the new wave of mobilisation in the country, underling the political context, the features of the movement, their strategies, and frames.

### 1.4 Street harassment research

There are several studies on the definition of street harassment, why it is a problem, and even why it is a gender problem. Additionally, we can find various surveys from different countries that characterise sexual violence in public spaces: who is the victim, who is the victimiser, the frequency, average, etc. Additionally, there are numerous qualitative studies on this topic, including research that delves into experiences, imaginaries, social constructions, and so on. However, since the characterisation of street harassment is not the topic of this research, I will, in what follows, address some studies on how the issue has been addressed by social movements. Nevertheless, before

referring to those studies, I would like to briefly examine a paper written by Amanda Roenius's (2016), where she addresses different street harassment definitions, some surveys about the frequency and characteristics of this type of violence, and a review of some Illinois criminal laws not directly related to street harassment but that victims can use, among other things, to problematise the need of a statute against street harassment. However, the issue that I would like to stress is one of her conclusions. In her words,

> Street harassment is not simply a feminist's issue or a victim's issue; street harassment is everyone's issue. Street harassment affects individuals of different genders, races, sexual orientations, and socioeconomic classes. It occurs on a daily basis in cities and countries throughout the globe and slowly strips away individuals' sense of safety, self-dignity and self-worth. (Roenius, 2016, p. 871)

What seems relevant in this analysis is the denial that street harassment equals gender violence. She mentions that statistics show that even if women form the majority of victims, they are not the only ones. This type of conclusion reveals that the author's conception of gender violence is about what women suffer, and not about gender subordination, which can also explain the intersectionality of street harassment. Regarding the topic of the present thesis, the claim of the case selected is understood as gender violence.[11]

Returning to the main subject in this section, two interesting academic contributions about the movement against street harassment point to the digital context as a key characteristic. Bianca Filebron (2014) found evidence that, since sexual violence in public spaces is not everywhere considered criminal, in combination with its lack of social visibility as a problem, victims are often excluded from official justice responses which brings them to use other spaces to share their experiences. The most common space to do so is social media—especially websites and blogs created by feminist activists for these purposes—which comes to serve as an informal justice mechanism.

The online feature is not merely a use of a digital platform but a significant element in the street harassment social movement. This is what Dimond et al. (2013) underline in their research

[11] The argument for this is developed in Chapter 2.

"Hollaback! The role of collective storytelling online in a social movement organization". Hollaback! started in New York City in 2005 to stop street harassment, and has now representation in several countries through alliances with other organisations and NGOs. Through several online platforms—e.g. blogs, Android and iPhone apps, and social media such as Facebook and Twitter—Hollaback! has collected thousands of recorded experiences of street harassment worldwide. In this sense, Dimond, Dye, LaRose, and Bruckman's contribution focused on the particular experiences shared by women in the United States and the United Kingdom. Through social movement theory, and by using emancipatory action research and qualitative methods, the scholars interviewed women who shared their street harassment experiences online. The platform's technology thus contributes to the crowd-sourced framing process. In their paper, the authors reviewed the relevance of storytelling in social change and social movements, arguing that it is through such actions that people "learn and exercise agency, shape identity, and motivate action" (Dimond et al., 2013, p. 477). Nowadays, the street harassment movement serves as an example of how the use of information communication technologies (ICTs) can be a way to create collective identity by mobilising people and engaging in traditional activities of contention (such as street protests).

In addition, Dimond et al.'s contribution shows that technology also operates as an opportunity structure in the street harassment movements. Accordingly, following Benford and Snow's work in the area, the authors analyse the frame-alignment processes, with special focus on two of these: frame transformations and frame extension.[12] The findings in their research about frame extension are enlightening, showing that the women who share their experiences online were able to problematise it as violence, while before sharing their testimonies, they had believed street harassment was simply a part of life. "This is an example of a core-framing task used by social movement organizations to elicit a frameshift" (Dimond et al., 2013, p. 482). In addition, after posting and reading about street

[12] "Frame transformation is a process that produces a change in the individual level specifically 'in cognitive orientation and emotional sensitivities'. People shift from one way of seeing and understanding an issue and oneself to a different way […]. Frame extension occurs when social movement organizations expand the boundaries of what is considered part of the frame" (Diamond et al., 2013, p. 480).

harassment experiences on Hollaback!, the participants changed their thinking and feelings about their own experiences. In other words, the paper shows a frame transformation because "after sharing their story and reading the stories of others, participants shifted from believing the experience was limited to 'just them, to viewing it as part of a broader, collective phenomenon and as part of a community'" (Dimond, et al., 2013, p. 483).

Another interesting piece of research on this subject is Elizabeth Vallejo's (2018) Master's thesis. She focuses on the question "What were the interpretive frameworks of 'street harassment' during the process of positioning street harassment as a public problem between 2012 and 2014?" in Peru. To answer this question, Vallejo analysed the social media of two anti-street-harassment organisations and interviewed some activists from the same organisations: *Paremos el Acoso Callejero* (Stop Street Harassment) and *P.U.T.A.S.*[13] A particular characteristic of Vallejo's contribution is her role as a founder of Stop Street Harassment, which was created with funding from the Peruvian Catholic University while she was an academic there.

Vallejo's research shows a feminist movement managing to problematise sexual violence in public spaces, something that was non-existent in the public agenda before the pressure from the groups mentioned above. Since 2012, social media, especially Facebook, was both a space and a tool for the work carried out by feminist activists trying to problematise street harassment. Consequently, between 2012 and 2016 there was a notable change both in the public knowledge and perception of street harassment, and in the actions taken by the Peruvian state. In other words, there has been a frameshift in the interpretation of the problem.

As in the case of Hollaback!, then, social media was a key element in the Peruvian street harassment movement. Vallejo (2018) points out that this is not a movement that arises from formal feminist organisations or NGOs, neither was it organised by calling assemblies, strikes, or protests on the streets. The messages, discussions, and fights occurred largely on Facebook and public online

[13] This abbreviation translates into the English word 'sluts'.

pages. It is in these digital spaces of interaction that ideas are generated and spread to feed the movement. As Vallejo puts it: “Facebook, in addition to being a social world, is also a discursive field” (Vallejo, 2018, p. 8). Furthermore, the study underlines that the act of sharing experiences on fan pages is a form of participation that is not part of organised activism. Sharing experiences online allows people to get involved and contribute to the cause, with no intermediary needing to get involved.

From the frame analysis, Vallejo (2018) shows that the diagnostic from the anti-street harassment organisations defined the problem as one pertaining to gender, by making explicit its sexual character, emphasising that it is sexual harassment, and not a compliment (*piropo*).[14] In the same way, the organisations did not specify what causes street harassment, but determined what did not: not the clothes, not the women. Stop Street Harassment and *P.U.T.A.S.* also framed the diagnosis, pointing out that women are the most common victims of sexual violence on the streets, without referring to other variables (such as sexual orientation, nationality, and others). Finally, Vallejo finds that the organisations framed their diagnosis by arguing about the impact that these actions have on the victims in terms of their human rights.

Three strategies were analysed as motivational frames employed by both organisations. On the one hand, both organisations used emotions—hope, fear, and indignation, among others—to frame the motivation. Secondly, they also used data and academic information, in the form of surveys and qualitative research. Third, they framed the motivation by using opinion leaders and journalists. Finally, Vallejo (2018) shows the prognostic framing in two areas: First, both organisations articulated solutions to the problem by publicly denouncing and facing the victimiser. There was initially no legal strategy, but both groups supported the bill when it was proposed. Second, both groups agrees that women were the principal actors in addressing the problem by making reports, men followed as allies, and finally the state when drawing up the anti-street harassment law.

[14] The Spanish word “*piropo*” does not mean something bad. Actually, *piropo* is used to refer to a compliment that someone pays another (usually a man to a woman).

This section has shown how specific claims against street harassment have been studied as a social movement. As this is a new problematisation (Bacchi, 1999) with only a few achievements in the legal area worldwide, only a few studies have been written on the subject. Therefore, the research topic of this thesis not only opens new paths for the Chilean feminist movement but also for a new problematisation of gender violence.

The social movement against street harassment was born in the twenty-first century, in a world connected through social media and led by a young feminist generation. Understanding the dynamics of this movement through a particular case sheds light not only on that specific case but also on a significant scenario. In other words, the analysis of the internal structure and composition of the feminist social movement against street harassment in Chile that enabled it to take advantage of changes in the political opportunity structure to get important legislation approved, helps to picture how newer feminist generations frame the problem, which kind of strategy and resources they employ, and how this helps them to achieve changes in the legal context.

To conclude, the literature review presented in this chapter has underlined the relevance of the political opportunity structure approach to analyse the research topic of this thesis. This approach, however, needs to be understood as mapping out a curvilinear relationship between the different dimensions. In the same way, the POS approach must be joined with a gender perspective, as the impact of the patriarchal hierarchy can be found not only in formal and informal political institutions but in society as a whole. In this regard, this research helps to fill the literature gap by approaching the POS analysis from a gender perspective, and specifically, by contributing to the contemporary Latin American feminist movement's analysis by shedding light on a post-transition to democracy context.

The next chapter discusses the theories that frame this thesis, providing an in-depth review of the political opportunity structure theory and its components, while arguing for the need to understand that the political arena is gendered and that, therefore, the POS is itself gendered.

# CHAPTER 2

## Gendering the political opportunity structure theory

In the previous chapter, I examined the state of the literature related to the thesis research topic developing revisions on four dimensions: how have studies about social movements in the modern era been addressed; how has the need for the gender approach in social movement analysis been highlighted; existing research on the political opportunities for women's and feminist movements, and existing studies on how some social movements have addressed the street harassment claim. I argue that the present thesis is localised in the POS theory. However, the ways in which this has been commonly used and understood does not fully integrate the conception that the political arena is gendered, but assumes, instead, neutrality. Consequently, to answer the research question, "How did the internal structure and composition of a feminist social-movement organisation enable it to take advantage of changes in the political opportunity structure so as to succeed in getting important legislation passed?", this chapter addresses the conceptualisation of the theory within which this thesis stands, the theoretical grounds of which I used not only to understand my research topic but to analyse the thesis results.

As described in the introduction, Tilly and Tarrow (2015) define a movement as a "sustained campaign of claim-making, using repeated performances that advertise the claim, based on organisations, networks, traditions, and solidarities that sustain these activities" (p. 11). In an effort to differentiate any contentious politics from social movements, they explain that social movements combine four factors: i) sustained campaigns of claim-making; ii) an array of public performances; iii) repeated public displays of worthiness, unity, numbers, and commitment, and iv) organisations, networks, traditions, and solidarities that sustain these activities. In this sense, a women's or feminist movement would be understood as sharing the same characteristics, with the specific feature that the key agents of mobilisation are women and often act based on gender-related issues (Murdie & Peksen,

2014). Considering this, and as stated above, the particular feature of women's and feminist movements establishes the need to recognise the difference in at least two aspects: 1) when the people making claims are valid or invalid political actors, and 2) whether the claim itself is publicly valid or invalid. In this sense, women's and feminist movements need to be analysed in light of a context characterised by the gendered division of public and private spaces, the former reserved for men and the latter for women. Understanding that the political context is gendered, and thus not the same for men and women, has the consequence that the theory of social movements should be reviewed in accordance with the acknowledgment of this main difference, not to dismiss the theory or its dimensions but to enrich it.

Regarding the aim to analyse the internal structure and composition of a feminist social movement that enabled it to take advantage of changes in the political opportunity structure to facilitate social movement success, this chapter gives the theoretical background against which we can understand the main dimensions of addressing the research question. This chapter is divided into four sections. In the first, I develop the theoretical approach to social movement studies through three analytical tools—political opportunity structures, mobilising structures, and framing processes—highlighting the dimensions that I understand to be key to the analysis of this thesis. Even when I develop each of the dimensions separately, I also stress the need to understand them in relation to each other. I also emphasise the need to see the social movements not just as a static result of the political context which still remains, to absorb the influence of political opportunity, but as an active movement that also affects the opportunities. In addition, in each of the segments of this first section, I take a gender perspective and argue that the addition of social and contextual elements in each of the dimensions is essential for addressing the research question, since these extra elements allow us to recognise gender-based bias in the political context.

Since this research addresses not only the case study of a feminist movement but also takes an epistemological gender approach, in the second section, I develop three main aspects of the gender perspective adopted. First, I give a full argument about why the gender approach is important in the

study of social movements by focusing on the discussion of the private-public distinction and its consequence for women's socialisation as private actors. Secondly, I argue for the relevance of understanding the political context as gender biased, which leads to the conclusion that the political opportunity structure is also gendered. Finally, I finish this section by addressing the importance not only of formal but also informal norms, rules and institutions in the political arena, and the relevance of critical actors to advance in pro-women legislation. In the third section, I examine the work of theorists and feminist organisations when defining street harassment, identifying key dimensions to recognise the distinction between this type of sexual violence and other, seemingly similar, acts. I then review the case study organisation's problematisation of street harassment as gender-based violence. Finally, in the fifth section, I conclude this theoretical framework chapter by stressing the need to be conscious of how gender shapes the political arena and also the people who act on it. In this regard, I emphasise the gender approach as doing analytic justice to social movements in general and women's and feminist movements in particular, considering that a relevant amount of social-movement literature fails to address the gender-based space division as a relevant variable for understanding, for instance, wars and revolution. Thus, they have not stopped to consider a crucial analytical aspect: in those processes, most decision-makers are men.

## 2.1 Social movements: Emergence, development, and dynamics

The study of social movements as collective action has focused both on different aspects of the movements themselves and its relations with other actors. McAdam et al. (1996) describe two distinct theoretical perspectives when studying the organisational dynamics of collective action: resource mobilisation theory and the political process model. The former shifted the traditional focus on grievance-based conceptions of social movements by focusing on the mobilisation process and the formal organisational manifestation of these processes. They explain that the resource mobilisation theory "was less a theory about the emergence or development of social movements than it was an

attempt to describe and map new social movements form—professional social movements—that they saw as increasingly dominant in contemporary America" (McAdam et al., 1996, p. 4). The political process model, however, disagrees with the proposed equation of social movements with formal organisations. Tilly is one of the scholars who have been working according to this model, approaching the critical role of facilitating and structuring collective action of grassroots settings. Also Sara Evans' research "located the origins of the women's liberation movement within informal friendship networks which were forged by women who were active in the civil rights movement and in the American New Left" (McAdam et al., 1996, p. 4). Despite these two theoretical approaches, social-movement scholars have also developed several pieces of research regarding the organisational dynamics of social movements, among them are studies about the relationship between organisational form and type of movement, and the consequences of the state structure and national organisational cultures on the specific form that the movement takes (McAdam et al., 1996).

Regardless of theoretical perspective, there are, as mentioned in the previous chapter, three key dimensions that various social movement scholars point out as the major analytical tools with which to study the emergence and development of social movements: political opportunities structure (POS), mobilising structures, and framing processes (Da Silva-Ribeiro-Gomes, 2018; Della Porta, 1996; Kitschelt, 1986; McAdam, 1996a; 2017; McCarthy, 1996; Tilly & Tarrow, 2015, among others). These three factors are strongly related, and the manner in which each impacts the other depends on the relation of the variables that the researcher attempts to study (McAdam et al., 1996). In the case of this research, I understand POS as being endogenous. By this I mean that even when POS impacts social movements, the latter impacts POS as well. In this sense, and in relation to my research question, I focus on the mobilising structure and framing processes of the Chilean movement against street harassment that allow them to take advantage of the political opportunity structure. Hence, the relationship is bidirectional: POS impacts the movement and the movement impacts POS. Therefore, the relationship between POS, mobilising structures, and framing is key to a deeper understanding, and this is why, in this section, I review the three key dimensions separately to understand the

emergence and development of social movements, describing how I understand each of them and which dimensions I consider relevant for this analysis.

### 2.1.1 Political opportunity and constraints of social movements

Tarrow (1996) refers to POS as "consistent—but not necessarily formal, permanent, or national—signals to social or political actors which either encourage or discourage them to use their internal resources to form social movements" (p. 54). As we can see, his definition emphasises both the formal structures (i.e. state institutions) and the conflict and alliance structures, which can give powerless opponents the opportunity to challenge the powerful. A social movement can respond to a period of rapid change or, on the contrary, to a period of incremental changes in repertoires that are less dramatic, but—as Tilly and Tarrow (2015) mentions—more decisive in the long run. Tilly and Tarrow also point out that there are three major causes of incremental change: 1) connections between claim-making and everyday social organisations; 2) cumulative creation of a signalling system by contention itself, and 3) operation of the regime as such. In each case, the response of a social movement with collective action is shaped by political opportunities, regardless of the time that the change takes. In this sense, the political opportunity structure analysis has a tremendous versatility regarding the study of social movements, as it can both facilitate and constrain the development of collective action, composed by specific configurations of resources, institutional arrangements, and historical precedents for social mobilisation. As a result, the timing and fate of any movement widely depend on what opportunities are available in the institutional structure (McAdam, 1996a). Furthermore, and as Kitschelt (1986) mentions,

> While they do not determine the course of social movements completely, careful comparisons among them can explain a good deal about the variations among social movements with similar demands in different settings, if other determinants are held constant. Comparison can show that political opportunity structures influence the choice of protest strategies and the impact of social movements on their environments. (p. 58)

Therefore, POS theory is based on the conviction that social movements are shaped by the "broader set of political constraints and opportunities unique to the national context in which they are embedded" (McAdam et al., 1996, p. 3). Nowadays, in a more cross-national context, we can also say that the movements are shaped by opportunities that mobilise collective action in the international context (Tilly & Tarrow, 2015). In this sense, the international POS effects the framing of local issues concerning e.g. global problems, transnational networks, and movement coalitions (Tilly & Tarrow, 2015). Understanding the nature of social movements as not just spontaneous but as localised in a particular context helps us to realise that the emergence of collective action is not only about leadership or about whether the claim is considered to be fair, but also about the broader political structure that opens or constrains possibilities of that action. This will partly explain why and how a movement becomes large and exceptional and why others fail. Regarding the research topic of the present thesis, the theoretical approach of POS that encourages or discourages social movements from using their internal resources to form social movements is ideal for understanding the internal resources of the particular Chilean social movements against street harassment that enables them to take advantage of these POS. However, before embracing the theoretical approach, it is crucial to review the dimensions of POS.

Several theoretical and empirical studies exist that specify the particular components of the POS that can affect social movements' capacity to engage in contentious activities by increasing or restraining its possibilities in at least three different ways (Kitschelt, 1986):

1) The sources (normative, remunerative, and informational) that the movement can extract from its setting and employ in its actions.
2) Access to the public sphere and political decision-making is governed by institutional rules, which allow for "register, respond to and even shape the demands of social movements that are not (yet) accepted political actors. They also facilitate or impede the institutionalization of new groups and claims" (Kitschelt, 1986, pp. 61-62).
3) The appearance and disappearance of other social movements can affect opportunities as well. This can affect because the mobilisation of a movement can have a "demonstration effect" on another movement, persuading their action.

Because of the different approaches to POS's dimensions, I review some contributions and then identify which are the most adequate to engage with regarding the case study of this research, depending on their characteristics.

Tarrow (1996) specifies four opportunity elements as key to any in-depth analysis of the political opportunity structure of a given social movement: the opening up of political access, the shifting alignments, the availability of influential allies, and cleavages within and among elites. The first element of opportunity refers not to fully open access to the political arena, but concerns, rather, an in-between context, "neither full access nor its absence encourages the greatest amount of protest" (Tarrow, 1996, p. 54). In other words, protests would be more likely to occur in systems that have both open and closed factors. The second element concerns the instability of changing political alignments as a possibility for engaging in collective action, due to the fact that the shifts and changes of any government, opposition parties, and the birth of new coalitions, encourage challengers to confront those in power "and may induce elites to seek support from outside the polity" (p. 55). The third element of opportunity that Tarrow (1996) identifies is the appearance of influential allies, which can "act as a friend in court, as guarantors against brutal repression, or as acceptable negotiators on behalf of constituencies which—if left a free hand—might be far more difficult for authorities to deal with" (p. 55). Finally, as the fourth element of opportunity to engage in collective action, Tarrow identifies the conflicts within and among elites as key. Intra-elite conflicts incentivise groups to take the risk of collective action, and parts of the elite to engage with the people ("in order to increase their own political influence").

Several researchers have used Tarrow's dimensions for analysing the POS of a given social movement because of their usefulness for understanding the external elements that impact the success or failure of a movement. They have also proven relevant to the case selected for this research—the Observatory Against Sexual Harassment. In Chile, when OCAC was created, there was an opening up of political access in the context of political rules that had been articulated by the dictatorship, which is key to understanding the development of the movement. Thus, the shifting alignments of the

political and electoral coalitions, the changes in the electoral system, and the forces of the elites were key to the cause against street harassment.

In addition to the above, it is important to note that collective action is not only influenced by the external elements of opportunities, but it can also create opportunities (as in Kitschelt's (1986) third description of how POS can affect the capacity of a social movement to engage in contentious activities). Collective action is not just passive in the opportunity field, but active, for instance, by shedding light on the weak points of a powerful opponent, which may not be evident at first sight. "Once collective action is launched in part of a system, on behalf of one type of goal, and by a particular group, the encounter between that group and its antagonists provides models of collective action that produce opportunities for others" (Tarrow, 1996, p. 59). This can happen in four different ways according to Tarrow: a) by expanding the group's own opportunities as a function of its own activities; b) by expanding opportunities for others by new problematisation, putting new items on the political agenda, and by encouraging collective action by demonstrating the utility of it; c) also, the collective action of a movement can create opportunities for opponents, and, d) create opportunities for elites both negatively and positively, the former when the action or movement "provides the grounds for repression" (Tarrow, 1996, p. 60), and the latter when some parts of the elite proclaim themselves to be the voice of the people.[15]

Herbert Kitschelt (1986) adds more elements to the dimensions described above. For instance, concerning the first factor that Tarrow reviewed (the opening of political access), Kitschelt identifies and describes four factors that determine the openness of political regimes to new demands on the input side that affect the strategies and impacts of social movements (p. 63):

1. The number of political parties, factions, and groups that effectively articulate different demands in electoral politics influences openness. The larger this number, the more "centrifugal" a political system tends to be and the more difficult it is to confine electoral interest articulation to the "cartel" of entrenched interests that are represented by the established bureaucratised parties.

[15] "Political elites are most likely to behave in a reformist way when there are political advantages to be gained from it. Political opportunism is not a monopoly of either left or right, parties of movement or parties of conservation" (Tarrow, 1996, p. 60).

2. Openness increases with the capacity of legislators to develop and control policies independently of the executive. This is the case because a legislator is by definition an electorally accountable agent and is therefore much more sensitive to public demands, while only the uppermost positions in the executive are subject to such direct public pressure.
3. Another element shaping political openness is the pattern of intermediation between interest groups and the executive branch. Where "pluralist" and fluid links are dominant, the access of new interests to the centres of political decision-making is facilitated.
4. Finally, political openness requires not only opportunities for the articulation of new demands, but new demands must actually find their way into the processes of forming policy compromises and consensus. For this to occur, there must be mechanisms that aggregate demands. Openness is constrained when there are no viable procedures to build effective policy coalitions.

According to Kitschelt (1986), the POS factors described above impact social movement strategies in that they set the range of likely protest activities. This arises when, for example, political systems are open and weak, which encourages assimilative strategies, with movements usually working through established institutions. If, on the other hand, the political system is closed and has "considerable capacities to ward off threats to the implementation of policies" (Kitschelt, 1986, p. 66), it is likely that a movement will adopt confrontational strategies organised outside established institutions. The factors that determine the openness of political regimes to new demands on the input side also affect the impacts of social movements by facilitating or impeding them. Kitschelt distinguishes three types of impacts of POS: a) procedural, which creates and opens new channels of participation to protest actors and implies their recognition as legitimate representatives of demands, b) substantive impacts refer to the direct gains, i.e. changes to policy in response to the protest, and c) structural impacts are the transformation of the POS themselves as a result of social movement activity.

As we can see, there have been several contributions to the discussion about what key dimensions of POS shape movements (Brockett, 1991; Della Porta, 1996; Kriesi et al., 1992; McAdam, 1996a; Rucht, 1996; Tarrow, 1994, among others), which at the beginning of the theoretical work was considered problematic because the earliest formulations were seen as vague and in danger of becoming sponge-like (Gamson & Meyer, 1996; McAdam, 1996a). The main problem with the

initial conceptualisations is that any environmental factor that is seen as a facilitating dimension for movement activities could be conceptualised as an aspect of political opportunity. In other words, they conceive of political opportunity as an umbrella concept. This vague use of the concept could be due to the fact that political opportunities "may be discerned along so many directions and in so many ways that it is less a variable than a cluster of variables—some more readily observable than others" (Tarrow, 1988, p. 430). McAdam (1996a), following the criticism of this wide conception of POS, insists on the need to not confuse the structural changes and power shifts that compose the POS with collective processes by which these changes and shifts are interpreted and framed. Thus, POS should not be confused with mobilising structures and framing processes. In this sense, McAdam identifies what he considers the four most consensual political opportunity dimensions, which also summarise several of the elements reviewed above: a) the relative openness or closure of the institutionalised political system; b) the stability or instability of that broad set of elite alignments that typically undergird a polity; c) the presence or absence of elite allies, and d) the state's capacity and propensity for repression.

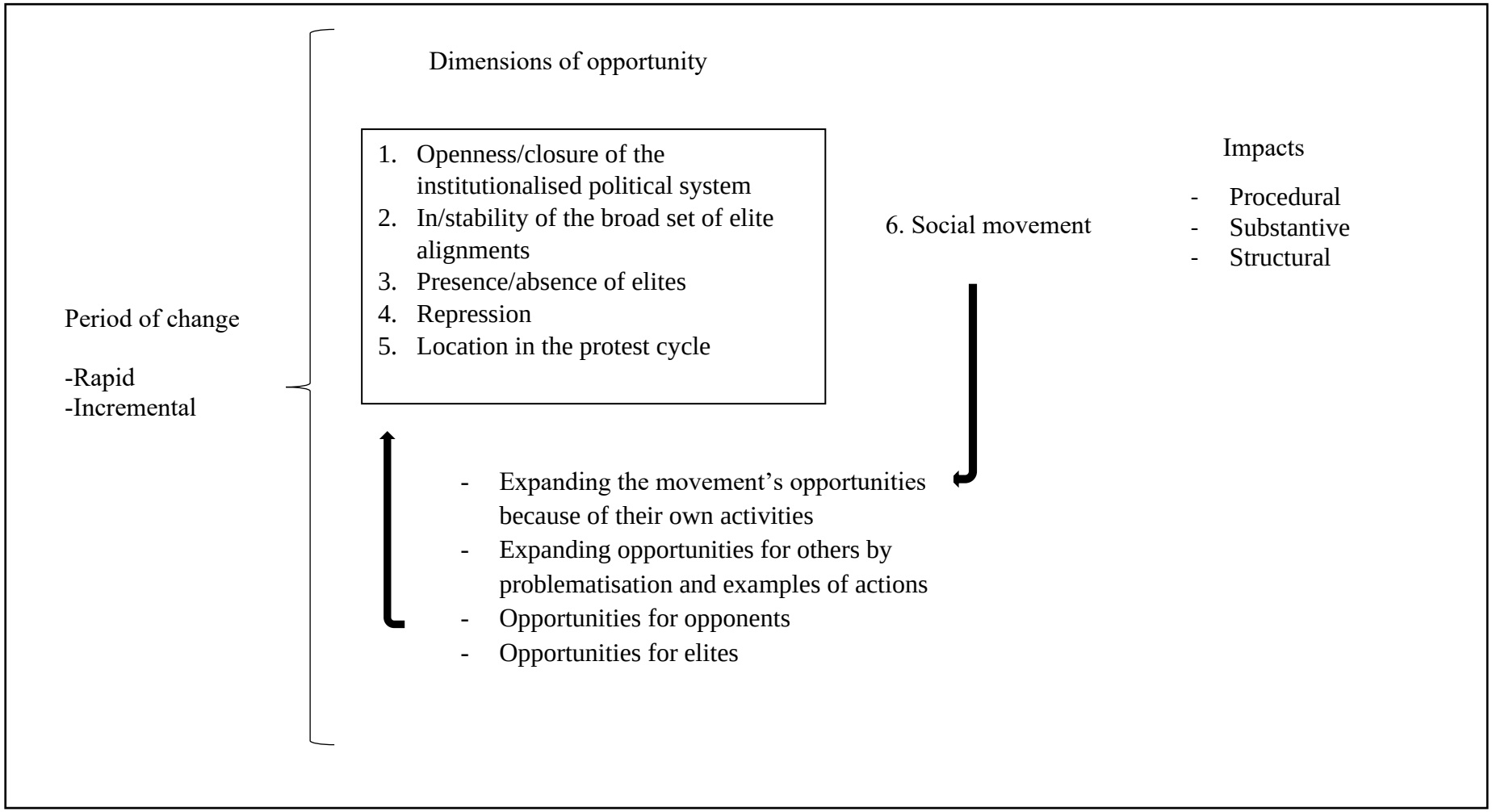
Despite the consensual dimensions that McAdam (1996a) describes, in his research on Central America Charles Brocket (1991) adds "location in the protest cycle" as a key dimension in the political opportunity structure. He argues, following Tarrow, that collective action does not happen in an isolated context, but in the larger context of a protest cycle: a process that goes from building, to peaking, and declining. Brocket points out that any challenger that asserts claims during the peak of the cycle will have a better outcome than those who do it later when the cycle is finishing, or already complete. He is aware that some researchers could argue that the protest cycle is a description of the opening and closing of the POS, rather than a dimension of it. However, Brocket points out that this view is mistaken because "temporal location in the cycle is an independent component of the POS for individual social movements" (Brocket, 1991, p. 267).

Although McAdam does not consider location in the protest cycle to be a dimension of the POS, he does understand it as a relevant variable regarding the differences in the developmental

trajectories of movements. As he notes (1995), there are differences in the developmental dynamics between the movements that help set a cycle in motion—the initiator—and the movements that arise later in the cycle, inspired by the initiator—the spin-off movements. In McAdam's own words, “the appearance of a highly visible initiator movement significantly changes the dynamics of emergence for all subsequent movements” (1996a, p. 31). This is particularly interesting in the case of women’s and feminist movements, which normally appear as spin-off movements. In this regard, I understand location in the protest cycle to be a significant dimension by which to analyse the political opportunity structure. The dimensions here discussed, and as I mentioned above, need to be understood not just in the local or domestic context, but in a global context as well, as long as the international trends and events in politics and economic process also shape domestic institutions and alignments, and thus local possibilities for collective action (Jaquette, 1994; McAdam, 1996a; 2017; Oberschall, 1996; Tarrow, 1996; Tilly & Tarrow, 2015).

Figure 1 shows the dimensions that I understand as relevant to analyse the political opportunity structure.

**Figure 1.** Key dimensions of political opportunity structure.




Source: Author's own elaboration.

The first four dimensions described in Figure 1 are what McAdam (1996a) refers to as the most consensual ones. In my understanding, these four dimensions also consider what Tarrow (1996) pointed out as elements of opportunities described above: opening up of political access; shifting alignments; availability of influential allies, and cleavages within and among elites. The first element described by Tarrow refers to the first dimension in Figure 1, while the second and third ones—shifting alignments and availability of influential allies—are associated with the second dimension in the figure, and the last one—cleavages within and among elites—refers to what McAdam (1996a) mentions as the presence or absence of elites. As the fifth dimension, I added location in the protest cycle as a relevant dimension of POS as pertinent to the study of social movements in general but especially important in women's and feminist social movements, for two main reasons: the gendered political arena and the gendered social actors. Considering that men and women have specific and different socialisations regarding public and private spaces, becoming different actors in the public arena of decision-making, the structural changes and power shifts that compose the POS are directly related to the gender-based division. In this manner, I understand location in the protest cycle not as a collective process by which shifts in structure and power are interpreted and framed, but as a relevant dimension to understanding the structural pillars of the political context.

The action's particular location in the protest cycle helps us to understand not only when and how women understand a specific point in the cycle as the moment to act collectively as women (framing process), but also to understand why they are able to act when they do. Consequently, the location in the protest cycle can only be understood with consideration of the fact that, historically, men have built the political arena in which women as political actors are impacted by the general movement waves, and not only by the women's movements.

Figure 1 also shows the impact of the own social movements as the sixth dimension of opportunity, understanding that the social movement is not just a recipient of stimulation, but an active element as well. Finally, I adhere to Kitschelt's (1986) conceptualisation of the impacts of POS, which specify different outcomes.

As mentioned, the research topic of this thesis aims to analyse the internal structure and composition of a feminist social movement, which enables it to take advantage of changes in the political opportunity structure to get important legislation passed. The dimensions described above are relevant to address this. The case study is an example of a successful social movement, considering its substantive impact, and the first four dimensions of opportunity are clearly relevant to understanding the broad political context that allowed the Chilean Observatory Against Street Harassment to act collectively. However, they are not sufficient.

It is essential to acknowledge that McAdam's (1996a) four consensual dimensions are understood and constructed without a gender perspective, which has epistemological and methodological consequences. Epistemological because these dimensions have been understood as opportunities that act in and through neutral—or not gendered—spaces and actors, and methodological because—as I address in the next section—understanding how those opportunities work, to whom and how they are framed, is crucial to analysing when an opportunity really operates as an opportunity and for whom. This is why I add the other two dimensions of opportunity, dimensions that allow understanding deeply the relationship between the actors and the opportunities. Going back to the beginning of this section, Tarrow's (1996) definition of POS ("consistent—but not necessarily formal, permanent, or national—signals to social or political actors which either encourage or discourage them to use their internal resources to form social movements" (p. 54)) encourage political scientist to acknowledge the political actor as a contextualised one, in this sense, I recognise that the political actor is always gendered. Further, the signals to the social or political actors must also be recognised as contextualised. Since the signals are not neutral, they are not equal for all political actors.

In conclusion, the study of POS cannot be static, because the dynamics and impacts of the social movements are not allocated in a static context. Rather, the context, conflicts, state institutions, protest cycles, and even the social movements themselves are in a constant state of change, affecting each other. An analysis of POS, then, is and always should be a moving target (Tarrow, 1996).

Consequently, the study of the dynamic and impact of movements needs to be analysed with consideration of this constant variation. As Kitschelt (1986) indicates, even if POS influence the strategies and impact of social movements, social movements impact POS as well. On that account—and with respect to this thesis topic—it is important to remember the other two main elements of the analysis of social movements: mobilising structures and the framing process, which I will review in the next two sections.

### 2.1.2 Mobilising structures

The influence of institutionalised political systems in shaping the possibility of constraining collective action is not independent of the different kinds of mobilising structures. In this regard, as Rucht (1996) points out, the structure of a given movement can vary depending on different dimensions, having an "overall configuration based on relatively stable patterns of interrelations, which may encompass many interconnected components as described in network analyses. These components may vary in size, internal cohesion, degree of formalization, amount and kind of resource, and so forth" (p. 187). Therefore, if we are to understand the trajectory and dynamics of a movement, as well as the broader social movement cycles, it is crucial to recognise the importance of the mobilising structure.

As I mentioned in the previous section, the political opportunity structure affects the strategies of a movement. In the same way, the strategies and choices that the activists make in order to pursue their goals also affect their own ability to "raise material resources and mobilize dissident efforts, as well as for society-wide legitimacy—all of which can directly affect the chances that their common efforts will succeed" (McCarthy, 1996, p. 141). Therefore, and as Clemens (1996) sharply argued, it is necessary to pay attention to the question of how an organisation develops and not only try to answer for what and/or for whom. In this sense, and to analyse the internal structure and composition of the Chilean movement against street harassment, which allowed it to take advantage of the changes

in the POS and make a substantial impact, it is essential to delve into the mobilising structure dimension as this helps us understand how the organisation developed. In order to do this, in what follows, I will review the component of the mobilising structure of a social movement, paying special attention to social movement organisations, examining their organisational development and parameters. I then highlight the need to focus on the contextual structure to fully understand the organisational development of social movement organisations. Finally, I will describe the movement structure of the case study organisation as an interest-group model, based on the field of mobilising agents.

Mobilising structures are "collective vehicles, informal as well as formal, through which people mobilize and engage in collective action" (McAdam, 2017, p.3). These agreed-upon ways of engaging in collective action include tactical repertoires, particular organisational forms of social movements, and modular social movement repertoires. As McAdam's definition specifies, mobilising structures include informal vehicles, or in the words of McCarthy (1996), everyday-life micromobilisation, such as in family units, voluntary associations, and friendship networks, which without being directly engaged in the mobilisation process, contribute to the movement's cause (Kriesi, 1996). In any case, a variety of mobilising structure elements are always more or less available to activists who want to create new movements or enrich/change already existing ones, and their own choices become constituent elements for the movement, which have direct consequences for the intensity and the shape of collective mobilisation and the impact of the movement.

Regarding the formal components of the mobilising structures of a movement, we can distinguish four types: social movement organisations (SMOs), supportive organisations, movement associations, and parties and interest groups. Supportive organisations do not have direct participation in the mobilisation for collective action, but they "contribute to the social organization of the constituency of a given movement" (Kriesi, 1996, p. 152). Among them we can find media, local shops, educational institutions, etc. The movement associations also contribute to the mobilisation of a movement's constituency, but do so in a client-oriented way, contributing to the process of creation

of commitment without directly contributing to the activation of commitment. Parties and interest groups, like social movement organisations, pursue political goals. However, direct participation of their members in their activities is not essential for the former as it is for the latter. The SMOs are the crucial component of the mobilising structures of a movement, which can be distinguished from the other because "they mobilize their constituency for collective action", and do so with a political goal: "to obtain some collective good (avoid some collective ill) from authorities" (Kriesi, 1996, p. 152).

Taking the previous into account, the mobilising structure is constituted in part by SMOs, and the SMOs of a particular social movement in turn form its SMO-infrastructure (SMI). The SMI of all the social movements in a given polity form the social movement sector (SMS), and the SMI of a particular movement family correspond to a subsector of the SMS. In this sense, the SMS can be considered as a subset of the mobilising structures of all the movements in a society because the SMOs correspond only to a section of the mobilising structures of a given movement.

Kriesi (1996) developed four sets of parameters to analyse organisational development:

1) Organisational growth and decline: this parameter makes reference to the change in the size of the SMI, specifically the number of social movement organisations in the SMO-infrastructure and the number of resources available to all the SMOs. For instance, at the beginning of a social movement, the organisational networks tend to be weak and the structure is more informal, thus, the movement has to work to create its constituency "either by explicit consensus mobilization, or as by-product of their action mobilization. […] A well-resourced SMI is one of the results of consensus and action mobilization of a newly developing social movement rather than its origin. The resource flow, in turn, constitutes a crucial determinant for other aspects of the organizational development" (Kriesi, 1996, p. 154).
2) Internal organisational structuration: the second parameter refers to the process of formalisation (formal membership criteria, formal statutes, formal leadership, formal office structure), professionalisation (the management of the SMOs by paid staff members), internal differentiation (task structure and territorial subunits), and integration of SMOs (by both horizontal coordinating mechanism and centralisation of decisions).[16]
   This parameter is a direct consequence of the resource flow because as the number of resources of SMOs increases, the internal structuration of the SMOs will become more elaborate concerning all of these dimensions, which is "virtually inevitable if the SMO is to have success in the long run" (p. 155). As some scholars suggest, a solid internal structuration of an SMO will be stronger to front the cycles of organisational growth/decline, hence, it is

[16] The most well-known integrative mechanism of SMOs is *Oligarchization,* which refers to "the concentration of power in the hands of a minority of the SMO members" (Kriesi, 1996, p. 155).

probably that they will remain for more time than informal SMOs (McCarthy and Zald, 1977; Staggenborg, 1988).

3) External organisational structuration: this parameter is about the integration of an SMO in its organisational environment. Kriesi (1996) mentioned at least 3 dimensions that must be considered in this parameter: the relationship of an SMO with its constituency, allies and authorities. Considering that the key activity of an SMO is collective action, its relationship with its constituency is strong, however, the dependency can vary as the "diversification of the resource base generally decreases dependency on a single support group" (p. 155). The relationship of an SMO with its allies is both relevant and ambivalent. Allies are key in the external organisational structuration providing significant resources but at the same time may reduce the autonomy of the SMO. The third dimension also can be seen as ambivalent because for an SMO to be able to access the decision-making procedures and achieve public recognition it means that they will have more resources, nevertheless, this also may be seen as an integration into the established system, which can impact in the SMO's relationship with its constituency, this is to say in the collective action, impacting in the movement force.
4) Goal orientations and action repertoires: As a social movement organisation ages, it will change modifying its goals and action repertoires. Kriesi pointed out at least four shifts or transformations of an SMO: a) "an SMO can become more likely a party or an interest group"; b) "it can take on characteristics of a supportive service organization"; c) "it can develop in the direction of a self-help group, a voluntary association or a club"; d) "or it can radicalize, that is, become an ever more exclusive organization for the mobilization for collective action" (p.156)

As we can see, the movement's organisational development has a powerful impact on strategies, mobilisation, outcomes, and success in any SMO, however, the own organisational development can be influenced by the societal context. Therefore, the dynamic and development of a movement structure must be analysed in its relationship with the environment because this can facilitate or limit the development of a social movement structure by the context structure.[17] Rucht (1996) identified three dimensions of the context structure of a social movement: cultural, social, and political. The first one refers to the attitudes and behaviours of individuals who may participate, help, or support protest events. The social context dimension implies the "embedding of social movements in their social environment" (p. 190), with social milieus and networks being one aspect of this dimension, which are key for the stabilisation development of an initial mobilisation structure.

[17] Dieter Rucht (1996) differentiates the context structure with POS in order to encompass more than the political context. He recognises the relevance of the political context as probably the most important one. However, he also mentions that it is not the only relevant part of the context structure.

Finally, the political context indicates the political agents present in the environment.[18] Regarding this research, the analysis of the internal structure and composition of the Chilean movement against street harassment must be undertaken in light of the structure of the context. Thus, the characteristics of the movement (as part of a broader feminist movement) and the research approach (a gender perspective) will allow for an in-depth embrace of the cultural and social dimensions.

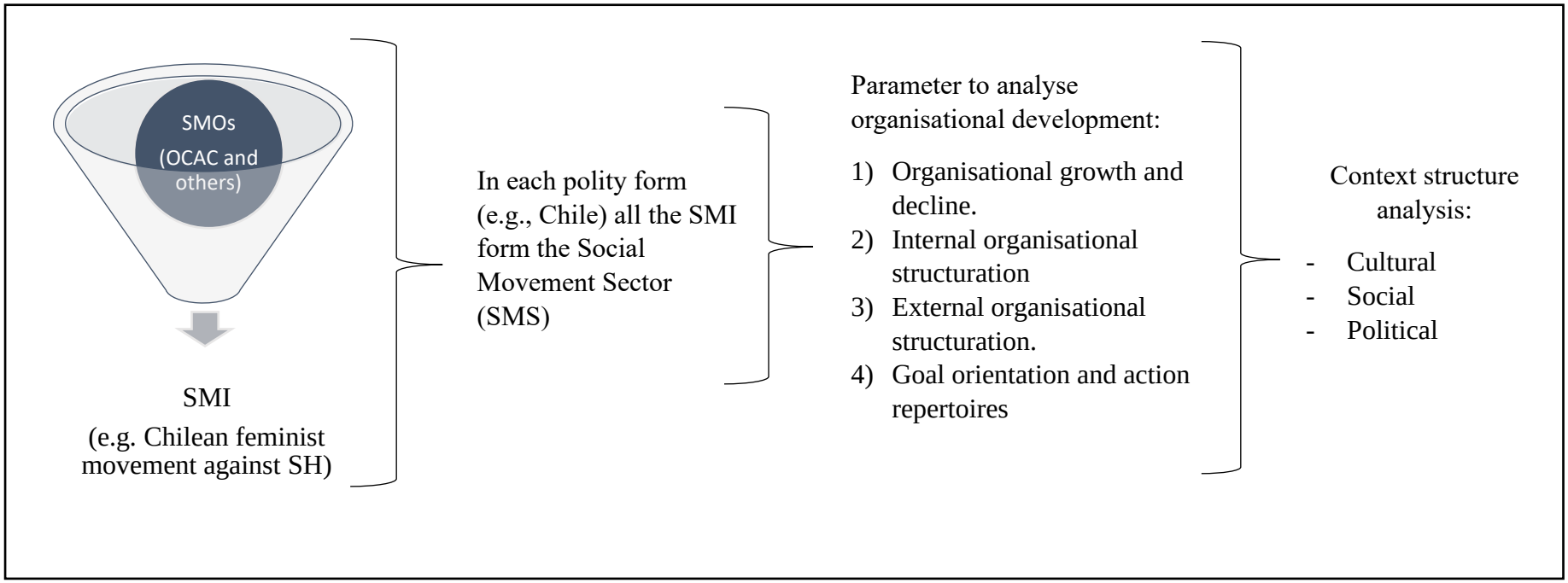
While Kriesi (1996) describes four types of formal components of the mobilising structure, Rucht (1996) points out that, in modern societies, we can find three types of mobilising agents: social movements, interest groups, and political parties, adding that within the framework of a movement, this coexistence has direct consequences for the movement structure concept. Rucht (1996) describes three types of movement structures that can be distinguished based on the field of mobilising agents: a) the grassroots model, which is characterised by a more or less informal structure. Their actions focus on "unruly radical protest politics, and a reliance on committed adherents" (p. 188); b) the interest-group model puts efforts into influencing policies, and depends on formal organisation, and c) the party-oriented model, which is "characterized by an emphasis on the electoral process party politics, and as well, a reliance on formal organization" (p. 188). Rucht assumes that the context structure shapes the degree to which a movement presents elements of any of the three organisational models. Based on the field of mobilising agents, the movement structure in the case study of this research was more related to an interest-group model because of its work in influencing policies and its formal internal structure.

In accordance with what has been reviewed in this section, Figure 2 (below) represents the dimensions that I understand to be relevant for the analysis of my selected case. It shows how social movement infrastructure (SMI) is composed of different social movement organisations. At the same time, the social movement sector is composed of all the SMI of a given polity form. Regarding this research, it is interesting to analyse the organisational development of OCAC linked with its context

[18] "The political context is where conceptions of political opportunity structure have focused, singling out factors like access to the polity, political alignments, presence or absence of allies, and conflict among elites" (Rucht, 1996, p. 190).

structure, that is, the organisational growth and decline, the internal and external organisational structuration, and the goal orientation and action repertoires in light of its cultural, social, and political context. Or, in other words, in reference to the POS and framing efforts.

**Figure 2.** Organisational development and parameters




Source: Author's own elaboration.

At the beginning of this chapter, I argued that the theory of social movements should be reviewed from a gender perspective, and by this I mean acknowledging that the political context differs for women and men.[19] I also mentioned that this review is not meant to dismiss the theory or its dimensions, but to enrich it and make it adequate for the analysis of women's and feminist social movements. Accordingly, the analysis of a social movement as part of a mobilising structure cannot be properly grasped without a gender lens. In this sense, when theorists argue that a variety of mobilising structure elements are—more or less—available to activists engaging in collective action or enriching/changing an already existing movement, we need to ask if that access is the same in gender terms. In this sense, gender bias in elections, formal and informal rules in women's representation, women's formal inclusion in the political arena almost exclusively in 'female spaces' (such as political spaces of education and social welfare), and the less access to funding for women's political campaigns, among other, are examples on how the access is gendered (Hinojosa & Franceschet, 2012; Franceschet, 2010a; Shair-Rosenfield & Hinojosa, 2014; Piscopo et al., 2021). Thus, it is valid to continue asking if the variety of mobilising structure elements available to the same degree to men and women, and if the women's demands are in gender terms, would the available elements be the same? Furthermore, in intersectionality terms, would it be the same for all women?

From a gender perspective, the answer is clear: it is not the same. Women have fewer resources than men, facing material and non-material barriers, from economic issues to having fewer cultural resources in the public sphere (Bernal, 2004). Among women, it is not the same as well; in terms of intersectionality, it depends on class, ethnicity, disability, and gender identity, among others. As a consequence, when analysing women's and feminist social movements, it is vital to understand the political scenario in which women stand, because it is not neutral.

As mentioned above, the three crucial dimensions for understanding social movements—political opportunity structure, mobilising structure, and framing process—should not be taken in

[19] A deeper analysis of this difference is developed in section 2.2

isolation from each other. Therefore, and as I pointed out at the beginning of this section, the question about the how—and not just for what and for whom—is crucial, especially if we understand the organisational form as a movement frame, "which both informs collective identity and orients groups toward other actors and institutions" (Clemens, 1996, p. 205). In other words, the organisational form also helps shape collective identity. Clemens' (1996) research on the American labour movement from 1880 to 1920 highlights precisely this aspect, noting that the amount of resources available to generate collective action matters, showing that different organisational models implied different identity constructions, as well as predicting the nature of the orientations to political institutions and opportunities. In consequence,

> Both individual and collective action are shaped by what people believe about how they should act, by those forms of action which they have mastered at a practical level, and those forms of action which are embedded in institutionalized arrangements of power and resources. (Clemens, 1996, p. 226)

Therefore, in order to address the research question of this thesis, the mobilising structure must be addressed, or it would be impossible to analyse the POS or the characteristics of the case study.

### 2.1.3 Framing process

Both dimensions reviewed above are crucial to catalyse collective action. However, the framing process is just as necessary, as a key aspect to both cultural understanding and shared meaning "that people bring to any instance of potential mobilization" (McAdam, 2017, p. 194). As Gamson and Meyer (1996, p. 283) point out, an opportunity unrecognised is no opportunity at all. Thus, even the political opportunity must be framed and understood as a call to action. McAdam describes this clearly when he argues that the facilitating circumstances can only create a structural potential for collective action. However, whether that potential is transformed into action or not depends on the actors who shape those actions by their own understanding of the issue. In his words: "mediating

between opportunity and action are people and the meanings they attach to their situations" (McAdam, 1982, cited by McAdam, 1996b, p. 339). In this sense, social movements will face strategic challenges which need to be surmounted, such as generating media coverage, mobilising support, constraining their opponents, and shaping public policy and state action. Consequently, it would be impossible to address the research question of this study without understanding the framing process. Therefore, in this segment, I address two main aspects. First, I highlight the relevance of the framing process in the analysis of social movements, arguing for the importance of cultural stock in the framing process from a gender perspective. Second, I review the external arenas and agendas in which the framing process occurs, specifically in terms of media, government, and electoral bodies.

To develop collective action, two main emotions are needed: aggrievance or a feeling of being threatened in some aspect of life, and optimism that collective action can change the problematic situation. Consequently, three components are crucial in the collective action frames: injustice, agency, and identity (Gamson, 1992). When these aspects combine with opportunities and organisation, there is a high probability of the emergence of collective action (McAdam, 2017; McCammon, et al., 2007; Tilly & Tarrow, 2015). The emotions that allow for collective action are also shaped by cultural breaks, which let framing grievances change perceptions and behaviours surrounding the perceived injustices (Zald, 1996). Consequently, framing is the "conscious, strategic efforts of movement groups to fashion meaningful accounts of themselves and the issues at hand in order to motivate and legitimate their efforts" (McAdam, 1996b, p. 339).

The framing process is present in all collective actions of any movement, and is thus not something that just happened after the political opportunity or the mobilising structure. Framing is a constant that shapes and reshapes collective action at every step (Gamson & Meyer, 1996; McAdam, 1996b; Rodríguez, 2010). What is believed to be an unjust situation is a decisive aspect from which social movements draw their actions, and by this I mean how injustice is framed in the cultural discourse. Zald (1996) illustrates this with the women's movement phrase "a woman's body is her

own", arguing that this slogan only makes sense in a particular cultural discourse that emphasises aspects of autonomy, equality, and citizenship rights. In his words,

> It would make little sense in a society in which most people, male and female, were slaves, or believed to belong to the family or the collective. It would make little sense in a society in which women were largely and legitimately conceived of as dependent on, first, fathers, and second, husbands. Contemporary framing of injustice and of political goals almost always draw upon the larger societal definitions of relationships, of rights, and of responsibilities to highlight what is wrong with the current social order, and to suggest directions for change. (Zald, 1996, p. 267)

Cultural stock is useful for framing injustices, but also for deciding how to protest and how to organise collective action. The main characteristic of cultural stock is that it is in a constant state of movement and change, which will affect the development of repertoires of organisations, the actions of social movements, and SMO as well. There are inequalities in social movements' abilities to access cultural stock, considering that not only the social movement itself but also its leaders and participants "are differentially situated in the social structure. As such, they draw upon the repertoires and frames available to and compatible with the skills, orientations, and styles of the groups that make them up" (Zald, 1996, p. 267). It is especially relevant to this research to acknowledge this characteristic of cultural stock. From a gender perspective, the place of women in the social structure is always subordinated. In this sense, to understand that the access to the cultural stock of a feminist social movement is not the same as for others, but has an entrance barrier to the public sphere, allows us to analyse deeply the characteristics of a movement that consciously put strategic effort in place to frame its demands as meaningful and legitimate (McAdam, 1996b).

It is important to acknowledge that social movements are not just affected by the cultural stock, but they add to it as well and, as with political opportunities, it frames not only the structure or shape movements but activists are also active in its construction: "events are framed, but we frame events" (Gamson & Meyer, 1996, p. 276).

The framing process is not just a process of the social movement and its activists and sympathisers but also of entrepreneurs who may or may not be activists themselves, who participate

actively in framing definitions and symbols by attributing blame, defining victims, identifying good or bad practices, inventing metaphors, etc. In this set of actors, we can find several sectors and personalities, such as ministers, politicians, mass media, and journalists. We can also find larger or progenitorial movements, which may likewise provide master frames to other movements that may draw on, as the civil rights movements, within which women's movements frame their claims, or any winning movement that impacts public policy with discourse, symbols, and/or new public programs (Zald, 1996). The last case is not only about successful movements, failure of large movements can also shape the likelihood of future collective action regarding how they frame their discourse (Voss, 1996). Also, a countermovement can crash a movement, especially when they have more economic resources and no constrain from the state, making it easy for them to access mass media and discourse amplifiers. Voss's (1996) study of the Knights of Labor illustrates this situation, concluding that sometimes "social movements limit the course of future collective action by constraining activists' choices of plausible mobilizing structures and collective action frames" (p. 256).

Accordingly, the framing process of a social movement is not just about the social movement itself but about the context. Therefore, the framing discourse process, in which we can articulate the nature of the problematic situation and find answers to why it is unjust, who has the blame, and how this situation can be solved, etc., occurs in different areas, external and internal, and in relation to different actors. The internal arena refers to the process in which "different movement organizations and segments of a movement engage in an intramovement contest over tactics and goals. This intramovement process leads to changes in the dominant frames of a movement and a succession in MO power and influence" (Zald, 1996, p. 269). On the external arena, social movement actors and sympathisers challenge authorities, which leads them into debates with different actors—countermovement activists, politicians, opinion leaders, etc. In the external framing process, social movements not only fight discursively to gain and demonstrate who has the most support and resources but they also fight explicitly against countermovements to "persuade authorities and bystanders of the rightness of their cause" (Zald, 1996, p. 269). In order to do so, social-movement

activists employ a rhetoric of change in their discourse, which frames their claims into collective action, “their job is to convince potential challengers that action leading to change is possible and desirable. By influencing perceptions of opportunity among potential activists, organizers can actually alter the material bases of opportunity” (Gamson & Meyer, 1996, p. 286). This rhetoric of change can be seen as a systematic optimistic bias, by which activists overestimate the existence of POS.

Social movements have two vital tasks in this framing process: diagnostic and prognostic. In other words, social movements must both define the problematic situation and identify the strategy to address it (McCarthy & Zald, 1996). To achieve these tasks, social movement framing efforts focus on four main areas: public, media, governmental, and electoral. The media agenda is certainly one of the most important, but it is not the only one, and so social-movement activists employ several strategies to impact the perceptions—directly or indirectly—and behaviours of different actors and audiences by communicating movement frames, both diagnostic and prognostic. This whole process is strongly related to the two key dimensions reviewed above: POS and mobilising structure. As McCarthy & Zald (1996) mention,

> Accepting the assumption of the manipulability of frames, we argue that these framing efforts are embedded in broader political and social contexts and that these contexts expand, limit, and shape the opportunities for movement activists to gain attention to the issues that most concern them. These background processes, moreover, interact with the strategic choices activists make in targeting their framing efforts toward gaining a place on issue agendas. (p. 292)

Each arena that social-movement activists put effort into impacting—public, media, governmental, and electoral—has its own logic and processes. The social-movement agents that try to shape the agendas must therefore apply specific strategies because in each arena the process for getting attention, the nature of the language of frames, and the set of competitors, audiences and “gatekeepers” differ. As I have discussed, the broad context impacts this process, and agenda-setting is not an exception, varying in the amount and hierarchy of relevance of the issues on the agenda

itself. The broader political and social-structure context also shapes the variety of strategies and tactics available to movement agents, and this includes the dissemination of diagnostic and prognostic frames. At the same time, "we should also expect that agenda-setting structures and processes will influence the range of available tactics as well as the typical mixes of tactics—or repertoires—that may be used by movements attempting to situate their frames on the various agendas" (Gamson & Meyer, 1996, p. 301).

The media arena consequently contains the media agenda, defined as the "collection of issues that receive attention in the mass media" (Gamson & Meyer, 1996, p. 293). This arena is the most centralised of the four, being more difficult for social-movement agents to access. It is nevertheless an essential area to access in order to move to other arenas and influence policy-oriented agendas. Mass media are a key resource in social movements' framing processes because they work as amplifiers of discourses. However, mass media are not just resources but a site of struggle as well. Media is not neutral in the framing process, but responds to different ideologies, rhetoric, symbols, and images. In capitalist democracies, for example, the media responds to their owners. As a consequence, social-movement activists need to develop strategies to achieve media coverage (Zald, 1996). As Klandermans and Goslinga (1996) mention, mass media "select and interpret available information according to principles that define news value. In so doing they produce a transformed reality which diverges from the reality as a social actor defines it" (p. 320). Considering that the framing process takes place not only after the POS and the mobilising structure, media is also a key element in the framing of political opportunities, playing a crucial role in shaping the movement's actors as serious agents of possible change. Gamson and Meyer (1996) insist that theoretically, the validation, in the media, of a movement as an important political player plays a crucial part in defining political opportunities for movements. However, mainstream media can also be seen as a potential resource, opening other spaces for framing and responding to other interests.

Mass media allow social movements to reach a huge audience in a short time, and it is thus a common part of the framing process of a social movement to seek media attention. Nonetheless, many

social movements also aim to impact the institutional space, and activists thus usually confront a dilemma of balancing actions that bring media attention and actions that distance them from the institutional space. In any case, mass media form a crucial dimension in the framing process, and as mentioned, it is essential for social movements to move to other arenas to influence policy-oriented agendas.

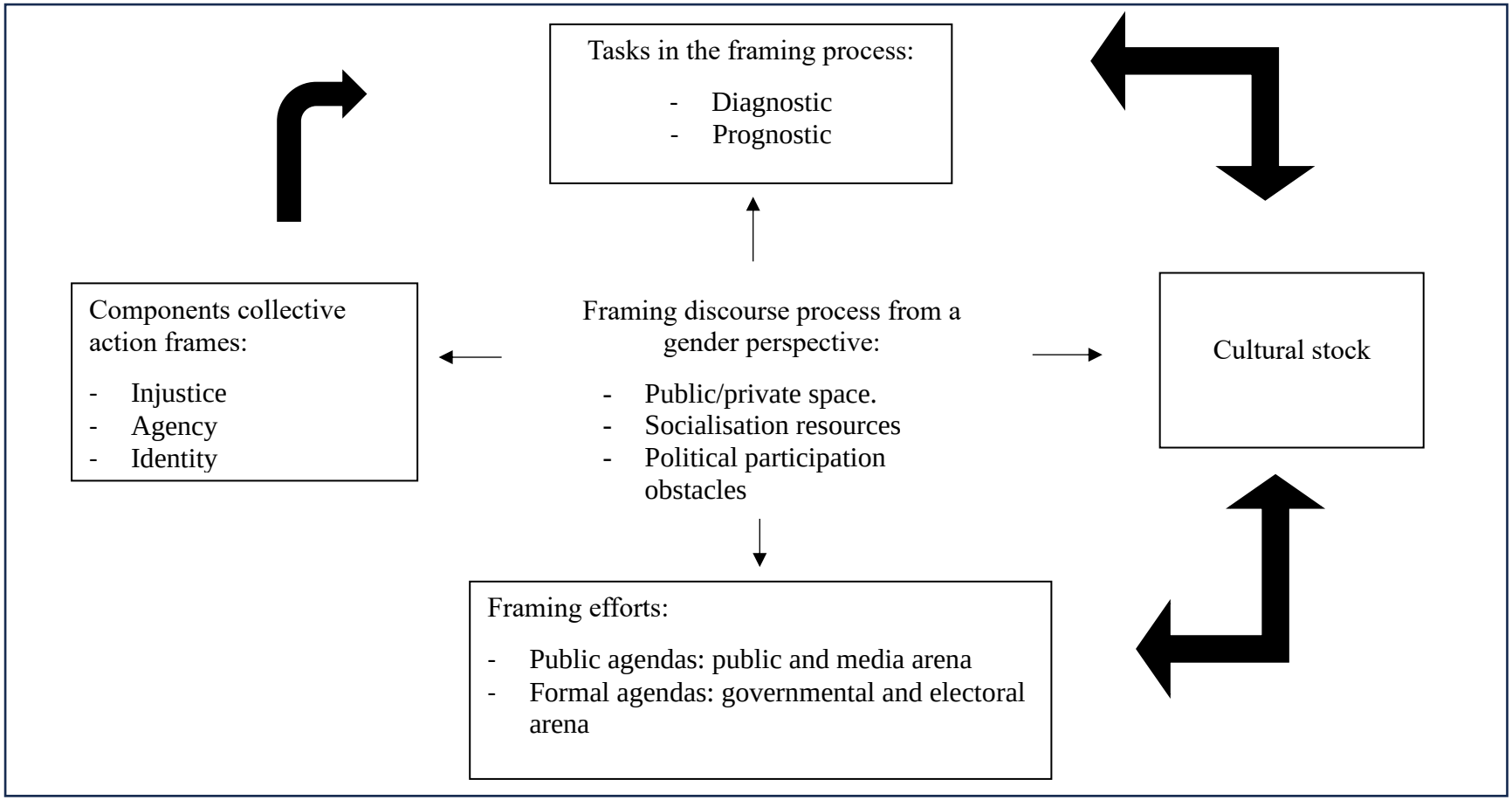
The second arena that social movements put efforts into impacting is the public one, which contains the public agenda: the set of issues that the mass and narrower public give more importance to. In this arena, social movements contest to gain the attention of and persuade public opinion vis-a-vis the importance of their own claims and issues, seeking sponsors and/or support. The first two arenas (public and media) hold the public agendas, and we can also find arenas related more directly to the policy-making aims of some social movements, which pertain to the formal agenda. One of these is the governmental arena, which of course contains the governmental agenda: the issues that arise in governmental areas. In this specific context, the changes and shifts in governmental-issue agendas—such as elections—may provide windows of opportunities for social movements to enter their issues into the centre of attention. The electoral arena contains the electoral agenda: issues that get the attention of candidates for public office. Access to the electoral agenda is more than access to public agendas, and thus, contact with gatekeepers is crucial. However, this all depends on the electoral context: the structure of the electoral and legislative system, timing, and state structures (Gamson & Meyer, 1996).

Gamson and Meyer (1996) point out that in the agenda-setting environment "[social] movements are further limited by their own capacities for developing strategic frame dissemination repertoires, or tactical combinations aimed at communicating their frames to various audiences and agenda gatekeepers" (p. 310). From a gender perspective, Gamson and Meyer's quote reinforces the relevance of the analysis of the framing process to answer the research question of this thesis, since the capacities for developing strategic frame dissemination repertoires, or tactical combinations aimed at communicating their frames to various audiences and agenda gatekeepers, are not just

personal capacities but effects of the socialisation process. In this regard, women are not socialised to be validated political actors in the public sphere, which means that not only do their capacities suffer from disadvantages but the arenas and agendas they try to affect are framed within a sexist discourse. Zoonen's (cited by Klandermans & Goslinga, 1996) research about Dutch media's coverage of the women's movement is an example of this frame. She argues that the media ridiculed the movement, blocked mobilisation, and provoked conflicts within the movement. All the arenas in which social movements try to influence the agenda with their claims as public problems that deserve public attention are gender-biased. Thus, in order to analyse the characteristics of a feminist movement that allows it to take advantage of the POS, it is crucial to first understand those features in relation to the gender gaps in each of the above-mentioned arenas. Indeed, the characteristics of the Chilean feminist movement against street harassment, which enabled them to achieve the passing of a law, also involved a strategic framing process. How they did it is a question that needs to be answered.

Figure 3 shows how I understand the framing process and the dimensions I used to analyse my case study.

**Figure 3.** Framing-process dynamic and dimensions




Source: Author's own elaboration.

In the centre of the figure, I add what I recognise to be the crucial perspective for understanding the case, studying each aspect of the framing process and its dimensions as gender-based. I understand this perspective as a key element because it allows us not only to review deeply how a particular feminist movement achieves – or does not– success but also how feminists' claims are or are not resisted by elites. For instance, Housholder et al. (2024) demonstrated how, during the recent Chilean constitutional process to change Pinochet's constitution driven by a strong social mobilisation,[20] gender parity continued to be a significant measure to integrate into the second process, even when the first one was rejected. As they mentioned, "parity "survived" because lawmakers viewed guarantees of an equal presence of men and women constituents as a relatively low-cost, legitimizing asset to this elite-driven constitutional process" (p. 1).

Going back to Figure 1, the first step of the figure is the components of the collective-action frames (to the left of the figure), which identify the emotions needed to develop collective action. When collective action emerges in social movements, the framing process has two main tasks: defining the problematic situation and identifying the strategy to address it (upper and centre of the figure). These tasks are directly linked to the cultural stock that the social movements have access to (the right of the figure). This is not equal for all social movements as leaders, participants, claims, etc., are differently situated in the social structure. Consequently, the amount of cultural stock that a social movement has would affect the diagnostic and prognostic framing. Likewise, cultural stock is linked to the agendas that the social movements put their framing efforts into, which can be public or formal (bottom and centre of the figure).

To summarise, in the first section of this chapter, I addressed the three main dimensions of studying social movements: political opportunity structure, mobilising structure, and framing process. In each of these, I identified and described key dimensions to analyse from a gender perspective, arguing the need to acknowledge that the political context is not gender neutral, and that women's

[20] In October 2019, a strong social movement commenced, which derived from a constitutional process to change Pinochet's Constitution. The first proposal was written with gender parity; however, it was rejected. The second proposal was also built with gender parity and once again rejected.

and feminist movements thus need to be analysed by recognising the patriarchal context in which their claims originated and developed. Accordingly, even when I understand women's and feminist movements in the same way that Tilly and Tarrow (2015) do, I stress the context of women as political actors as a relevant extra-analytical aspect. This is why, in the analysis of POS, I argue that it is important to add the extra dimension of the movement's location in the protest cycle. In the mobilisation structure segment, I stressed the relevance of acknowledging that mobilising structure elements are not available to the same degree for men and women, and that if the women's movement's claim is in gender terms, the elements available will not be the same. Further, in the analysis of the framing process, I mentioned that the arenas and agendas that women try to affect are framed within a sexists discourse. Nevertheless, regarding my research topic, even women with fewer opportunities and resources still engage in collective action as women, make feminist claims, and achieve important legislation, such as the Chilean movement against street harassment. Consequently, recognising the need for more analytic tools, and use the ones that the theory brings from a critical perspective, will allow us to understand the political genderised scenario and the analysis of a successful feminist movement would be richer in understanding and not only in description.

## 2.2 The gender perspective relevance in social movement studies

This research not only addresses a feminist movement as a case study but also adopts an epistemological gender approach throughout. In this section, I develop two main aspects of assuming a gender perspective in the study of social movements. First, I argue for the relevance of the gender approach by discussing the political consequences of dividing the social sphere into public and private, the former reserved for men and the latter for women. Concerning the research question, this subsection describes the effect of the public/private division relating to sexual violence as gender-based violence. I then describe how acknowledging the subordinated relationship between private

and public spaces allows the social movement to understand that the POS is genderised, which in turn indicates that the political context is not gender neutral.

### 2.2.1 Private women in public spaces

The social sphere has been divided and hierarchised into public and private spaces, the first reserved for men and the second for women (Abaca, 2017; Amorós, 1994; Bondi, 1998; Brandariz, 2021; Castillo, 2011; Franco, 1993; Pain, 1991; 1997; Pateman, 1998; among others). This division is not harmless, because the hierarchy has deep consequences for the order of social life, causing gaps, bias, and underrepresentation of half of the world population, which reinforce the gender conceptions that support this division. The gender perspective allows us to not be indifferent and/or blind to this situation by recognising it and not understanding it as a natural order but as a social construction. In this sense, the gender perspective is helpful to the study of social movements, allowing for the realisation that the political arena is not the same for both men and women, and that also the political opportunity structure, mobilising structure and framing process would be different between genders, considering that women are less represented in all state powers and private companies; that worldwide, poverty have a female face, and that gender violence affects almost every girl and woman in the world.

The different suffragist movements around the world, which for women's right to vote, are examples of how men have left women aside to enjoy and run what is considered public life. According to Celia Amorós (1994), we can understand this division as a power relationship. The dichotomy of public/private is one of recognition that the more valuable activities are those developed in the public sphere while the activities in the private sphere are seen as less important. As Amorós points out, when any activity becomes valuable, it tends to also be made public, which means that it tends to be masculinised and recognised. An example of this is cooking, which in the private arena is just a task that someone—normally a woman—fulfils without the need to rank it. However, when

cooking reaches the public sphere the need arises for recognition, measurements, and celebrations of the best in the field, for example by the use of words like *chef.* In Amorós's words, the public space intrinsically includes the individuation principle. In contrast, the private space is an indiscernibility one. The individuation principle,

> [Occurs in] the public space as a space for equals—which does not mean the same thing as an egalitarian space. It is the space of those who institute themselves as subjects of the social contract, where not everyone has power, but at least they can have it, they are perceived as possible candidates or subjects of power. (Amorós, 1994, p. 3)

Contrary to individuation, in the private space, there is no individuality among which to distribute power, prestige, and recognition, because nearly only women habituate this space. There is therefore no strong reason for the discernibility that produces individuation; there is no reason to distinguish the singularity.

This distribution is based on hierarchies, the most important things occur in the public space, and considering that men appear to be those naturally called for work, they are the subject of the space by default and thus of what is considered important acts. However, unlike in the times when women were not allowed to vote, work, have their own property, or study—as well as have other political, economic, and social rights—and despite the distinction between the two spaces, women are now part of the public sphere. Nevertheless, they are part as women, as privates, as non-subjects, and are thus not the real owners of the public space (Castillo, 2011). Amorós (1994) describes that throughout history, women have acted like a sand wall, entering and leaving public spaces without leaving any trace, walking in all the spaces as identical to each other.

The entrance of women as women into the public sphere can be seen in the sexual labour division. We can indeed find women in almost every major activity; however, their presence is mostly detected in feminised activities of care. For instance, in the health sector we are more likely to find a woman working as a nurse than as a doctor; in big companies, women usually work as secretaries and assistants (for men); women are overrepresented in care activities, such as caring for children, old people, and people with disabilities, and they are overrepresented also as cleaners. Nevertheless,

although women have begun to populate traditionally male areas, they are underrepresented. For example, in 2021 only 6% of 193 countries had a female head of state, and there were only 7% female leaders of government. In total, only 22 women globally occupy one of these two functions (United Nations, 2021). In Latin America and the Caribbean, the situation regarding autonomy in decision-making is no different, with only 28,5% of ministerial cabinet positions taken up by women. In the legislative power the number is 33,6%; women judges in the highest court or Supreme Court amount to 32,1%; the total of elected Mayors are 15,5% female, and City Council members 29,6% (Economic Commission for Latin America and the Caribbean [ECLAC], 2022a).

Women's underrepresentation in decision-making spaces is matched by their overrepresentation as victims of gender violence, which is considered a global pandemic (The World Bank, 2019) and the most widespread violation of human rights (UN Women, 2021a).

> Gender-based violence (GBV) refers to harmful acts directed at an individual or a group of individuals based on their gender. It is rooted in gender inequality, the abuse of power and harmful norms. The term is primarily used to underscore the fact that structural, gender-based power differentials place women and girls at risk for multiple forms of violence. (UN Women, 2022, par.2)

Gender-based violence against women and girls includes physical, sexual, psychological, institutional, economic, and medical violence, and more, all of which may occur in public and/or private spaces, and may be perpetrated (or condoned) by a person, a group of people, private/public institutions, and/or the State (UN Women, 2022). Sexual violence has an overwhelming prevalence in women's lives, and according to UN Women, 35% of women worldwide have experienced physical and/or sexual violence, mostly at the hands of their male life partners (UN Women, 2019). However, the UN data do not include street harassment in this assessment—an extremely common form of sexual violence against girls and women, which is not surprising since laws against street harassment are only a recent thing, meaning that only a few nations have included it in their statistics. However, different surveys—mostly made by NGOs—show that at least 70% of women have been victims of street harassment at least once (OCAC; 2015; 2020; Our Street Now, n.d.; Vallejo, 2013).

Going back to Celia Amorós's (1994) contribution about public and private spaces, the high frequency of sexual harassment in public spaces is not harmless, considering the individuation principle. When Amorós calls the individuation principle a crucial aspect of becoming a political actor in the public space she is not just talking about who is allowed to be in the public sphere but who is capable of becoming dominant in the space. As street harassment is violence mainly suffered by girls and women—who are allowed to move around the public space but not dominate it—it is an excellent example of individuation-indiscernibility, where the kind of victim determines the violence in this public space as of no great public importance. Gaytán (2007) mentions that the features of street harassment, such as the temporal brevity of the act, the compliment cover, and the socially acceptable sexism, makes it appear intangible. However, it is important to specify something more, because sexism is based on a particular social order, which is based on the sexual contract (Pateman, 1998).

Society is patriarchally structured, resulting in women and their issues remaining private even in the public sphere. As Amorós mentions, there is therefore no strong reason for a discernibility that produces individuation. Although street harassment occurs in public spaces, it seems that the violence is something private, with the sexual comments and expressions pointing to the most intimate aspect of a person (Gaytán, 2007). This is why most of the victims' and witnesses' reactions are personal – such as leaving the space because they are feeling aggrieved–and not about facing the aggressor (Gaytán, 2007; OCAC, 2015). Consequently, street harassment is a relationship of power between men and women, public and private, and finally between what matters. In this sense, Gaytán (2007) asked about the role of street harassment in the production of society, to which we can answer that it is the reproduction of the social order, reminding women that they are allowed to walk into the public space but always as women, as private, as indiscernible, while also reminding men that they are the subjects of the social contract, and that they can use this power in our public spaces.

Regarding the public/private division, sexual violence in public places also has large consequences on women's "capacity and conditions to freely make decisions impacting their lives"

(ECLAC, 2022b). For instance, a comparative study between Quito, Buenos Aires, and Santiago (Heather et al., 2019) demonstrated how street harassment limits the autonomy of girls and women. The research showed that some of the women who were victims of street harassment on public transport avoided making the same trip in the future, or would only make it with someone else (mostly men). Extending the term 'public' to include not only streets, but public places, like the definition of the spaces in which the individuation principle is possible, women are also common victims of sexual assault, which also has consequences on their autonomy. The Chilean Observatory Against Sexual Harassment's last study (OCAC, 2020) showed that most women are not only the typical victims of sexual assault in schools, workspaces, streets, and online spaces but they are also more likely to walk out of those spaces after a sexual assault. Going back to Gaytán's (2007) question about the role of street harassment in the formation of society, we need to add to the reproduction of the social order the return of women to their own space: the private. Therefore, this is not only the remembering of the private aspect in the public space but also the reestablishment of the uses of the spaces.

In addition, the public and private divisions have consequences for economic autonomy. Knowing that women were already overrepresented in demographics suffering poverty before the COVID-19 pandemic (UN Women, 2021b), the pandemic intensified women's lack of economic autonomy, further increasing female poverty worldwide (Statista, 2023). For example, the pandemic context affected labour participation, holding back Latin American women's participation for at least a decade (ECLAC, 2021). The fact that women were losing their jobs in the middle of a pandemic could easily be explained as a context necessity: because some jobs were no longer needed, of course people were fired. However, women are overrepresented in underpaid occupations, informal jobs, and part-time work, which makes it cheaper to fire women. In addition, in the pandemic context, there was an increase in unpaid domestic and care work for women and teenage girls (OECD, 2021). As we can see, the gender division of labour, and the fact that it was intensified by the pandemic context, also sheds light on the public/private discussion.

It can be said that in a context where girls and women are constantly discriminated against, underrepresented in key autonomy-generating activities, overrepresented in unpaid domestic and care work, frequent victims of sexual assault, etc., the public space becomes hostile to women's recognition as political actors. Therefore, the study of social movements—and especially feminist and women's movements—should recognise that the social order is gendered, and pay attention to the causes and consequences of this. In this sense, it is crucial to take a gender perspective because focusing on gender-based differences in status, power, and roles highlights how such discriminations shape the needs, interests, and imaginaries of men and women. Thus, a social science researcher cannot approach the study of a feminist or women's movement without recognising that men and women not only have different occupations, but that there are reasons for and consequences of this. For instance, a political science researcher studying POS cannot be blind to the fact that women are extremely underrepresented across government and state powers, and they cannot overlook the fact that women face more barriers to political participation. In the study of mobilising structures, they cannot ignore that women have less economic resources than men. And, in the analysis of the framing process, it would be an error to forget that women and men have different socialisation processes. Regardless of the discriminatory scenario of engaging in public life, women tend to participate under conditions of subordination, thus the study of women's movements needs to acknowledge that gender-based is at the very least an issue of fairness.

Considering all of the above, the act of acknowledging the division of public and private spaces from a gender perspective is crucial to analysing the internal structure and composition of the Chilean movement against street harassment that enabled it to take advantage of changes in the POS for two main reasons: firstly, because the specific type of sexual violence that the case study problematised as a public matter has been seen as a private matter. Therefore, neither victims nor witnesses react publicly, reinforcing the private sphere as the space of women, making their experience on the street hostile. Secondly, the research topic is not only about a specific type of gender-based violence but about the actors that fight against it. In this sense, acknowledging the

division of public and private spaces from a gender perspective allows us to understand them in their context, meaning that women are not by default the political actors and claim-makers in the public scenario; their voices are not the ones that are commonly listened to, and their experiences are not those that are seen, as public problems needed to be addressed by society.

### 2.2.2 The political opportunity structure is gendered

The above discussion of the role of public and private space in gender-based violence highlights the importance of the gender perspective in this study. Following the above, in the present subsection I argue for the relevance of understanding that the political context is not gender neutral and that, consequently, the POS is gendered (Friedman, 1998; Ortbals, 2008; Poloni-Staudinger & Ortbals, 2011).

The social institutions—state, economic institutions, family, etc.—are built on patriarchal principles, which, as mentioned above, not only specify who is allowed to enjoy and create the space but also what topics are valued for discussion in the public sphere (Poloni-Staudinger & Ortbals, 2011). In this sense, in addition to the distributive aspect of the sphere division, it is necessary to add the recognition dimension to the analysis (Fraser, 2013). From the recognition dimension, we can understand how gender conceptions achieve a gender status in our society, working as interpretation and evaluation filters. Along the same lines, Fraser (2013) points out that androcentrism is one of the major features of gender injustice, operating as an institutionalised cultural value that privileges aspects, claims, concepts, actions, etc., associated with masculinity. This privilege is not innocuous to what is considered or associated with femininity, devaluating not only women but everything encapsulated in that definition. Consequently, the androcentric pattern articulates social interaction, including social institutions, by interpreting their dimensions, functions, roles, etc. Therefore,

> Women suffer gender-specific forms of status subordination, including sexual harassment, sexual assault, and domestic violence; trivializing, objectifying, and demeaning stereotypical depictions in the media; disparagement in everyday life; exclusion or marginalization in

> public spheres and deliberative bodies; and denial of the full rights and equal protections of citizenship. (Fraser, 2013, pp. 162-163)

Regarding the above, some scholars understand that the state incorporates systematic androcentric arrangements, which involve power and privilege for men and what is considered masculinity, in other words, the political institution comprises gendered arrangements (Beckwith, 2000; Poloni-Staudinger & Ortbals, 2011). Considering this, and the resulting political exclusion of women, some scholars have studied how women's movements react to POS, in contrast with other types of movements, pointing out that even the left parties—which have been considered allies to women's and feminist claims—have continued to reproduce women's marginalisation from public life (Franceschet, 2004; Poloni-Staudinger & Ortbals, 2011).

Poloni-Staudinger and Ortabls's (2011) comparative and cross-national research concludes precisely the above. In their study, they analyse the impact of POS on the activity choices of women's movements in the UK, France, and Germany, comparing it with the impact on environmental groups, finding that although there are some similarities between these groups, the POS is gendered, particularly relating to elite alliances and changes in electoral cleavages. This study also challenges state feminism literature, in which some researchers argue that the women's movements have more access to political debates because of women's institutions, such as state women's departments or ministries. Franceschet's (2003) research about Chilean post-dictatorship claims that the policy machinery did have a positive effect on women's movements by giving them crucial resources to act. As stated above, Poloni-Staudinger and Ortabls's study contradicts the general statement about the positive effect, mentioning that the creation of women's institutions did not win women's movements much access. This finding is central to their argument regarding the gendered nature of the political opportunity structure, because,

> Although women's groups are found to lobby much like other groups, relative to other groups they lack a formal seat at the policymaking table. This may severely limit the ability of women's groups to influence the policymaking process, which we conclude is likely closed to women's groups in a way that it is not closed for other social groups. Consultation is often

> an invited activity, and women's groups are not invited to the proverbial policymaking table – even governments led by leftist parties – at nearly the same frequency as other social groups. For this reason, a gendered interpretation of POS is necessary when understanding the way in which women's groups choose activities vis-a-vis changes in POS. (Poloni-Staudinger & Ortabls, 2011, p. 74)

Recognising that the political opportunity structure is gendered challenges us to understand the theoretical approach to POS critically. As addressed in the first section of this chapter, we can see that theorists of social movements did not question the political scenario in gender terms, here. Even when scholars mention that there are specific characteristics in women's and feminist movements regarding POS, they address it in relation to the movement *per se* and not concerning the wider political context. In other words, women and their claims have some particular characteristics, which the political arena does not, and the latter is therefore seen as neutral. This is why a gendered interpretation of POS is necessary to analyse and understand women's collective action, and even more so when their claims are framed in a feminist way, because then they are not just claiming qua women, but questioning gender subordination. Elizabeth Friedman's (1998) contribution helps to highlight this difference when she compares women's movements in authoritarian and non-authoritarian contexts. In the former, women's movements are very popular because their claims are not framed in gender terms and, in consequence, women can mobilise "because their gender is not associated with political life, and therefore their supposedly non-political identity disguises their political actions" (p. 89). In this sense, they do not disturb traditional gender roles. That is, during dictatorships or authoritarian regimes, women are seen as political participants because they are not claiming 'as women' or in 'gender terms', but for 'democracy'. Conversely, when democracy is restored, women come again to be seen as non-political participants, with the effect that the free participation of women's movements suffer.

"Women who attempt to continue being active face gendered institutional impediments. Because the major 'construction workers' building or rebuilding democracies are men, the political structures they put in place tend to favour their own gender—and thus exclude women" (p. 89). An

example of this is women's mobilisation in Chile during the 1973–1990 dictatorship, groups that made claims mostly in the name of the family and motherhood were extremely strong, but women's groups that tried to question the political *status quo* were silenced by male politicians and their alliances during the transition to democracy (Franceschet, 2004; Baldez, 2002; Galvez, 2021; Kirkwood, 1986).

The barriers that women face are not abstract but extremely concrete, disenfranchising women's and feminist organisations and claimants from more direct participation in the political arena. We can find an example of these barriers in the institutional channels of representation, like in political parties, in which women face several participation obstacles to enjoying full incorporation. Angélica Bernal (2004) distinguished between three chronological obstacles to women's political participation: access obstacles, entry obstacles, and permanency obstacles. The first refers to the barriers that women face regarding lack of skills, knowledge, and opportunities as a result of their socialisation, which puts women at an unequal footing when trying to access the political arena. Entry barriers are imposed by cultures through socially established stereotypes about men and women's action spheres, pertaining to the roles that women must fulfil that distance them from the public world. The final obstacle is the barriers that women face once they have achieved entry into the political scenario, whereby women often feel unrepresented in the characteristics and dynamics of political work, which is the main reason that women decide to retire to the private sphere or community work. The description of these obstacles can be seen in Figure 4.

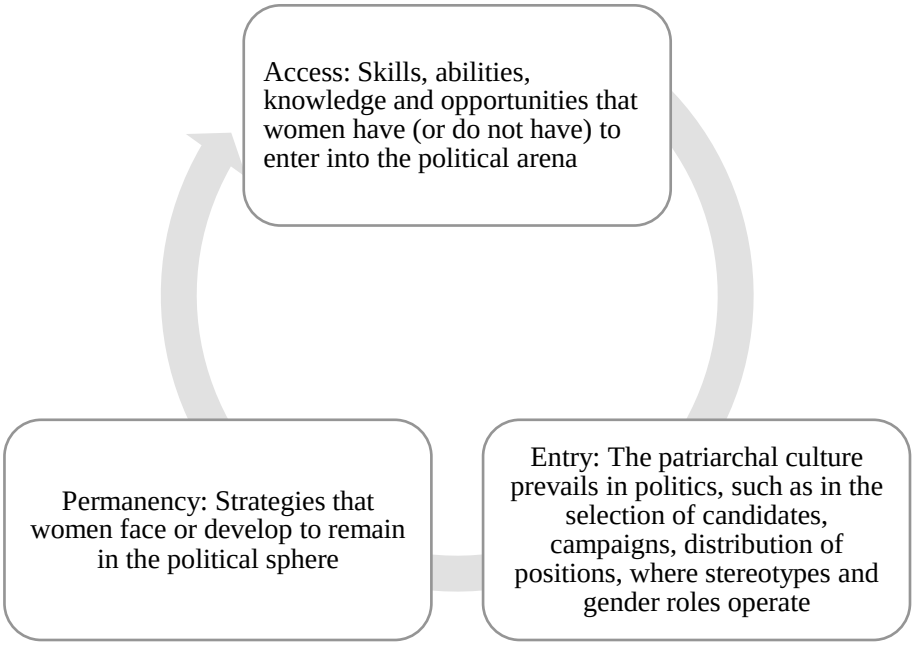



**Figure 4:** Description of women's political participation obstacles
Source: Based on Angélica Bernal (2004) Master's thesis. "Mujeres y participación política: el desencanto por la política o la nostalgia de lo comunitario". Universidad Nacional de Colombia.

In conclusion, and as Friedman (1998) points out, it is impossible to understand "women's political role without considering the profoundly gendered character of political practice. Only gender-sensitive analysis of opportunity structure is adequate to the task" (p. 128). Going back to the research topic, understanding the internal characteristics of a feminist social movement that allowed them to take advantage of POS, requires acknowledgement not only of the specificities of women as claimants in collective action, but also of the features of the political arena itself. In other words, the critical perspective that allows us to recognise that women do not face the political context in the same way as men, challenges us to comprehend that difference is not located in 'woman', as an isolated component, but in social relationships, which also includes political institutions and the relations within it.

### 2.2.3 Impacting the political arena in gender terms

The previous two subsections – 'Private women in public spaces', and 'The political opportunity structure is gendered'– are crucial for the theoretical understanding of the relevance of gender perspective in social movements studies. Nevertheless, to fully understand how the internal structure and composition of a feminist social movement organisation enabled it to take advantage of changes in the political opportunity structure so as to succeed in getting important legislation passed, a few more concepts are needed. In this subsection, I review the formal and informal norms in the political arena as key analytical dimensions to understand the gendered scenario. At the same time, I address the concept of critical actors as a crucial element to acknowledge how certain actors can work to move forward or retain pro-women legislation.

Understanding both the political context and the POS as gendered phenomena leads us to acknowledge that formal and informal norms are gendered. Several studies (Hinojosa & Franceschet, 2012; Franceschet, 2010a; 2010b; Piscopo et al., 2023, among others) show that although formal norms, rules or even institutions do not explicitly discriminate against women, informal norms do otherwise. For example, Hinojosa and Franceschet's research (2012) argues that the struggle for rising female political participation will not necessarily change its faith only by changing the electoral norms. In their words,

> Informal norms matter, and although they are intricately linked to the conditions created by formal rules, they also respond to societal attitudes or preferences for certain kinds of candidates. In this case, electoral reform may mitigate but not entirely eliminate the disadvantages that female candidates normally confront. (Hinojosa & Franceschet, 2012, p. 838).

Regarding the above, gender literature on legislature has consistently demonstrated how the hegemonic patriarchal system works to keep women out of substantive decision-making positions. In this line, even when women achieve access to the political arena – as politicians or social movement leaders – they do it *as women*. In this sense, despite more women becoming politicians as members

of the parliament (gaining formal inclusion), their work is still associated with the private sphere (education, social welfare, and childcare, among others). The key aspect to be analysed in this situation is that private sphere topics have less national importance in a hegemonical patriarchal and neoliberal system than public sphere topics, such as industry or finance (Franceschet, 2010b). This situation feeds the widespread understanding that public sphere topics do not relate to private ones, a belief that recent events have refuted. For instance, the Chilean Central Bank estimated that unpaid domestic labour contributed around 25.6% of the expanded Chilean GPD in 2020 (Banco Central de Chile, 2021).

Informal norms operate in the political arena invisibly but not without consequences. Piscopo et al. (2021) demonstrate how accessing campaign funding is harder for women even when formal norms benefit them and their parties. Chile's electoral system changed from a binomial to a more proportional and representative one,[21] which came with a 40% gender quota and positive discrimination for women in economic incentives (refunds for each woman elected are now higher than for men). For every woman elected, parties receive an additional 500 UF,[22] which amounts to more than US$20,000. The new electoral rules also established that women elected receive higher reimbursement than men, getting .05 UF (US$2) times the number of votes received and men .04 UF (US$1.60). Notwithstanding, the researchers found that the informal norm of who makes a *good candidate* keeps operating in gender terms. By way of example, in the 2017 electoral campaign, women received less money in party transfers, bank loans, and donations, and had less money of their own to fund their campaigns. In sum, research shows that "gendered electoral financing schemes, despite their increasing global popularity, might be insufficient to level the electoral playing field given that women are more likely to be electoral newcomers" (Piscopo et al., 2021, p. 225).

Acknowledging that informal norms operate in the political arena is a crucial dimension for my research since it allows me to situate the successful case of the Chilean movement against street

[21] This change is reviewed in depth in Chapter 3.
[22] A Chilean accounting unit. 1 UF amounts approximately to US$41.

harassment. Nevertheless, how the internal structure and composition of that feminist movement helped to take advantage of the political opportunity structure to succeed in getting legislative approval cannot be explained without critical actors. It is not only about how many women are in power – which is extremely relevant – but how informal norms, based on gender stereotypes, work to hold on women-friendly policy change as well. Thus, in this case, it is not only about the number – or critical mass – but also about the critical actors who advance women's policy concerns regardless of the number of female representatives (Childs & Krook, 2009; Krook, 2015; Thompson, 2018). As Childs and Krook (2009) explained, critical actors can be understood as,

> Legislators who initiate policy proposals on their own and/or embolden others to take steps to promote policies for women, regardless of the numbers of female representatives. Importantly, they do not need to be women: in some situations, men may play a crucial role in advancing women's policy concerns. The common feature of critical actors, in the language introduced above, is their relatively low threshold for political action: they may hold attitudes similar to those of other representatives, but they are much more motivated than others to initiate women-friendly policy reforms. (p. 139)

Critical actors are relevant to this research because they worked as openers of windows of opportunity for pro-women claims. Even when they can act alone, at the same time, they can move others to act, operating as amplifiers of gender issues in the legislative agenda. In this regard, it is necessary to identify them to analyse the POS for gender issues. However, the exercise to identify them needs to be link to the critical mass as well, because the interaction between them is a powerful strength to advance significantly in pro-women legislation and substantive representation (Chaney, 2012; Rodriguez-García, 2014). Regarding this thesis, the concept of critical actor is relevant because gave a key to understanding how and when a particular legislator can operate as a critical actor, bringing to social movement opportunities to impact the political agenda.

It is important to acknowledge that if a critical actor who promotes policies for women can be indistinctively male or female (Childs & Krook, 2009), it can also be from any ideological spectrum. In that respect, even when left-wing parties and politicians have historically been more supportive of women's issues than right-wing parties, studies also show that general advances in women's rights

have included politicians from all the political spectrum (Chaney, 2012). At the same time, it is relevant to understand that even when critical actors have been defined as proactive for women's legislation, they also resist changes favouring women. As Thompson (2018) described, “the concept of critical actors can be employed, not only in instances of progressive gender legislation, but also in cases where key gendered changes are being stymied or resisted” (p. 188).

Finally, it can be established that because the political arena is not gender-neutral, the process to advance women's rights cannot be analysed under hegemonic-non-questioned dimensions even when the number of women is equal to or larger than men. As Piscopo and Suarez-Cao (2023) illustrate in their research about the feminist constitution proposal written in Chile in 2021-2022, despite gender parity in that process, women “realised that translating gender parity into policy influence would require more than just winning gender-equitable formal rules; they would have to continue working together, a collaboration that would itself require coordination and, thus, informal rules” (p. 11).

### 2.3 Street harassment as a problem

SH is one expression of gender-based violence that principally affects girls and women (Arancibia, Billi & Guerrero, 2017; OCAC 2014; 2015; Roenius, 2016; Vallejo, 2018, among others). OCAC (2015) defines this type of violence as sexual provocations or actions, committed by a stranger onto another person, without the consent of the latter. Common forms of SH include catcalling, obscene gestures, exhibitionism, stalking, videotaping of one’s intimate body parts, and non-consensual touching. In this section, I address the development of this form of sexual violence as a gendered problem or, better said, the construction of SH as a social problem. As Bacchi (1999) underlined, problems are constructed in representation schemes, which make them different due to factors such as location, timing, and subjects, etc., which explain “why some versions of a ‘problem’ appear in

one place and other versions appear elsewhere, and/or why an issue problematized in one setting remains unproblematized in another" (1999, p. 7).

Thus, a group's representations of a situation shape the perception of what aspects are considered problematic and, consequently, what actions need to be taken to address the problem and in what manners. In this sense, it is important to mention the relevance of the social movement against SH in getting a legislative framework to address it. Even when it is necessary for more development in studies to unveil the effect of pro-women legislation, some research shows that feminist work is paying off. Htun and Jensenius's (2022) research in Mexico addresses this topic by analysing the changes in social norms on violence against women, mentioning that

> [Their] findings strongly imply that the bundling of new anti-violence laws with societal mobilization and media coverage help to propel major changes in women's experiences of and attitudes toward violence. Even weakly enforced VAW laws may contribute to the transformation of norms toward a more egalitarian society. (Htun & Jensenius, 2022, p. 29)

It is well known that legal institutions usually do not take violence against women seriously, however, this is not only characteristic of these institutions but is a social aspect that impacts each institution. This explains why until recently we did not have any term by which to refer to sexual harassment in public spaces, despite it being an extremely frequent type of violence against girls and women. The concept of SH is only 50 years old, finding its first definitions in the early 1970s, when it focused on the workplace (Grant, 1993). In this sense, it is important to understand that the difference between SH and other types of sexual assault is not only the location—on the street, at the workplace—but what it implies in the subordination-relationship between genders. In the first part of this section, I will review these differences by examining the theorists' and feminist organisations' definitions of SH. This exercise allows for the recognition of key dimensions by which to identify the distinction between this type of sexual violence with other, apparently similar, actions. I will then review the feminist organisation's problematisation of SH as gender-based violence.

### 2.3.1 A conceptualisation: What makes street harassment different from other types of sexual violence?

United Nations Women (n.d.) defines sexual violence as,

> Any sexual act committed against the will of another person, either when this person does not give consent or when consent cannot be given because the person is a child, has a mental disability, or is severely intoxicated or unconscious as a result of alcohol or drugs. (par. 14)

Among types of sexual violence can be found SH, which is also understood as a non-consensual act that includes physical and nonphysical contact. Sexual harassment can be characterised by the space in which the violence occurs and also the relationship between victim(s) and victimiser(s). In this regard, several types of sexual harassment can be identified, such as sexual harassment in the workplace, educational institutions, public spaces as SH, and recently—due to technological developments—online sexual harassment. Despite the types of sexual harassment, there is one key element that they all share: they are committed against the will of another person. SH is no exception.

Bacchi (1999) mentioned that "the language, concepts and categories employed to frame an issue affect what is seen and how this is described" (p. 10), which is why it is relevant to review how SH has been conceptualised. SH has been part of North American and European academic issues for almost four decades. Latin America, on the other hand, has not had the same luck, with shy efforts beginning to show about 20 years later. The North American scholar Carole Brooks Gardner commenced her work on street remarks in 1980, defined by her as "a comment in public taking place between the unacquainted" (p. 329). In 1989 Gardner addressed the same issue of street remarks regarding the experience of women in public places, and in 1995 her book *Passing By: Gender and Public Harassment* was published. Here, Gardner explains that common abuses in public places take different forms and identifies one form of SH as 'evaluative practice', defined as "where one set of individuals receives the evaluative opinion of strangers in situations where such evaluation is

normally not warranted" (Gardner, 1995, p. 75). As can be noted, the conceptualisation of SH was born with the specific practice of comments in public spaces, a conception shared by various researchers (Mashiri, 2000). However, these problematisations were always focused on remarks by men to women, which underlines the relevance of the effects of these actions in women's lives.

Grant (1993) conceptualises SH as a "wide variety of behaviours, gestures, and comments" (p. 523), defining the SH characteristics as follows: a) the target is female;[23] b) the harasser is male; c) the harasser is unacquainted with their target; d) the situation is face to face; e) it occurs in public (like street, sidewalk, bus, bus station, among other places); f) the content of the speech is not intended as public discourse, "rather, the remarks are aimed at the individual (although the harasser may intend that they be overheard by comrades or passers-by) (p. 524), and g) the content of the speech is objectively degrading, objectifying, humiliating, and frequently threatening. With the same logic, Gaytán (2007) conceptualises SH as an aspect of sexual harassment in general, which she defines as a "focused interaction between people who do not know each other, whose frame and meanings have a sexual content" (p. 13). In this sense, she defines SH along three main conditions: 1) these situations occur in a public space or on public transport; 2) the people involved (victim and victimiser) do not know each other, meaning that SH takes place in anonymity, and 3) no institutional hierarchy exists in these situations.

Because the research topic of this thesis is related to the movement against SH and not only its theoretical conceptualisation, it is necessary to review how grassroots feminist organisations and NGOs have been defining SH to problematise it as a public issue. In this regard, the main difference between the scholar's definitions and those by organisations is that the latter pursues political change. In this context, The Stop Street Harassment organisation defines this violence as gender-based violence, describing that "gender-based street harassment is unwanted comments, gestures, and actions forced on a stranger in a public place without their consent and is directed at them because of

[23] Grant distinguishes SH from harassment suffered by gay men, declaring that "the harassment of gay men on the street—'gay bashing'—grounded as it is in homophobia, should be the subject of a separate discussion" (Grant, 1993, p. 523).

their actual or perceived sex, gender, gender expression, or sexual orientation" (2015, par. 3). This North American organisation considers various practices to amount to SH, among them "unwanted whistling, leering, sexist, homophobic or transphobic slurs, persistent requests for someone's name, number or destination after they've said no, sexual names, comments and demands, following, flashing, public masturbation, groping, sexual assault, and rape" (2015). In the same sense, the Chilean organisation OCAC (2015) defines SH as sexual provocations or actions committed by a stranger against another person, without the latter person's consent, including harassment practices such as catcalling, obscene gestures, exhibitionism, stalking, videotaping one's intimate body parts, and non-consensual touching. Taking both definitions and harassment situations into account, it is clear that both organisations include in their definitions not only street remarks but also different types of sexual assault.

The addition of different types of sexual assault—including touching, not only remarks—in the feminist organisations' definitions is relevant because it highlights the importance of the public space. In this sense, it concerns is not only the violent act but where occurs, its features, and the subordination-relationship between the people involved. As a consequence, this approach also opens the question of which types of sexual violence are considered legal offences and why, for instance, sexual assault, such as non-consensual touching—excluding rape—are legal offences in some countries, often with conditions, e.g. that the victim put up resistance.

In accordance with the above, I understand street harassment as the interplay of four dimensions:

i. Sexual acts with physical and non-physical connotations
ii. Against the will of the victim
iii. Occurs between people who do not know each other and/or have no interpersonal relationship.
iv. Occurs in public spaces or semi-public spaces (such as transport, malls, nightclubs, etc.).

In terms of the first dimension, I understand the sexual acts in the same way as OCAC does, considering that there can be non-verbal actions, like staring and sounds, verbal acts such as remarks and rape threats, but also sexual assault like non-consensual touching, or public masturbation.

Although the last practices are often included as legal offences in penal codes, they are commonly determined by the characteristics of the space and the relation between the people involved, e.g., colleagues at the workplace, or family. Therefore, and as I mentioned before, it is not the act *per se* that is a public offence but the context in which the act occurs. For example, two people who do not know each other may well recognise each other in a public common space because of the regular use-patterns of, for instance, bus stops, and if one of them sexually harasses the other, this will be considered SH. However, in the case of the two people being linked to each other by, for example, an educational (e.g., student and teacher) or labour context (e.g., colleagues), the sexual harassment will be characterised by that relationship and not only the act itself.

Considering the above, illegal sexual assaults that occur in closed spaces such as households or workplaces share one characteristic: the people involved are related to each other in one way or another. However, in SH, there is no relationship between the people involved: victim and victimiser will typically not know each other, they do not share any contractual relationship, they do not share a family name, and they do not live in the same house. In this sense, even when the act of sexual assault can be the same—non-consensual touching for example—the violence feature is completely different. As mentioned above, it is considered to be so different that, in some cases, an act that occurs in the workplace will be illegal while the exact same act occurring on the street will be considered legal. Nevertheless, even when there is no explicit relationship between the people involved in SH, there is a relationship of subordination. It is not by accident that the most common victims in SH are women and the most common victimisers are men (OCAC, 2014; 2015; 2010). There is a power relationship between them.

The discussion in section 2.2 helps us to understand the power relationship between victim and victimiser in SH. As pointed out above, the division of the social sphere into public and private is not harmless, and the subordination structure operates even between people who do not know each other. In this sense, sexual harassment in public spaces is the confirmation that women are allowed to be in the public sphere, but only as women, that is as private, or as objects. In Alejandra Castillo's

(2011) words, women are not the real owners of the public space and SH is a way to remind them of this fact.

As women's and feminist movements have gained traction, various countries have legally problematised sexual violence that occurs in private or closed spaces, such as sexual harassment in the workplace. The claims against SH are recent, and until now just a few countries have specific legal sanctions for this type of violence. Therefore, some acts of sexual violence are configured as a public problem, as properly dealt with in the public sphere—in this case, this means regulated as an illegal act—and others are still considered to be private problems, or at least situations that do not need to be treated and regulated in the public sphere. In this regard, I understand that the main difference between acts of sexual violence that are treated as a public problem and those that are not—such as SH—is the relevance of the relationship that is in need of regulation. Considering that in all the types of sexual violence, women are the most common victims and men the most common victimisers, in the legal problematisation and in the validation as a public problem, what matters is the proper relationship between men and women that are already related to each other. In other words, considering that in the workplace the male bosses harass their female employees, the public problem is the relationship between the subject and the object of the public space. In the case of SH, however, it is easy to deny the relationship between victim and victimiser, therefore, if there is no relationship to regulate, why regulate the same act in a different space? In consequence, we can theorise that if there is no relationship with a man present, the sexual violence becomes a particularly female experience, and, therefore, not a public issue.

In addition to the above, it is relevant to understand that the claim to prevent and punish SH is configured as a nondoctrinal status policy area. Which, even with the hegemonical resistance of 'this is not a real problem', faces less resistance than doctrinal ones (Htun & Weldon, 2018). In other words, in the Chilean context – and most Western countries– there is no religious doctrine related to the SH claim. In other words, it is not in the name of a god or in the name of atheism that the claim or its resistance is shaped. In this regard, it is relevant to mention that the demand against SH in Chile

did not face a conservative barrier based on doctrine as other gender-based demands such as reproductive rights or divorce. As will be seen in the analytical chapters (4 and 5), even conservative religious female politicians were critical actors (Childs & Krook, 2009; Krook, 2015) in pursuing legislation against SH.

### 2.3.2 Street harassment as a gender-based claim

As mentioned above, "the language, concepts and categories employed to frame an issue affect what is seen and how this is described" (Bacchi, 1999, p. 10). Accordingly, the policy processes, if there are any, depend upon frames that affect what and how we see things. Regarding sexual violence in public spaces, feminist organisations have been looking for legal actions with which to attack it, however, the already-existing conceptualisations of sexual violence—even when the act was similar to SH—did not represent the same problem.

Since the mid-80s, there have been several academic studies focusing on the need to problematise SH and the importance of taking legal action against it. For instance, in 1984, Cheryl Benard and Edith Schlaffer published a pioneer study about the reason why men harass women in public places. In 1993, Cynthia Grant showed that even when this kind of violence was systematic in women's lives, the legal system did not reflect it as such, suggesting that the legal system had a strong resistance against women. In the same year, Deborah Thompson, inspired by Grant's (1993) article, contributed a new perspective to legal SH research, proposing to make it a criminal misdemeanour.

As mentioned above, in Latin America, the academic interest in SH took root around two decades after North America and Europe. The earliest contribution appeared around 2000, showing the lack of security for women in public spaces (Macassi, 2005). In 2007, Patricia Gaytán published qualitative research focusing on the different expressions that comprise SH and the way such harassment is interpreted in Mexico City. Gaytán (2007) recognises the high frequency of this violence in women's lives all around the world, although she expresses regret that SH had received

so little attention in the sexual violence context. Since then, several pieces of research have been published about gender violence in public spaces, as well as SH experiences and perceptions in different Latin American countries (Llerena, 2016; Medina, 2016; Meza, 2013; Pérez et al., 2012; Zuñiga, 2014, among others).

The academic contributions were extremely relevant in the problematisation process, giving a name to the violence and explaining why SH is gender-based violence. The step to name these acts as a particular type of sexual violence is crucial to framing the problematisation: who is involved, how, and why. The academic studies focused mainly on the theorisation of SH based on interviews and the experiences of knowledge that almost all women have suffered SH. Notwithstanding the importance of this contribution, these types of research did not address quantitative descriptions of SH, and this is where NGOs, public institutions, and feminist organisations add their contributions. For instance, in 2012 SERNAM published the first government survey in Latin America, revealing the reality of SH in this country. A few years later, in 2015, OCAC presented the first survey in Chile that specifically covered SH. Then, in 2020, it conducted a second survey, measuring four types of sexual harassment, including SH. In 2013, the Pontifical Catholic University of Peru's Public Opinion Institute's survey showed the frequency and the effects of SH in that country. In 2016, the Argentinian organisation *Paremos el Acoso Callejero* (Stop Street Harassment) published an SH survey in Buenos Aires, Argentina.

Even when feminist organisations did not define SH, they would—and still do— use the concept to frame their claims, specifying that they are not organisations against general sexual violence, but a particular one. UN Women recognise that one in three women have their first sexual experience against their will, but this does not take SH into consideration. The specific sexual violence that these organisations fight against is one of the most common and most frequent (OCAC, 2020), confirming that sexual violence is not a particular experience in women's lives, but a continuum. It is not something that happened one, twice or three times in their life, but a constant. In

other words, women are socialised in an environment of sexual violence. In this regard, feminist organisations problematise SH as a gender-based problem.

## 2.4 Conclusion

In this chapter, I address three main sections, each of which contributes to the core argument regarding the need to acknowledge that the hegemonical gender system shapes the political arena and the people who act on it (their identities, imaginaries, perceptions, etc.). When it comes to analyses by women's and feminist movements, the gender perspective cannot be left behind, considering the relevance of women's experience in the public arena as a portion of the population that is not considered to be part of it in equal terms as men. However, the gender approach is not relevant just for analysis of women's movements but for all types of social movements, since the public space in which they put their claims is a gendered one. As I mentioned at the beginning of this chapter, the importance of introducing the gender perspective is clearer considering that a relevant amount of social movement literature does not address the gender-based space division as a relevant variable for understanding, for instance, wars and revolution. Therefore, those researchers did not stop at the crucial analytical aspect, that most decision-makers in those processes are men.

The theoretical frame established in this chapter have not just analytical consequences but also methodological ones. Therefore, how I came to understand POS theory and reach my position on the need for the gender perspective, affect the methodological decisions I made and how I valued its usefulness for this research. In this regard, the next chapter addresses this consequence, arguing how the gender approach benefits this research.

# CHAPTER 3

## Methodological decisions

In the previous chapter, I reviewed the theory that framed this thesis, arguing for the relevance of understanding the political arena as a gendered space in order to answer the research question of "How did the internal structure and composition of a feminist social-movement organisation enable it to take advantage of changes in the political opportunity structure so as to succeed in getting important legislation passed?". This chapter, in which I address the methodological decisions I took to answer the research question, is the logical consequence of the previous one as it frames the theoretical discussion into action by describing both the methodological steps that I took to approach the research topic and the argument to approach it from a gender perspective.

This chapter is composed of four sections. Section 3.1 argues extensively for the case selection for this thesis: the Chilean Observatory Against Sexual Harassment. In this section, I first contextualise the political scenario in Chile since the end of the dictatorship in 1990, and I then explain the three main reasons for the selection: the topic relevance, the region in which it is located (Latin America), and the country's political and social movement characteristics, focusing on women's and feminist's movements. Then, section 3.2 explains the decision to approach this study with a qualitative methodology with a gender approach, highlighting the benefits of linking both in this research. Finally, section 3.3 specifies the strategy for data collection, where the principal method is semi-structured interviews. However, I complemented this method with the institutional documentation about the SH legislation process in Chile. In section 3.3, I also identify all the informants that I interviewed.

## 3.1 The case selection: The Chilean movement against street harassment

As mentioned in the introduction, the case selection in this study is the Chilean feminist movement against SH, headed by the Chilean Observatory Against Sexual Harassment, founded in November 2013. Because citizen's initiative to enact a law does not exist in Chile, OCAC requested some deputies to promote a bill to make SH illegal. In March 2015, the bill was presented in Congress, it was approved in April 2019, and enacted in May 2019. This movement was selected for three main reasons: the topic relevance, the region in which it is located (Latin America), and the country's political and social-movement characteristics, which make this case an interesting one to study.

Before addressing the three reasons behind the case selection I first review the Chilean political scenario from the end of the dictatorship until today, in order to contextualise the shifts in the general political scene.

### 3.1.1 Chilean political characteristics

The first ten years (1990-2000) of democracy after the end of the dictatorship (1973-1990) are known as the transition period, in which contemporary democracy was weak due to fears of a new coup, since the military forces still held key political positions during this first decade. Thus, even when the 17 years of dictatorship ended in 1990, in many ways it was not over, because it ended with an agreement between the dictators and the traditional political parties from the right and centre-left. Thus, Pinochet was not judged by his crimes against humanity, but was named commander-in-chief of the Chilean Army, and in 1998 he was made a lifetime senator. Adding to this, the first democratic governments did not change the economic model enforced by the dictatorship. Instead, the model was expanded and validated, with minimum adjustments made.

Once the military dictatorship was defeated by a referendum, two main political-electoral coalitions disputed the presidential elections since 1990. On the one hand, it was the right and centre-right coalition named *Alianza por Chile* (Alliance for Chile), constituted by the centre-right party National Renovation (RN) and the more conservative and centre-right party, Independent Democrat Union (UDI). It is important to note that these two parties mostly supported the Pinochet dictatorship, and most of their members publicly supported it during the referendum in order for the military regime to continue. On the other hand, there was the left and centre-left coalition, named *Concertación de Partidos por la Democracia* (Parties for Democracy Concertation) constituted by the centre parties Christian Democracy (DC) and Social Democratic Radical Party (PR), and the left-wing Socialist Party (PS) and Party for Democracy (PPD). The centre-left coalition remained in power for four consecutive presidential terms between 1990 and 2010. The last of their presidents was Michelle Bachelet, the first—and still only—woman to hold the national presidency in Chile (2006-2010).[24]

It is important to address the fact that the Chilean Communist Party (PC) was one of the main targets of the dictatorship, forcing its members to leave the country or go clandestinely during the military regime. When the dictatorship ended, the Chilean Communist Party took place in the political spectrum again. However, it did not join the centre-left coalition until later and did not achieve any parliamentarian representation since the coup in 1973 and until the 2009 election (in which the PC joined the centre-left coalition). The image below illustrated the political spectrum at that time, contained by the seven biggest political parties:

[24] After those four elections, Chile has been in a constant shift from the centre-left and centre-right governments.

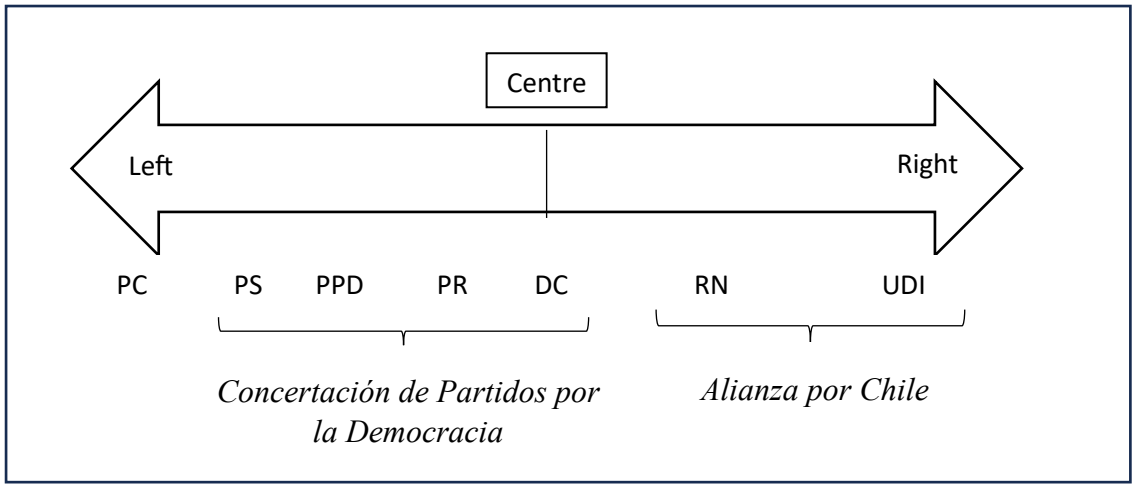


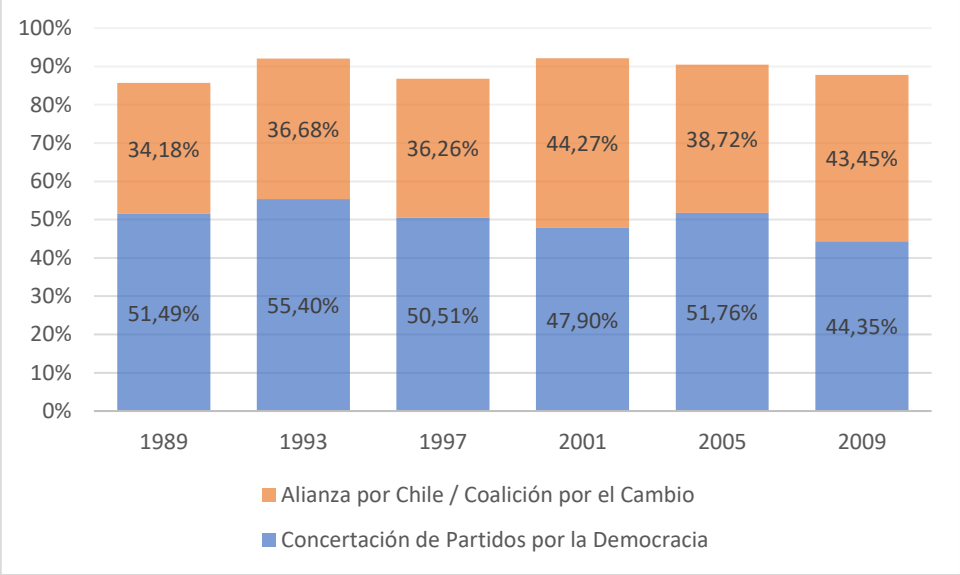

**Figure 5**: Ideological spectrum of Chilean political parties.

In 1988, before the dictatorship ended, the military regime established a new national constitution, which has guided the political and government administrations since then. The 1988 Constitution established a new, binomial, electoral system. The binomial system operated in seven elections from 1989 to 2013, and was changed by the second Bachelet administration in 2015.

The binomial electoral system established that only two candidates could be elected in each electoral district (60 in total). Therefore, political parties or electoral coalitions could run two candidates for each election: Chamber of Deputies and the Senate. The system established that the "candidate with the most votes on the winning party list would claim one of the two seats" (Pastor, 2004, p. 45). Meanwhile, the coalition that got the second vote majority would get the second seat for the candidate with more votes. In this way, the winning coalition could capture both seats in any given electoral district only if they got more than double the votes of the coalition that finished second. During this time, the binomial system was created to favour the centre-right coalition, *Alianza por Chile* (Polga-Hecimovich & Siavelis, 2015; Aleman et al., 2021), because they only needed to get one-third of the vote to have one seat in Congress (Chamber of Deputies or Senate). As a consequence, until the electoral system was changed,[25] the candidates elected as senators and deputies were part of the two biggest political-electoral coalitions, *Alianza por Chile*—later known as

[25] By the Law N°20.840 during the second Bachelet government.

*Coalición por el Cambio* (Coalition for Change)—and *Concertación de Partidos por la Democracia* (Parties for Democracy Concertation)—later known as *Nueva Mayoría* (New Majority) (see Graph 1).




**Graph 1:** Deputies elected according to the political-electoral coalitions 1989-2009.
Source: Data sourced from BCN. (2023a). Partidos, movimientos y coaliciones. Coalición por el cambio. Obtained from https://www.bcn.cl/historiapolitica/partidos_politicos/wiki/Coalici%C3%B3n_por_el_Cambio. BCN. (2023b). Partidos, movimientos y coaliciones. Alianza por Chile. Obtained from https://www.bcn.cl/historiapolitica/partidos_politicos/wiki/Alianza_por_Chile%20Obtained%20from. BCN. (2023c). Paridos, movimientos y coaliciones. Concertación de partidos por la democracia. Obtained from https://www.bcn.cl/historiapolitica/partidos_politicos/wiki/Concertaci%C3%B3n_de_Partidos_por_la_Democracia

The binomial system not only worked to have centre-right representatives in Congress but to achieve a specific percentage, so as to prevent changes to the Constitution (Polga-Hecimovich & Siavelis, 2015). The 1988 Constitution established institutional pillars to reinforce the economic and moral model instituted by the dictatorship, by for instance privatising public goods, such as water and social security (retirement pensions), and creating and privileging a private health system to the detriment of the existing, public, one. It also transformed the national education system by allowing private actors to run schools on a public budget, with no obligation to invest in the educational centres to ensure educational quality. Regarding the moral model, the military constitution banned the right to abortion in any circumstance, making it punishable by incarceration. These pillars were crucial to continuing the dictatorship legacy, and the Constitution also established that any change to it would

require a high quorum of parliamentarians: two-thirds and three-fifths depending on which section. In other words, the binomial system ensured that the political coalition that mostly fought against the dictatorship and its model could not get all the seats required to change the constitution, even when they held the presidency.

As mentioned above, 2004 saw the election of Michelle Bachelet as president (2005-2009), the first woman to hold that role, and she was also the last person to represent the centre-left electoral coalition *Concertación de Partidos por la Democracia*. During Bachelet's presidency, the first expression of a growing student movement could be felt—I will expand on this below—which was a milestone for a larger social movement headed by the younger generation.

In 2009, the *Alianza por Chile* coalition changed its name to the *Coalición por el Cambio*, adding to their political and electoral pact the political movements Chile First*,* Big North, and Christian Humanism. This change was made to support Sebastian Piñera's presidential campaign (BCN, 2023a). in 2010, after two decades of the *Concertación de Partidos por la Democracia* administration, the right-wing won the presidential election for the first time since the dictatorship, and Sebastián Piñera took over the presidency from 2010 to 2014.[26] During this period, as I will refer to below, the student social movement that had started during Bachelet's previous government grew, making a larger impact, with several universities occupied for months, and with intense visibility of their leaders.

In 2013, for the presidential and parliamentary election, the centre-left coalition *Concertación de Partidos por la Democracia* changed their name to *Nueva Mayoría* (New Majority), adding to their political and electoral pact the Chilean Communist Party (PC), the Citizen Left Party of Chile, and the Broad Social Movement. Along the same lines, as the centre-right coalition changed for a presidential election, the centre-left coalition changed to support the second of Michelle Bachelet's presidential campaigns (BCN, 2023d), making her president for a second time for the period 2014-

[26] Sebastián Piñera had a second presidential period between 2018-2022. This period is referred to in Chapter 5.

2018. The parliamentary election significantly renewed the Chamber of Deputies for the first time since the end of the dictatorship, electing former left-wing leaders from the student movement as deputies. Among them were elected representatives from new political movements, which started taking force in Chilean universities, such as the Democratic Revolution movement, Autonomy Left, and the Autonomist movement. These movements later formed a new electoral political coalition, the *Frente Amplio* (Broad Front).

During the second Bachelet administration, a law was enacted that changed the binomial electoral system to a more proportional and representative one, securing a more female presence in the parliament and fewer barriers for independent candidates. The main changes were:

- More deputies: Increase from 120 to 155 seats.
- More senators: Increase from 38 to 50 seats.
- Fewer electoral districts for deputies and senators and more seats for each district.
- Bigger representation of regions other than the Metropolitan Region, the capital of Chile: 57% of the new deputies and 75% of the new senators were to represent regions other than Santiago.
- Quota law for female participation: The political parties could not have more than 60% of candidates from either gender. This quota thus regulates that at least 40% of the candidates that compose an electoral list are women.
- Independent candidates for deputy: Within the binomial system, the candidates who were not members of a political party or were not running for deputy for an electoral and political coalition should obtain at least 30% of the votes to win the election. With the electoral reform, this number drops to 25% in districts with three deputies, to 20% in those with four, 17% in those with five, 15% in those with six, 13% in those with seven, and 11% in which eight deputies are chosen (Gobierno de Chile, 2015).
- Economic incentives for female candidates elected: Parties receive an additional 500 UF[27] for every woman elected (more than US$20,000). Every woman elected also receives a reimbursement of .05 UF (US$2) times the number of votes received and men's .04 UF (US$1.60) (Piscopo et al. 2021).

Chile was the 15th country in Latin America to regulate female political participation. In the year that the Chilean government enacted the law to change the binomial system and add a gender quota for the parliamentary election, six Latin American countries had at least one-third of women in the parliament: Bolivia (53.1%), Ecuador (41.6%), Nicaragua (39.1%), Mexico (38%), Argentina

[27] A Chilean accounting unit. 1 UF amounts to approximately US$41.

(36.2%) and Costa Rica (33.3%) (see table 1). This fact shows how behind Chile was, in the Latin American context, regarding the female political participation discussion.

| Country | Year of regulation | Quote / Parity | Chamber | Women's parliamentary representation 2015 |
|---|---|---|---|---|
| Bolivia (plurinational State of) | 2010 | Parity | Both chambers | 53.1% |
| Ecuador | 2009 | Parity | Unicameralism | 41.6% |
| Nicaragua | 2012 | Parity | Unicameralism | 39.1% |
| Mexico | 2014 | Parity | Unicameralism | 38% |
| Argentina | 1991 | 30% | Both chambers | 36.2% |
| Costa Rica | 2009 | Parity | Unicameralism | 33.3% |
| El Salvador | 2013 | 30% | Unicameralism | 27.4% |
| Honduras | 2012 | 40%[28] | Unicameralism | 25.8% |
| Peru | 2000/2003 | 30% | Unicameralism | 22.3% |
| Dominican Republic | 2000 | 33% | Chamber of Deputies | 20.8% |
| Colombia | 2011 | 30% | Both chambers | 19.9% |
| Panama | 2012 | Parity | Unicameralism | 19.3% |
| Chile | 2015 | 40% | Both chambers | 15.8% |
| Paraguay | 1996 | 20% | Both chambers | 15.0% |
| Uruguay | 2009 | 30%[29] | Both chambers | 13.1% |
| Brazil | 2009 | 30% | Chamber of Deputies | 9.0% |

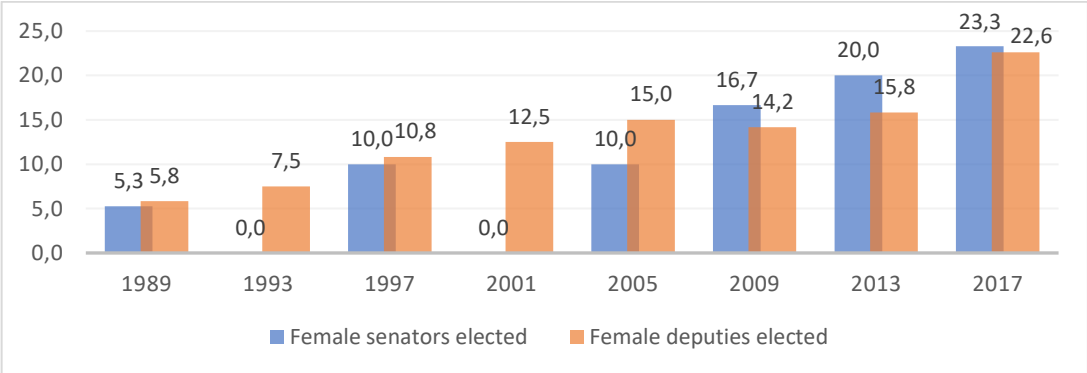
**Table 1:** Women's political participation regulation in Latin American countries until 2015.
Source: Caminotti, M. (n.d). La representación política de las mujeres en América Latina: dos décadas de avances y retos persistentes. Obtained from https://reformaspoliticas.org/wp-content/uploads/2015/02/3-mcaminotti_genero.pdf, and data sourced from ECLAC CEPALSTAT. (2023a). Statistical Databases and Publications. Obtained from https://statistics.cepal.org/portal/databank/index.html?lang=es&indicator_id=3835&area_id=

Piscopo et al. (2023) studied the Chilean case as a late adopter. By analysing the change in the binomial system and the 2020 constitutional process, the researchers explain this case by the transition-like moment created by the effort to "redesign the national political institutions in order to address democratic deficits" (p.1). In this line, the authors address why Chile did not adopt gender quotas like their neighbouring countries at the end of the dictatorship, in which no window of

[28] Honduras enacted a parity legislation in 2016.
[29] It only operated until the 2014 national election.

opportunity was open for any structural change during the transition period. However, when the democratic institutions' legitimation started to go down, a *transition-like moment* opened the opportunity to change, which was taken by the women and feminists' demand for pro-women's laws in decision-making autonomy.

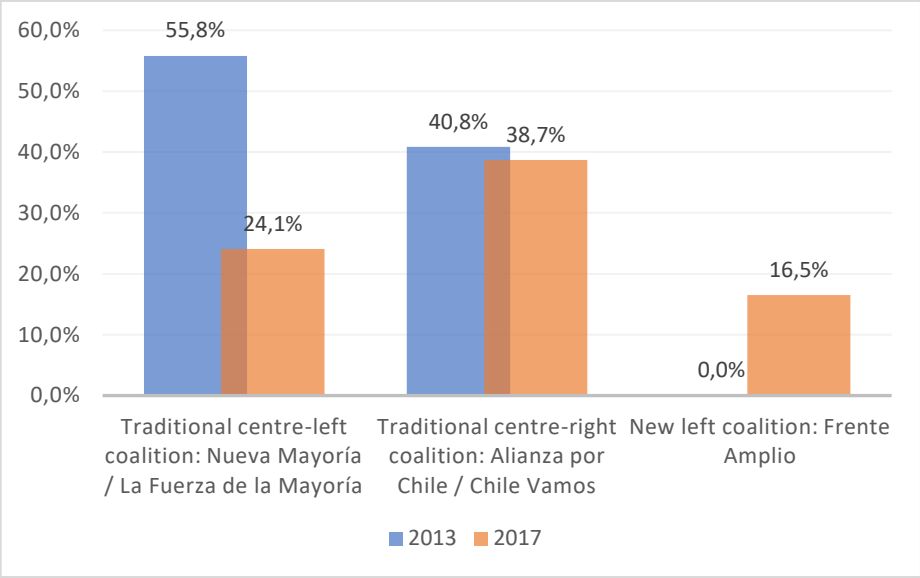
In November 2017, presidential, parliamentary, and regional adviser elections were held, and this was the first time the new electoral system, enacted by Bachelet in 2015, was applied. The quota regulation generated progress in women's political participation considering their historically low representation in Congress, where until 2020 only 109 women had been elected as deputies and senators over the more than 200 years of the Chilean Congress (BCN, 2020). Specifically, after the 2017 parliamentary election, women's representation in the Chamber of Deputies grew from 15.8% in 2013 to 22.6% in 2017, from 19 to 35 female deputies over 155 seats, and to 23.3% in the Senate, 6 to 10 female senators over 23 seats. Graph 2 shows the historical women's representation in the Senate and the Chamber of Deputies since the first post-dictatorship parliamentary election, between 1989 and 2017. The results show that it is possible to appreciate the positive effects of quota regulation. In percentage terms, the increase in elected women is 6% in the Senate and 6.8% in the Chamber of Deputies (BCN, 2018).




**Graph 2**: Women elected in parliamentary elections for senator and deputy from the end of the dictatorship up until 2017.[30]
Source: BCN. (2018). Efecto de la Ley de Cuotas en elecciones parlamentarias de 2017. Obtained from https://obtienearchivo.bcn.cl/obtienearchivo?id=repositorio/10221/25258/1/GRID_Efectos_Ley_de_Cuotas_elecciones_2017_def.pdf

[30] It is relevant to highlight that, because of the change in the number of electoral districts and their representatives, in the 2017 senator's election, 23 candidates were elected, which added to the 20 that were currently in office and made a total of 43 members. In the case of women, the six female senators elected in 2017 joined the four women who were already in office because their constituencies did not have an election that year. The 50 senators contemplated in the new electoral system were reached in the 2021 election.

The new electoral system also affected the composition of the political and electoral coalitions. As described above, the new political movements that gained force in the student movements, some of whose leaders were elected deputies in the 2013 parliamentary elections, formed a new political and electoral coalition in 2016, called *Frente Amplio*. This new left-wing coalition emerged as an alternative to the traditional coalitions since the end of the 1973 dictatorship. The 2017 parliamentary election modified the coalition compositions represented in Congress, for instance, the Chamber of Deputies changed its traditional distribution of two into three (see Graph 3).




**Graph 3:** Deputies elected according to the political-electoral coalitions 2013-2017.
Source: Data source from SERVEL. (2023). Servicio Electoral de Chile, obtained from www.servel.cl, and Castiglioni, R. (2014). Chile: Elecciones, conflictos e incertidumbre. *Revista de Ciencia Política*, 34 (1), pp. 79-104.

As Graph 3 shows, the appearance of a new left coalition largely impacted the traditional centre-left. In the next section and chapters, I will review how the effects of this emergence were not only a seat number for each coalition but a dispute of the topics that can be discussed in Congress. Because the *Frente Amplio* representatives were younger than the traditional politicians, they were more likely to represent the claims of their generation.

Regardless of the majority representation of the centre-left and left coalitions in Congress, the 2017 election shifted the state administration from the centre-left to the centre-right, with Sebastian Piñera winning the presidential election for 2018-2022 as the centre-right candidate. It is during this

period that larger social movements were exploited, such as—as I will refer to in the next section—the feminist movement.

### 3.1.2 The selection of the Chilean movement against street harassment

As mentioned above, I selected the Chilean feminist movement against SH, headed by the Chilean Observatory Against Sexual Harassment (OCAC), for three main reasons: topic relevance, the region in which it is located (Latin America), and the country's political and social movement characteristics.

Out of the above three reasons for selection, the argument for the political and social movement characteristic of Chile will be described in a larger scope, as it addresses the key political and social movement shifts that characterises the country. Finally, I conclude the argument for the case selection for this thesis by linking the three main reasons with the particular case of OCAC.

The academic problematisation of SH is not new, as the first contributions to it in North America and Europe started during the 80s. However, in the non-academic world, work started in 2005 with Hollaback!, the world's first social movement organisation that worked against SH. Therefore, although SH is a common form of sexual violence that women experience daily, until recently it was not considered a public problem in many countries. The relevance of this topic is that the problematisation was related to men's and women's relationships in public spaces without any link between them other than gender, which is different from other sexual violence problematisations as was established previously.

The claim against SH was built as a form of daily gender violence experience that almost every woman suffered at least once in their lives, regardless of their income, educational level, or neighbourhood. The claim not only pointed out a victim but also a victimiser, in which the most common practice of making remarks to unknown people walking by the streets about their appearances was no longer seen as a harmless action or something to be proud of, but as sexual violence. In this sense, the claim against SH did not search for women's empathy by putting itself in

the shoes of other women as victims. On the contrary, the claim searched for women's identification as victims of a common type of sexual violence. At the same time, the claim pointed out that the typical victimiser was not a sexual predator, but a typical man.

My study case was also selected due to the region in which the organisation is based: Latin America. Although the academic contributions to the topic of SH came almost a decade later in Latin America than in North America and Europe—the first papers about SH were written at the beginning of 2000 (Macassi, 2005; Gaytán, 2007)—by 2019, five out of 12 countries in South America had national laws against SH: Peru, Uruguay, Argentina, Brazil, and Chile. In other words, 41.7% of South American countries had some type of legal regulation against SH. Further, in Central America there are other countries with national or local regulations against SH, such as Costa Rica and Guatemala, among others.

In addition to the legislative progress in Latin America, what makes the region interesting to this study is the collective action against SH. In 2014, the Latin American and Caribbean Network Against Street Harassment started to take form, a network integrated by different national organisations including the OCAC LatAm Networking. What makes the Chilean case interesting, and one of the reasons why I selected it, is because the first OCAC was created in Chile, however, it inspired other women and OCAC Chile offered its knowledge and experience to open OCACs in other countries. OCAC LatAm Networking includes OCACs from seven Latin American countries: Chile, Bolivia, Colombia, Costa Rica, Guatemala, Nicaragua, and Uruguay.

In addition to the above, I selected Chile in particular because of its political and social movement characteristics. As I described the political context in the previous section, I will here use that information to contextualise the impacts of the social movement.

The women’s and feminist movements have a long history in Chile, with the first women's organisations founded around the mid-19th Century, achieving women’s right to study for a profession and go to university in 1877. In the early 1900s, working-class women founded their own organisations, demanding better life conditions in gender terms, arguing that women were oppressed

by a lack of political rights, the sexual division of labour, and daily violence. In the 1910s, the first enlightened women appeared and started demanding their right to vote, achieving the municipal vote in 1934 and the presidential vote in 1949. After obtaining the right to vote, the women's and feminist movement was characterised by what is known as 'the feminist silence'. After four decades of active movement, in which relevant women's and feminist organisations were created and the first women's political parties founded, by the 1950s and the 1960s, the women's and feminist movement had become fragmented. Scholars explained this silence as being due to a political and economic context in which the political opportunity structure was closed for women as active figures to make claims in the name of their own life conditions (Gálvez, 2021).

The feminist silence ended abruptly on the 11th of September 1973, with the military coup led by the military dictator Augusto Pinochet, in which the Chilean Air Force bombed the presidential palace, ending Salvador Allende's democratically elected government. The women against the dictatorship fought actively for democracy and truth. The Valech report[31] recognised 3,399 female victims of dictatorial repression by illegal detainment and torture, 60.7% (2,063) of whom were under 30 years old. Further, women actively searched for the truth about their relatives—husbands, sons, daughters, grandchildren, among others—who had been detained by and disappeared during the military regime. Chilean women organised for the human rights defence in several groups of relatives of politically executed people and disappeared detainees, and in a brave act, those women held a first massive public action on the 8th of March 1978.[32] It is important to notice that most of these groups and organisations were related to the Catholic Church, such as the Vicarage of Solidarity, the Pro-Peace Committee, and the Group of Disappeared Detainees' Relatives. Thus, influenced by Judaeo-Christian discourses on life and sacrifice, a common women's slogan during this time was related to the willingness to sacrifice their life for life and the truth of their relatives (*dar la vida por la vida*).

[31] Officially known as the National Commission on Political Imprisonment and Torture Report but commonly known as the Valech Report because of the name of the commission's head Bishop Sergio Valech. As the report's official title indicates, the report documents human rights violations during Pinochet's dictatorship.
[32] The first massive act during the dictatorship was held by the feminists in the Caupolicán theatre.

On the opposite side, women linked to the dictatorship worked as the female arm of the military regime (Gálvez, 2021). Headed by Lucia Hiriart, Pinochet's wife, the dictatorship's female arm was centred in the Chilean Mother Centre (CEMA-Chile), an institution that operated as a moral and role model to women, encouraging them to be defenders of their homeland by being good wives and mothers, rejecting cultural relativism and all ideas that are contrary to the Catholic Church.

During the 1980s, the women against the dictatorship strengthened their claim to democracy, creating several new organisations (most of them by working-class women), such as MEMCh83[33] (Movement for the Emancipation of Chilean Women), an openly feminist organisation that brought together different women's groups against the military regime, asking for democracy on gender terms. With the slogan "democracy in the country and at home", the Chilean women and feminist movement from the 1980s claimed not for the same democracy as before the dictatorship, but for one that would shed light on the sexism, authoritarianism, and patriarchalism of Chilean society.

During the 1980s, the overall resistance movement against the dictatorship forced the military regime to hold a referendum on the 5th of October 1988, in which the Chilean citizens decided they did not want to remain under the military regime. This led to the presidential election, on the 14th of December 1989, won by the centre-left coalition (*Concertación de Partidos por la Democracia*) candidate, Patricio Aylwin.

As mentioned above, the Chilean democracy was felt to be weak during the transition period, as during this time the political administration kept upholding values and institutions built by the dictatorship. Thus, there were fears of a new coup, and the active women's social movement that fought against the dictatorship disappeared. According to scholars, this silence was due to three main reasons: 1) the fear of going back to a military regime because of the tense political climate; 2) a dominant politics of consensus in which the transition to democracy was built to always find a middle-ground, and thus the demands, not only for change from the dictatorship model, but also to discuss

[33] This organisation had in its name the number "83" in reference to the year in which it was formed, because this was the second time the name was used to form an organisation to congregate other women's organisations. The first time was during the 30s, to claim the right to vote.

moral issues such as female sexual autonomy, did not have a place, as those issues were seen as disruptions to the new democracy (Faúndes, 2013; Gálvez, 2021), and 3) between 1990-2000, former activists were named heads of new public institutions, such as SERNAM, resulting in several social movement organisations losing their leaders. As such, the 1990s was a decade with low-intensity social movements (Fuentes & Vallejo, 2017; Gálvez, 2021; Jara, 2019). This began to change in the early 2000s, with newer actors appearing, bringing their demands on the streets, and breaking the silence of the 1990s.

One of the most visible social movements during the 2000s was the high school student movement during the Bachelet first administration (2005-2009). Starting in 2004 and getting stronger in 2006, the secondary school movement known as the Penguin Revolution—in reference to their school uniforms—demanded new rights for them as students (Yeomans, 2022). The students that led this movement shared one main feature: they were a new generation that had not experienced the dictatorship and were not afraid of it (Cummings, 2015). This movement is relevant in the context of this study because it is recognised as a milestone for the political participation of a post-dictatorship generation. The feminist movement during the same period was localised in particular expressions and organisations, lacking visibility and summoning force, gathering only a few people to its marches and actions.

During the first Piñera presidential period (2010-2014)—a centre-right coalition— in 2011, the same generation that had been protesting five years earlier (the Penguin Revolution) was protesting again, now as university students, demanding structural changes to the educational model by imposing national strikes and paralysing universities. This went on for months. It was in this context that university representatives became relevant protagonists in the political arena.

By the beginning of 2010, university students had created spaces for critical thinking on gender issues, such as so-called ‘sexuality associations’.[34] During the student mobilisation in 2011,

[34] The gender and sexuality associations are student organisations that seek to generate information, care, and prevention, and more, on gender and sexuality issues.

these spaces shed light on its male features and, with shy efforts, reflected the sexism of educational areas. By 2012, sexuality and gender associations had become more common in Chilean universities.

As stated above, the 2013 presidential election once again shifted the coalition in power, and Michelle Bachelet won her second term (2014-2018). During Bachelet's government, important pro-women legislation was achieved. As mentioned, in 2015, Bachelet enacted a law that changed the binomial electoral system; in 2016, the Women and Gender Equity Ministry started to function, headed by Claudia Pascual (Chilean Communist Party) (BCN, 2015a), and in September 2017, a law regulating the decriminalisation of voluntary termination of pregnancy on three grounds was approved (BCN, 2017).[35]

With the second Bachelet administration, the women's and feminist movement became more active and visible in Chile. Between 2013 and 2015, each year saw an average of 10 feminist protests, increasing to 47 in 2016 (COES, 2018; Reyes-Housholder & Roque, 2019). The rise in feminist protest could be related to the effects of international feminist movements: the MeToo movement started in the United States, the *#NiUnaMenos* (no one [women] less), and the *Marea Verde* (Green Wave) movement in Argentina, which impacted several Latin American countries.

In this context, the 2017 presidential and parliamentary elections brought new changes. As mentioned above, it was during this election that the new electoral system—which included gender quotas—was first applied, increasing women's participation. More, specifically, women's participation in the Chamber of Deputies grew from 15.8% in 2013 to 22.6% in 2017, from 19 to 35 female deputies, and to 23.3% in the Senate, from 6 to 10 female senators. This election shifted coalition again, with centre-right candidate Sebastián Piñera winning the 2018-2022 presidential period.

At the beginning of Piñera's government, a massive feminist movement started, known as *Mayo Feminista* (Feminist May). Female university students commenced an enormous feminist

[35] All these laws and more are reviewed in more depth in Chapter 4.

mobilisation against sexual violence, reaching its climax in mid-May 2018 with 57 university campuses occupied by feminist strikes, in 26 public and private universities throughout the country, in addition to some high schools in the cities of Santiago and Valparaíso (De Fina & Figueroa, 2019). In May 2018, in response to the movement, President Sebastian Piñera, joined by the minister for Women and Gender Equity, Isabel Plá, presented the government's Women's Agenda.

In 2018, Women and Gender Equity commissions were created for the Chamber of Deputies and the Senate, the former constituted in August and the latter in September (Cámara de Diputadas y Diputados 2018; Senado República de Chile, 2018). The creation of those commissions was crucial in this context because, for the first time, gender-right bills would be discussed in a permanent technical commission. Until the creation of these commissions, all the bills that aimed to eradicate violence and discrimination against women and the LGBTIQ+ community were processed in the Family, Human Rights, or Constitution commissions, with no permanent technical commission specialised on these matters. Thus, as mentioned by deputies who sponsored the bill, the lack of a technical commission "harmed the processing and democratic discussion, often being postponed in its processing due to other priorities of those commissions" (Cámara de Diputados y Diputadas, 2018, par.5). The first bill discussed by the Senate committee was the one about SH.

The Chilean feminist movement continued to grow in 2019. The International Women's Day march (8th of March) was one of the biggest of its kind. According to the Chilean Police, 190,000 people marched in Santiago. However, according to the feminist organisation that organised the march (Coordinadora 8M), more than 300,000 people marched in Santiago that day (El Mostrador, 2019).

Between the 1st of March 2018 and the 20th of January 2022, 18 laws regarding women and gender issues were enacted by President Piñera, four of which corresponded to presidential initiatives and 14 to parliamentary initiatives. Specifically, in the time relating to this research, from March 2018 until April 2019, three laws were approved by Congress and supported (but not necessarily sponsored) by the executive on matters of labour, health, and gender violence (BCN, 2022a):

- Law N° 21.129 established maternal jurisdiction for female officers of the Armed Forces, Public Order, and Security (sponsored by the executive).
- Law 21.155 established protection measures for breastfeeding (sponsored by the executive).
- Law 21.153 typified sexual harassment in public spaces as a criminal offence (sponsored by deputies and supported by Piñera's administration).

The review of Chile's political and social movement characteristics described a common pattern in women's and feminist movements, going in waves (times of visible action alternating with moments of silence). While women still have a lack of political representation and participation, they continue to act collectively and claim their rights. However, what makes this case interesting is the impact of this post-dictatorship wave, in which the newer generation put an end to the second feminist silence of the 90s. The new resources they had access to, such as the Internet, made communication easier, faster, and massively impactful (Fierro et al., 2020). In this case, the Chilean feminist movement against SH—headed by the Chilean Observatory Against Sexual Harassment—a newer feminist generation, took a new topic of Chilean feminist demands and shared it on the Internet (Facebook) in 2013, gaining thousands of new followers in just one week. And even though Peru—and not Chile—was the first Latin-American country with an established organisation on the topic of SH, because of OCAC visibility, it was the organisation that other countries of the region looked to for guidance, following their example. Chile provided an example for women in other countries of how to claim against SH.

In terms of OCAC's composition, it is relevant to mention that its members were mostly hegemonic in terms of education (all of them were university-educated), economic status (none of them were poor), disabilities (none of them had disabilities), living area (all of them lived in the Santiago, the Chilean capital), nationality, among others aspect. As I explain later in Chapters 4 and 5, this organisation was viewed as non-intersectional. In this sense, OCAC's claimers were demanding as women and only women, and in the same way, they were resisted as women: not relevant, not real. Along this line, and as I will address later, OCAC's claim was resisted; nevertheless,

not in terms of intersectionality.[36] However, it is relevant to acknowledge that several women are victims of intersectional discrimination. For instance, Elisa Loncon, the first woman president of the constitutional convention in 2020, received threats and several speeches of violence because she was Indigenous (Mapuche) (Piscopo & Suárez-Cao, 2023).

In consequence, the Chilean case is an interesting one from which to address the research aim of analysing the internal structure and composition of a feminist social movement organisation that enabled it to take advantage of changes in the POS. It is interesting because even when there are six other OCACs in Latin America, none had the same success as the Chilean organisation regarding visibility and impact the legislative arena. Therefore, answering the research question using this case allows a deeper understanding of the particularities and links of the organisation and its context, giving an overview of a particular case of what is needed to succeed with feminist discourse in a patriarchal culture. In addition, by analysing this case, I also attempted to reflect on the methodological tools researchers use to approach different social movements in the political scenario, considering the relevance of understanding that feminist organisations are working to affect legislative changes by confronting barriers that other gender-hegemonic social movements do not face. Finally, the particularities of the Chilean political context, how it works and its shifts, not only characterise a scenario in which OCAC made its claims, but were impacted by the larger feminist movement as well.

### 3.2 Methodological approach

I chose to adopt a qualitative methodology to answer my research question, "How did the internal structure and composition of a feminist social-movement organisation enable it to take advantage of

[36] A concept used to "describe the idea that social relations involve multiple intersecting forms of discrimination. This means that a person might experience several forms of discrimination, such as sexism, racism, and ableism, all at the same time" (Nedera, 2023, par. 1).

changes in the political opportunity structure so as to succeed in getting important legislation passed?".

Qualitative methodologies approach reality holistically and contextually, thus understanding that reality is discursively apprehensible and that people, settings, or groups are not only external variables but must be recognised as a whole (Guba & Lincoln, 1994; Taylor et al., 2016). In this sense, a qualitative approach gives the "necessary in-depth and exploratory tools to achieve a clear picture of the process" (Srivastava & Bruce, 2009, p. 73) of the how and why of any social phenomenon (Flick, 2015).

It was valuable to adopt a qualitative methodology when analysing those of OCAC's characteristics that allowed it to take advantage of the changes in the Chilean political opportunity structure, as it allowed me to not only address previously established variables but also unexpected dimensions that enriched the understanding and the analysis. Consequently, and because qualitative research involves "understanding people from their own frames of reference and experiencing reality as they experience it" (Taylor et al., 2016, p. 7), it was essential for me as a researcher to have a great capacity for empathy with which to comprehend how people saw and understood things in more depth.

As the use of the qualitative and gender approaches together helps to reveal the bases that sustain the binary and hegemonic reproduction of gender relations, this study's use of both methodology and perspective contributed to three central aspects: 1) the researcher's subjectivity to analyse a specific social movement in the voices of their protagonist; 2) understand the social sphere as gendered, including the political context, and 3) question the construction of analytical dimensions in neutral terms.

As can be noted, the methodological selection also had a political position (feminism), feeding this framework from several feminist researchers and gender studies in political science. In this sense, in the previous chapter, I argued that the political arena is gendered; thus, its study must pay attention not only to gender external variables but to how all the scenario is shaped formally and informally by

institutions, norms, stereotypes, and bias, among others. This position demands a methodological recognition of the field, in which the tradition of political studies has been made mostly by men, their experiences and what they established, in a hegemonical patriarchal view, how academic research should be. Along this line, it is crucial to acknowledge that most of the quantitative work in political studies has been done by male academics. On the contrary, women are more likely to publish in journals that publish qualitative research (Tripp & Hughes, 2018; Shames & Wise, 2017).

Nevertheless, it is not that one of the two methodologies is better for approaching political science studies or even gender studies in particular, but the difference in how men and women use methodologies sheds light on the barriers to approaching the field. For instance, it is well known that the previous data of any research topic is key to developing a new one. However, when the information is created blind to gender issues, the gaps represent a big problem. As Tripp & Hughes (2018) mentioned,

> Large repositories of public opinion data‐such as the World Values Surveys, the European Values Survey, the Afrobarometer, Arab Barometer, Asian Barometer and Americas Barometer‐devote not even 5% of their questionnaires to gender-related items (Alexander and Bolzendahl, 2017). As a result, political scientists hoping to understand or to control for attitudes about gender must make do with a handful of crude measures, typically that assess gender role attitudes. The implication seems to be that whatever else we need to know about gender can be assessed by asking a single demographic question about an individual's sex and then comparing those who tick 'female' to those who tick 'male. Ultimately, these surveys afford researchers little ability to engage with current theorising about gender. (p. 247).

In consequence, when studying gender-based issues, the small amount of large data created with gender perspective by adding more variables to it, and using operational definitions which represented more than the hegemonical view, can be seen as one of the methodological troubles that gender study researchers face. Along this line, the use of qualitative methodology is an essential resource to approach the research question of this thesis because it allows an understanding of the phenomenon and the experiences of the Chilean feminists in their terms. Consequently, the short amount of public opinion data with gender perspective in the political arena –and by this, I mean

more than only described an unquestionable variable by gender but by the built and use of non-hegemonic gender indicators about attitudes, roles, influence, among others, represents a challenge to address the research question widely. Thus, the qualitative approach facilitates the closeness to appreciate the support and the opposition, the opportunities and barriers, to issues legislation in gender terms, such as the law against street harassment.

According to the above, the gender perspective that shaped this research has had methodological consequences as this approach has a dynamic, rather than static, understanding of gender roles, which extends into political, economic, cultural, and social contexts. In the same sense, as De Barbieri (1993) mentions, we urgently need to open the spaces of power and look at the sex/gender systems from diverse and non-binary places, as well as from an intersectional perspective. Accordingly, the methodological consequence of this research was that I, as the researcher, needed to recognise and question my unconscious bias, which allowed me to use the analytical tools more flexibly to address the experiences of others.

Likewise, regarding this research, the gender perspective meant that not only did attention need to be paid to gender distribution but it also required me to question and criticise the bases that support its reproduction. This is because gender is relevant since it is the closer empirical referent to analyse, but if it is not contextualised, it is impossible to analyse thoroughly (Verta, 1998). As De Barbiere (1993) mentioned,

> If the gender system is a power system, it refers to how it is structured and exercised in its recognised spaces. That is, it is necessary to look at the definitions of person and citizenship as subjects of rights and responsibilities, at the forms and contents of participation in the public sphere, the State, the political system (and parties) and the political culture. (p. 158)

Correspondingly, framing the qualitative methodology within a gender approach is not about introducing women as a research topic, nor is it a matter of female researchers. The intersectional perspective that is integral to any gender approach highlights the need to re-conceptualise scientific objectivity to face the biases related to gender, class, and race, among other intersections (Deem, 1990; Harding, 1986; 1987). In this sense, gender is not only a powerful indicator of resource

inequality and vulnerability but also of a subordination system (Lamas, 1996; 2000; Lugones, 2008; Valcárcel, 2001; 2008).

As developed in Chapter 2, to analyse the characteristics that allowed the Chilean feminist organisation OCAC to take advantage of the POS to succeed in getting legislation against SH passed, it was necessary to look at the political context in gendered terms. Thus, to answer the research question, I have used methodological tools that allowed me as the researcher to validate women's experiences, acknowledging the bias and barriers that they face, to comprehend that the political institutions have been hegemonically constructed, with a male view, and are now hegemonically managed, and finally—and as a consequence of the latter—understand that the political opportunity structure is gendered.

Following the above, I take a gender approach to research as a fundamental condition for a qualitative methodology. In this sense, I disagree with Hammersley (1995), who argues that many ideas of feminist methodology can be found in non-feminist literature. The challenge posed by the gender approach to hegemonic methodological accounts is not merely to include "gender" as a research dimension, but as a structural aspect of the analysis, highlighting lived experience and stressing gender emancipation as a necessary political goal of any research. Taking a gender approach brings to the fore the need for a different relationship between researcher and study subject than that assumed by traditional views on objectivity, but in doing so it goes a step further and demands awareness, throughout the research process, of unconscious gender biases. Consequently, regardless of how holistic and critical a methodological corpus may be in its definition, without a gender perspective, the whole process—and not just the results—would be in solidarity with hegemonic gender divisions.

When a gender approach questions hegemonic methodologies, it highlights experience, placing gender not only as a research dimension but as a structural aspect in the analysis, and stresses emancipation as a political goal of any research. Therefore, a gender perspective also demands awareness from the researcher of their unconscious gender bias that impregnates the research process.

Without a gender perspective, the analysis of any methodology—in this case, a qualitative one—would be blind and hegemonic in gender terms, regardless of how holistic and critical the definition says it is.

### 3.3 Strategy for data collection

To answer the research question regarding the case selected, I analysed two sources: interviews with people related to the legal process against SH, and institutional documentation on the legislation process. In this section, I will describe and justify the data collection strategy, explaining the inclusion criteria. However, before addressing the sources, I will attend to the fact of my former role in OCAC, to explain how I have tried to overcome any type of bias stemming from my personal relationship with the organisation, which could affect the study.

As I briefly described in the introduction, my relationship with OCAC commenced in May 2014 when I joined the organisation as a member of the Research Department. A year later, I became a member of OCAC's board, leading the Research Department, and from 2017 to 2020, I was named President of OCAC. These roles made me a relevant actor in the Chilean movement against SH because I was directly involved in the lobbying strategy, with the media, and with relevant public, private, and international institutions and organisations. As I also established, my former roles in OCAC characterises not only my personal history but my role as a researcher of the present study in at least three ways: 1) makes me an informant; 2) facilitates my access to key interviewees; and 3) demands particular care with the data management to try to avoid bias and to be careful with the informants, especially those with whom I had worked directly. Nevertheless, as “the researcher’s subjectivity, life experience and personal convictions about the object of study […] are crucial elements to understanding the researcher’s point of view” (Larraín, 2023, p. 88), it is inevitable that my experience and perspective would not affect the research when both of them shaped the selection of this topic. Thus, beyond analysing how my previous roles facilitated my access to some

interviewees, I will address some essential features that my history with OCAC represents in this research.

Every researcher is situated in their biography and context, which affects their research questions, how they are asked, and the interpretation of the findings (Rosaldo, 1991). Likewise, informants are tied to their own biography and context, therefore, neither does the researcher simply ask questions, nor do the informants just answer them, since questions and answers are also tied to their respective social worlds (de la Cuesta, 2003). Recognising that I was directly involved in the context that I am studying made me aware that I am affected by my former role, which certainly impacted the study in a particular way. In this sense, I had to acknowledge my own bias in the process (e.g. my particular interest on the topic, how I remember things, my own experiences, and my personal relationship with some informants, among others) not only to cover it with techniques that allowed me to see, analyse and interpret the movement not as a feminist activist, but as a feminist researcher who at the same time was/is a feminist activist, but also to address the epistemological position of me doing research around a claim that I helped to build.

As I mentioned before, this research is shaped by a qualitative and feminist approach, which, as I said, requires a different way to see and perform the relationship between researcher and study subject. Taking a gender approach brings to the fore the need for a different relationship between researcher and study subject than that assumed by traditional views on objectivity, but in doing so it goes a step further and demands awareness, throughout the research process, of unconscious gender biases. This awareness goes further, and questions and deconstructs the "hierarchies of power between the researcher and the researched, emphasising the importance of cooperation and co-production in the research process" (Hush, 2022, p. 34). Along this vein, the concept of 'action research' represents a key term to understand the particular position in which a researcher is also an activist. In other words, the research product is not only producing knowledge but also creating social change (Hush, 2022).

What is relevant in action research, is the understanding that knowledge production is not, and it cannot be, only an academic result. On the contrary, social movements -their stories, practices, understanding of the world, and more- create knowledge, expertise and skills. In this regard, my former roles in OCAC, at the same time as shaping my research interest, also gave me the experience of participating in the creation of knowledge of street harassment in Chile and other countries in Latin America.

In this light, I both assume and embrace that my previous role had consequences in my research. However, this particularity does not mean that my study is any less valid. I recognise the bias that represents knowing this case from the inside and choosing it as my PhD thesis, as I also recognise that I have a political position on this topic. I did not pretend objectivity in a hegemonic view, understood as the complete separation between researcher and their research, which is clear from my theoretical chapter. However, I did follow -and always will- the proper methodological steps that helped me address the research topic academically.

In consequence, from the methodological approach, I have worked to overcome potential bias in my analysis with two strategies: 1) I secured a significant number of informants, which allowed me to get different points of view from different contexts and times; 2) I used data source triangulation (interviews and institutional documentation about the SH legislation process in Chile) to develop a comprehensive understanding of the phenomenon that I studied.

In what follows, I describe and justify the data collection strategy for the interviews and the institutional documentation about the legislation process.

### 3.3.1 Interviews

The interview technique is an important qualitative method of collecting information from individuals. The decision to use interviews for this study was based on the characteristic that "interviews provide researchers with an opportunity to collect not only factual information from

individuals, but also less observable information about people's mental processes, including their cognitions, attitudes, emotions, and so forth" (Brancati, 2018, p. 139). Consequently, this method helped me to understand informants' experiences and situations in and by their own words and signifiers, acting not only as "eyes and ears in the field" for me as the researcher (Taylor et al., 2016, p. 104) but also as informants of particular experiences and points of view of a particular situation.

In this sense, the interviews helped to describe what happened, how it was lived, and remembered. I used a semi-structured interview format, which allowed me the flexibility to access each informant's signifiers (Bryman & Burgess, 1999), as it does not require asking the same questions and in the same order to all interviewees, but allows for adjustment of the questionnaire not only to fit the informant, but also if the process requires it. This made the semi-structured interview more efficient than a structured format, since it permitted skipping questions if they were not relevant for a specific interviewee, allowing me "to improve new questions in order to clarify an interviewee's response or to probe certain responses further" (Brancati, 2018, p. 139).

The informant's selection criteria in this research were individuals or groups of people who were involved directly or whose actions were related to the legislative process of the Chilean law against SH between 2013 and 2019. I identified five categories of groups and people to interview:

- Former members of the Chilean Observatory Against SH, OCAC: OCAC is the only organisation against SH in Chile and the one that first problematised and demanded legal sanctions for SH.
- Politicians who sponsored the bill, politicians who discussed it, and politicians who voted on it: A group of Chilean deputies sponsored the bill to sanction SH in Chile, which made them key actors and desirable interviewees. In addition, the deputies and senators who were part of the commissions where the bill was discussed in detail, and all the deputies and senators who voted on the bill.
- Government representatives: The topic of the law was directly related to the Ministry of Women and Gender Equity, therefore, the respective ministers in the two governments (Bachelet's and Piñera's) in power during the legislative process were crucial actors in the legislative process.
- Individuals and organisations that were directly related to the legislative process: In the legislation process, the bill was discussed in the Chamber of Deputies and Senator's commissions. Both of them were constantly visited by lawyers, feminist organisations and activists, among others. These actors were key informants in this research because they actively discussed the bill—in part and in whole—on the political arena.

- Individual actors that were not related to the legislative process but were a key part of the political context. In this group we can find different subgroups of actors, such as artists, feminists, women's organisations, feminist activists, academics, and journalists.

The access strategies used were two: 1) direct access: because of my previous role in OCAC, I had direct access to several informants, and 2) I accessed the informants to whom I did not have direct access through those that I did, by a snowball technique. In the end, I interviewed 40 key actors between June and October 2022 and January and June 2023. Each interview was recorded and lasted between 50 and 90 minutes. Because the interviews were made in Spanish, they were transcribed in Spanish and then translated into English. I analysed the data from the transcriptions according to the sociological discourse analysis. As Ruiz (2009) mentioned, "the sociological interpretation of discourse involves making connections between the discourses analyzed and the social space in which they have emerged" (p. 15). In this sense, I was able to understand not only what they said but the context in which those discourses were allocated.

Table 2 identifies all the people interviewed for this thesis, due to ethical considerations, I am not allowed to use their names, thus I describe them according to their positions.

| Selection criteria | Position | Interview Date |
|---|---|---|
| Former OCAC members | Founder and first president | July 2022 |
| | Vice President of OCAC, Communication Department Director 2014-2016 | July 2022 |
| | Economic and Administration Department Director and Executive Director. 2014-2019. | June 2022 |
| | Research Department Volunteer and Grassroots Networking Department Director. 2014-2017. | August 2022 |
| | Legal Consulting Department volunteer, Educational Intervention Department Director, Legal Consulting Department Director. 2015-2020. | July 2022 |
| | Legal Consulting Department volunteer, Legal Consulting Department Director, Executive Director. 2014-2021. | July 2022 |
| | Communication Department volunteer, Communication Department Director. 2014-2017. | July 2022 |
| | Communication Department volunteer, Communication Department Director. 2015-2019. | July 2022 |
| | Research Department Director 2014-2015. | July 2022 |
| | Economic and Administration Department Director. 2015-2021. | July 2022 |

| | | |
|---|---|---|
| | Grassroot Networking Department Director. 2016-2021. | July 2022 |
| | Communication Department volunteer. Communication Department Director. 2014-2018. | July 2022 |
| | Educational Intervention Department Director. 2014-2015 | July 2022 |
| | Educational Intervention Department Director. 2015-2018 | August 2022 |
| | Educational Intervention Department volunteer and Director, 2016-2022. | July 2022 |
| | Communication Department volunteer 2014-2018. | November 2022 |
| | Communication Department volunteer 2014-2018. | August 2022 |
| | Communication Department volunteer 2015-2018. | August 2022 |
| | Communication Department volunteer 2017-2018. | August 2022 |
| | Communication Department volunteer 2017-2020. | October 2022 |
| | Educational Intervention Department volunteer. 2014-2015. | August 2022 |
| | Educational Intervention Department volunteer. 2016-2021 | August 2022 |
| | Educational Intervention Department volunteer. 2018-2021. | July 2022 |
| | Legal Consulting Department volunteer. 2014-2017. | October 2022 |
| | Legal Consulting Department volunteer. 2018-2019. | October 2022 |
| | Legal Consulting Department volunteer. 2017-2021. | August 2022 |
| | Research Department volunteer. 2014-2020 | August 2022 |
| Politicians | Deputy member of the Chilean Communist Party that sponsored the bill against SH. | January 2023 |
| | Former Deputy from the Social Convergence Party. | October 2022 |
| | Former senator member of the Independent Democrat Union Party, former Woman and Gender Equality Commission member 2018-2019. | December 2022 |
| | Former senator member of the Party for Democracy, former Woman and Gender Equality Commission President 2018-2019. | December 2022 |
| Governments | Former Woman and Gender Equity Minister 2018-2020. | October 2022 |
| | Former Ministry of Women and Gender Equity legislative advisor 2018-2022. | October 2022 |
| | Former Woman and Gender Equity Minister 2014-2018. | April 2023 |
| Individuals and organizations directly related to the law | Vice-President *Asociación Abogadas Feministas* (ABOFEM). | January 2023 |
| | Former UN Women Chile Country programme manager | August 2022 |
| Individuals and organizations indirectly related to the law | Relevant journalist, who was the conductor of an important journalism research tv show during this time (now News Editor at Tele13) | January 2023 |
| | Member of the feminist organisation *Corporación Humanas* | October 2022 |
| | Feminist Journalist, founder of Chilean mass media "Braga" and "*La voz de los que sobran"* currently Town Council of Ñuñoa | January 2023 |
| | Founder of the feminist platform *No fue sexo* | October 2022 |

**Table 2**: People interviewed according to their positions.

### 3.3.2 Institutional documentation on the street harassment legislation process in Chile

Although interviews generated the most relevant data with which to address the research question, this was complemented with other sources that allowed for corroboration, contrast, and contextualisation. To this end, I used the institutional documentation about the SH legislation process in Chile as an extra source. These documents correspond to the repository of the legal discussion of law 21.153 in the Chilean Congress, containing all the steps from the bill entering Congress (2015) until its approval (2019).

I identified two criteria for this source: 1) To chronologically map the legal discussion and be able to situate the interview discourses within this context, and 2) to address particular moments of the legislation process that the interviewee referred to in their interviews, to complement and enrich the analysis.

I accessed the legislation process documentation through the Library of the Chilean National Congress (BCN). The BCN's objective is to support the parliamentary community in its functions by generating information, knowledge, and specialised advice. In addition, the BCN promotes links between the National Congress and ordinary citizens by making public the legislative process history of each law. I thus had access to the whole of Law 21.153's history through the BCN webpage.[37]

## 3.4 Conclusion

In this chapter, I have addressed and argued for the methodological decisions I made to answer the research question. As stated at the beginning of the chapter, my chosen methodological position has also framed the previous chapter's theoretical discussion into actions. Running the POS theory through the light of the gender perspective has methodological consequences in empirical research.

[37] All the documents can be seen in https://www.bcn.cl/historiadelaley/historia-de-la-ley/vista-expandida/7660/

Therefore, the methods selected, and the arguments on how to use them and why, are shaped by a theoretical and critical approach.

The consequence of using the gender approach to reflect on the research problem, the theory, and methodology also affected the analysis. In this sense, the following two chapters—4 and 5—present the analysis of the interviews and the institutional documentation by using the political opportunity structure theory in combination with the qualitative methodological approach and the critical perspective of the gender approach.

# CHAPTER 4

## Street harassment is a public problem: From social normalisation to political discussion

This chapter presents the first of two parts of the analysis to answer the research question: "How did the internal structure and composition of a feminist social-movement organisation enable it to take advantage of changes in the political opportunity structure so as to succeed in getting important legislation passed?"

As has been addressed in earlier chapters, the research question is supported by the POS theory, which incorporates three linked key dimensions to explain collective action: political opportunity structure, mobilising structure, and framing process. In line with this, I argue that social movements are not only statically impacted by their context but that they also impact both the context and the own movement in their own right. Thus, it is necessary to study the movement in relation to the context, in this case the characteristics that have allowed it to take advantage of changes in the POS. Nevertheless, I also argue that in order to properly understand the political context and its effects on any collective action—in this case, a feminist movement—POS theory must be linked to a gender approach, because the political arena is always gendered. Thus, a gender perspective and critical approach is necessary both on the level of theory and methodology.

With the aim to address the research question, I selected the Chilean case of the movement against SH headed by the Chilean Observatory Against Sexual Harassment (OCAC), created in November 2013 through a Facebook fan page, becoming an NGO in 2015. OCAC's work has focused on problematising and shedding light on SH as gender-based violence, and in order to do so, their volunteers worked for six years to achieve the legislative goal of adding SH offences to the Chilean Penal Code, finally succeeding in May 2019.

The bill's legislative process started in March 2015, facing the long and challenging process that any bill goes through on the way to becoming law. This bill was discussed in three legislative

processes. Because the bill was sponsored by deputies, the first legislative process was processed in the Chamber of Deputies, in which the project was passed through four discussions:

1. A general discussion in the Citizen Security Commission in which the idea of legislating was approved by the commission members.
2. A general discussion in the Chamber of Deputies in which the idea of legislating was approved by all the deputies.
3. A specific discussion in the Citizen Security Commission in which each article was approved, rejected, or modified.
4. A specific discussion in the Chamber of Deputies in which all the deputies approved the bill modifications made by the commission.

After the first legislative process was approved, the bill entered the Senate for the second legislative process. During this process, the bill was discussed generally and specifically in the same four steps as in the previous moment. Because the discussion in the Senate made several changes to the bill received from the Chamber of Deputies, the bill went back to the Chamber of Deputies to be discussed and voted on by all the deputies. This step is known as the third legislative process.

To address the main aim of this research and analyse the internal structure and composition of a feminist social-movement organisation that enabled it to take advantage of changes in the POS to get important legislation passed, I divide the five years and five months since OCAC's creation from 2013 to the SH law enactment, into two time periods, according to the legislative process:

1. November 2013–April 2016: First legislative process in the Chamber of Deputies.
2. May 2016–May 2019: Second legislative process in the Senate and third legislative process in the Chamber of Deputies.

Specifically, this chapter presents the analysis for the first period, November 2013 to May 2016,[38] divided into four main sections. To begin with, in section 4.1, I examine the political, legislative, and social movement context, which is crucial for framing the following analysis. Accordingly, this first section addresses three relevant areas: the political structure of the time; the relevant changes in pro-women legislation; and the presence of social movements. It is important to

[38] The analysis for the second period (May 2016 to May 2019) is developed in Chapter 5.

mention that, because this chapter is related to the start of the organisation, I have included the transition to democracy during the 1990s in its contextualisation, which allows me to analyse the implications of some political and social movements on the Chilean movement against SH.

Then, section 4.2 analyses the beginning of OCAC, specifically its first internal organisational structuration. I review two processes. First, I examine the beginning of collective action against SH, in other words, the first key dimension of the framing process: the emotions needed to develop collective actions by analysing the emotions of injustice, agency, and identity. In addition, I review OCAC's first organisational model and internal characteristics, analysing the organisation's path linked to the contextualisation reviewed in section 4.1.

Later, in section 4.3, I examine OCAC's first success in the legislative process by reviewing three aspects pertinent to this period: UN Women Chile as OCAC's first influential elite ally; the openness and closedness of the POS in Congress and the executive, and OCAC's framing efforts to achieve the unanimity vote. These three analytical dimensions are here closely examined to explain how, despite the relatively closed POS of a Congress that was still a male space, the lack of political participation of women, and the challenges to achieve a media impact, etc., were overcome. Indeed, only one year after the bill was proposed, it was unanimously approved in its first legislative discussion. Finally, in section 4.4, I conclude this chapter by reviewing some key analytical aspects.

Sections 4.2 and 4.3 are analysed in direct reference to the political and social movement context and supported by interviews with former OCAC members, relevant political actors of that time—such as members of parliament and the former Women and Gender Equity Minister—key actors like journalists, experienced feminists, and the UN Women Chile Country Programme Manager.

## 4.1 Political, legislative, and social movement context

Before commencing the analysis of the data from the interviews, I will here describe the political, legislative, and social movement context in which OCAC was born. This review is crucial to the analysis, as it frames not only OCAC's creation but the characteristics of a generation that the former OCAC's members are part of.

While in Chapter 3, I briefly described some of the political and social-movement history of Chile, related to the Chilean feminist movement, in this section, my focus will be on three contextual situations: a) the political structure; b) the relevant changes in pro-women legislation, and c) the presence of social movements. In each of these sections, I present historical facts relevant to the analysis of this study. Because of the history of the Chilean dictatorship and the transition to democracy during the 1990s, I add to this contextualisation some references from the transition to democracy that allowed me to analyse some political and social movement implications for the Chilean movement against SH. It is relevant to note that all three contextual situations are linked, and thus, the separate review responds only to a decision to present the information.

### 4.1.1 The political structure

In this segment, I briefly address—and recall from the previous chapter—the political shifts that Chile went through from 1990 until 2016. This review contextualises the implications of these shifts during the first analytical period, in order to highlight the particularities of the selected case.

As I referred to in the previous chapter, from 1990 to 2010 the centre-left coalition—*Concertación de partidos por la Democracia*—remained in power for four consecutive presidential terms. Since then, the government has been constantly alternating between one political ideology coalition to its opposite. Thus, in the 2009 presidential election, the centre-right coalition *Alianza por Chile* won the presidential election for the first time since the dictatorship and Sebastián Piñera

became president for the period 2010–2014. However, the 2013 presidential election saw another shift and Michelle Bachelet was elected, becoming president for a second time, for the period 2014–2018. Finally, the 2017 election changed the government coalition once more, with Sebastian Piñera starting his second administration in 2018. Table 3 resumes these shifts and changes:

| Period | Political spectrum ideology | Electoral coalition | President |
|---|---|---|---|
| 1990-1994 | Centre-left | *Concertación de Partidos por la Democracia* | Patricio Aylwin |
| 1994-2000 | | | Eduardo Frei |
| 2000-2006 | | | Ricardo Lagos |
| 2006-2010 | | | Michelle Bachelet |
| 2010-2014 | Centre-right | *Coalición por el Cambio* (former *Alianza por Chile*) | Sebastián Piñera |
| 2014-2018 | Centre-left | *Nueva Mayoría* (former *Concertación de Partidos por la Democracia*) | Michelle Bachelet |
| 2018-2022 | Centre-right | *Coalición por el Cambio* | Sebastián Piñera |

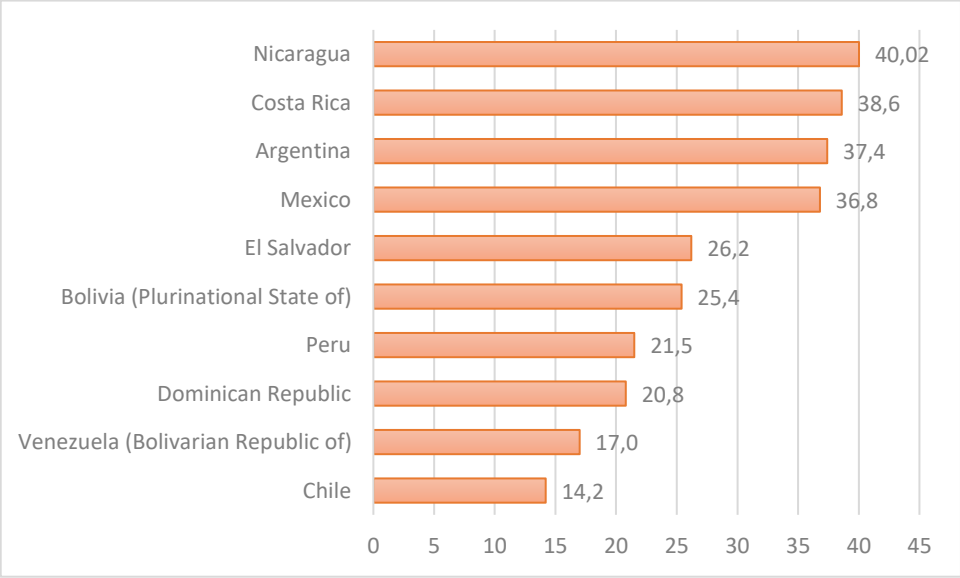
**Table 3**: President elected according to administration period, political spectrum ideology, and electoral coalition. Source: BCN. (2022b). Presidentes de la República de Chile. Obtained from https://www.bcn.cl/historiapolitica/presidentes_de_la_republica/index.html

With the end of the dictatorship, the Chilean Congress resumed its legislative work. The Chilean Congress is bicameral, comprising the Chamber of Deputies and the Senate, and since 1989, elections have been held every four years to renew both chambers. However, because senators have a double-term legislative position, while deputies do not (eight years the former and four years for the latter), any quadrennial election will only ever renew half of the senator seats. However, it is relevant to note that the renewal is mostly a 'male renewal'.

In addition to the feature that the structure of Congress was, until 2017, based on two main political-electoral coalitions (see Graph 1 on page number 109) (Peter, 2016), to date, the Chilean Congress structure is a male space. Historically, the parliament has been an arena ruled by men. As described in the previous chapter, women did not have the right to vote in parliamentary and presidential elections until 1949, voting for the first time in 1952. In addition, Chilean women have been underrepresented in both the Chamber of Deputies and the Senate for more than 200 years. As

noted in the last chapter, until 2020, only 109 women have been elected as deputies or senators to 4,049 contested seats. In other words, in the 209 years of the Chilean Congress, only 2.7% of the parliament has been represented by women (BCN, 2020). The Chilean Congress structure as a male space is a key characteristic of the political arena because it reinforces the idea that this space is gendered, and hence not neutral. In consequence, the changes in the POS must be analysed from a gender perspective to identify barriers and facilitators that would not be considered without that approach.

As a consequence of the Chilean Congress being a male space, when OCAC was born at the end of 2013 the female political participation in the parliament was marginal in both the Chamber of Deputies and the Senate, and had been in the minority since the transition to democracy in the 1990s. During the 2013 election, only four women were elected senators and 19 deputies over 20 and 120 seats respectively, while 16 men were elected senators and 101 deputies (BCN, 2018). As can be seen in Graph 4, by 2013 Chile had the lowest proportion of female parliamentary participation out of 10 Latin American countries.




**Graph 4**: Female parliamentary participation in 10 Latin American countries by 2013.
Source: ECLAC CEPALSTAT. (2023b). Proportion of seats held by women in national parliament. Obtained from https://statistics.cepal.org/portal/databank/index.html?lang=es&indicator_id=3835&area_id=&lang=en

As I briefly mentioned above, in the 2013 parliamentary election, former left-wing leaders from the 2011 student movement were elected as deputies: Gabriel Boric[39] (Social Convergence Party), Giorgio Jackson[40] (Democratic Revolution Party), Camila Vallejo[41] (Chilean Communist Party), and Karol Cariola[42] (Chilean Communist Party). They were known as the 'student coalition' because of their activism during the student movement and due to their all being under 30 years old, as thus considered young and inexperienced by their Congress colleagues. The age feature is a relevant dimension during this time, because the average age in both chambers was 50 plus, and thus these new parliamentarians represented a significant shift in the topics that they were open to discussing and supporting, as their experience was closer to the newer generations and their issues.

In addition, and as I pointed out in the previous chapter, the 2013 election was crucial in the political context because it was a milestone for a new left political and electoral coalition, the *Frente Amplio*, which had its breakthrough into the political arena during the 2017 election,[43] gathering the Democratic Revolution Party (founded in 2012), the Autonomist Movement, Libertarian Left, New Democracy, and Socialism and Freedom movements (which in 2018 unified into Social Convergence Party), among others.

The Chilean male political structure was not discussed until 2014 when President Michelle Bachelet sponsored a bill to change the binomial system for a more proportional and representative one, securing a larger female presence in the parliament and fewer barriers for independent candidates (in her first administration she did not count with the formal and informal institutions and norms to advance in this regard, but she did in her second administration). In a regional context, the Chilean discussion regarding women's political representation happened late, as compared to other Latin American countries (see Table 1 on page number 112) (Piscopo et al., 2023). When the Chilean law was enacted in 2015, 15 Latin American countries had already regulated women's autonomy in

[39] Current Chilean president.
[40] Former Minister of Social and Family Development in Boric's administration.
[41] Current Minister of the Government's General Secretariat.
[42] Currently in her third deputy period.
[43] This is reviewed in Chapter 5.

decision-making in the legislative power, adjusting their legislation to what was recommended by the Regional Conferences on Women in Latin America and the Caribbean since 1977 (ECLAC, 2017),[44] e.g., by affirmatives action policies, like quota regulations.

The Chilean lateness to addressing women's political participation in its Latin American context is interesting and contextualises the particularities of the country regarding women's autonomy. In this sense, despite Chilean citizens electing a woman as president for the first time in 2005, for the period 2006–2010, this did not mean a change in women's political participation regarding not only the achievement of quotas or parity regulation but even legal discussion on the topic. As Piscopo et al. (2023) mentioned, this outcome was due to the Chilean political system at that time "inherited from the Pinochet dictatorship, [which] promoted stability and resisted change" (p. 9). That notwithstanding, Michelle Bachelet's first presidential administration was relevant as a milestone for what would happen upon recognition of women's political autonomy, with several discourses for and against the president being made on the topic of her gender.

In summary, the political scenario is relevant to this research because it helps to contextualise the law-making process, the main characteristic of which—until OCAC's creation, and in its first four years—was that only one woman had been president, the same two political coalitions had been in power—presidential and legislative—since the end of the dictatorship, and female political participation both in government and in the legislative power was extremely low. Women's lack of autonomy in decision-making is relevant in this study because, as I will show in the following section, the relevant changes to pro-women legislation and the presence of female parliamentarians were fundamental for the legislative advances for women. Continuing the contextualisation, in the next subsection I review the relevant changes in pro-women legislation since the end of the dictatorship until the period analysed in this chapter (2013–2016).

[44] "The Regional Conference on Women in Latin America and the Caribbean is a subsidiary body of the Economic Commission for Latin America and the Caribbean (ECLAC) and is the main regional intergovernmental forum on women's rights and gender equality within the United Nations system" (ECLAC, 2023, par.1)

### 4.1.2 The relevant changes to pro-women legislation

With the research question in mind, it is relevant to review the Chilean pro-women legislation because it contextualises both the state and the progress of the legislative discussion when the claim against SH started. In this sense, this context description helps the analysis, as the legislative context impacted OCAC's prognosis for its work to influence this decision-making arena.

The first ten years of democracy after the end of the dictatorship are known as the transition period. Contemporary democracy was weak due to fears of a new coup, since the military forces still held key political positions during this first decade (such as parliamentary representation) and the key formal and informal institutions that the dictatorship inherited (Staab & Waylen, 2020). The political power that the military had was due to an agreement between the traditional political parties and the dictator about the form of the democratic transition, and how changes were to be implemented. In short, this meant there would be no changes to the pillars of the 1980 Constitution, approved by the military dictatorship (Peter, 2016), and a continuation of the conservative approach to the family as a heterosexual institution, thus denying much of women's rights—including quotas (or parity), sexual and reproductive rights—and the establishment of several restrictions to achieve other rights, including legislation for divorce and sexual violence (Gálvez, 2021; Staab & Waylen, 2020). This agreement was made in the context of a vastly male political consensus, in which women were extremely underrepresented.

From 1990 to 2010, 366 bills oriented towards gender equity were presented to the Chilean Congress, 59 of them were supported by the government and 277 by parliamentarians (senators or deputies). Only 21.58% of those bills became laws (79 in total), and most of these regulated aspects of the economy (43%) and family (28%). Much fewer were the laws approved in that period that regulated violence and poverty (7% and 8% respectively) (Programa para las Naciones Unidas para el Desarrollo [PNUD], 2010).

Some of the bills approved during this time are described in the following table:

| Type | Year | Law |
|---|---|---|
| Institutional | 31st of January 1991 | Law N° 19.023 creates the National Women's Service (SERNAM) as a functionally decentralised public service, with legal status and its own assets, but depending on the former Ministry of Planning and Cooperation. SERNAM was in charge of collaborating with the Executive in the "study and proposal of general plans and measures leading to women enjoying equal rights and opportunities with respect to men in the process of political, social, economic and cultural development of the country, respecting the nature and specificity of women that emanates from the natural diversity of the sexes, including its adequate projection to family relationships" (BCN, 2012, p. 5). |
| Violence | 19th of October 1994 | Law N° 19.325 regulates domestic violence. |
| | 18th of March 2005 | Law N°20.005 establishes and sanctions sexual harassment in the workplace. |
| | 18th of December 2010 | Law N° 20.480 modified the Penal Code and the law that regulates domestic violence by establishing femicide. |
| Family | 26th of October 1998 | Law N° 19.585 equal rights to child by ending the legal differences between children born to married or unmarried parents. |
| | | 17th of May 2004: Law N° 19.947 establishes the right to divorce. |
| Education | 5th of August 2000 | Law N° 18.969 right to education to pregnant students or mother students who are lactating, regulating that neither pregnancy nor maternity can be cause for prevention of entry or continuance at school. |
| Equality | 16th of June 1999 | Law N° 19.611 juridic equality between men and women. |
| Sexuality | 28th of January 2010 | Law N° 20.418 sets standards on information, guidance, and benefits regarding fertility regulation (BCN, 2010). |

**Table 4**: Laws enacted between 1990–2000 towards gender equity.
Source: BCN. (2012). Mujeres en Chile. Hitos legislativos desde 1990. Obtained from https://obtienearchivo.bcn.cl/obtienearchivo?id=documentos/10221.1/27310/1/N%C2%BA39-12%20Mujeres%20en%20Chile.%20Hitos%20legislativos%20desde%201990.pdf

During this time, some female parliamentarians presented other pro-women's rights bills, which were, however, not approved. For instance, from 2003 to 2014 former Deputy Adriana Muñoz (Party for Democracy [PPD]) sponsored bills to regulate the right to abortion on four occasions: 23rd of January 2003; 7th of May 2013; 3rd of June 2014, and 5th of August 2014, however, all those bills were archived[45] without legislative discussion (BCN, 2021b). Along the same lines, while Adriana

[45] A decision adopted by a commission regarding a bill (or other matters) with which its legislative processing is interrupted because two years have elapsed without a pronouncement (Cámara de Diputadas y Diputados, 2023).

Muñoz was Deputy during the first democratic government after the dictatorship, she sponsored a bill—on 14th of September 1993—to regulate annulment, separation, and divorce, but also this bill was archived. Yet 11 years later, in 2004, the legislative power approved divorce as a right, which makes Chile the last country in Latin America to legalise divorce.

Some of the legislative processes of the laws described above were particularly long and challenging. For instance, Law N°19.947, which established the right to divorce, was discussed for almost ten years; Law N°20.005, which established and sanctioned sexual harassment in the workplace, commenced its discussion on the 24th of October 1994, and took more than a decade to be approved (BCN, 2005). This slowness and even sometimes inaction from the legislative and executive power regarding gender issues is explained by the agreement made by the dictators and the traditional parties in which the transition to democracy should be without big (or any) changes to the economic model and the moral values imposed by the military regime. Thus, the male political consensus sought to eradicate any type of discourse that would unbalance the new democratic order. This had several effects not only on the feminist movement but also on the recently created SERNAM because the discursive tone had to be one of moderation and agreement, leaving any topic that confronted the dictatorship's moral values out of the discussion (Faúndes, 2013; Richard, 2001). As Franceschet (2010a) mentions,

> When President Patricio Aylwin introduced a bill to create SERNAM, it sparked considerable congressional debate between the center-left governing coalition and the conservative opposition. As a result, the design of the agency was somewhat more scaled down than some of its advocates in the coalition and the women's movement would have liked. (p. 17).

In this context, it is not surprising that, even though Chile signed the international treaty Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in 1999, it did not ratify it until 2020. In the Latin American context, as can be seen in Table 5, Chile did not follow the regional trends of ratification.

| Country | Signed | Ratification |
|---|---|---|
| Bolivia (Plurinational State of) | 1999 | 2000 |
| Costa Rica | 1999 | 2001 |
| Paraguay | 1999 | 2001 |
| Mexico | 1999 | 2002 |
| Ecuador | 1999 | 2002 |
| Panama | 2000 | 2001 |
| Peru | 2000 | 2001 |
| Dominican Republic | 2000 | 2001 |
| Uruguay | 2000 | 2001 |
| Venezuela (Bolivarian Republic of) | 2000 | 2002 |
| Guatemala | 2000 | 2002 |
| Brazil | 2001 | 2002 |
| Colombia | 1999 | 2007 |
| Argentina | 2000 | 2007 |
| Chile | 1999 | 2020 |
| El Salvador | 2001 | - |

**Table 5**: Latin American countries which signed and ratified the CEDAW facultative protocol.
Source: Gender Equality Observatory ECLAC. (2023). Países que han firmado y ratificado el protocolo facultativo de la CEDAW. Obtained from https://oig.cepal.org/es/indicadores/paises-que-han-firmado-ratificado-protocolo-facultativo-la-convencion-la-eliminacion

The effect of the male consensus directly impacted the POS for women's movement claims. As I described earlier in Chapter 3, the 1980s women's social movement claimed "democracy in the country and at home", demanding not the same democracy as before the dictatorship but a substantive one through which to address the sexism, authoritarianism, and patriarchalism of Chilean society. However, the POS was closed for any topic that contradicted the dictatorial values (Piscopo et al. 2023; Staab & Waylen, 2020).

From 2010 and 2014, not too many pro-women's laws were enacted. Some that were included Law N° 20.507, which establishes the crimes of the smuggling of immigrants and human trafficking, and Law 20.545, which modifies the rules on maternity protection and incorporates parental postnatal leave, both approved in 2011 and promoted by Sebastián Piñera's government (BCN, 2011; Gender Equality Observatory ECLAC, 2023). In contrast, as I showed in Table 1 (see page number 112), until 2010 there were already 10 Latin American countries with legal regulations for women's political participation.

At the beginning of her second presidential period, on the 1st of April 2014, Michelle Bachelet supported the bill to create the Ministry of Women and Gender Equity, promulgated on the 20th of March 2015. The Ministry replaced SERNAM as the central and unique public institution for addressing women's issues and created the Women and Gender Equity Regional Services. The ministry "in the design, coordination and evaluation of policies, plans and programs aimed at promoting gender equity, equal rights and seeking the elimination of all forms of arbitrary discrimination against Women" (BCN, 2015a, p.1). This ministry signified a bigger institutionalisation and expansion of the public budget to policies, plans and programs related to gender and women's issues, in response not only to international requests (such as from CEDAW) but also to the national women's movement. The first minister for this institution was Claudia Pascual,[46] a member of the Chilean Communist Party, who identified as a feminist.

During the first half of Bachelet's second administration (2014-2016), the time in which OCAC worked to find sponsors for its bill against SH, the executive took advantage of the opportunity window and sponsored important bills for women's rights. For instance, as mentioned above, on the 22nd of April 2014, Bachelet sent a bill to Congress to change the binomial electoral system to make way for a proportional and inclusive one, which included a gender quota regulation for parliamentary elections (BCN, 2015b). As I mentioned earlier, the binomial system was created with formal rules to benefit the right-wing candidates and also was based on informal ones that made it difficult for women to be elected. Because the binomial system offered strong incentives for coalition formation, two main coalitions remained in power for over 18 years (see Table 3 on page 140), which made "Citizens increasingly perceived that voting mattered little because each major coalition was given an effective assurance of one of the two seats in each electoral district" (Peter, 2016, p.79), opening the window of opportunity to change it (Piscopo et al., 2023). The law to change the binomial system was enacted on the 5th of May 2015; however, the first parliamentary election with a gender quota

[46] Claudia Pascual is now deputy for the Chilean Communist Party.

was held in 2017. On the 31st of January 2015, the executive sponsored another important bill to regulate the decriminalisation of voluntary termination of pregnancy on three grounds (BCN, 2017), a right that the dictatorship had denied and criminalised in all its forms. At its approval, abortion was forbidden in only six countries in the world (Chile included since the dictatorship).

The changes regarding the pro-women legislation during the 2010s compared to the transition period are relevant to this study because they are linked to the presence of new actors and new social movement waves related to a post-transition environment, in which new claims started to appear in the political context. As I review in the following segment, the women's and feminist social movement started to gain shy but important visibility, as compared with the transition period, addressing issues that would not have been possible during the male political consensus of the traditional parties and the dictatorship. For instance, 2006 saw the first kissing protest (*besatón)* for LGBTIQ+ community rights (Gálvez, 2021; Follegati, 2018).

This pro-women legislation review is important for this research because, as I mentioned at the beginning of this segment, it contextualises the state and the progress of the legislative discussion when the demands against SH began to be raised, a context that also impacted OCAC's prognosis for its work to impact the legislative arena.

The pro-women legislation is closely linked to the national political structure and the social movement context. How the parliament and government are structured impacts the issues available for discussion. At the same time, the legislative progress, setbacks, and stagnations impact and is impacted by the presence of social movements. In this case, in the Latin American context, Chile during the transition period was a special case with respect to women's rights. As stated above, the maintaining of the dictatorship's values during the transition towards democracy—with the presence of the dictator in the political power stratum—forms a relevant national context (and almost unique at a regional level), whereby those values were enforced even with the creation of SERNAM. The following section addresses the last contextual link to review: the presence of social movements from the dictatorship's end up until 2016.

### 4.1.3 The presence of social movements

In this segment, I make a brief review of the development of social movements in post-dictatorship Chile. In concordance with POS theory, this review is relevant for addressing the research aim of analysing the internal structure and composition of a feminist social-movement organisation that enable it to take advantage of changes in the POS. Any one social movement organisation is impacted not only by the political arena but also by other social-movement organisations, both regarding framing strategies, techniques, organisation development, and other aspects.

After the military dictatorship, social movements disappeared from the spotlight until the beginning of the 2000s. According to scholars, even when the 17 years of Pinochet's dictatorship ended in 1990, which started a democratic transition period, this end was not final in several respects. As outlined in the previous chapter, Pinochet was not charged for crimes against humanity but was instead named commander-in-chief of the Chilean army, and then lifetime senator. Also, the economic model enforced by the military regime was expanded and validated, with minimum adjustments. The active social movement of the 1980s had disappeared, and for three main reasons: 1) fear of going back to a military regime; 2) the politics of consensus, where all these issues that seemed contrary to the dictatorial values were considered disruptive, meaning this new and fragile democracy did not have a place for these discussions (Staab & Waylen, 2020), and 3) between 1990-2000, former activists were made heads of new public institutions, which meant that many social movement organisations lost their visible leaders, resulting in loss of impact, and related to the second reason, with no amplifier effect. In this context, the 1990s was a decade with weak social movements, but at the beginning of the 2000s new actors appeared, airing their demands on the street, which, as I argue in this section, represented a new post-dictatorship generation bringing new topics, demands, and collective-action techniques.

As mentioned above, one of the most visible social movements during the 2000s was the student movement. Starting in 2004, and getting stronger in 2006, the secondary student movement

(the Penguin Revolution) demanded free access to the undergraduate selection test (PSU), access to a reduced fee in public transport throughout year—not only for the academic year—, the end of the Constitutional Organic Law of Education enacted on the last day of the military dictatorship, the end of profit in education, and the end of the municipal administration of schools (Yeomans, 2022). On the 1st of June 2006, President Bachelet announced the first measures in response to their demands, and met the rest of them in the following years. These students were known as the fearless generation, because they were not afraid of the ghost of the dictatorship. They organised assemblies to discuss their demands and actions, calling for national strikes, and protests, even bringing all school activities to a halt.

During this time, the feminist movement was localised in particular expressions and organisations, lacking visibility and summoning force. However, an important demand was made during this time regarding the emergency contraception pill (ECP). After parliament had denied access to the ECP in 2001, as it was considered abortive, and forbidden it in any context, in 2006 the government established that the public health system should administer the ECP to teenagers from 14 to 18 years old. However, in 2007, 31 parliamentarians went to the Constitutional Court to request the cancellation of this policy on the basis of unconstitutionality, and this was achieved in 2008. This situation triggered one of the biggest women's and feminist marches that had taken place since the end of the dictatorship. At the time, the media estimated that between 15,000 and 20,000 people attended the march.[47] However, as identified in the interviews, this protest was an isolated case and did not trigger a bigger and more visible movement. What is relevant in this case is that the Constitutional Court decision did not imply the local governments. Thus, municipalities had administrative autonomy in this matter. In this line, even when the Health Ministry could not compel them to distribute the ECP, they could do it if they wanted to. Thus, the government supplied any municipality willing to distribute the pill. However, in June 2009, the Comptroller General stated that

[47]See https://www.elmundo.es/elmundosalud/2008/04/23/mujer/1208948973.html and https://www.elmostrador.cl/noticias/pais/2008/04/23/miles-marchan-en-contra-de-resolucion-del-tc-sobre-la-pildora/

any health service -public or private- that had contracts with the National System of Health Services was under the Constitutional Court decision; thus, municipalities that continued distributing the ECP did it under their budget. The factor that explained that continuation was partisan affiliation and not if the local government was the wealthiest or not. What is more, some of the wealthiest -and at the same time, conservative- municipalities did not distribute the ECP (Franceschet & Piscopo, 2013). Nevertheless, it is important to mention that, in 2009, President Bachelet promoted a bill on sexual and reproductive health rights, which was approved in 2010. The resulting law, Law N°20.418, included the right to ECP (BCN, 2010; Faúndes, 2013).

Regarding the feminist movement, in 2007, the *Red Chilena Contra la Violencia Hacia las Mujeres* (the Chilean Network against Violence towards Women)—an organisation founded in 1991 that articulates women's civil and grassroots organisations to contribute to eradicating gender-based violence—launched the campaign Sexism Kills (*El machismo mata*). The campaign consisted of black and yellow posters with warnings about sexism, put up in different streets. Since 2007 and until now, the *Red Chilena Contra la Violencia Hacia las Mujeres* has led one campaign per year, with different gender-based demands. The 2014 campaign included a poster against SH with a picture of María Francisca Valenzuela, the OCAC founder and first president (Red Chilena Contra la Violencia Hacia las Mujeres, 2023). [48] During the interviews, several of the original OCAC members pointed to the Sexism Kills campaign as their only feminist movement reference point before joining OCAC (2013–2014), which indicates the lack of visibility of other feminist organisations.

During the first Piñera presidential administration (2010–2014), a new student movement began, but now the activists were university students. The same generation that had been protesting five years prior, during the Penguin Revolution in 2006 was now protesting in 2011, demanding structural changes to the educational model through intense months of national strikes. The sexuality and gender associations, formed at the beginning of the 2010s,[49] did not have a visible role during the

[48] See 2014 campaign http://www.nomasviolenciacontramujeres.cl/cuidado-el-machismo-mata-8/

[49] The gender and sexuality associations are student organisations that seek to generate instances of information, care, and prevention, among other things, on gender and sexuality issues.

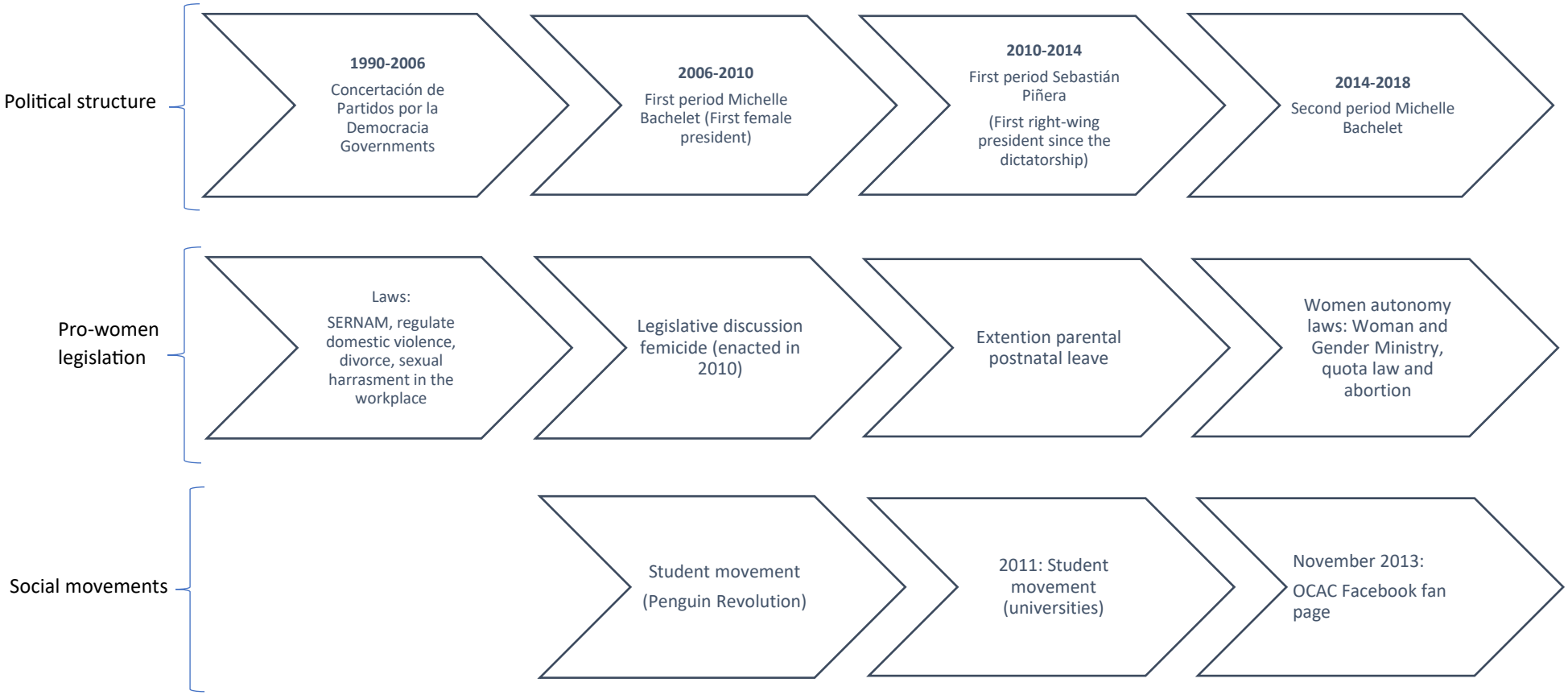
student mobilisation in 2011, but they nevertheless provided spaces for critical thinking to shed light on sexism in the educational system. By 2012, sexuality and gender associations were more common in Chilean universities. As Luna Follegati (2018) mentioned, these spaces:

> Refer to a feminism that was gestated as an interruption of the traditional representative spaces, influencing directly and systematically in formal political areas, as well as in university government. The various associations and young university groups that rose during the period are in charge of discussing aspects that the left-wing student organizations had not considered up to the minute. Forums, self-training sessions and discussions proliferate. A common objective was intuitively sought through diverse mechanisms: to reverse the macho and patriarchal practices rooted in the university. (p. 279)

As mentioned above, the 2013 parliamentary and presidential election shifted the political arena once again: Michele Bachelet was elected for her second presidential period and the Chamber of Deputies was renewed with a new generation: the former left-wing leaders from the 2011 student movement (all of them part of the left-wing).

All these political, legislative, and social movement events (see Figure 6 for a summary) are relevant to the creation of OCAC, and the POS for their demands and success in the first period analysed here (end of 2013 until the beginning of 2016), having consequences for their framing strategies and organisational development as well. Consequently, the following two sections analyse the data obtained from the interviews to understand the beginning of OCAC regarding its first internal organisation structure and the first legislative process in the path of the bill against SH. Regarding the three contexts reviewed in this section, the next analysis presents historical, political, and legislative facts that are also interlinked. Thus, the division of each section and subsection corresponds to an analytic objective.

**Figure 6:** Relevant political, legislative, and social-movement events for the 2013-2016 period.




Source: Author own's creation.

## 4.2 The beginning: OCAC's Facebook fan page and its first internal organisational structuration

This section addresses the time at which OCAC was created, as a Facebook fan page, and established its first organisation model. I begin by analysing the first framing process for the beginning of collective action against SH. In this first section I will argue that because of the generational break between the 1970s–1980s feminists and the newer generation, the SH framing process as gender-based violence was the work of the younger generation. I will analyse the feelings of injustice, agency, and identity: the three dimensions of the collective-action frame. The feeling of injustice was based on the recognition of SH as an extremely common but unrecognised form of gender-based violence. The feeling of agency came through as a need to do something about it, because at that time it was not illegal, and there was thus nowhere to turn to for help. Finally, the feelings of identity and recognition pertained to SH being a type of violence that all women suffer. In this sense—and as I mentioned in the case selection argument in Chapter 3—it was not a matter of empathy but of identification. In other words, this was not a feeling of women putting themselves in someone else's shoes, but a recognition of the violence that they were themselves suffering.

The analysis is followed by a review of OCAC's first organisational model and internal characteristics. In this segment, I examine OCAC's first steps on the path to becoming an internal organisation, which was characterised by a lack of knowledge about how social organisations should work. Nevertheless, at the beginning of its organisation, OCAC's main characteristic was the professionalisation of its members. Even when all OCAC members were volunteers, the work was always professionally related to its member's undergraduate degrees.

### 4.2.1 The beginning of the collective action against street harassment: The framing process

In November 2013, OCAC was created as a Facebook fan page by María Francisca Valenzuela, a 22-year-old sociology student at the University of Chile. At that time, Sebastián Piñera was the outgoing president and Michelle Bachelet was incoming, assuming the presidency in March 2014. Also, as mentioned above, during this time, the Chilean feminist movement was not strong, unified, or very visible, taking some expression inside universities, and in public through grassroots and institutionalised organisations. As a relevant *Corporación Humanas*[50] (Female Human Corporation) member, who documented the dictatorship through photography, described in her interview, the two spaces of activism—academia and street activism—were separated, and the activist feminist "was the same as always, the youth had not joined us". As she described in the interview:

> I think the silence in the 90s was understandable because, after 17 years, people went inside themselves. I remember that we continued the same feminists doing very stupid things, which were some meetings with a tent, but they did not have the mystique.

At the time OCAC was born, even when new movements appeared with high visibility (such as the student movement), the expressions of the Chilean feminist movement did not yet summon many people. Moreover, even when feminist expression had more visibility, this did not mean that more people—such as the student movement—would join. This was the case with the *Red Chilena Contra la Violencia Hacia las Mujeres*, an important feminist organisation to this day, which struggled to gain new members from the younger generation. As the *Corporación Humanas* member emphasised in her interview:

> In 2004 the *Red* [Abbreviaton of *Red Chilena Contra la Violencia Hacia las Mujeres*] appeared with this discourse of femicide, with force, with these mobile memorials with red shoes [in memory of femicide victims], but they were the women of before, not the youth.

[50] "Corporación Humanas was established in 2004, promoted by professionals and human rights defenders feminists, to generate a space for action, reflection and impact on the Chilean institutional development to contribute to the substantive democracy and the inclusion of women" (Coorporación Humanas, 2023, par. 1).

The generational break between the feminists from the 70s and 80s and the newer generation is commonly understood as a consequence of the dictatorship, and it can be seen in other social movements as well. As mentioned above, the active social movements from that time disappeared and the organisations that remained had a lack of visibility due to a fear of the ghost of the dictatorship; topics that threatened the political consensus of the transition period were not allowed, and thus the feminist organisation topics lacked amplifiers, and the bigger leaders from the movements retired and went to work for state institutions, such as SERNAM. The consequence was simple: the older and the younger generations did not have any space in common, hence, it was difficult for them to connect, except for in academia.

In consequence, the context in which OCAC was created was one in which the newer feminist generation did not have direct contact with the feminists from the 70s, 80s, 90s or the beginning of the 2000s. The founder of OCAC recognised this lack of contact between the generations during this time, and mentioned in her interview:

> The feminism that I knew at that time was basically academic, the feminism was the academic feminists who studied these gender issues. On the other hand, we had a very small world of activism that, for me, was mainly focused on what the *Red Chilena Contra la Violencia Hacia las Mujeres* was doing, their activism on the street. [...] I remember seeing the Sexism Kills posters, and I said, "What is that?". […] Besides the *Red*, there was almost nobody [...], so the feminist support network was non-existent. It was not like I could contact some feminists for support, that relationship did not exist.

Correspondingly, the lack of contact between the two generations contributed to the isolated construction of the SH demand. Thus, its framing was a work of the younger generation. To analyse the collective action against SH in Chile, it is necessary to examine the two main emotions needed to make it happen: people feeling aggrieved or threatened by some aspect of their lives, and feeling optimistic that if they act collectively they can change the problematic situation. These feelings encompass the three dimensions in the collective action frame: injustice, agency, and identity (Gamson, 1992). The feeling of injustice was something that all the original members of OCAC had in common. They described not only violence but ‘unrecognised gender-based violence’. This lack

of recognition came from mass media, reporters, families, and even from the academic context. OCAC's founder was 22 years old when she did an internship in a masculinity studies centre in Uruguay while studying for a degree in sociology at the University of Chile.[51] At that moment she identified that most people linked gender-based violence only to expressions of domestic violence. A clear example of this was when, at a masculinity seminar, she asked a gender specialist "What happens when the violence of men is no longer related to private spaces? What happens when the violence of men happens in public spaces? What happens when women have to live with that violence in public spaces?" She remembers receiving a "sepulchral silence" in response.

Along the same lines, during the interviews, all the original OCAC members addressed the feeling of injustice about SH, commenting that the constant SH experiences since their teens, and the strategies they developed to defend themselves from these actions, framed these feelings of injustice. Two former members of OCAC give an example:

> I suffered street harassment every day. In fact, there wasn't a day that I wasn't yelled at on my way to university. I always had resentment and annoyance about why we had to put up with this. This is clearly wrong. Why is he not sanctioned? Why is there no cultural change? On top of that, if I talk about it with my mum or grandmother, they keep telling me they used techniques like a little safety pin. […] And I was feeling very, very frustrated about it. (Former OCAC Legal Department Director)

> Due to a traumatic street harassment experience that I had [...] I said like, what do I do? What do I do with this? To whom do I complain? And then, I realised that there was no one or nothing to whom I could turn if I were a victim of street harassment. (Former OCAC Educational Intervention Department Director)

The injustice that OCAC's founder felt after her internship in Uruguay was rapidly joined by a feeling of agency. However, as I mentioned, she did not have contact with any experienced feminists to orient her claim into collective action, and thus she used the social media that were available to her and her close network.

[51] In most Chilean universities, it is mandatory to do at least one internship in order to obtain a degree.

> First, I thought about doing a march or something like that [...] but how? I don't know anyone. I was very young, I did not have access to social networks or social capital that would allow me to mobilise at those levels. [...] I had nothing, just me and that idea. (OCAC's founder)

The feeling of agency was also strongly present among the original OCAC members. In their interviews, the first volunteers expressed having no aspirational aims in this organisation, only a will to contribute to the cause against SH. As a former volunteer and then Director of the Communication Department mentioned:

> I was like, what do they need, coffee? I serve coffee. Do you need me to bring cookies? I have cookies. And it was an exciting process because the communications team was not entirely built yet. So, there was not so much clarity about a position or a role, there were a lot of conversations about what we needed and how we could contribute.

This feeling of agency came along with the feeling of identity. When OCAC was newly created, as a Facebook fan page (November 2013), the injustice about this unrecognised gender-based violence was joined by the need to do something about it. A common identity arose for all the original OCAC members: we all suffer the same. OCAC's founder and all the initial volunteers constantly repeated the same idea, about framing their identities concerning their initial conversations about SH. They all concluded that the violence that they have been suffering is not an isolated issue in women's lives. It is, on the contrary, common and extremely repetitive. Interviewees offered some examples:

> I had a horrible situation with a guy who grabbed my butt very hard in the street, and then he turned around and laughed. And I was very angry, very angry. And, suddenly, I saw Francisca Valenzuela on TV talking about street harassment and said, "Oh, this is my chance. I have to turn all this anger into something". (Former OCAC Educational Intervention Department Director)

> When I saw [the topic about street harassment] in the media, it resonated with me a lot because I said, well, other people also problematise it, I'm not the only one who is upset about this. (Former Educational Intervention Department member)

The identity of 'we all suffer the same' framed the need to do something (feeling of agency) because there was nowhere to turn at that moment. An example of this is what was described in one of the first of OCAC's public interventions against SH. Some of the first OCAC members were taking

photos of themselves and women walking by with posters against SH. OCAC's founder described the situation, mentioning that usually, when they asked a woman walking by if she wanted to take a photo they said no, however, once they replied that it was against SH, they would immediately agree.

> And many of them were walking with their boyfriends, and they said to them "You have no idea". I realised that it was information that was just being released. And those women told us: you don't know what this has meant to us. (OCAC's founder)

In conclusion, the two main emotions for developing collective action against SH—aggrievance, and optimism that collective action could change it—were strongly present in OCAC's founder and its first members. The aggrieved and optimistic feelings are interesting in this analysis because the beginning of collective action against SH is closely linked to the POS dimensions, in which opportunities can create mobilisation but mobilisation can also create opportunities. In this case, OCAC's founder and initial volunteers were able to feel optimistic about confronting this daily gender-based violence because they were part of a generation that had demanded change and succeeded before. They had all been part of the Penguin Revolution in 2006, and the student movement of the 2011, and were thus members of the so-called fearless generation. When they thought about working towards passing a law against SH, several of the interviewees expressed having thought "Why not?", "Why not us?". Thus, optimism is key for this analysis of the POS theory, because OCAC's original members were directly impacted by the earlier movements of which they had been a part. As I described in Chapter 2, the appearance and disappearance of other social movements can affect opportunities because the mobilisation of a movement can have a "demonstration effect" on another movement, persuading taking action (Kitschelt, 1986). In the case of this research, the 2006 and 2011 student movements served not only as a demonstration effect to another movement, but gave identity to a generation.

These emotions, necessary for framing the demand, as I described in Chapter 2, are also shaped by cultural breaks which let framing grievances and injustices, and changing perceptions and behaviours in front of what is perceived as injustices (Zald, 1996). This means that even when the

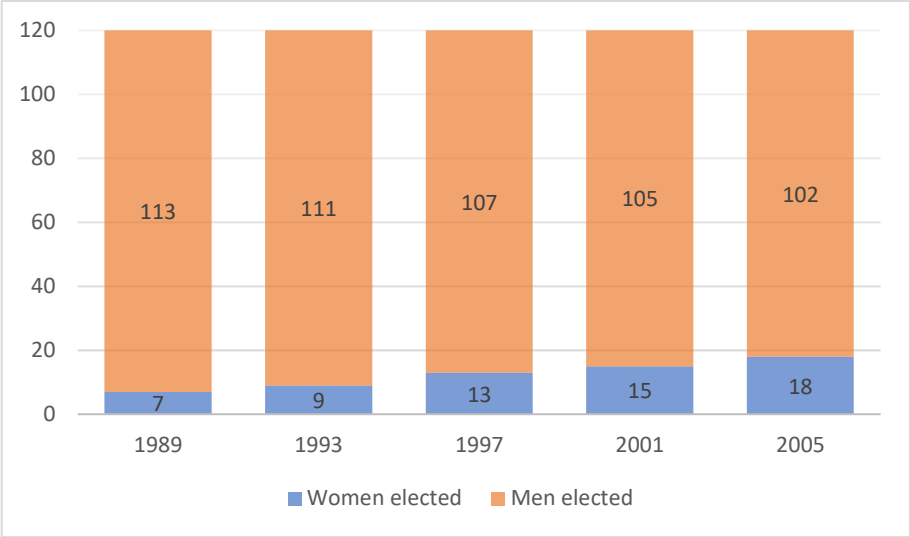
older and the younger feminist generations did not have a relationship before the collective action against SH began, the development of gender issues: such as the problematisation of sexual and reproductive health rights; the isolated but present *Red Chilena Contra la Violencia Hacia las Mujeres* campaign against sexism; the silent presence—but presence, still—of gender studies in academia; the presence of a woman as President; the—slow—advance in gender and pro-women legislation, etc., can be analysed as cultural breaks that allowed for the possibility of feeling aggrieved by SH.[52] According to this, the slow but consistent advance in pro-women legislation (Htun & Jensenius, 2022), the women's and feminist movements, even when silenced, still had effects on the POS for OCAC, impacting their first members in such a way that they were able to feel aggrieved.

In the interview with a former female senator[53] (Party for Democracy), who was the head of the commission in which the bill against SH was discussed during the second legislative process, she referred to the development of the importance of the women's issue in Congress:

> In 1990 there were only Laura Rodríguez and I [in Congress]. Then came María Antonieta Saa in 1994, who also gave a punch to the issue. But, when we tried to install the Code of Sexual and Reproductive Law in 1998, it was impossible. At the time, to install the topic of divorce took until 2004. So, I think that at that moment the bill would have started and it would have stopped for 15 or 20 years.

The relevance of this experienced parliamentarian's words is strong for this study, in that she referred to the strong barriers to putting women's issues on the political agenda at a time when women had no active legislative power, and moral values were still firmly ruled by conservative, traditional dictatorship values, by which women were equivalent to mothers (Isla, 2017). As Graph 5 shows, women's presence in the Chamber of Deputies, to which the former senator was referring, during the post-dictatorship transition period was extremely low, directly affecting their autonomy in decision-making.

[52] It would be interesting to analyse the impact of each of these contexts quantitatively.
[53] She became a parliamentarian in 1990, and would come to hold seats as both deputy and senator.




**Graph 5:** Women elected in parliamentary elections to Deputy 1989-2005
Source: Chilean Congress National Library (BCN). (2018). "Efecto de la Ley de Cuotas en elecciones parlamentarias de 2017" Obtained from https://obtienearchivo.bcn.cl/obtienearchivo?id=repositorio/10221/25258/1/GRID_Efectos_Ley_de_Cuotas_elecciones_2017_def.pdf

In consequence, the state in which the development of the legislature's work on gender and women's issues when the bill against SH entered to be discussed in Congress was a key dimension to its approval as a relevant part of the POS. Without this progress, achieving approval in five years would have been impossible. Extending the analysis, it would have been impossible to problematise SH without the advance in those issues as well. As Htun and Jensenius (2022) established, the advance in pro-women legislation is key for new problematisation. However, this would not have been possible without critical actors (Krook, 2015).

Those first female parliamentarians were critical actors because they advanced significant women's rights, which OCAC's claim stands on, such as the law against sexual harassment in the workplace. Nevertheless, considering that critical actors are also legislators who "embolden others to take steps promote policies for women, regardless of the number of female representatives" (Childs & Krook, 2009, p. 139), they are critical actors in pro-women legislations also because they worked to put women-issues on the political agenda, contributing to other parliamentarians to endorsed it.

In this section, I have reviewed the framing process for starting the collective action through the SH claim. In the next one, I will analyse OCAC's first organisational model and its internal characteristics, putting the decision-making at the time in the context of the historical review addressed above, in section 4.1 (political structure, pro-women legislations, social movements).

### 4.2.2 OCAC's first organisation model and internal characteristics

As described in Chapter 2, when the three key dimensions of the collective action frame—injustice, agency, and identity—are combined with opportunities and organisation, there is a high probability of the emergence of collective action (McAdam, 2017; McCammon et al., 2007; Tilly & Tarrow, 2015). Therefore, before analysing the political opportunity structure dimensions, such as the openness and/or closure of the institutionalised political system that OCAC faced during the period under analysis (2013–2016), I examine the organisation model of OCAC in order to characterise its first steps into formalisation. It is important to recall that while this first organisational model is an important consequence of the POS, as I review in this segment, the characteristics of OCAC's original members are also an effect of previous social movements, legislation advances, etc.

In the months after María Francisca created the Facebook fan page *Observatorio Contra el Acoso* (Observatory Against Street Harassment),[54] in November 2013, female students from the University of Chile, where Francisca studied sociology contacted her to support the idea and offer their help "to do something" about SH. According to the interviews with the original OCAC members, this was before OCAC appeared strongly in the media, and they had found out about the initiative from other people at the same university. The former OCAC vice president[55] described the first time she heard about OCAC, between the end of 2013 and beginning of 2014:

[54] The Observatory name changed on three occasions, responding to what specifications were needed at various times. I will be describing these changes in the course of my analysis.
[55] This position was only held by one person for a year. When OCAC formalised its organisation as an NGO, the vice president position was eliminated and replaced by executive director.

> I remember that I was with a friend on the subway, a classmate from the University and a close friend of Francisca Valenzuela at that time. And she told me, "Hey, I'm involved in a thing that was an idea that occurred to Francisca. We are building up a Facebook fan page about street harassment, collecting testimonies". […] And then my friend put me in contact with Francisca.

According to the interviews, after a small group of no more than ten people started working together against SH, the need for more people grew. OCAC's founder, and at that time president, mentioned in the interview that she received several Facebook messages and e-mails from women offering their work to the cause. Those people were contacted and invited to an open meeting to become part of OCAC in May 2014. Until then, OCAC did not have a fixed internal organisational structure, separated work groups, or fixed positions with clear roles. As the first OCAC president describes it, it was only after the first meeting of the open call for volunteers that a clearer structure emerged. She remembers, "We made a precarious list and we said 'Okay, let's put people together according to their professions and interests' because someone has to see social media as communications for instance. And that is how the idea of making working teams emerged".

This situation characterised OCAC's organisation model at the beginning of 2014, in which the structure was related to the expertise and knowledge of the people involved and the feeling of the "need to do something", but not to a strong and formal structure. An example of this is that during OCAC's first year, it was common to let anyone who wanted to be in the organisation become a member, without any guidance or requirements, only their enthusiasm. As a then-volunteer mentioned "generally, to all the people that wanted to participate it was like: 'Come, let's get in touch and let's find a space for you'".

Another feature of that time was inexperience regarding how to organise a social demand. Even OCAC's founder and first president recognised this when she said, "I think the original process was very clumsy because we were very young, and I believe that no one had good organisational knowledge of how civil society functions, no one, me neither, nobody". Nevertheless, although this

lack of organisational knowledge characterised the first period of OCAC, their original members managed to achieve order inside the organisation.

In the open meeting, in which people were organised according to their studies and knowledge, the volunteer work was organised by coordination areas. The first areas to be established were research, communication, legal consulting, and educational intervention. Each of these areas, and the areas that were created after, such as international, responded to what seemed to be needed at the time. For instance, international coordination was an area created to respond to international requests to open OCACs in other Latin American countries, such as Uruguay, Colombia, Nicaragua, Costa Rica, Guatemala, etc.[56] OCAC did not have an office until 2017, thus, from this date until 2017, their volunteers worked from their own homes or coffee shops, and through online platforms, such as email and WhatsApp.

In summary, it can be said that the mobilising structure during this time initially contemplated informal vehicles, what McCarthy (1996) describes as an everyday life micro mobilisation (e.g., family units, friends, networks, etc.). After the general meeting in May 2014, the internal organisational structuration started a road to more or less formalisation, with more roles, and specific calls to new volunteers depending on what was needed. For example, after the period in which most of OCAC's new members were close to someone who was already part of the organisation, they began to post calls requesting new volunteers with specific requirements on social media, which was a step forward from the concept of "let's find a space for you" (as the former volunteer mentioned in his interview), towards what is needed in an organisation.

However, at this time, the process of formalisation was not the strongest, because even when making specific calls with requirements, there were no more filters or steps put into the process of integrating new volunteers. An example of this is what the former vice president answered when I asked her if, during the time that she was a member of OCAC, they interviewed those who wanted to

[56] For more information on OCAC LatAm network, see https://ocac.cl/ocac-latam/

be part of OCAC. She answered: “I remember for a long time posting on Facebook that OCAC needs people in the research area, or a designer [...]. But I think, most likely, we did not have many filters. At first, it was like ‘we need people’”.

In addition to the organisational characterisation, it is important to address a particular element of the internal characteristics of the first OCAC configuration: all the original OCAC members were recent undergraduates in their first jobs, or university students about to finish their undergraduate degrees. Most of them studied at public and prestigious Chilean universities, did not have severe economic problems, and lived in central areas of the Metropolitan Region, such as Santiago, Providencia, and Ñuñoa.[57] In other words, intersectionality was not a variable at the beginning of OCAC. Most of them were in their early 20s, and none were a mother or had children to take care of. This means that they were in a privileged position to donate their time and knowledge to a cause. About this, the former communications director, who had been an OCAC member since 2014, mentioned:

> I think that the organisation had one advantage: we were young women, cisgender, enlightened, all university students from a prestigious university, who had a good life. […] We had time to dedicate to this organisation. It stank of privilege. We were people who could speak in front of a camera.

In addition, and as mentioned above, the first OCAC members—and all those that followed—were part of what was known as the fearless generation because they had not lived/suffered under the dictatorship, and so they were not afraid to act, request, make demands, and protest. As a relevant feminist member of *Corporación Humanas* mentioned, regarding the difference between the older and newer generations:

> You were the generation without fear, you did not care about what men said about what you were doing, which is very valuable. We were already older and came with the fear of the dictatorship. I think we stayed with the big causes but could not add more people to them.

[57] These areas are central and mostly comfortable, indicating a salary income higher than the national average, especially Providencia and Ñuñoa.

As highlighted above, OCAC members' experiences in the 2006 and 2011 student mobilisations form a relevant internal characteristic for the fearless generation. Because the dictatorship weakened the social organisation, OCAC members grew up in a context lacking social organisation examples and role models. However, they were part of a significant mobilisation, even if they did not participate directly in the protests or have a role in the demand. OCAC members were secondary-school and university students at those times. As a former volunteer from the communication department mentioned in the interview: "In 2006 I was in secondary school, then 2011 came very hard [...]. And I became more alert to these issues". In this sense, the student mobilisations worked as mobilisation schools for these first members. The former OCAC research department director described this context as follows:

> The young women did not address the issue of feminism so much. Still, I think there was some impetus, a movement, a motivation, I don't know what to call it, regarding politics, which, I believe, comes with the student movement, influencing the OCAC generation. So, there was a desire, a force of young people [...] believing that they could have an impact.

According to my analysis, OCAC's first organisation model ultimately represents a logical development for a particular Chilean generation and its internal characteristics. A fearless generation that is the daughter of the progress of gender issues – legislative and non-legislative ones- and is available not only to problematise gender violence in public spaces but feel injustice about it. For example, as described in section 4.1, even when the women's and feminist movements were fragmented, with a lack of visibility, female parliamentarians (such as Adriana Muñoz and María Antonieta Saa) were pushing women's issues in Congress—such as sexual harassment in the workplace, abortion, and divorce—despite the male political consensus of not talking about topics that attempt against the dictatorship moral, becoming critical actors (Childs & Krook, 2009). In addition, and as I argued in the previous subsection (4.2.1), those first female parliamentarians were critical actors even when several of their legislative efforts did not succeed at the beginning because they also emboldened others to advance policies for women.

This constant fight in Congress had effects at the beginning of the 2000s, achieving several laws, such as Law N° 19.325 in 1994, which regulates domestic violence; Law N°20.005 in 2005, which establishes and sanctions sexual harassment in the workplace; and Law N° 19.947 in 2004, which establishes the right to divorce (see Table 4 on page number 145). Thus, the newer generation was walking on an already-laid path (Htun & Jensenius, 2022). In this sense, although initially there was a lack of contact between the newer and older generations to contribute to framing SH as a gender-based problem, there was a direct influence on the path made.

Consequently, the invisible and silenced women's and feminist movement from the 90s and early 2000s, nevertheless worked as a POS as well. Regarding the location of the protest cycle, even with a lack of visibility and contact, OCAC can be understood as a spin-off movement from the feminist work and the student social movements.

In addition, OCAC's first organisation model also represents a logical development for its generational context because of the educational level of its members. This was an organisation with university-educated members organising their work according to their expertise and knowledge. This made OCAC act as a professional organisation even when its members were donating their time and work. As the UN Women Chile country programme manager mentioned in the interview, this aspect characterises them, because OCAC "was not born as a traditional social organisation". That is, OCAC was not born from the grassroots or a particular demand by a particular group.

A Communist deputy who sponsored the bill against SH—part of what was known as the student coalition—also mentioned the expertise and knowledge feature as a key dimension to explain OCAC's success with its demand. In her words:

> I think OCAC had the intelligence not to start only from the political demand but from the political request joined by solid support. Like, we are an observatory, we situate ourselves in a 'more academic' space, which ends up transforming into a space for activism.

A deeper analysis of these implications concerning OCAC's cultural stock, the agendas by which the organisation framed its efforts, and the political opportunity structure of this time are addressed in the next section.

### 4.3 The first legislative process success

Continuing the first analysis period, 2013–2016, in this section, I will examine the first legislative process in which the bill against SH was unanimously approved in the Chamber of Deputies. Based on the interviews, I identify three key processes. I then divide the analysis into three sections, examining each process. First, I examine the presence of UN Women Chile as the first crucial elite ally. In 2014, OCAC applied for and won a fund from UN Women Chile and the European Union, which had three main effects on OCAC: the organisation gained visibility, became more attractive for the elite and representatives of the political system, and influenced its formalisation process, becoming an NGO in 2015. In this regard, from the mobilising structure analysis, I examine how this first crucial elite ally contributed to a path of formal internal structuration for OCAC, simultaneously shifting its goal orientation.

I then analyse the openness of the institutionalised political system, which, despite comments from interviewees about this being a closed period because of the challenging path of the legislation process, factors such as the Chilean president's power to process bills faster or to slow them down (Mimica et al., 2023), and even the sexism and the male environment inside Parliament, operated as an opening of the POS due to three relevant dimensions: a) Michelle Bachelet’s second government; b) Claudia Pascual as the first Women and Gender Equity Minister, and c) the election of former student movement leaders into the Chamber of Deputies in the 2013 parliamentary elections. Finally, I examine the framing efforts for achieving approval for the first legislative step. As I already examined the emotions required to develop collective action, having analysed the emotions of injustice, agency, and identity in section 4.2, this section explores the other three key dimensions of

the framing process: 1) OCAC's diagnosis and prognosis, determined by its defining the problematic situation and identifying the strategies with which to address it; 2) the cultural stock available to OCAC, such as access to social media, the knowledge and expertise of its members, and the links between some OCAC members and the former student coalition, and 3) the agendas into which OCAC put their framing efforts.

In each of these sections, I include the dimensions of the POS analysis: POS, mobilising structure, and framing process. Since, as I pointed out in Chapter 2, an opportunity is only there if it is recognised (Gamson & Meyer, 1996), any political opportunity must be understood as a call to action, because the facilitating circumstances only create a structural potential for collective action, but it depends on actors to transform that potential into action (McAdam, 1982, cited in McAdam 1996a).

### 4.3.1 UN Women Chile: OCAC's first influential elite ally

Two months after its creation, OCAC made the national news, being covered as a topic for discussion in the debate about what is harassment and what is a compliment. This brought more likes to the OCAC's fan page, and the online community that shared their SH testimonies and content grew. In February 2014, OCAC generated its first professional product: an online non-structured survey, bringing more material upon which to base its claims. The study was published on its web page, and highlighted that, according to the responses, women suffer SH from the average age of 14, and 71% of the people consulted declared having experienced at least one traumatic SH experience (happening on average at 18 years old) (OCAC, 2014).[58] The online survey results made the topic more attractive to the media, increasing the attention to OCAC.

[58] Often including touching, public masturbation, chasing, and verbal sexual harassment, etc.

This media explosion occurred when OCAC did not have specific workgroups (coordination areas), thus, appearances on TV, newspapers, and radio, among other mass media, was undertaken with inexperience and lack of support from people with knowledge. As a former volunteer mentioned in the interview, “We started appearing on TV, doing interviews, knowing absolutely nothing about mass media”.

These first media appearances were the route by which important future allies first heard about OCAC, such as the country programme manager of UN Women Chile. The United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) was created in July 2010 by the United Nations General Assembly (UN), becoming fully operational on the 1st of January 2011. An important fact is that the first Under-Secretary-General and Executive Director of UN Women was the former President of Chile, Michelle Bachelet (2010 to 2013), which not only put her in a relevant position but also gave high recognition to the new UN institution in Chile This new international institution was an important step for the UN member states because,

> UN Women supports UN Member States as they set global standards for achieving gender equality, and works with governments and civil society to design laws, policies, programmes and services needed to ensure that the standards are effectively implemented and truly benefit women and girls worldwide. It works globally to make the vision of the Sustainable Development Goals a reality for women and girls and stands behind women’s equal participation in all aspects of life. (UN Women, 2023, par. 2)

The UN Women focus on four strategic priorities (UN Women, 2023, par. 3-6):

1. Women lead, participate in, and benefit equally from governance systems.
2. Women have income security, decent work, and economic autonomy.
3. All women and girls live a life free from all forms of violence.
4. Women and girls contribute to and have greater influence in building sustainable peace and resilience, and benefit equally from the prevention of natural disasters and conflicts and humanitarian action.

In this regard, UN Women Chile was a relevant actor in OCAC’s efforts to turn SH into a public problem and not only a private issue. The country programme manager of UN Women Chile

had heard of OCAC earlier in 2014, and according to the interview, she contacted OCAC to encourage them to apply for a UN Women and European Union fund. As she said,

> At that time, we had a fund to support civil society, so I identified one of the topics that could be interesting to support [OCAC], thinking about supporting a new organisation, an organisation also with a relevant topic and with a lot of energy to do things as well.

The country programme manager worked as a facilitator for OCAC, opening a window to the organisation's growth, and strengthening its legislative demand. As OCAC's Founder and first President mentioned in the interview:

> What changed everything was when we became more visible in the media and the former UN Women representative in Chile, María Inés Salamanca, wrote me a message on Facebook saying: "I would like to talk to you for a minute please". She called me for the first time [...] and said: "Look, we are promoting a civil society fund and believe that your idea is good, apply".

OCAC applied and won the fund with three objectives: 1) build a communication campaign; 2) generate data about SH, and 3) support a bill against SH. Consequently, the UN Women and European Union fund guided OCAC's work for the next year and a half. With three clear goals and a budget, OCAC started a formalisation path. As former OCAC members mentioned in their interviews:

> For the first time we had resources to work, collect data, and create a bill and campaign. And with that kickstart, OCAC began to take much more shape.

> UN Women bet on us, and I think it was very important. In other words, the story would probably not have been the same without that initial campaign, without those resources, without that confidence [from the UN Women Chile country programme manager], where we didn't even have legal status.[59]

According to my analysis, the UN Women and European Union project had three main effects on OCAC. The first was the visibility that OCAC gained with the products associated with the fund. OCAC launched the communication campaign in November 2014 and the survey in March 2015, on

[59] Organisation with legal representation, which in Chile is a requirement for being recognised as an NGO, and thus to be able to apply for funding.

two key dates for the feminist movement: International Day for the Elimination of Violence Against Women (25th of November), and International Women's Day (8th of March). The bill was sponsored by deputies in March 2015. The second effect was that, while OCAC's claim gained more visibility, it also became more attractive to the elite and to representatives of the political system. Thus, parliamentarians, executive members, companies, traditional mass media, and other formal and experienced social organisations began to support OCAC in different ways, such as by attending its events, requesting coaching from them, recognising OCAC's founder as a leader, etc. Finally, as mentioned above, the UN Women and European Union fund also influenced the formalisation process, opening the discussion about the internal organisation structure, because when OCAC applied to the fund did not have a legal status, which meant that it could not sign contracts, hire people, apply for national or international funds, received legal donations, among other things. Therefore, OCAC allied itself with a civil society organisation with legal status—CulturaSalud (Health Culture)—to receive the funding to implement the project.

The need to take a step forward and formalise OCAC after the experience with the UN Women and European Union was a constant topic in the interviews. An example of this is this quote from a former OCAC member who joined the organisation in May 2014, worked directly in the communication campaign of this project, and oversaw several workgroups inside the Communication Department.

> Due to the fund from the European Union and UN Women, in order to continue on that path, there was an internal conversation about institutionalisation, because at that time we were just an informal group of volunteers without legal status. […] So, there was a decision to say: if we want to continue doing this, we must institutionalise OCAC. And that meant having a board of directors, a president, and an executive director. […] We said ok, we are going to formalise OCAC in order to give sustainability to the organisation. So, it was determined that the board of directors was going to be composed of the directors of each of the areas, that María Francisca (who had been the visible face of the organisation) was going to act as the president, that was the position that usually works in this type of organisation to give more visibility and to be the official spokesperson.

Finally, in 2015, OCAC formalised its internal organisation, becoming an NGO. This change brought the need to make the organisation economically sustainable, and thus, to have a department in charge of this area. This is why the Economic Administration Department was created. In the interview with the first director of this department, she referred to OCAC's need for it. She mentioned that when she first met with OCAC she "felt like it was very chaotic, like many things were happening very quickly, and it was getting a little out of control".

Despite that, several former OCAC members from this time, especially from former directors, stated that OCAC had an internal disorder which they tried to resolve while they worked on the UN and European Union fund, while the external analysis is that OCAC was characterised by its professionalism. The country programme manager of UN Women Chile agreed, mentioning that:

> OCAC had strong leadership, and many young volunteers [...], with the ability to organise, with a high impact on social networks. I am amazed because the amount of funds that we gave to civil society at that time was very low, but for an organisation like OCAC was plenty, so, OCAC did many things with little resources. With that little resource, OCAC did what for another organisation takes much longer, that have higher costs, but OCAC did it in a much more agile way, much faster. For example, you did not have to hire an agency to set up a social media campaign because it had [...] I don't know, 10 volunteers to work only on online social media. Part of the evaluation of that moment that we did with the European Union was like, wow, that is, they had the ability to organise with very few resources and a very broad reach.

Consequently, from the mobilising structure analysis, the internal organisational structuration developed from an informal group trying to give internal order by orienting their work according to the knowledge and expertise of its members, to a formal internal structuration, with roles and positions according to the needs of their objectives. In this sense, despite the internal problems of OCAC, the former members interviewed for this study characterised the organisation as extremely professional, with a clear order of the roles of each area, having a vertical structure that worked and made OCAC efficient to its goal. As a former volunteer and then director at the Communication Department said, "I think this order in areas that worked professionally allowed for super-efficient work".

In this sense, the goal orientation of OCAC developed from being a Facebook fan page generally oriented to have a conversation about SH, upload pictures, and share testimonies, to having a more concrete goal. As OCAC's founder said in the interview about the fan page creation: "It was to talk about street harassment and to upload the [first] pictures [with the posters]. Then, I remember, it was more like: let's ask for street harassment stories". In this regard, OCAC's goal was to shed light on SH as gender-based violence, for it to be socially and legally penalised, and to generate strategies for its eradication. As a former communication department volunteer mentioned, OCAC's goal was focused on "saying this is effectively sexual violence; all the campaigns had that focus. Even the protest saying had that focus [...]: The patience ran out: harassment is violence".

To continue the first legislative process success analysis, in the following subsection, I review the POS of Congress and executive powers (openness and closure), for which it was crucial that OCAC gain a more formal internal organisation and an influential elite ally to its side, such as happened with UN Women Chile.

### 4.3.2 Congress and the executive as political opportunity structure: Opening and closedness

One of the key dimensions to analyse with POS is the openness or closedness of the institutionalised political system. During the interviews, even when the Chilean political system was described as closed due to the legislation process, between 2014–2016, key windows opened to discuss SH legislatively. The vice president of ABOFEM (Female Lawyers Association), an organisation created in 2018 that supported OCAC's demand from the start, referred in her interview to the general barriers to having an effective impact on the law-making process in a presidential system, in which both the veto power and the ability to prioritise the legislative process, are key instruments that the president uses to advance in their legislative agenda (Mimica et al., 2023). As the vice president of ABOFEM mentioned:

> Constitutionally speaking, there are problems for the advancement of any more transformative legislative project, starting with the constitutional regulations, which have many obstacles to modifying deeper issues in the model, because there are many issues tied up in organic constitutional laws [...]. It is very complex to move forward because there are a series of prerogatives that the executive has to slow down the bill or prioritise others. There are legislative emergencies, there is the president's veto power, and there is the possibility of the president's insistence regarding modifications made to the bill when Congress rejects them [...]. So, if the president does not want to move forward with a bill, the truth is that this bill is very unlikely to be approved.

Regarding the openness of the institutionalised political system, from the interviews, I identify three key dimensions: a) Michelle Bachelet as president; b) Claudia Pascual as the first Women and Gender Equity Minister; and, c) the election of former student movement leaders as deputies (known as the student coalition by other parliamentarians in Congress at that time). The first dimension that showed the openness of the institutionalised political system for OCAC's claim was that Michelle Bachelet was the elected president when OCAC was created (see "Contextualisation" in section 4.1). Her presidency operated as an open window to OCAC for three main reasons: her openness to addressing gender-based violence, her openness to creating new pro-women institutions, and her openness to the participation of civil society organisations in political institutions.

The first reason is related to the political distance between the right-wing Sebastian Piñera government and Michelle Bachelet's centre-left government regarding the possibility of attending to gender-violence issues. OCAC was created at the end of 2013, which, as I mentioned above, was a moment of transition from one government to another, and during the first months of its existence—which were also the last months of the Piñera administration—OCAC faced some barriers. OCAC's founder referred to a particular situation in which they tried to collaborate with a public institution during Piñera's first government. In her words:

> Our emergence had some blocks during that time [Piñera's government]. If a right-wing government had been elected [instead of Bachelet], OCAC would have been much more blocked at the beginning of that period. I say this because I remember [...] that we wanted to do an activity with Bibliometro[60], but only when Bachelet was elected, they contacted us and

[60] A book-lending service in Santiago metro stations.

> [a person from Bibliometro] said to me: "I was proposing to do activities with OCAC when the Piñera government was ending, but they did not allow us to work with you because they said that OCAC encouraged hate among people". They considered us an organisation that encouraged hate.

These barriers to collaborating with public institutions changed immediately when Michelle Bachelet started her second presidency, shifting the opportunity structure not only for OCAC but for different organisations that advocated for gender-based issues. As reviewed in section 4.1, from 2010 to 2014 the pro-women legislative agenda was slow, indicating that less relevance was assigned to these issues from one government to another. For instance, Bachelet started her first administration (2006–2010) with ministerial gender equality, while Piñera's first administration contained six women and 16 men.

In addition, during this first period under analysis, Michelle Bachelet created a new public institution to address women and gender equity issues: a ministry. As mentioned above, the creation of the Ministry of Women and Gender Equity was important because it gave a stronger institutionality to addressing women's issues, a bigger budget, and the possibility to transversally influence different national policies. The creation of the ministry also opened a window of opportunity that positioned the topic of women's issues in the public agenda as an institutional need. Nevertheless, comments about the ministry were both positive and negative. One of the negative comments concerned the injustice of having a public institution only for women. A former OCAC press coordinator mentioned that several men asked "Where is the men's ministry?".

The third reason to consider Michelle Bachelet's administration an opportunity for OCAC's aims is that she showed openness to civil society organisations to participate in political institutions. As mentioned in section 4.1, during Bachelet's second government, the executive promoted different pro-women's autonomy bills, such as abortion regulation and parliamentary quotas. In 2017, Bachelet promoted a bill for Women's Right to a Life Free From Violence (known as Integral Violence Law),[61]

[61] The bill was presented to the legislative discussion in 2017. Now the bill is in the second legislative process.

which was created in consultation with civil society organisations. This worked as a facilitator for OCAC, who were invited to this space, making its first link with the institutionalised political system and opening a space to influence a policy. During the interview with OCAC's founder and first president, she referred to this facilitator when she said:

> The second government of Bachelet begins, and one of the first emails OCAC received was from SERNAM) […]. I received the email from SERNAM and […] I thought: Is this a joke? I received an email from SERNAM, we finally have a light and an opportunity. So what OCAC did, as its first political institutional participation (with the state), was to participate in a working group to collaborate to create the Integral Violence Law.

Along this line, it can be said that Michelle Bachelet worked as a critical actor (Childs & Krook, 2009). Her figure was relevant to OCAC's claim not because she was a woman but because she supported pro-women legislation. Also, because she was the first Under-Secretary-General and Executive Director of UN Women, she had the legitimacy and push to advance the UN recommendations for gender equality.

Claudia Pascual is the second dimension to analyse in relation to the opening up of the institutionalised political system to OCAC. During the legislative process to discuss the creation of the Ministry of Women and Gender Equity (March 2014–March 2015), Pascual was head of SERNAM, then, in 2016, she was named the first Women and Gender Equity Minister. However, her political career had started long before. In 1986, when she was 13 years old, she joined the Communist Youth of Chile, became a leader in different secondary political arenas, and participated in marches against Pinochet's dictatorship. In 1993, while an anthropology student at the University of Chile, she entered the Central Committee for the 9th Congress of the Communist Youth, becoming a national leader. Later, she was elected councillor for the commune of Santiago[62] for two periods, 2008–2012 and 2012–2016, ending her second period sooner because of her becoming head of SERNAM (BCN, 2023e).

[62] Santiago corresponds to one of the communes most valued to be part of local government because it is part of the capital.

Claudia Pascual was an important ally to OCAC because she publicly validated its demands. She participated in OCAC's events (such as the first OCAC campaign and the survey presentation funded by UN Women Chile and the European Union), and with that, she opened a window of opportunity by working to amplify OCAC to the media, helping to cement the relevance of the topic of SH. This was mentioned during the interview with a former communication department director, who first became an OCAC volunteer in 2014: "It was very cool because it was like, the minister came, we are not crazy, this is also a state problem. It was very cool to feel accepted, seen, and validated".

Moreover, while she was director of SERNAM, Pascual assisted in the sessions during the legislative discussion in the Citizen Security Commission, publicly evaluating the bill and commenting that,

> It goes in the same direction as the mandates that they have by the government of President Michelle Bachelet, which is how the notion and conception of violence against women can be expanded. Thus, this bill is in line with a broad conception of violence against women. (BCN, 2019, p. 32).

Nevertheless, Claudia Pascual did not support OCAC's bill against SH with the measures that the executive had to accelerate the legislative process (such as urgencies), because the executive added to the Women's Right to a Life Free from Violence bill a section to sanction SH. Thus, the minister of Women and Gender Equity assumed the strategy to support only the Integral Violence Law. Consequently, even when Pascual supported OCAC's claim, working as a facilitator for the legislative discussion, she also operated as a barrier to the approval of the final bill. During the interviews, both the OCAC founder and the former minister referred to this, saying:

> The doors were closed to us by that administration to approve that legislation. The minister told us to our faces: I cannot support your bill because we are making the Integral Violence Law. (OCAC founder)

> We incorporated part of the street harassment into the project and had to legislative process only one bill, we decided to stay with the Violence-Free Life bill. (Former Women and Gender Equity Minister 2015–2018)

Finally, during this time, the institutional political system was also open to OCAC's demands, with former student movement's leaders being elected deputies in 2014: Gabriel Boric (Social Convergence Party), President of the University of Chile Student Federation in 2012; Giorgio Jackson (Democratic Revolution Party), President of the Catholic University Federation in 2010; Camila Vallejo (Chilean Communist Party), President of the University of Chile Student Federation in 2010, and Karol Cariola (Chilean Communist Party), first female President of the University of Concepción Federation between 2009–2010.

Camila Vallejo and Karol Cariola represented two new faces (young women) on the political stage, but came from a traditional political party.[63] Conversely, Gabriel Boric and Giorgio Jackson represented new political projects, having founded two new parties: Democratic Revolution (2012) and Social Convergence (2017). Their membership in those parties and political movements was a crucial dimension of this election, because of the binominal system, which made it more difficult to be elected if not a part of a large political and electoral coalition considering that the system was created to benefit the right coalition (Aleman et al., 2021). Camila Vallejo and Karol Cariola ran for deputies (district N°19 and district N°26 respectively) as members of the Chilean Communist Party for the *Nueva Mayoría* Coalition (centre-left wing). Giorgio Jackson also ran for the *Nueva Mayoría* Coalition but as an independent (district N°22). Gabriel Boric ran for deputy as an independent in the same election, but without being part of any coalition (district N°60), and was the only independent non-coalition candidate to win.

According to the interview analysis, the election as deputies of the student coalition worked as a window opportunity for three main reasons: a) OCAC's members and these deputies were from the same generation; b) their availability to discuss new topics and support them in the legislative arena (thus, most of them became critical actors), and c) the presence of feminist deputies.

[63] It is important to clarify that even though the Chilean Communist Party is a traditional party considering that is 111 years old, it was not part of the pact between traditional parties and the dictatorship to agree on how the transition to democracy should be.

As I referred to in the first section of this chapter, the student coalition represented a new political actor, characterised by their ages—they were in their mid-20s—and their roles in the student mobilisation of 2011. The new deputies shared both of these features with OCAC members. A former deputy from the Social Convergence Party, who approved the third legislative process, mentioned:

> It happened that those people in the social movement were about the same age as those in decision-making spaces, so alliances were generated. I think this made things easier as they spoke a similar language and obviously also began to get into the same circles. I mean, we were in the same forums, and we were also ideologically close.

The characteristics of a shared generation also worked as a facilitator. There was a reinforcement of identity and agency that we can do it because 'it is us'—the ones that are in power positions. This analysis is supported by a former research department member from 2014, then director from 2018, when she mentioned:

> I think they opened the doors for us. They took us with them because [...] they were not like other people, they were my university classmates. [...]I felt that the fact that other young people were in places like Congress, like understanding you too as a political actor, like a legitimate social actor, [...] is almost like saying "We are in Congress, we are part of politics", because, of course, I am not Camila Vallejo, I am not Gabriel Boric, but them being my classmates, it was part of saying "we are there, we can do things".

Although these new deputies did not represent a significant number in Congress, they operated as facilitators, because they were open to discussing new topics that had commonly been signified as irrelevant. In the interviews, this was pointed out not only by former OCAC members but also by deputies. In the words of a former communication department director:

> It was not just that there was a political closeness or that they studied at the same universities, or that they knew each other and were friends, or that they were the same age, but there was also an affinity that it was a group that wanted to do other things, another way to make politics. In this sense, there was an openness to listen to perhaps newer groups like us.

In the words of a Communist deputy who supported the bill against SH, the availability to bring new topics to the legislative discussion is a crucial aspect of this analysis, because allies were

needed to publicly support the claims. In this sense, regarding their participation as deputies to facilitate the discussion of SH, she mentioned:

> When there is a topic that is caricatured […] especially from the media or from the political arena, it is not so easy to find people who are willing to assume the costs of putting a topic on the table and defend it to its last consequences. I think that in 2004 we probably did not have it in Congress, as we did in 2014 and 2015. In addition, we came from a social movement, the student movement. The social movement had also managed to have some gender perspective, not everything we would have wanted, but had glimpsed something and therefore had a correlation of forces with young parliamentarians [...]. The OCAC members also came from the student movement. There was also a generational match that allowed us to pave the way for those of us who were the authors of the project and finally decided to go ahead, defend it, position it, debate it publicly, and gain the necessary ground to finally get it approved.

Accordingly, and because citizen initiatives to enact a law do not exist in Chile, it was a logical first action for OCAC to request those deputies for their support to promote the bill against SH. Consequently, the base of critical actor theory, which "suggested that ensuring a large body of women are present in political institutions is perhaps less important than having a smaller group of key influential individuals within them who consciously act to encourage gendered change" (Thomson, 2018, p. 181), is key to understanding why those newness politicians worked as critical actors.

The interviews with OCAC's former members highlight the feeling of generational closeness, and how asking them to promote the bill was the logical thing to do at that moment. After gaining their support, OCAC worked to find allies across the political spectrum. This is why the bill against SH was finally promoted by deputies from the left, the centre, and the right.

Finally, the institutionalised political system was, at this time, also open to OCAC's claim because of the presence of feminist deputies. They operated as crucial allies to OCAC's cause, available to support the demand although they had initially been caricatured by the media. As OCAC's vice president mentioned during this time, "Without feminists, the feminist agenda does not move forward, because we do not need only women, we need them to be feminists".

In this context, the shifting alignments that appeared with new political actors, like the student coalition and the presence of a new ministry, opened the space for discussing the first legislative

process of the bill against SH. The presence of elites during this time, such as important international organisations (UN Woman Chile and the European Union) and members of the parliament and the executive, also brought allies from mass media, working as amplifiers, with OCAC gaining an ever-larger presence in tv news programs, radio, newspapers, and magazines.

In this context, OCAC began to respond to the opportunities described above, and at the same time, it also operated as an opportunity itself. As the political opportunity dimension theory described (see Chapter 2), the own social movement can also be identified as providing opportunity. In this sense, OCAC took advantage of the changes in the POS and worked to create more opportunities during the process. This was the case when OCAC defined itself as a left-wing organisation, took advantage of the availability of influential allies, and requested bill support from right-wing deputies to demonstrate that the SH topic is transversal to political orientations. The Communist deputy that supported the bill against SH mentioned this.

> Although we encountered cultural shocks from people who tried to caricature the proposal [...] in fact, the same media said that OCAC wanted to penalise compliments [...] I think that the evidence, the strength of the arguments, also putting the demand or the proposal from a more consistent gender perspective, I believe having involved right-wing parliamentarians was also important, as in terms of showing transversal awareness regarding the issue, it allowed this to open up a new perspective of the debate. And this is not an easy perspective because sexism, misogyny, and patriarchy are so naturalised in our society. It has penetrated so deeply into our society that when you problematise things that are naturalised and that have always happened, finally, there is strong resistance.

The legislative discussion itself created an opportunity process by providing a space in which relevant actors showed support for the claim against SH. For instance, during the first legislative discussion, the Chilean Police also showed support for the bill. The General Institutional Auditor of Chilean Police mentioned the need for SH regulation, arguing that

> [The current one] is insufficient because even when efforts are made to train police officials, they usually face daily and immediate decision-making, which in cases such as street harassment, implies that the police officer or do nothing due to the absence of a specific rule, or proceed to interpret other legal rules more laxly. (BCN, 2019, p. 33)

### 4.3.3 Framing for the unanimity vote

As mentioned in Chapter 2, and referred to in this chapter as well, for opportunities to be real, they need to be recognised as opportunities. Thus, to analyse the previous sections of this chapter in more depth, the framing process needs to be addressed, which means the "conscious, strategic efforts of movement groups to fashion meaningful accounts of themselves and the issues at hand in order to motivate and legitimate their efforts" (McAdam, 1996b, p. 339). In section 4.2 of this chapter, I examined the first key dimension of the framing process—the emotions needed to develop collective action—by analysing the emotions of injustice, agency, and identity. The present section refers to the other three dimensions of the framing process: the tasks of diagnostics and prognostics, and identifying the strategy to address this; OCAC's cultural stock, and the agendas into which OCAC put their framing efforts.

The OCAC diagnostics and prognostics during this time were directly related to the organisation's main goal, in which SH was both socially normalised and invisible as a gender-related problem. Therefore, the prognostics focused on shedding light on and problematising different expressions of SH. In this regard, the communication department did crucial work to change the social name of the problematic situation from *piropo*—a Spanish word that refers not only to cat-calling but to other types of SH, and which means "compliment"—to 'street harassment'. This was constantly referred to during the interviews, as former executive director, a member of OCAC since 2014, said:

> On the one hand, we knew the bill would not move forward by itself, so we needed to make noise and make people problematise street harassment. At first, it was hard because the organisation was highly criticised [by the media] [...]. In Chile, the issue of *piropos* was extremely romanticised [...], so I think the role of the communications department was to go deeper and change the name of it: this is not a compliment, it is harassment.

The communication department launched its first communication campaign, choosing a schoolgirl as protagonist, with the slogan *#AcosoEsViolencia* (harassment is violence).[64] This

[64] See https://ocac.cl/exitoso-lanzamiento-de-la-campana-acosoesviolencia/

campaign, funded by the UN Women and European Union, looked to frame the SH discourse into the sexual indemnity right, highlighting that the most common victims of this type of sexual violence are innocent girls. As a former OCAC member from 2014, then executive director, mentioned, this was a strategy. In her words:

> [Communicationally, we pointed out] that this was something that happened to girls, it was a strategy. It sounds cold to say it was a strategy, but it's true. I think we thought through everything very well to make sure that this progressed, that it did not just remain as a declaration like: "Okay, we're presenting this initiative", and then we forgot about it, and nothing ever happened again. It was not just a press conference but an objective to move it forward.

The research department also put efforts into framing SH as a gender-based problem by generating representative data about this type of violence. As I mentioned, the UN Women Chile and European Union fund was a kick-start for OCAC, and helped orient the internal organisation towards a formalisation. Even when OCAC did an online survey before receiving this funding, it did not have a representative sample, and had no support from key allies. In other words, the survey gave a good first picture of what was happening; however, it was not, as I mentioned, a study representative of the national reality.[65] The funding changed this, and OCAC was able to do a survey exclusively about SH in the Metropolitan Region, called “Is Chile Willing to Sanction Street Harassment?”. This survey was presented in the former Chilean congress building[66] the day before presenting the bill against SH for its first legislative process, with the participation of the former minister Claudia Pascual, the former UN Women representative in Chile, María Inés Salamanca, and the Communist deputy Karol Cariola.

The study, as its name indicates, described perceptions and occurrences of SH while also looking for social support for legal penalisation. The 2015 survey indicated that,

> The answer to the question ‘Are you willing to penalise street harassment?’ was a resounding yes: more than 90% of those asked would sanction any act of street harassment in any way.

[65] The survey was mostly responded to by women (95,5%), young adults (40% of the sample were 21 and 25 years old) and people from the Metropolitan Region (75%) (OCAC, 2014).
[66] This building is still used by the parliament to discuss bills and legislation ideas.

> Severe sanctions reach almost 100% for cases of public masturbation, obscene exhibitionism, audio-visual recordings, and persecution. (OCAC, 2015, par. 14)

The data presented by the survey helped to frame the problematisation of SH by shedding light on the frequency in women's lives, and how Chilean society considered this to be a problem, despite its invisibility problem. This survey was evaluated as a crucial facilitator for the framing process not only by OCAC's former members but by political actors as well. An example of this is what the Communist deputy that supported and promoted the bill said:

> OCAC managed to put the scientifically proven in the centre because of the study. From that, OCAC raised a political demand that transcended a more profound debate regarding the reality of gender violence in different aspects. I think that was intelligent and one of the things that allowed us to break cultural barriers around this debate.

Along the same lines, a former OCAC lawyer and member of the legal department, who worked on the legislative discussion, mentioned the following about the data's importance:

> I think that [the study] left us in a position to speak from "I feel or perceive this" to "four out of five women are harassed." In other words, all this [...] is because [our society] highly values data electorally. In Chile, if we have data, it is taken more seriously. We took the street harassment data and said: "We studied it, we analysed it, and it is not something of my whim or my perception".

During this time, apart from the survey, the research department conducted several theoretical and qualitative research studies, addressing definition of SH, SH in the LGBTIQ+ community, among other things, which were presented in several national and Latin American seminars and in Congress. It also supported and advised the *Instituto Nacional de la Juventud* (INJUV) (National Youth Institute) to apply the first SH survey to people between 15 and 29 years old (INJUV, 2015). Consequently, the research department helped to give content to other OCAC departments to support the claim against SH by showing evidence from this reality.

This framing effort to bring SH expressions out from a romanticised and normalised view was much valued by different influential allies and key elites. As I could notice from the interviews, politicians, journalists, and representatives from the executive, among others, were all impacted by

these framing efforts. An example of this is given by a former female right-wing senator, who approved the first step of the second legislative process. Talking about the first time she heard about OCAC's demands in 2015, she said:

> OCAC played a relevant role to question whether what happened in the public space was normal or not, it was totally normalised, so, I mean if it was acceptable or not, if it was okay or not. And, of course, there was always that vision of the 'good *piropo*', that idea of why it is a bad thing to be told something nice. And there one begins this questioning [...] about what public space is, and why when you walk down the street does someone have the right to tell you something about your body or how you look? That was my initial questioning, [...] asking what happens in a public space and what is acceptable for it to happen or not to happen.

In the interview with a feminist journalist, founder of Chilean mass media *Braga*—online newspaper—and *La voz de los que sobran*—online news TV show—who is currently serving as town councillor of Ñuñoa, she referred to the impacts of OCAC's framing efforts. How the problematisation of this common violence of being harassed on streets helped to give visibility to the topic and impact the feelings of identity and agency. As she mentioned:

> OCAC achieved spaces, managed to be heard, and showed that together we could change things. So, in that sense, I think OCAC was very important. [...]. I think it also showed how everyday sexism is, how accepted it is and how taboo it is for women to fight against something that violates them.

OCAC's framing efforts through communicational campaigns and academic studies were key not only to reveal the 'truth' about SH but also to agree on what Chilean society should do to prevent it. Thus, OCAC's members commenced their framing work by acknowledging the informal norms in the political arena. In a male context, OCAC's members knew that they needed an unquestionable victim -young girls- and to frame SH as unquestionable violence: street harassment is not *piropo*.

It is important to mention that the framing efforts are linked to the cultural stock available for OCAC during this time. Considering that not all social movements have equal access to cultural stock, therefore, social movement organisations, their leaders and participants are differently situated in the social structure. This gives a possible answer to why, out of the several civil society organisations that won the UN Women Chile and European Union fund, OCAC was one of the few that gained

large public attention. The cultural stock available to OCAC was an essential dimension of its ability to frame SH as gender-based violence. According to the interview analysis, OCAC had three key cultural stocks: their access to social media, the knowledge and expertise of its members, and the links between some OCAC members and the former student movement leaders who were later elected deputies.

As mentioned above, OCAC members were of a younger generation, in their mid-twenties in the 2014–2016 period, and their internet culture, which is "the result of patterns of beliefs and attitudes of users, shapes digital divides and inequalities" (Fierro et al., 2020, p. 2), was closely linked to the use of social media, which had already shown its impact on important topics for public discussion. In this sense, Facebook and—especially—Twitter provided spaces in which to impact public opinion because, although not everyone had a Twitter account, the trending topics of the day became news in the regular channels, such as newspapers, TV shows, radio programs, etc. In this context, social media appeared like a more democratic space because access was easier than traditional mass media. For instance, the reason why the founder created OCAC as a Facebook fan page was because it was free. She said, "I did not have money, no one had money because we were all students". In this way, a journalist who was press coordinator at OCAC during this time also mentioned the possibilities offered by social media:

> Social media have become very important because, although the media give you much greater visibility, they present a more significant barrier to cross. Social media do not have mediators, so at the beginning of OCAC, we were able to clearly say: "This is violence and it is a problem". However, if you went directly to the traditional media and said like: "Hello, I'm managing the press for OCAC, and we problematise this issue as gender-based violence", most likely they would have responded something like "OK, I'm going to talk about it with the editor", but that return call does not ever come, because the media have a barrier to cross to install a topic [...]. On the other hand, social media did allow OCAC to express themselves by saying this was a problem and [...] it's not just me saying it, I am producing knowledge, I'm carrying out these research projects, a survey, I am collecting data.

However, social media is not actually free. Although there is free access, in order to generate an impact, one needs knowledge and expertise in this technology. In this sense, the second cultural

stock that OCAC had during this time (and over the next period as well) was their members' knowledge: as mentioned above, they were all university-educated. OCAC members knew what they were doing: their legislative team had well-educated lawyers; the research department had members from the social sciences (mostly sociologists and psychologists), with gender postgraduate studies; the communication department had different working groups with journalists, designers, community managers, etc.; the educational department had members with teacher degrees, lawyers, psychologists, among others, and so on. Thus, OCAC was a volunteering organisation, but a professional one. In that respect, when OCAC moved forward to a more structured internal organisation, each of the work areas specialised and impacted the work of the others.

For example, when OCAC lawyers from the legal department and the president went to Congress to talk with members of the Chamber of Deputies to lobby for support to approve the first step in the legislative process, they came with fresh data from a survey that had the support of UN Women and the European Union; official folders with printed information carrying the OCAC logo; an edited PowerPoint presentation by a professional designer, etc.[67] As the former director of the educational department mentioned,

> I don't know if they [politicians] would have taken us seriously, for example, if we had arrived with a PowerPoint made with whatever versus one that had the quality of the image and graphics, the [quality] of the flyers or the seriousness of our survey.

OCAC's professionalism was valued by different relevant actors, and was an important dimension "to taking OCAC seriously", mentioning that OCAC proved that they were not "crazy people", but had support. One example is a relevant journalist, who was the conductor of an important journalism research TV show during this time (now news editor on Tele13), who interviewed OCAC representatives a few times:

> Seeing OCAC as an official institution [...] helped [...] to give it the seriousness that it had, and not a thing that three people were claiming as crazy people, who wanted to sue people because of "*piropos*", because they did not like the comment, or the person that did it. Far

[67] Some of this work can be seen in the National Congress Library of Chile, which contains the Law N° 21.153 history at https://www.bcn.cl/historiadelaley/nc/historia-de-la-ley/7660

> from that, there was an air of constitutionality, and as a journalist, the internal organisation is essential to giving it a different value. The work that OCAC was doing afterwards on the agenda and installing the themes also seems to me to be super remarkable because many people, or even many girls or women who perhaps found that they were crazy for complaining, were finding meaning in that complaint. [...] In that sense, I think OCAC's work was super avant-garde.

Finally, it is important to mention that, because of the context, some OCAC members had contact with the student movement leaders from 2011. As mentioned above, OCAC members and the leaders from the student movement were from the same generation, and thus, they both participated (actively or not) in the general student movement. Furthermore, OCAC members attended the same universities as the student movement leaders, resulting in many of them knowing each other personally. Consequently, the place they occupied in the social structure put them in a privileged position. After the student movement leaders were elected deputies, OCAC was able to contact some of them to present their ideas.

The cultural stock described above gave OCAC the opportunity to put its framing efforts onto different arenas. The former UN Women representative in Chile in her interview recognises this when she says:

> I believe that OCAC had a high strategic vision. OCAC had high media exposure, explaining everything very well, especially about what violence against women was or what we understood by harassment in the public space [...] like a pilgrimage of communicating, teaching, communicating about what it meant, and then explaining the bill as well. [...] [And OCAC also knew how] to be in the media when it was necessary to be. Because OCAC had a lot of visibility.

During this time, OCAC was seeking to impact the public and formal arenas by applying different strategies, as each arena differs in its process for getting attention, the nature of the language of frames, and the set of competitors, audiences, and "gatekeepers". The public arena is composed of the public and media agenda, the first of which refers to the set of issues that mass and narrower publics give more importance to. As I referred to in Chapter 2, in the public arena and its public agenda, social movements seek to gain attention and persuade public opinion about the importance

of their own claims and issues, looking for sponsors and/or support. In this sense, and as I have referred to in the present chapter, OCAC put its framing effort into this agenda by working with international organisations and public institutions, such as INJUV and SERNAM. Further, OCAC put its efforts into framing the media agenda, first by using social media, and then by accessing different traditional and non-traditional media spaces, such as traditional and online newspapers, TV news programs, and radio, among others. During this time, the organisation against SH had strong visibility and media impact through the use of its own social media page. Examples of this impact are the moments in which OCAC managed to eliminate sexist communicational campaigns using Twitter. For instance, a company released an ad-campaign for cookies, calling people to take pictures of women's legs in the subway and post it on Twitter with *#MediaTentación* (A huge temptation). After OCAC began to tweet against this campaign, it was rapidly eliminated and the company had to apologise for it.[68]

With strong attention from the public arena with its agendas and media, OCAC also put its effort into shaping the formal arena through the government and electoral agenda. As described above, OCAC's effort to shape the governmental agenda during this time had a bittersweet development because although the minister for Women and Gender Equity supported the claim against SH, she did not sponsor the bill since the government put all its effort into the Integral Violence Law. This was seen as unjustified, not just by former OCAC members, but also by the former UN Women representative in Chile. Concerning this, she said:

> In the end, the bill had a successful ending. Still, I think it was also tricky because the executive had different legislative priorities. I think this also caused frustration because if the executive has a highly valued bill, with sponsorships, why should they lower it or leave it aside? I mean, let's move on. Until now, we do not have a law for women's right to a life free from violence.

[68] About the campaign see:
- https://www.eldesconcierto.cl/nacional/2014/07/29/la-campana-de-triton-que-incito-al-acoso-callejero.html
- https://cooperativa.cl/noticias/pais/mujer/triton-bajo-polemica-campana-calificada-como-sexista/2014-07-29/154241.html
- https://www.eldesconcierto.cl/nacional/2014/07/29/la-campana-de-triton-que-incito-al-acoso-callejero.html

Along the same lines, it is important to remember that the Integral Violence bill, supported by the executive, started its legislative discussion in 2017, two years after OCAC found support from deputies, who promoted it as a bill. In this context, in 2015 when OCAC's bill was discussed, and as mentioned above, the former minister went to the commission sessions to discuss the bill, and claimed that "in consideration of the presidential mandate to work for an integral violence law, progress is being made in this process. Thus, a broader bill should not necessarily be expected" (BCN, 2019, p. 32).

Nevertheless, the lack of sponsorship from the government was not an obstacle to OCAC during this time, especially during the first legislative process, because the bill was unanimously approved by the Chamber of Deputies only a year after the beginning of the discussion. In this sense, according to my analysis, the framing effort on the electoral agenda was crucial to mobilising a positive vote. OCAC actively searched for a transversal sponsorship of the bill from deputies across the political spectrum, thus legislatively framing this issue as "a common cause, there was no need to be part of the left-wing" (former OCAC member from 2014 and director of the legal department).

## 4.4 Conclusion

In light of the results for the first period under analysis, it can be said that from 2013 to 2016, OCAC worked, from its very beginning, to frame what was considered an invisible and naturalised social problem, and in order to do so, the POS, the mobilising structure, and the framing process were crucial.

In this sense, and concerning the POS, OCAC worked during this time with relatively openness. Although the political arena still was a male space, a relative openness of the institutional political system operated in this period, making it possible to access the decision-making arena, in this case Congress. This access was related to shifts in the political alignments, such as the appearance of the student coalition in Congress, the creation of the Ministry of Equality and Gender Equity, as

well as the appearance of relevant allies such as UN Women. However, despite the presence of direct shifts and features on the political stage, OCAC's location in the protest cycle was also a relevant dimension. During this time, the women's and feminist movements had more visibility than before, and so the protest cycle was starting again. Nevertheless, considering women's socialisation in gender terms, in which they are not raised to have a valid voice in spaces of public decision-making, the protest cycle, broadly considered, helps us understand that OCAC's members were walking on the pillars and fights of other women. More directly, OCAC was also directly impacted by the student movement. Therefore, as mentioned above, even with the lack of visibility and contact between the older and newer feminist generations, OCAC can be understood as a spin-off from both feminist work and the student social movements because both of them paved the way to the SH movement with their "system-level critiques [...] call[ing] for more inclusive institutions" (Reyes-Housholder et al., 2023, p. 919), opening opportunities for younger women participation in the political decision-making arena.

The above cannot be understood without analysing OCACS's organisational development and framing process. The opportunity that OCAC had with the UN Women and European Union as relevant allies was shaped by its characteristic of professionalism, which led to the shift in OCAC's goal orientation to become an official NGO in 2015. In this sense, regarding the specialisations of their members, is coherent OCAC's efforts to frame important agendas in relevant arenas, such as media and government.

OCAC was able to recognise the opportunities in this context, and it impacted the media agenda by using its cultural stock. Therefore, when the deputies supported the bill to be discussed in Congress, OCAC was already an organisation with convocation and veto power (for instance, running communication campaigns). In this sense, the OCAC framing process raised the cost of public declarations against their demand and was able to overcome the male space in Congress. In this sense, OCAC's framing efforts achieve an informal norm: in the debate arena, politicians who gave speeches in favour of SH would pay a high cost.

On reviewing these findings, it can be stated that during this time (2013–2016), OCAC established a reputation of seriousness and expertise, growing from an organisation with a demand, to a highly regarded organisation with information and knowledge. Expressions of this included recognition from deputies during the final step of the first legislative process, in which several parliamentarians referenced OCAC's work to achieve the problematisation of SH in Chile.

In Chapter 5, I analyse OCAC's second period, spanning 2016–2019, an active period not only for OCAC but for the Chilean feminist movement in general. The following analysis is based on what was examined in this one, following OCAC's growth into a stronger organisation and the shifts in the POS. In this regard, the following chapter continues OCAC's context review related to the political structure, social movement, and advances in pro-women legislation, considering that the shifts from the period reviewed in this chapter (2013–2016) to the next (2016–2019), were crucial for OCAC's path to become a more structured and goal-oriented organisation. In addition, the next chapter contrasts the differences between these two periods, in which even when the bills' first and second legislative processes faced a Congress with a male structure, during the second period, OCAC did not have the same resources to overcome this political disadvantage that it had in the first one, resulting in a two-year legislative silence in Senate. Nevertheless, as is argued in the next chapter, OCAC's characteristics and the changes in the POS were a crucial match to achieving the law.

# CHAPTER 5

## From legislative silence to law-making: OCAC's work as a professional organisation

As mentioned in Chapter 4, the research results are presented in two chapters in order to answer the research question "How did the internal structure and composition of a feminist social-movement organisation enable it to take advantage of changes in the political opportunity structure so as to succeed in getting important legislation passed?". In this sense, this chapter continues the analysis of the case selection, the Chilean movement against SH headed by the Chilean Observatory Against Sexual Harassment (OCAC), created in November 2013 through a Facebook fan page and founded as an NGO in 2015. As described above, OCAC's work focused on problematising and shedding light on SH as gender-based violence, and over nearly six years, their members worked to achieve the legislative goal of adding SH offences to the Chilean Penal Code, succeeding in May 2019.

To summarise the previous chapter, Chile is a Republic that holds presidential and parliamentary election every four years. The Chilean Congress is bicameral with the Chamber of Deputies and the Senate, with 155 and 50 seats respectively.[69] In this context, there are two ways in which a legislative discussion can be initiated: by a bill sponsored by either the president or any of the parliamentarians (deputies or senators). Bills sponsored by the president have the advantage of potentially being assigned a public budget. For example, for a law on school violence that mandates that the Ministry of Education works preventatively, the Ministry should spend public money to address this mandate. The bills sponsored by parliamentarians, deputies, or senators are not allowed to spend from the public budget, thus those bills and—if they are approved—future laws, are more restrictive than those sponsored by the president.

[69] Before the electoral system changed from the binomial system to a more representative one in 2015, there were 120 and 38 seats for the Chamber of Deputies and Senate respectively.

However, regardless of who sponsored a bill, the process is always the same. The legislative power is mandated to discuss all bills, which are discussed in detail in specialised commissions according to topic. Both the Chamber of Deputies and the Senate have several specialised commissions, with Senate commissions composed of five senators, one of whom acts as president, while the Deputies commissions are composed of 13 deputies, one of whom acts as president. Accordingly, if, for instance, a bill regarding economic issues is sponsored by a group of deputies, the bill will start its legislative discussion in the economic commission of the Chamber of Deputies.

In the case of the Chilean bill to penalise SH, it began its legislative discussion in the Chamber of Deputies in March 2015 after 10 deputies sponsored it, and it was unanimously approved in this first stage in April 2016. In the previous chapter, I examined the first in the legislative process of the Chilean movement against SH, starting the analysis with the beginning of OCAC at the end of 2013 (the beginning of the collective action against SH, its first organisational model, and first internal characteristics) and ended the analysis in April 2016, to contextualise the POS in relation to the organisation's path.

The present chapter starts by examining the second legislative process in the Senate, commencing in May 2016 and ends with the final approval and law enactment in May 2019. This analysis, then, examines the second and third legislative processes. Specifically, in the Senate, the bill was discussed generally and in detail in the same four steps as in the previous stage:

1. General discussion in the Women and Gender Equity Commission approved by the commission members.
2. General discussion in the Senate, in which the legislation idea was approved by all senators.
3. Specific discussion in the Women and Gender Equity Commission, in which the bill is analysed article by article, with approval, rejection, or modifications.
4. Specific discussion in the Senate, in which all its members approved the bill modifications made by the commission.

Because the discussion in the Senate made several changes to the bill received from the Chamber of Deputies, the bill went back to the Chamber of Deputies to be discussed and voted on by all the deputies. This step is known as the third legislative process.

This chapter covers the second period (May 2016–May 2019), and is divided into five sections. Like in the previous chapter, this analysis begins by reviewing the political, legislative, and social movement context of this time, which is crucial to the contextualisation of the following legislative process analysis. Accordingly, section 5.1 reviews the shifts in the Chilean political structure, focusing on the consequences for the case selected. Along the same lines, the first section (5.1) examines the social-movement expressions of that period, in which the feminist movement began to gain more visibility and presence across the political spectrum. Finally, I review the advances in pro-women legislation, reviewing the key bills that were discussed and enacted during that time, such as the regulation of abortion, among others.

The following section, 5.2, analyses the almost two years (2016–2018) of legislative silence that the SH bill faced during the second legislative process in the Senate. Here, I identify four dimensions to explain this silence: the partial closure of the institutionalised political system, OCAC's lack of influential allies and critical actors, the relative absence of elites for OCAC to engage with, and OCAC's location in the protest cycle.

Because OCAC was now a more experienced organisation with more resources and visibility than when it started in 2013, it faced this period of legislative silence with different strategies. In section 5.3 I distinguish three main dimensions by which to understand the organisation's strategy during these two years: a) change in the perception of SH as a problem from gender-based to one of safety; b) OCAC's cultural stock during this time, and c) the focus on impacting the public agenda (the public and media arenas).

Then, in section 5.4, I analyse the final approval of the bill against SH. In order to do this, I begin by examining OCAC's internal structure development towards a more democratic and goal-oriented one. I then analyse the POS's openness to the movement against SH from 2018 to 2019 by

addressing six analytical dimensions: the own movement against SH; OCAC's location in the protest cycle; the openness of the institutionalised political system; the alignments of the elites; the presence of allies, and the framing process. Finally, section 5.5 closes the analysis with a conclusion in which I review some of the key dimensions addressed in this chapter.

Similarly to the previous analysis results chapter, sections 5.2 to 5.4 are analysed with direct reference to the development of section 5.1—political structure, legislative advance, and social movement context—and supported by interviews with former OCAC members, relevant political actors of that time, such as members of the parliament, the former minister for Women and Gender Equity, key actors like journalists, experienced feminists, and the programme manager for UN Women Chile.

## 5.1 Political, legislative, and social movement context

Like in Chapter 4, before examining the analysis of the data recollected from the interviews, in this section I address the political, legislative, and social movement contexts that OCAC was immersed in during the legislative discussion in the Senate until the enactment of the law. It is relevant to note that in this section, like in the previous chapter, the three contextual situations are interlinked. This, the separateness of the examination responds only to an analytical decision on how to present the information.

### 5.1.1 The political structure

In this segment, I review the political shifts and key arrival of new political actors that changed the POS for OCAC during the second period under analysis (2016–2019). This review, in addition to the political contextualisation addressed in Chapter 3, supports the interview analysis in sections 5.2 and

5.3, describing the implications of the paths and movements of both the governments and parliamentary representation, and the context that OCAC had to overcome to achieve its goal.

This second period commenced in the middle of Bachelet's second presidential administration (2014–2018). In her second government, she faced fewer formal and informal constraints and, therefore, had more windows of opportunity to advance changes to the institutional arena than in her first government (Staab & Waylen, 2020; Waylen, 2016). Thus, as referred to in Chapter 3, her second administration achieved important pro-women legislation, such as the establishment of a Women and Gender Equity Ministry, and the law that regulates the decriminalisation of voluntary termination of pregnancy on three grounds.[70] At the end of her presidential period, the new electoral system applied for the first time, which meant that quota regulations were applied—an important measure to pave the way for a more equal society. Between 1989 and 2013, women's participation in the Chilean Congress grew by an average of only 1.6 points per year, and the quota regulation increased it to almost seven percentage points in 2017 (see Graph 2 on page number 113).

This female participation increase on the political arena is an important characteristic in this context. Even when it did not represent parity participation, the relevance of this increase is not only that women would be more interested in OCAC's demands—and, according to the SH statistics in Chile they had probably also been victims of SH at least once in their lives—but in that it also brought more visibility and helped normalise woman as opinion leaders. In addition, new feminists joined the parliamentarians – female politicians who worked as critical actors in several pro-women legislative initiatives–such as Maite Orsini; Catalina Pérez (Democratic Revolution Party members); Natalia Castillo (elected while she was a Democratic Revolution Party member, now is independent); Gael Yeomans (Social Convergence Party); Camila Rojas (Common Party), and Marisela Santibáñez (elected while she was a Progressive Party member, she is now member of the Chilean Communist

[70] All these laws and more are reviewed in more depth in the pro-women legislation contextualisation, section 5.1.

Party). Thus, there was not only a larger number of women in Congress, but more people willing to support feminists' claims.

Regarding the above, in January 2018, female deputies created a feminist legislative coalition called Julieta Kirkwood,[71] working as an internal coalition in the Chamber of Deputies to promote a legislative agenda for gender justice (BCN, 2020). During the coalition presentation, one of the deputies mentioned, "We created a Ministry for Women and Gender Equity, but there is no Commission in the National Congress that can process the bills promoted by this Ministry, which is a technical Commission dedicated to these issues" (El Mostrador, 2018, par.8). The reference to the need to specialise the legislative debate regarding gender issues was important because most gender bills were discussed in the Family and Older Adult Commissions. In this sense, the feminist legislative theory brings us the possibility to understand this new coalition as a critical actor. As I mentioned above, the higher number of female parliamentarians after the 2017 election is not relevant just because of the number itself but because of who those women were. In Thomson's (2018) words, "ensuring a large body of women are present in political institutions is perhaps less important than having a smaller group of key influential individuals within them who consciously act to encourage gendered change (p. 181). In other words, being a woman does not imply a critical actor who will encourage pro-women legislation, which also can be explained because formal rules, rituals and norms are gendered, making powerless groups – such as women- act according to the "rules and behavioural styles of the dominant group" (Franceschet, 2010b, p. 394).

One of the members of the Julieta Kirkwood group was Maya Fernández (Socialist Party), who in March 2018 was named president of the Chamber of Deputies until 2019 (Cámara de Diputados y Diputadas, 2022). Maya is the youngest grandchild of former president Salvador Allende, whose government was ended by the military coup on the 11th of September 1973, and she had therefore been in exile until 1990. Also, the deputies Daniella Cicardini (Socialist Party), Camila

[71] Julieta Kirkwood (1937-1985) was a Chilean sociologist and political scientist. She is considered a precursor and founder of the Chilean feminist movement against the dictatorship in the '80s, and a forerunner of gender studies in the country (Memoria Chilena, 2021).

Vallejo, and Karol Cariola (both members of the Chilean Communist Party) are part of this Congress coalition, and the three of them—along with other deputies—sponsored the bill against SH.

As described in Chapter 3, the 2017 parliamentary election was the first time the new electoral system and the quota regulation was applied, which not only increased the number of women elected in Parliament but also changed the composition of the political and electoral coalitions. As I referenced earlier, the binomial system was created as a mathematical formula to benefit large coalitions, specifically the right (UDI and RN), therefore, Pinochet's Constitution. The consequences of this were several, such as the extreme difficulty of being elected for any running candidate without a large coalition (which, mixed with the informal norms, made it harder for women), and the outcome that the ruling administration and large coalition elected in Congress always had to negotiate with the political opposition because of the minimum amount of voters needed to approve and make legislative changes (Aleman et al., 2021; Peter, 2016; Piscopo et al., 2023).

The left-wing coalition Broad Front now made a breakthrough into the institutional political arena, modifying the traditional coalition composition from two to three.

The 2017 election also included the presidential election, which, in addition to its relevance of shifting—again—from the centre-left to the centre-right, supported the entrance of *Frente Amplio* into the political arena even more. Beatriz Sánchez was the *Frente Amplio* coalition presidential candidate. She was not a traditional politician, but a journalist and opinion leader, before representing the new left-wing political coalition, and even when she competed against eight candidates from across the political spectrum (five of them from the left wing), she got 20.27% of the votes, which is a considerable percentage considering the large number of candidates.[72] Therefore, even when she lost the presidential election, her figure—and especially what her coalition represented—became a strong political force.[73]

[72] For comparison, the 2009 presidential election had four candidates, with the candidate who came third, Marco Enríquez-Ominami, obtaining 20.14%. In the 2013 presidential election, the same candidate only got 10.99% of the votes.
[73] The current president, Gabriel Boric, is part of *Frente Amplio*.

Despite the large percentage obtained by the *Frente Amplio* candidate, Sebastián Piñera from the centre-right coalition was elected president. Piñera began his second government on the 11th of March 2018, naming Isabel Plá (Independent Democrat Union) as Minister for Women and Gender Equity. During the first two months of Piñera's second administration, because the SH bill was still being discussed, some municipal mayors approved ordinances against SH. The first ordinances were in two cities in the capital of Chile: Recoleta approved the local regulation on the 20th of April and Las Condes on the 28th (Municipalidad de Recoleta, 2018; Municipalidad de Las Condes, 2018). The main reason why mayors pushed these ordinances was that, at this time, the problematisation against SH was already extensive. Many women had begun to report on SH cases in which they had been victims. However, because of the lack of SH regulation, the Chilean Police had no legal tools with which to do anything about it. Thus, the victimiser did not get any reprisal and the victim did not get any satisfactory response. Consequently, these mayors had to build their own local regulations to respond to the increasing demand for a legal response.

Those regulations were relevant at the time because the mayors were from opposite sides of the political spectrum. On the one end, the Mayor of Recoleta, Daniel Jadue, is from the left and is a member of the Chilean Communist Party. On the other, the Mayor of Las Condes, Joaquín Lavin, is from the right, being a member of the Independent Democratic Union. The fact that both mayors from different political spectrums, also helped to decrease the resistance to the SH claim reinforced the idea that OCAC's demand was nondoctrinal (Htun & Weldon, 2018). Therefore, conservative and non-conservative politicians could easily be on the same page regarding this topic. In addition, these local regulations affected other municipalities, as an increasing number of them discussed and approved their ordinances against SH.

In 2018, and in reference to what a deputy member of the Julieta Kirkwood feminist legislative coalition mentioned about the lack of a technical commission dedicated to gender and women issues, the Women and Gender Equity Commissions were created in the Chamber of Deputies and the Senate (Cámara de Diputadas y Diputados 2018; Senado República de Chile, 2018). As I referred to in

Chapter 3, the creation of these commissions was fundamental in this context, as, for the first time, gender-rights bills were to be discussed in a technical commission. As already mentioned, until these commissions, the bills about women, gender violence, the LGBTIQ+ community, among others, were processed in the Family, Human Rights, or Constitution commissions, which affected the democratic discussion of these types of bills. The first bill discussed by the Senate Committee for Women and Gender Equity was the one about SH.

The political structure context reviewed in this subsection showed key shifts in the POS, such as the appearance of *Frente Amplio*, a new left-wing coalition, the strong presence and visibility of feminists in the legislative power, specifically in the Chamber of Deputies, the creation of new institutionalised spaces in Congress to discuss gender-based bills, among others. The changes presented during this time are linked to the social movements and the pro-women legislation. I will address both of them in the next two segments.

### 5.1.2 The presence of social movements

With the aim to answer the research question regarding the selected case, this segment reviews the development of the contexts of social movements in 2016–2019. In line with POS theory, it is not only the political arena but also social movements and social movement organisations that impact the POS of other movements, further, a particular social movement can also impact the POS, working as either a facilitator or barrier to itself. These impacts have several consequences in a movement, such as framing strategies, techniques, and organisation development, among other things.

As described in the previous results analysis in Chapter 4, during the first years of OCAC, the feminist social movement was characterised by activity and visibility. However, from 2016 onwards, feminist and women's demands became even more active and visible, with feminist protests increasing from a yearly average of 10 between 2013 and 2015 to 47 in 2016. A more detailed analysis of this sharp increase is that the protests between 2013–2015 were mostly against gender violence

(75%, 69% and 57% per year, respectively), while some protests were held to demand the approval of the quota regulation. In contrast, in 2016, protests against gender violence constituted 91% of gender-related protests (COES, 2018; Reyes-Housholder, Roque, 2019). Recalling what I mentioned in the argument for the case selection in Chapter 3, this increase could be related to the international feminist movement and its impact on the Chilean movement, in which the problematisation of femicide and sexual violence grew bigger and more visible. Therefore, in order to explain the increase in gender-related protest in Chile, it is necessary to observe what happened both in the region and across the world.

For example, in June 2015 the *#NiUnaMenos* movement emerged in Argentina, whose main objective was to protest against gender violence and femicides.[74] The *#NiUnaMenos* movement gained strength in Chile in 2016 after the rape, murder, and impalement of a young Argentinian girl, 16-year old Lucía Pérez, in October. It received a large media coverage in Chile, which could explain the sharp increase in events associated with feminist and women's demands in Chile during 2016[75] and 2017. Indeed, when analysing the organisations that participated in the protests, it is observed that the *Ni Una Menos* collective participated in 11% of the events in 2016 and 35.5% in 2017. More recently, the #MeToo movement rose up against sexual harassment and sexual assault (COES, 2018).

In Chile, during the *Ni Una Menos* movement, shocking femicides were committed. An example was the case of Yuliana Aguirre, a 21-year-old Colombian woman killed by her boyfriend, whose body parts were found in bags in the Mapocho River, in Santiago. A newspaper stated that "love and jealousy killed her", describing the relationship as a "violent love".[76] Situations like this, where the media covers gender violence cases in terms of 'passionate violence' were common between 2010-2015, and faced no serious repercussions. However, this situation started to change

[74] On the 3rd of June 2015 a massive protest was held in Argentina motivated by the femicide of Chiara Páez, a 14-year-old pregnant teenager who was murdered by her boyfriend (Argentina, 2022).
[75] 2016 was the first time that feminist protests were held in all of Chile's main cities since the dictatorship (COES, 2018).
[76] See https://www.lacuarta.com/cronica/noticia/el-amor-violento-de-la-bella-colombiana-que-fue-descuartizada/80379/

during these years, in which many women criticised this kind of coverage, calling it out for being violent, patriarchal, and *machistas*[77] on social media, especially on Twitter.

Further, during 2016 and 2017, the first informal reports on sexual abuse in Chilean universities appeared, also on online platforms. Journalistic research found that at least 228 complaints of sexual harassment and abuse were registered in 10 Chilean universities in 2016, according to data provided by sexuality and gender associations or university gender committees (Ortiz, 2014). These types of reports increased during 2018, leading to the formation of a new feminist movement, *Mayo Feminista.* A study conducted by Muñoz-García et al. (2018) found that, by November 2017, only seven of 60 universities had designed and published protocols about sexual assault/abuse. The authors also identified three common limitations to institutional policies that regulated or dealt with sexual harassment at that time: 1) the use of a restricted definition of sexual harassment; 2) the protocols worked as a reactive strategy and did not consider prevention policies, and 3) the protocols omitted the context of the logics of power interwoven in the problem.

The *Mayo Feminista* started when female university students formed a massive feminist mobilisation against sexual violence in which they protested for months by occupying the universities. The first occupation was on the 17th of April in the Faculty of Humanities at the Austral University. It was directed against the university's lack of action in response to several reports of sexual assault. A week and a half later, students from the University of Chile occupied the Law School, demanding the resignation of Professor Carlos Carmona (who was also a judge in the Constitutional Court of Chile) due to multiple complaints of harassment. This triggered a rapid and extensive mobilisation process, which reached its climax in mid-May 2018. As I described in the case selection argument in Chapter 3, during these protests, 57 university campuses of 26 public and private universities across the country were occupied, as well as some high schools in the cities of Santiago and Valparaíso (De Fina & Figueroa, 2019).

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[77] "Male behaviour that is strong and forceful,and shows very traditional ideas about how men and women should behave" (Cambridge Dictionary, 2023, par. 2).

The movement used social media for internal organisation, call strikes, and to make their demands. An online ethnography study showed that, during May 2018, the most common demands on both Facebook (29%) and Twitter (37%) were to end SH, sexual abuse, and rape culture (Sola-Morales & Quiroz, 2021).

At that time, there was no mandatory law to force universities to draw up protocols preventing sexual violence and sexism. As a result of the *Mayo Feminista*, however, several Chilean universities started to write or improve protocols to prevent, punish, and eradicate sexual violence and sexism within the universities. In 2018, three bills were sponsored by parliamentarians to regulate sexual harassment, violence, and gender discrimination in higher education institutions. The final law (N° 21.369) that regulates violence and gender discrimination in higher education was enacted by Sebastián Piñera in September 2021 (Ministerio de Educación, 2021).

During this time, the influence of international feminist movements continued to impact Chile. Also in 2018, while the Argentine feminist movement *Marea Verde* was demanding abortion rights during the discussion of this bill in the Argentinian Congress, the Chilean feminist protest on the 25th of July was filled with green scarves,[78] demanding that their reproductive rights be extended to include legal, free, and safe abortion for all, with the slogan "three grounds are not enough". The impact of the Argentinian mobilisation in Chile at this time can be explained by the previous year's discussion and enactment, in Chile, of the law that regulates the decriminalisation of voluntary termination of pregnancy on three grounds. As I will describe in the next section, a year before the Argentinian movement, Chile had initiated a legislative debate about reinstating abortion rights but only on three specific grounds: when a woman's life is in danger, when a foetus is unviable, and when a pregnancy results from rape. All abortion was criminalised during Pinochet's dictatorship. Jaime Guzmán, the ideologist of the 1980 Constitution, stated about the revocation of abortion rights:

> The mother must have the child even if it turns out abnormal, even if she did not want it, even if it is the product of rape or even if having it would lead to her death. A person can never legitimately perform an abortion, because it is homicide and all the negative or painful

[78] The sign of the abortion claim.

> consequences constitute, precisely, what God has imposed on human beings. (Senado de la República de Chile, 2012, par. 8)

When the 2018 *Marea Verde* movement appeared, the Chilean feminist movement had already been debating abortion, and the Argentinian wave landed on fertile ground for discussion. From that point on, the Chilean feminist movement continued to grow over the next years. An example of this, as mentioned in Chapter 3, is the 2019 International Women's Day march (8th of March), which became one of the biggest feminist and women's marches since the dictatorship ended. According to the Chilean Police, 190,000 people marched only in Santiago. However, according to the feminist organisation that coordinated the march (*Coordinadora* 8M) there had been more than 300.000 people in attendance (El Mostrador, 2019).

As can be seen, from 2016 to 2019, the feminist movement grew rapidly, with several demonstrations and slogans that went beyond particular demands, such as the 2018 *Mayo Feminista*, which requested not only protocols that would prevent sexual harassment in universities but also the end of sexism. These new expressions of the feminist movement appeared with the fearless generation, described in Chapter 4, a generation of young women with undergraduate and postgraduate degrees, with experience in political movements—such as the 2006 high school Penguin Revolution and the 2011 university student movement—a generation that also had female political role models, such as the first female president and same-generation female deputies. As a consequence, the political structure is linked to the presence of social movements affecting one another. During the period under analysis (2016–2019), pro-women legislation was also affected by the strong feminist movement and by shifts in the POS. This is reviewed below.

### 5.1.3 The advance in pro-women legislation

With the aim of answering the research question, and in relation to the selected case, it is relevant to review Chilean pro-women legislation during this second analytical period (2016–2019). This context

description helps the analysis because the legislative context during this time impacted directly on OCAC's prognosis and diagnosis for its work to influence the decision-making arena, which shifted from a centre-left to a centre-right administration.

From 2016 to March 2018, as I referred to above, President Michelle Bachelet was in the middle of her second administration. Her administration achieved important pro-women legislation, such as:

- March 2015: Law N° 20.820 creates the Women and Gender Equity Ministry.
- May 2015: Law N° 20.840 changes the binominal electoral system for a proportional one and strengthens the representative in Congress by the quota establishment.
- September 2017: Law N° 21.030, which regulates the decriminalisation of voluntary termination of pregnancy on three grounds (rape, extra uterine non-viability foetus, and life-threatening risk to the mother).

The relevance of those laws in her second administration is the political opportunity window that the president was able to take advantage of, such as the increasing democratic institution questioning by the citizens. In this line, those legislation changes represented an important shift of the conservators' grounds of the Chilean political system inherited by the Pinochet dictatorship, which was extremely resistant to change by promoting [neoliberal and conservative] stability. This is why, and as I mentioned before, Chile initially failed to adopt any type of positive discrimination for women's political participation (such as quotas) during the transition period (1990-2000) (Piscopo et al., 2023).

In January 2017, in the context of increasing feminist mobilisation, Bachelet sponsored the Women's Right to a Life Free of Violence[79] bill (bulletin N° 11077-07). Its objective is to prevent, punish, and eradicate violence against women, regardless of age; marital status; ethnic group; language; religion or belief; ideology or political or other opinion; nationality or social origin; affiliation; socioeconomic situation; employment situation; educational level; pregnancy; sexual orientation; gender identity; appearance; health status; migrant or refugee status; disability status of

[79] Enacted in June 2024.

any kind, or any other condition. To this end, it recognises nine forms of violence against women: physical; psychological; sexual; economic; symbolic; institutional; political; labour, and indirect; each form is specified and contextualised in the bill (Senado República de Chile, 2019).

As can be seen, the Women's Right to a Life Free of Violence bill is broad, and is proposed to include several women and gender issues, and several structural changes can thus be made, considering that it is a bill sponsored by the executive. An important fact in this context is that one of the topics originally included in this bill was SH, a dimension that worked as a closure of the POS for the bill against SH supported by deputies in 2015 (the one that was finally approved).

As mentioned above, in 2017 Sebastian Piñera was elected president for a second administration period 2018–2022.[80] Because the Women and Gender Equity Ministry was already operating, he named Isabel Plá as its minister and she held the position from 2018 to 2020. In May 2018, in response to the *Mayo Feminista* movement, President Piñera, joined by Plá, presented the government's Women's Agenda. During the presentation, Piñera explicitly referenced the feminist movement, saying, "Women do very well to fight for a just and noble cause, which is not only the cause of women but also the cause of all men and women of goodwill and committed to a freer, fairer, prosperous and solidary Chile" (Gobierno de Chile, 2018, par. 3).

Recalling what was mentioned in Chapter 3, during Piñera's second administration—from March 2018 until April 2019—three laws were approved by Congress and supported (but not necessarily sponsored) by the executive in matters of labour, health, and gender violence (BCN, 2022a). One of them was that typified sexual harassment in public spaces as a criminal offence (bill promoted by deputies).

The pro-women legislation advanced during these years is directly related to the growth of the feminist social movement, its claims, its achieved visibility, and a wide social movement infrastructure with the birth of new feminist organisations during the period 2017–2019. Also, the

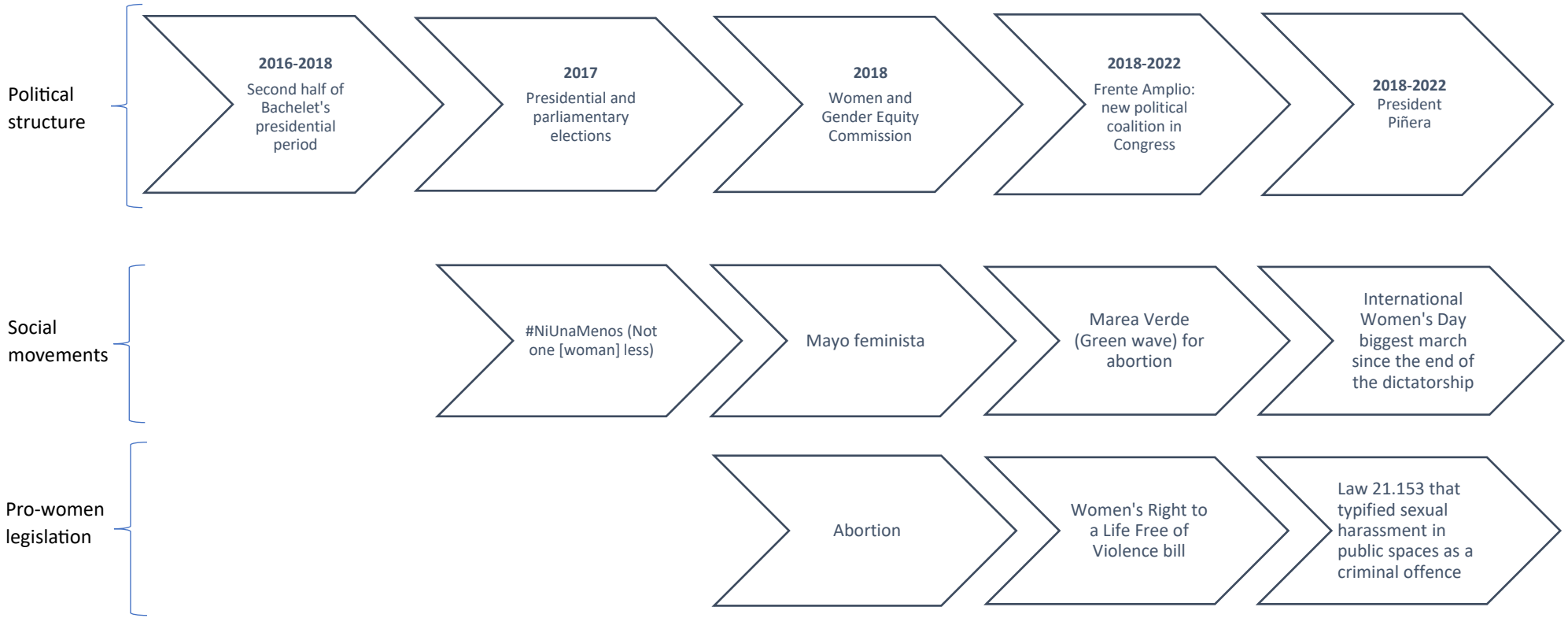
[80] His first period was 2010–2014.

advance of pro-women legislation is directly related to the new Congress composition, in which more women had not only become parliamentarians, but called themselves feminists. Along the same lines, the legislative advance is also linked to the new Women and Gender Equity Commission, focusing the women and gender issues in a technical space. A graphic resume of this can be seen in Figure 7.

The political, social movements and legislative context briefly described in this section sheds light on the significant political opportunity shifts that occurred during this period. However, as I will describe in the analysis in the next sections of this chapter, those changes were not itself opportunities, but were taken as such. As Gamson and Meyer (1996) point out, "an opportunity unrecognised is no opportunity at all" (p. 283).

The following sections advance this analysis by dividing it into three moments: a) the legislative silence in the Senate; b) OCAC's works during that silence, and c) the final success of the bill against SH approval. As in the previous chapter, in each of the following sections, I use POS theory to analyse the data generated by the interviews, using quotes to highlight and reference the analytical descriptions.

**Figure 7:** Relevant political, legislative, and social movement events for the 2016–2019 period.




Source: Author own's creation.

## 5.2 The legislative silence in the Senate

Once all the steps of the bill's first legislative process were approved in the Chamber of Deputies in April 2016, it was passed to the Senate to be discussed for the second legislative process. Despite the quick approval process, the bill then remained without legislative discussion for two and a half years (April 2016 to September 2018). This legislative discussion silence is the issue addressed in this section. This silence can be explained by the shifts in the POS and OCAC characteristics of that time, as part of the Chilean feminist movement.

As referred to at the beginning of this chapter, in the second legislative process the bill was discussed in the Senate's Women and Gender Equity Commission. However, as described in section 5.1, this commission was created in 2018, two years after the first legislative process approval. Therefore, the bill was originally derived from the first legislative process to the Constitution, Legislation, Justice, and Regulation Senate Commission to be discussed in the second legislative process, but in October 2016 the bill was internally moved to the Human Rights, Nationality and Citizenship Commission. Nevertheless, as I have mentioned, neither of the commissions processed or discussed it.

Regarding the POS components related to the contextualisation addressed above, in this section I identify four main dimensions that contributed to this silence: a) the partial closure of the institutionalised political system; b) the lack of influential allies for OCAC; c) the relative absence of elites for OCAC to engage with, and d) OCAC's location in the protest cycle. This section reviews each of those dimensions, but before that, I briefly contextualise OCAC's internal structure during this time (2016–2018) and its relationship with the broader feminist movement infrastructure.

As mentioned in the previous chapter, in 2016 OCAC was already an NGO, and regarding its internal organisational structuration, it was developing a process of formalisation that was reached between 2017 and 2018: clear membership criteria about what is needed in the organisation, the

creation of more internal and external leadership, the rental of an office to work more professionally[81], and one permanent paid staff and paid work for other members according to short-time projects. In this sense, OCAC continued its work based on professional volunteers but now focused on its aims, and was not just based on the need to have members that wanted 'to do something' about SH. In 2016 the OCAC objective was clear: "recognise street harassment as violence to be sanctioned both socially and legally and be able to generate strategies for its eradication" (OCAC Founder and OCAC President 2013–2017). Consequently, in 2015, the NGO added to its initial internal organisation structure of departments[82] an executive director, in order to distinguish the external/internal roles (the president had an external and the executive director an internal role). As a former OCAC member, between 2015–2021, who was the legal department director and then executive director, mentioned, "Once we were more volunteers in OCAC and had clear organisation objectives, we started looking for more specific profiles such as certain knowledge [...] to help the organisation to achieve these objectives".

OCAC continued to work with a mix of horizontal and centralised decision mechanisms, in which each department had a director, and, in turn, each director was a member of the board with the president and the executive director. In this sense, OCAC continued to have a vertical structure, clearly identifying the head of each area, but at the same time, each area (volunteers and directors) established their own objective in relation to the organisation's general aim, and the decision making was thus bidirectional: from each area to the board, and from the board to each area.

By 2016, OCAC was the fourth best-known feminist organisation in Chile (Corporación Humanas, 2016) and the only one in the list of best-known organisations created after 2010. Even though the feminist movement is not one that ends, but one that comes in waves, at that time, it did not have significant visibility and did not count with a large number of new feminist organisations.

[81] As I mentioned in Chapter 4, until then, OCAC's members used to work in coffee shops, their homes and the common spaces where they lived (such as commons rooms in their buildings).

[82] OCAC divided its work into departments: the Research department, the Economic administration department, the Communication department, the Legal consulting department, the Grassroots networking department, and the Educational intervention department.

Thus, during this time, the social movement infrastructure in which OCAC was inserted did have more attention than when OCAC was created (at the end of 2013), but it was not until mid-2017 and the beginning of 2018 that it had become stronger, more complex, and new organisations were created. Consequently, when the SH bill moved to the Senate for its second legislative process, OCAC was becoming a stronger organisation, however, it was not yet part of a stronger and more visible movement.

The following three segments develop an analysis of the four main dimensions that I identify as contributing to this silence: a) the partial closure of the institutionalised political system; b) the lessening availability of influential allies for OCAC; c) the relative absence of elites for OCAC to engage with, and d) OCAC's location in the protest cycle.

### 5.2.1 The partial closure of the institutionalised political system

The institutionalised political system was partially closed from 2016 to the beginning of 2018, and according to my analysis, this was for two main reasons. On the one hand, the Women's Right to a Life Free of Violence bill promoted by the executive meant a lack of support from the government for the OCAC bill, since the executive put all efforts into the president's initiative. The second reason for the partial closure to OCAC of the institutionalised political system had to do with the culture in the Senate, particularly two aspects: i) the operation of the commission, and ii) the male Senate culture, which, unlike the male structure of the Chamber of Deputies, OCAC was unable to overcome during the period of the Senate's silence.

As I referred to in the political and social movement context, between 2016 and the end of 2017, Bachelet was in the second term of her second presidential period. During this period, she sponsored several bills as presidential initiatives to address gender issues.[83] One of those was the bill

[83] Because of the Constitution of 1980, made by military dictators, although Chile is a hyper-presidential country, to make changes to several legal codes (such as the penal code), bills are needed. Bills sponsored by the executive has more options to make them strong, for instance, by adding a public budget.

about Women's Right to a Life Free of Violence,[84] which is a general project to rule diverse public policies that include different gender violence expressions and establishes the duties of the State and its institution in prevention, investigation, protection, punishment, and reparation of violence against women and extends general measures for the prevention of violence against women in formal education and public security (Ministerio de la Mujer y Equidad de Género, 2022). This bill represented one of the two dimensions of the partial closure of the institutionalised political system to OCAC.

The Women's Right to a Life Free of Violence bill was sponsored by the executive. This implies that it could mandate state institutions and secure a public budget for it, representing an important advance in gender equality. Among all the different expressions of gender violence that this bill addresses, SH was also included, even when a parliamentary initiative was already being discussed in Congress. Thus, and as mentioned in the previous chapter, the government at that time did not support OCAC's bill but put all its efforts into the president's initiative. OCAC's founder said, "The minister [Claudia Pascual] told us to our faces: ´I cannot support your law because we are making the Integral Law'".

The former Women and Gender minister also referred to this in her interview, mentioning the reason behind the decision. In her words:

> At that moment, we talked with the parliamentarians [about the street harassment law] because we incorporated part of the street harassment into the project and had to legislatively process only one bill, we decided to stay with the Violence-Free Life bill. In short, when the Violence-Free Life bill was presented to Congress, we asked several female parliamentarians for help to move it quickly instead of launching bills in parallel.

The former Women and Gender minister did not support OCAC's bill because of its strategy and not because she was against it. In the political context of those years and its formal rules in the

[84] As I described earlier, its objective is to prevent, punish and eradicate violence against women, regardless of age, marital status, ethnic group, language, religion or belief, ideology or political or another opinion, national or social origin, affiliation, socioeconomic situation, situation employment, educational level, pregnancy, sexual orientation, gender identity, appearance, health status, migrant or refugee status, disability status of any kind or any other condition.

political arena, the informal norm that doctrinal legislations are harder to approve, the former minister decided strategically not to divide the effort. This situation is interesting because the minister worked at this point as a critical actor but in the opposite direction. In this regard, critical actors not only help to advance pro-women legislation but also can delay or push it back (Thomson, 2018). In this line, the former minister contributed to Senate silence by putting all her effort into the Women's Right to a Life Free of Violence bill.

The second dimension of the partial closure of the institutionalised political system between 2016–2018 was the Senate culture, and especially regarding two aspects: i) how the commission operated; and ii) the male culture of Parliament, specifically the Senate, as this was the stage on which the SH bill was being discussed during its second legislative process.

The Constitution, Legislation, Justice, and Regulation Commission normally discusses several bills, in which the 'less relevant' bills must usually wait their turn.[85] Nevertheless, the president has the power to manage the urgency of bills, thus, every time the president sponsors a bill that needs to be processed quickly, he/she can move it to the front of the line in any commission. As a result of this, bills that receive no such treatment from the government nor support from any senator to request to put it on the agenda—like the SH bill—has to wait. As a female former Senator from the conservative right-wing party Independent Democratic Union, who was part of the Women and Gender Equity Commission, mentioned in her interview:

> At that time [prior to 2018], this type of bill made little progress in the Senate because generally many of them ended up in the Constitution Commission, therefore it was super difficult because that commission has a lot of work to do.

The former Women and Gender Equity minister during Piñera's administration also made mention of this difficulty in her interview, saying:

> It would have been very difficult to move forward with the bill because it would have gone to the Constitution Commission, a commission that will always have more urgent bills and also, it is a commission that is somewhat resistant to this type of bill. They [the senators] probably

[85] This turn may never come and the bill could be archived due to not having been discussed.

> would have asked us to incorporate it into the new penal code. It would have been much more cumbersome.

Regardless of the specific characteristics of the Constitution, Legislation, Justice, and Regulation Commission, the bill against SH faced the same situation when it was moved to the Human Rights, Nationality, and Citizenship Commission in the same year: no urgency from the executive and no support from any senator to request it being out on the agenda.[86] In other words, the SH bill faced both formal rules and informal norms, which contributed to its legislative stagnation during this time.

The second component of the Senate culture corresponds to the male culture of Parliament. Although not exclusively applicable to the Senate, women are most underrepresented here, and women and gender issues are less commonly discussed. One of the deputies who sponsored the bill against SH, referred in her interview to the male culture that the bill faced when passed to the Senate:

> Many men, being the majority, did not feel challenged by the reality shown to them. Even though [OCAC's] study said men also felt like victims of street harassment, the reality is stronger or harsher for women. Therefore, I think the masculinisation of Parliament was also a barrier at the beginning to creating awareness.

As referred to above, this masculine culture is long-established in parliamentary work. The former president of Senate Women and Gender Equity Commission mentioned this in the context of describing a male senator's resistance to the bill against SH as it reached the commission. In her words:

> There was also some resistance [to the street harassment topic], immediately it was referred to as the "*piropo* [compliment] law", and whispers in Parliament began: "We are not going to be able to *piropear* [compliment] them", "You can't tell them anything now". The same thing happened to us with all the other sexual harassment laws, when I presented the first bill in 1991.

[86] This is addressed in more depth in the next section.

Even though the male culture in Parliament is a characteristic present both in the Chamber of Deputies and the Senate, during this time, at the beginning of 2016, it represents a partial closure of the institutionalised political system against OCAC, because unlike in its first legislative success (see Chapter 4), during this period OCAC did not have any resources with which to overcome the male culture of the Senate which worked as an informal gendered norm resisting pro-women legislations. As mentioned in the previous chapter, even when the Chamber of Deputies was—as it still is—a male space, the 2013 parliamentary elections brought in key feminist deputies willing to advance, defend, and support gender-based issues on the legislative arena. Far from that political opportunity openness, the Senate did not significantly renew or bring in new visible senators willing to support the SH bill. The next segment addresses the lack of availability of influential allies for OCAC to overcome the legislative silence in the Senate.

### 5.2.2 The lack of influential allies for OCAC

The lack of availability of influential allies also contributed to the legislative silence in the Senate because, at this time, the political elites (right or left) were not shifting to support OCAC—which had happened during the first legislative process in the Chamber of Deputies—in order to gain more acceptance, or because they were convinced that this was an important matter to discuss quickly.

During 2016–2017, the political context focused on the gender-based bills and laws in the new Women and Gender Equity Ministry, such as the law that regulates the decriminalisation of voluntary termination of pregnancy on three grounds, quota regulation, and the gender identity bill. The last one was in line to be discussed in the Human Rights, Nationality and Citizenship Commission, the same as OCAC's bill.

In line with the previous dimension, how the commission works, and because, at this time, there was no specific commission discussing women and/or gender bills, OCAC needed allies inside the Human Rights, Nationality and Citizenship Commission to put the bill on the agenda for

discussion. However, the elite alignment inside the commission was not allied with the SH bill. According to the interviews, there were two reasons for that: 1) while Jaqueline Van Rysselberghe (member of the most conservative right-wing party in Chile, Independent Democratic Union) was the commission's president (from 2015 to 2018), the Gender Identity law was being discussed in her commission, a law that almost all the conservative wing was against, and Van Rysselberghe, as the president of the commission, had the power to delay the discussion, and 2) the perceived non-relevance of the SH topic left it always in second place. The former legislative advisor of OCAC during this period, and later legal department director from 2018 to 2021, spoke about this particular scenario:

> We spent a lot of time in meetings to put the project on the agenda. First, Van Rysselberghe [conservative right-wing] was the Human Rights Commission president then it was Alejandro Navarro [former member of the Chilean Socialist Party]. We went to talk to Navarro several times, first when he was a member of the Human Rights Commission, then when he was the president, because, in the beginning, the strategy was to tell all the senators that they wanted the bill to be on the agenda so they could make a motion to the Commission so Van Rysselberghe could put it on the agenda to be discussed. We convinced some, but they always told us: "No, look, you come after the Gender Identity Law". And Jaqueline van Rysselberghe and all those on the right wing torpedoed it a lot. In fact, it was resolved in the Constitutional Court. So the processing of that bill took a long time and the Human Rights Commission was almost devoted to that bill for a long time and had zero options for us. And when we went to talk to Navarro, he always told us "Let's see, if I tell you that you're pretty, is it harassment?" Like that kind of question.

The main difference with the time when OCAC's bill began to be discussed in the Chamber of Deputies (2015–2016), in which their first legislative success was achieved in only a year, is that now, OCAC had no influential allies to confront the formal rules and the informal norms, such as the Chilean UN Women programmer who worked as an amplifier at the beginning, or significant allies inside the Senate. In this regard, it is crucial to notice that in each parliamentary election, the Senate, unlike the Chamber of Deputies, renews only half its seats. Therefore, when the SH bill moved to the second legislative process in the Senate, OCAC did not count on a force of new feminist female senators to help advance the matter.

The former senator from the Independent Union Party and member of the Women and Gender Equity Commission who legislated the bill against SH mentioned:

> In general, what happens in the Senate is that if there is no one to promote bills or a group to support them, bills get lost. And this happens a lot when you process public policies with issues that (I am going to tell you this way) from a public-opinion point of view, are not very "sexy" because many times, except when there is like a public opinion scandal, women's and children's issues are the ones that remain stagnant because there is no group that promotes them.

### 5.2.3 The relative absence of elites for OCAC to engage with

The third POS dimension that contributed to the legislative silence in the Senate was the relative absence of elites for OCAC to engage with to push the SH bill in the second legislative process. Thus, although OCAC already had a relationship with the UN Women's Chilean office coordinator, who supported the bill against SH, in the Senate legislative process she no longer worked as a key ally for promoting the SH bill. The main reason for her lack of influence in this process was related to the UN mandate. In this case, UN Women supports and promotes general state legislation for women's rights, collaborating directly with all states. Consequently, UN Women Chile was working with the Chilean government on the Women's Right to a Life Free of Violence bill, which was sponsored by the executive.

Also, in 2016 and 2017, OCAC was already a well-known NGO with a lot of presence in mass media, however, the topic was still met with resistance in traditional mass media. A well-known Chilean female journalist, creator of an online feminist newspaper, said about the media:

> They [the mass media] began to talk about this "compliment law", and I hated it. I remember people like Lucho Jara [a famous Chilean singer] saying on Mega [a TV channel], "Oh, how terrible that there is the compliment law, now you can't compliment women", and even women saying how terrible that they make a law like this, "how can they not compliment us", like, "my friend in the morning won't be able to say that I look pretty". And that kind of caricaturing I remember made me feel very angry.

In the same direction, a deputy who sponsored OCAC's bill also referenced how the media covered the topic, which was mostly a non-serious problem. In her words:

> And the media [were a barrier to create awareness], the media that caricatured the proposal from the outset with this *piropo* [compliment] cartoon, that the bill intended to punish compliments with jail.

It can be said that the media resistance during this time (2016–2017) was related to the general social problematisation. Considering that the feminist movement was now even stronger than in previous years, it still did not reach its maximum expression. In this sense, although the demands against SH continued to grow, the popular understanding of SH was still based on gender-based stereotypes. For instance, in 2016, 62.5% of women living in Chile considered the explanation to why men harass women to be that it is their nature to do so (Coorporación Humanas, 2016).

### 5.2.4 OCAC's location in the protest cycle

Finally, OCAC's location in the protest cycle also contributed to the Senate silence. As described in the political and social movement context, even when the movement had more visibility than when OCAC was created at the end of 2013, in 2016, the Chilean feminist movement was not strong enough. Until that time, OCAC was the only feminist organisation with a newer generation, gaining recognition from the media, political actors, and historical feminists, but it was not part of a strong feminist social movement infrastructure. A relevant feminist who fought against the dictatorship mentioned this:

> I remember that I was so happy because [OCAC's members] were all very young women, and they were looking for something so necessary. They also fascinated me because, if you think about it, from the dictatorship until 2014 (except for the 2007 emergency pill protest, which was more of a great demonstration) […] the feminists continued as a low profile, and with OCAC something appears: unknown people that one could not recognise at all, they [OCAC members] were not the typical feminists who marched for the emergency pill and who were over 50 years old, some over 60, others over 70.

The location in the protest cycle in this period is crucial to understanding the relatively closed POS that OCAC faced in those years, because—as I will argue in the next section—even when some of the same barriers were present, such as the underrepresentation of women in both the Senate and the Chamber of Deputies, the strong feminist movement was a powerful force and OCAC emerged as a strategic organisation to have as an ally.

Before addressing the analysis of the 2018–2019 and its consequent opening up of the POS that led to the bill's unanimous approval, in the following section I will explore the work that OCAC kept doing during the Senate silence, their strategies and changes regarding how to develop the SH diagnosis.

## 5.3 OCAC's strategies for the Senate silence

As already stated, the POS was relatively closed to OCAC during the first two years of legislative discussion in the Senate. However, because OCAC was now a more experienced organisation with more resources and more visibility, it faced this period with different strategies. In accordance with my analysis, I distinguish three dimensions to understanding the organisation's strategy during these two years: a) changing the discourse from SH as a gender-based issue to SH as a safety issue; b) the cultural stock available to OCAC during this time, and c) a focus on impacting the public agenda. All of these dimensions are reviewed in this section.

### 5.3.1 From a gender-based to a safety problem: OCAC's discursive change during the Senate silence

Despite the relatively closed political opportunities presented during the first two years after the first legislative process approval in the Chamber of Deputies (2016–2018), OCAC kept working on its framing process. In this sense, the feeling of injustice surrounding SH continued to expand among

women in general, and women in their 20s in particular. This is why, during this time, OCAC kept adding more members as volunteers, the majority of whom had first heard about the cause and the organisation through social media or traditional media. The feeling about injustice was common among them, and the agency emotion moved them to offer their knowledge, experience, and expertise to the cause through the organisation.

Also, the feeling of identity continued to frame the collective action, both inside and outside the organisation. The feeling of being part of the claim—because it was a common experience for almost every girl and woman—continued to grow at this stage of the movement's development. This is described in the interviews, not only by former OCAC members but also by relevant Chilean feminists:

> I heard about this group of women who stood up to denaturalise and punish street harassment, which is something that I had suffered since I was a little girl […]. And I always had resentment and annoyance about why we have to put up with this, this is clearly wrong. Why is the victimiser not sanctioned? Why is there no cultural change? […]. And I was feeling very, very frustrated about it. And I have always wanted to make a change, a social change. My vocation is to try to make the world better. (Legislative adviser in OCAC's legal department 2015–2017 and OCAC legal department director 2018–2021)

> I think that OCAC came to renew the feminist movement and to articulate it on issues that are very common and super important. I think that was the time when it began to be understood, especially among younger women, but also in the women who were the mothers of those younger women because it had also happened to them [...] and because they did not want anything bad to happen to their daughter. (Feminist journalist, founder of Chilean mass media "Braga" and "The Voice of the Ones That Do Not Matter" currently town councillor of Ñuñoa)

While those emotions continued to rise, OCAC kept doing the same diagnostic as in the beginning: in order to contribute to eradicating SH, it is necessary to achieve preventive actions and legal sanctions.[87] Thus, OCAC persisted in the legal regulation diagnostic, which was well-valued by other feminist organisations of that time, such as the platform *No fue sexo* (It was not sex), as one of the founders argued in her interview:

[87] At that time, the preventive measures could not be worked on or pushed by OCAC in the legislative discussion because, as I mentioned at the beginning of this chapter, prevention requires a budget and that faculty is only on the president. OCAC pushed preventive measures after the bill was approved.

> It was just necessary to do something about it. I remember that OCAC carried out a huge campaign to raise awareness and overcome the normalisation of street harassment. For me it always made a lot of sense because it was too common for an unknown man to tell me things on the street.

The legal regulation diagnostic was gaining more and more support from several feminist organisations even when, from the personal perspective of some of their members, they were not convinced that seeking to regulate SH was the best course of action. Below, this is illustrated by a female feminist lawyer and co-founder of ABOFEM, who described this concern:

> The truth is that the bill itself concerned me. Obviously, I thought that it was going in the right direction and that it problematises an issue that was important to make visible, so I think it was important to promote the bill. However, it is very legal and the legal effectiveness that it could have… it seemed to me… was insufficient on the one hand, and on the other hand hard to control.

Although the legal regulation diagnosis was the same during the period of Senate silence, the strategies to address the diagnosis involved changes in OCAC's discourse about what the problem of SH was with the Senators. The modification consisted of stopping to justify the need for SH regulation as a type of gender violence and beginning to justify it as a matter of safety. This adjustment responded to a strategy to influence the president of the Human Rights, Nationality and Citizenship Commission, Jacqueline Van Rysselberghe, to discuss the SH bill by reshaping the framing effort to be as far away from doctrinal bills (such as Gender Identity) (Htun & Weldon, 2018).

OCAC developed this strategy because of the statements that the conservative senator made about equality in general and about the SH claim in particular. For instance, on the 17th of December 2016, after she was elected president of her party (Independent Democrat Union), she said that her party does "not believe in equality, however, it is politically incorrect to say that I do not agree with equality because they [the claimers for equality] put the OECD in your face. But we don't agree with equality!" (Emol, 2016, par.4). Regarding SH, on the 13th of January 2017, the digital newspaper El

Mostrador published a Van Rysselberghe interview in which was asked if she believed that there was an overreaction to SH, and she responded:

> I like it when someone opens the car door for me, I do not like extremes, that is not an insult. But there are times when they are annoying, insolent, and can be disruptive. But others are fun. There is a grey margin in which it is not necessary to exaggerate. Not all compliments are harassment; it could be mischief. (El Mostrador, 2017, par. 14)

The strategy concerning the shift in how to address the SH problem as gender-based or as a safety issue is described by the former OCAC legislative adviser in the legal department, and then legal department director, who was one of the OCAC members who went to Congress to discuss the bill with the parliamentarians:

> We [OCAC's members] were super gagged, especially the legal department because we needed Jaqueline van Rysselberghe, who was the president of the Senate Human Rights Commission [...] so we could not fight her and we could not say things about her [...] or tweet when she was doing terrible things, we couldn't go out and hit her on Twitter or social media, because we, the legal team, were at the same time having meetings with her to convince her that this was a citizen security bill [...] we also had to change the entire discourse with the right-wing parliamentarians and not sell them the bill as gender-based, establishing rights for women.

Even when Van Rysselberghe brough up actions that did not correspond to any behaviour described as SH in the bill (such as opening a car door to someone), OCAC did not reply. However, OCAC did not remain silent either. Just the day before Van Rysselberghe's interview was released, OCAC launched a new campaign: *¿No te da vergüenza?* (Are Not You Embarrassed?), focusing their social media publications on this. The campaign target was to encourage men to act when they witness sexual assaults.[88]

As mentioned in Chapter 2, this type of situation, in which claim-makers see themselves in the problematic position of whether or not to respond to a policymaker, is not unusual for social movements, because while social movement organisations seek to reach more audiences, they are also looking to impact the institutional space. Therefore, activists usually confront a dilemma of

[88] See video campaign https://www.youtube.com/watch?v=XIo73UKfaZc

balancing between actions that bring media attention and actions that take them further away from the institutional space.

### 5.3.2 OCAC's cultural stock

OCAC's work could be developed during the Senate silence period without much interference because, by 2016, they already had a relevant amount of cultural stock. In other words, even though OCAC faced a relative closure of the POS to move forward with the bill against SH in Congress, OCAC continued doing its work, planning new strategies (such as changing the discourse with the senators), doing research, impacting public opinion, launching communication campaigns, among other things. Because "social movements not only draw upon and recombine elements of the cultural stock, they add to it […], the frames of winning movements get translated into public policy and into slogans and symbols of the general culture" (Zald, 1996, p. 270-271), OCAC were able to not only increase their constituency but also impact the future of the Chilean feminist movement.

One of the most relevant cultural stocks during this time, as described in the previous chapter, was that OCAC had social media available with access to technical communication, and the skills to use it. Social media was OCAC's first space, which continued to be the most relevant tool to achieve its aims. In the words of a former OCAC media officer: "Social media was essential for OCAC, understanding that this was its origin, but social media was not only used to work the visibility of SH but also recruited volunteers".

The cultural stock of having access to social media benefited OCAC, not only because of the social media itself, but for the volunteers who had the knowledge and skills to use it in their favour. The people who worked in OCAC were the key to their success in problematising SH through social media. This was highly valued by OCAC's first relevant elite ally, the former country programme manager of UN Women Chile, who in her interview highlighted this when she said:

> With short resources, OCAC did what another organisation that has been around for a long time does, with higher costs. [...] OCAC did it in a much more agile way, much faster. You did not have to hire an agency [...] to set up a social media campaign because OCAC had [...] I don't know [...] 10 volunteers to work only on social media [...] It was like, wow, that is, they had the ability to organise with very few resources and have a very broad reach.

Thus, OCAC also benefited from the characteristics of its volunteers, due to the reduction of the educational gender gap, as they all had undergraduate degrees and professional careers. OCAC continued to be distinguished, like in their first years, by the professionalisation of their members, which was not only related to the membership having undergraduate and postgraduate degrees, but also to how they used their knowledge and expertise. In this sense, unlike other organisations, when OCAC was born, their members' expertise and knowledge characterised its work, even being a feature of OCAC's first organisational model. This characteristic also gave them access to different agendas through which to pursue their goals. In the period of legislative silence, OCAC put their framing efforts into both public and formal agendas and their respective arenas (public, media, government, and electoral).

### 5.3.3 OCAC's impact effort on the public agenda

The public and media agenda—part of the public arena—were two crucial spaces that OCAC worked to impact. Regarding the public agenda, during this time, OCAC began to establish relationships and collaborative work with other organisations. For instance, the *No te da vergüenza* campaign was developed il collaboration with EME *Masculinidades y Equidad de Género* (Masculinity and Gender Equity) (OCAC, 2017a). OCAC also joined campaigns with other observatories against SH, especially within the Latin American network, during the International Week Against Street Harassment (OCAC, 2017b).

As mentioned, OCAC continued to use the media arena to frame its claims and strategies. The fact that OCAC, at the beginning of 2016, was the fourth best-known feminist organisation in Chile

was the result of its impact on social and traditional media. This claim is supported not only by former OCAC volunteers in the communication area but also by an important Chilean media editor. They said:

> I remember that I knew OCAC from a TV program that we made. Seeing the issue of street harassment, we had some complaints and some situations, and looking if there was an organisation or association, we found OCAC. That was the first time we knew that this was a specialised institution for reviewing, seeing, and providing help in this type of case. (Journalist and News Editor in Tele13)

> OCAC was not intimidated by the media, and for me, it began to open spaces and summon young women to speak, and not only speak, but also do political work. (OCAC Media Officer 2015 to 2017)

Regarding the formal agenda, and as described above, OCAC also extended its framing efforts to the government. However, its efforts to frame its claim did not develop as they hoped, since neither the government nor the members of the Senate Commission supported OCAC's bill with measures that allowed the project to move forward during this time (2016–2017).

Likewise, OCAC put effort into the 2017 presidential election ballotage by publicly supporting the centre-left candidate, Alejandro Guiller, and in exchange, if he won the elections, he would support the bill against SH, giving it presidential urgency. However, this effort failed as their presidential candidate only got 45.43% (SERVEL, 2017), losing against Sebastian Piñera.

To conclude this section on OCAC's strategies to confront the Senate silence, and linked to POS theory, the relevance of OCAC's efforts was its ability to remain a well-known feminist organisation, which despite its efforts to impact the formal agenda did not work as expected, though they kept gaining visibility in the public arena, using their cultural stock. Further, during this time, OCAC's framing work also paved the way for other gender-based claims. This is examined in the following section.

## 5.4 The final success: Law N° 21.153 sanctions sexual harassment in public spaces

As described at the beginning of this chapter, in section 5.1, two months after Sebastián Piñera had assumed the presidency in 2018, a massive feminist movement emerged: *Mayo Feminista*. The relevance of this movement in this analysis is how it framed the context in which the SH law was approved and enacted.

As in the previous analysis, this final success can be explained by shifts in the POS, the mobilising structure of the movement, and the framing efforts, which will be analysed in this section through six dimensions. However, before addressing them it is necessary to examine OCAC's internal structure at this particular time. This section therefore comprises two segments, in which I begin by examining OCAC's internal structure during 2018–2019, shedding light on the path to becoming a more specialised and goal-oriented organisation by, for instance, adopting a more democratic selection of its leaders and working on being financially sustainable. Then, I made an in-depth examination of the POS's openness to OCAC's claim. In this second segment, I analyse how, in 2018, the POS began to open up to the movement against SH by identifying six dimensions that affected its openness: the movement against SH; OCAC's location in the protest cycle; the openness of the institutionalised political system; elite alignments; the presence of allies, and the framing process.

### 5.4.1 OCAC's internal structure 2018–2019

At the end of 2017, OCAC had a significant change in its leadership. The founder and president left and, for the first time, an internal election was held to promote and vote for a new president, resulting in the election of the former research department director. For the first time, OCAC members had been able to choose the president, which led to a more democratic internal organisation because more areas started to have discussions about their leaders, either by voting or supporting a name for a position.

In this context, OCAC's internal organisational structuration reinforced that the integration of new volunteers must remain formal—in relation to what each area identified as a priority—according to the organisation's needs, and become more specialised and goal-oriented. To stay with the professionalisation and the goal-oriented administration, OCAC started to work on being financially sustainable. Thus, during this time, the president became a paid part-time member of staff. However, her pay was not associated with the president's role (organisation representative and networking with key actors) but with a new role of financial sustainability. This role was not directly associated with the president role itself, nevertheless, in this case, the sustainability role suited the president of that time because she was a sociologist with a master's degree in gender studies and significant experience in teaching, consulting, and researching.

Thus, OCAC's internal organisation continued to grow and specialise, a characteristic well-valued by other organisations. However, it is relevant to understand that this professionalisation feature was a key variable for OCAC's growth because it allowed its volunteers the autonomy to use their time for a cause. This characteristic was repeatedly mentioned in the interviews, not only by former OCAC members but also by other feminists, such as the founder of the platform *No fue Sexo* and the co-founder of ABOFEM. In their words:

> I think the strengths were the level of their militants, I think one of their strengths was that they were highly educated women, so they understood the legislative language, but also the language of the campaigns themselves. OCAC created a very good structure. I remember OCAC had a dissemination information team, a communication team, and a legislative team, so I think this was a strength. (Feminist activist founder of *No Fue Sexo*)

> Here in Chile, I think many organisations are in better condition, such as OCAC. We are women with higher education, and postgraduate degrees, with socioeconomic situations that allow us to dedicate ourselves to volunteering as well. In that sense, this is a huge privilege. (Feminist lawyer-activist, Co-Founder of ABOFEM)

As mentioned in the previous chapter, the educational situation was mixed with other relevant variables, such as their ages and that no one had children to take care of. They also mostly lived in comfortable neighbourhoods, and few (or none) had economic problems because most of them had

well-paid full-time jobs. This meant that they were in the privileged position of being able to donate their time and knowledge to a cause, and as professional young women, despite sexism, they did not have other variables to be discriminated against in the Chilean context. Thus, in their experience, intersectional considerations did not apply to what they faced.

### 5.4.2 The opening of the political opportunity structure

In contrast to the period described in the previous section (2016–2017), in 2018 the POS started to open up to the movement against SH. To analyse this development, I identify six dimensions that I will be examining in this section: i) the movement against SH; ii) the location in the protest cycle; iii) the institutionalised political system openness; iv) elite alignments; v) the presence of allies, and vi) the framing process.

#### 5.4.2.1 The movement against street harassment and its location in the protest cycle

I identify that the first two dimensions are linked, since, according to interviews, the movement against SH worked as one of the key preludes to the strong May movement. OCAC's visibility put the issue of sexual harassment on the public agenda for at least four years before the movement *Feminist May* started, and was widely discussed in several public arenas: newspapers, TV programs, social media, Congress, schools, and universities, among others. The head of the legal reform department in the Women and Gender Equity Ministry during Piñera's administration (2018–2022) mentioned:

> It seems to me that OCAC positioned the issue of street harassment, as a very relevant one, as a type of violence that was also extremely common. So, I think that OCAC positioned that issue [sexual harassment in general] and helped to put it in the spotlight.

OCAC's work in putting the sexual harassment topic on the public agenda was also highly valued by older-generation feminists, as one of them referred to in her interview:

> Somehow OCAC maintained the presence of women's speech about their rights on the public agenda. I think [sexual harassment] was a topic, a topic that was discussed and kept being discussed for a while. Look, I could not say [that the topic was about] feminism, but women and their rights. In that sense, I think it was super important because otherwise, there would have been total silence. In other words, if OCAC had not existed, there would have been silence among women at that time. At the time there was so much debate, I remember that was super discussed, somehow, that kept women as a topic on the public agenda. And in that sense, it was very relevant because otherwise, it would have been the disappearance of the movement.

At the same time, the growing feminist movement context in which OCAC was inserted also helped to frame the general claim against sexual harassment. That is, its location in the protest cycle during 2018 helped to advance the SH claim. At the international level, the #MeToo and *Marea Verde* movements impacted the national context, strengthening the feelings of injustice and identity needed to develop collective action. As a feminist journalist described:

> I remember that [before 2018] when we arrived at the march, there were about 15 of us. Sometimes we did not even march, it was better just to stay there and light some candles. And then, we were more and more. When stories about sexual harassment began to be known, when women started speaking [about their sexual assault experiences] […]. All those stories began to make us grow more and more and more. And that was exciting. Well, 2018 came like an explosion, but I think that a little before this had already started, there were already milestones.

#### 5.4.2.2 The institutionalised political system

The location in the protest cycle in which, for the second time since the dictatorship, Chile had a right-wing president, was crucial for the openness of the institutionalised political system (third dimension identified for the opening of POS). Even when feminist activists identified the right-wing government as a barrier to advances in women's rights, it also worked as a common enemy, strengthening the claims and the injustice frame. This 'common enemy' was identified in several

interviews, an example of which is when a feminist activist and founder of the platform *No fue Sexo*, mentioned:

> I believe that right-wing governments are always a barrier and a strength. I believe that when there are right-wing governments, it allows us to have a common enemy and therefore organise. But it is also an obstacle as the State has more power to prevent progress. But Piñera's second government was also a government with a lot of popular mobilisation. So, I also think that there was a lot of political articulation on different fronts, and getting together and articulating always makes the work easier.

As I described in the contextualisation section, a few days after the *Mayo Feminista* movement started, president Sebastián Piñera presented its Women's Agenda as a way to deal with the protests. However, among the bills that he announced to support, the one against SH was not considered. In that context, OCAC did not put their efforts into the government but continued its legislative aim in the Senate, because the new legislative period brought changes to all the commission presidents, with the new president in the Human Rights, Nationality and Citizenship Commission being Adriana Muñoz (left-wing Party for Democracy). Muñoz has a long political career in Congress, first as a deputy since 1990, and then as senator from 2014–2022. Her legislative work as a critical actor was characterised by her fight for women's rights, promoting bills to re-establish the right to abortion (forbidden during the dictatorship), to divorce, and to penalise sexual harassment in the workplace.[89] In addition, Muñoz identifies herself as a feminist.

Congress also responded to the *Mayo Feminista* movement and demands, and—as I mentioned in section 5.1—two new commissions were created in the Chamber of Deputies and the Senate. The Senate Women and Gender Equity Commission represented a clear opening up of the institutionalised political system for the SH bill, since it created a space in which to discuss specific women and gender issues with only female senators. A former senator and member of that commission, and former minister for Women and Gender Equity during the Piñera administration highlighted the relevance of this new institutional space to the legislative discussion in her interviews,

[89] The legislative process of this bill took more than 10 years.

mentioning that “the Women's Commission provoked a breakthrough of very different themes” (Independent Democratic Union, former senator from 2014–2022), and that “it helped a lot that a special commission had been created in the Senate. Otherwise, it would have been difficult to move forward because it would have gone to the Constitution Commission” (Former Women and Gender Equity Ministry 2018–2020).

In addition to the new commission, a clear sign of the openness of the institutionalised political system is the election of the first commission president. The former senator Adriana Muñoz was elected to lead the commission, which was constituted in September 2018. In that position, the senator became a critical actor and made an internal request to transfer the SH bill from the Human Rights, Nationality and Citizenship (where she was president too) to the Women and Gender Equity Commission, being the first bill discussed and approved in that space.

While OCAC was putting its efforts into influencing the commissions to discuss the bill, a window opened with the government as well. The former Women and Gender Equity minister, Isabel Plá, contacted OCAC to discuss the SH claim. The government ended up supporting the legislation and adding it to the Women’s Agenda. Over the next five months in which OCAC’s bill was in the Senate, OCAC worked directly with the senators’ legislative advisors, the head of the legal reform department of the Women and Gender Equity Ministry, and a criminal law professor.

#### 5.4.2.3 Elite alignments

In a context in which a strong movement was developing based on the older Chilean feminist movement, the activation of the international movement with #MeeToo and *Marea Verde*, and, from a local and more immediate perspective, the past four years in which OCAC worked to frame SH as gender-based violence, the elite alignments also operated as windows of the POS (fourth dimension of the opening of POS).

The fact that the first two municipalities that regulated SH by ordinances were one from the left wing, in Recoleta (Chilean Communist Party), and one from the conservative right-wing in Las Condes (Independent Democratic Union) collaborated with the POS by framing the claim as a non-doctrinal issue that affects society, and thus, as an issue that needs public regulation. Both municipalities contacted OCAC to let them know that they were working on the ordinances. However, the Recoleta municipality was the one that worked more directly with OCAC in the ordinance, and as a result of this work, Recoleta's ordinance integrated OCAC's definition of SH in a more literal way than Las Condes. Despite that, Las Condes was the first municipality to issue a fine in May 2018.

#### 5.4.2.4 The presence of allies

In this context, the presence of allies (fifth dimension of the opening of POS) in the Senator Commission was crucial to working effectively during the legislative discussion. For instance, the presence of allies in the commission allowed them to confront some legislative arguments that questioned the bill, such as arguments from the director of the department of criminal procedural law at the Pontifical Catholic University of Chile, who was invited to the discussion during the first session. In which in one of her interventions, she argued that this type of bill "could affect the application of the rest of the more serious criminal offences contained in the current legislation" (BCN, 2019, p. 7). The first president of the Senate Women and Gender Equity Commission mentioned the following in her interview:

> I would say that always in these issues (for this and several others), like a suspicion of government authorities of the time, but also of the academic world of a bit of legal preciosity,[90] although they are right, by the way. But I believe that all these bills that we have promoted from a feminist perspective have questioned the jurisprudence, they have questioned the legislative preciosity, because we have to make reality fit within the norms and not the norms to oppress reality, as they have been doing. And that has been the crux of the debate all these years.

[90] The senator used the Spanish concept of *preciosismo legal* to describe the negative attitude toward change in legal jurisprudence, regarding how legal rules are extremely valuable, and that any attempt at it must therefore have a strong—and socially acceptable—argument.

Despite those types of arguments, after that commission session, another legal professor of criminal law (from the University of Valparaíso and the Pontifical Catholic University of Valparaíso) was invited to the discussion, who—with her technical knowledge and perspective—worked next to OCAC and to the senate and government's legislative advisors to improve the bill. This was highly valued by the government. About this, both the former minister for Women and Gender Equity and the former department head of the Legal Reform Department Ministry, mentioned:

> I also think that the academics of the University of Valparaiso helped a lot. Because she was a specialist in criminal law, it also helped a lot that she enlightened the commission in the sense that this bill had to have a criminal perspective with proportional sanctions. For what? So that the major crimes of sexual abuse and rape will never lose importance. I mean, she always asked for that, and it also helped that there has to be a balance between creating a new typology, but it has to have a proportional sanction so that major crimes along the same lines, which are sexual crimes, do not lose relevance. (Former minister for Women and Gender Equity 2018–2020)

> I think it was very serious work, I also liked it because it was fairly close work. I think that we were able to coordinate well and we were able to reach good understandings, understanding that perhaps on some particular issues in the bill we had a difference of opinion, but I think that we were able to coordinate and show ourselves quite united in working together in the commission. (Former department head of the Legal Reform Department Ministry 2018–2020)

One of the key allies in the Senate discussion was the most conservative senator from the right-wing party Independent Democrat Union, becoming a critical actor. She not only approved the bill in the commission but also supported it with members of her party and political coalition, influencing the vote in the general discussion in the Senate. As she and the former minister described:

> You need someone inside Congress to push a bill for you, to put it on the table, who is willing to discuss it, [...] to put it back in public opinion. And it is super important to understand that this work must be transversal. Because if it is not, then the sector that is left out sees it with suspicion and then, when you go to the general vote with all the senators/deputies, the issue fails. (Former senator (2014–2022), Independent Democratic Union)

> The fact that [the senator from the Independent Democratic Union] has been promoting this helped us a lot because she was the most conservative voice in the senator coalitions. In fact,

> later she did not agree with Gabriela's Law[91] and the whole coalition either voted against that bill or abstained. Therefore, with this, I want to show you that it is very important that you have transversal voices so that laws have social legitimacy as well. (Former minister for Women and Gender Equity (2018–2020))

After five months of discussion in the Senate, on the 20th of March, the bill was unanimously approved. Because the Senate discussion modified the bill, the legislative process indicated that the bill should go back to the Chamber of Deputies for approval of the changes. This is known as the third legislative process. During this process, OCAC had important allies, and they influenced the deputies to not add more changes to the bill, skipping any detailed discussions in commissions and instead going directly to the general vote in the Chamber. The general vote was held on the 3rd of April 2019 and was unanimously approved. OCAC's allies were highly valued by the former minister for Women and Gender Equity because, due to how the Chamber of Deputies was shaped after the 2017 election, the centre-right did not have all the impact power. As she mentioned in her interview:

> OCAC helped us because I remember that some deputies were going to present indications in the Chamber, and it was like: Do not kill it there, wait for it to be enacted and then make all the corrections that need to be made.

#### 5.4.2.5 The framing process

The framing process during this time was also strategic for the bill's approval (sixth dimension of the opening of POS) in which all the emotions needed to develop collective action were present in the context. The feminist movement was active with claims about sexual violence; therefore, the feelings of injustice, agency, and identity were constantly framing the discussion. OCAC's efforts in framing SH as a gender-based problem year after year succeeded, not because it is recognised as a key organisation in the new Chilean feminist wave, but because the sexual harassment claims transcended

[91] The Law N° 21.212, known as Gabriela's Law modified the legal typification of femicide, to open the definition of femicide to other contexts beside the family. The name of the law responded to the case that triggered the law, in which a woman named Gabriela and her mother were killed by her ex-boyfriend, and the case was not considered a femicide.

OCAC. In this sense, SH started to be not only a particular organisation's claim, but a social claim. A former deputy from the Democratic Revolution Party, who voted in the third legislative process, mentioned this effect in her interview:

> At some point, OCAC lost control of the claim. And that, in the long run, is when a cause becomes common sense, when it stops being the cause of a group of activists and becomes common sense; a collective need.

Likewise, the head of the legal reform department in the Women and Gender Equity Ministry (2018–2022), argued in her interview how generally "bills tend to move forward as a specific public policy in this regard becomes necessary", and in the case of the SH law, its necessity was directly related to the feminist demand. As she said: "I believe that this issue became visible and society understood that it was something too relevant, that is, that we had to move forward in this regard".

As a consequence, during this period (2018–2019), the diagnosis continued to be the need for a legal framework to sanction SH actions, however, the strategy to address it went back to the frame of gender-based violence. In the national context of social movements, OCAC was a serious organisation, presenting this demand. And even when OCAC was framing its claim in terms of gender-based violence, several new feminist organisations (mostly female university and secondary school students) were doing the same. Thus, the context made it impossible for the political arena to ignore, and consequently, the political actors needed to find a demand that they could support, thus, a non-doctrinal one. In this sense, OCAC's professionalism and its framing strategies, such as the national surveys and studies, set it apart from all the new feminist organisations. These qualities were highly valued by government and legislative members, and were characteristics commonly addressed by them in the interviews. The following quotes illustrate this:

> We [the ministry] [...] collected the information that you had, which was very good, it was of good quality, also understanding the attitude that the organisation had, it was very serious, [the members of OCAC] were activists but at the same time they delivered a response like "look, this is what we need because we are going to march, we are going to do everything, but we want to resolve, we do not want to stay only in the march". (Former minister of Women and Gender Equity, Sebastián Piñera's government)

> There was a gap in the legislation on this matter, which is why the work we did with OCAC was of the utmost importance because the organisation had very specific data that gave great strength to the debate and to advance the legislation. So, for us, the topic was totally relevant, it was coming to fill a gap in the legislation and also [we count on] a women's organisation from civil society that had in-depth knowledge of the matter. (Former Woman and Gender Equality Commission President 2018-2019)

OCAC´s professionalism was something the organisation consciously worked on. OCAC's members knew that their own testimony would not be enough to pursue a legal objective, and thus, they needed empirical data. In this regard, OCAC's former legal department director (2015–2018) and then executive director (2019–2021) mentioned:

> There was no international evidence for anything, and there was no data either in Chile, we needed support to say this does happen to women and these are the things that happen. Because, of course, [we were aware] that it was necessary to go beyond testimonies, how to get the feeling out of it, like putting on a patch before the wound, we knew […] that the testimony of the women was going to be questioned because they [members of the parliament] always questioned. But with the data those questions would be irrefutable.

Cultural stock was crucial in this framing process. Considering that "movement frames and ideologies grow out of existing cultural definitions" (Zald, 1996, p. 273), the cultural stock of being part of a bigger feminist movement gave OCAC the possibility to stand in a context in which they were talking about common sense. Thus, despite OCAC's demand during its first four years (2014–2018) was strongly resisted and caricatured by the media, and even by politicians, during the *Mayo Feminista* the discourse shifted, and OCAC's claim no longer appeared illogical for public opinion.

Consequently, the agendas in which OCAC put its framing efforts continued to expand. For instance, during this time, OCAC's goal orientation shifted, and it changed its name from Observatory Against Street Harassment to Observatory Against Sexual Harassment in order to address other sexual violence contexts, such as education, workplace, online, and public space. The public and media arena responded to this expansion. A feminist journalist addressed this situation in her interview:

> The women journalists, including myself, dared to tell the news, and say, in entertainment shows, from different spaces: "You know that I am a feminist and I understand what they are talking about and this is what is happening". [...] So I think that those women who were

> already in the media and who understood what this fight was and that we had to carry it forward, the actresses who dared to speak at the time, to say he abused me, he harassed me, [...], female journalists in the most alternative media also where there is investigative journalism, I believe that those women were facilitators for OCAC at the time.

## 5.5 Conclusion

This chapter has analysed the period between 2016 to 2019, in which the bill against SH began its second legislative process in the Senate. By reviewing the political, legislative, and social movement context in the first section (5.1), I have analysed the key contextual elements that framed the scenario in which OCAC continued its fight against SH. In this sense, according to POS theory, the legislative silence that OCAC faced in the first two years of the Senate discussion process, and its strategies to respond during this time, were directly related to the relatively closed POS of those years. Although OCAC faced a similar context in the legislative arena in the Chamber of Deputies (such as it being a male space), the legislative discussion in the Senate was different in that OCAC could not count on key allies to take advantage of the POS. In contrast, 2018 was a year with relevant shifts in the governmental agenda and the appearance of a stronger feminist movement, which, together with the framing efforts in the public agenda (public and media arena) during all those years, and the internal OCAC characteristics that allowed them to keep working professionally against SH, OCAC achieved its legislative goal of introducing SH into the Chilean penal code.

McCarthy, Smith, and Zald (1996) mentioned that “changing governmental issue agendas can provide windows of political opportunity for groups seeking to bring their issue to the centre of attention” (p. 300). In OCAC's case, changes during this time in the formal arena (governmental and electoral) were relevant to achieving the SH law. However, the changes in the formal rules do not secure gender equality or even a smooth process to achieve pro-women legislation (Piscopo et al., 2023). In this way, this was not an isolated change, on the contrary, it responded to several shifts and opportunities that were skilfully seized by an organisation that was, at the same time, able and allowed

to speak. In this regard, the gender perspective was crucial to approach this case to understand the implications of those changes.

Accordingly, without a gender review of the POS theory, the location in the protest cycle would have probably been left aside. In this regard, the analysis of the growth of the feminist movement would have been considered only in reference to the organisational development, but not as a political element. This makes sense in research without a gendered lens, in which it seems that context is simply contextual, an effect or a cause, and not constructed of political realities. In this sense, OCAC's location in the protest cycle during 2018 and 2019 worked as a political factor, for instance, when the feminist social movement infrastructure entered Congress by way of several female parliamentarians who called themselves feminists. Considering that "not all women in politics prioritize the fight for women's rights" (Childs & Krook, 2009, p. 185), those female parliamentarians were key because they worked in the name of feminism, adding shifts to the structural POS.

OCAC's work during this period highlights one relevant characteristic of their members: their consciousness of gender subordination. According to the interviews, OCAC's members knew that they were not a valid voice and that their demand was not valid in a patriarchal system. As addressed above, because they were conscious of this, when they did not count on feminist allies in the political arena, they strategically shifted their framing efforts from gender-based to security-based. In other words, they shifted from a more resisted to a less resisted problematisation frame. Consequently, OCAC's members did not try to convince the conservative female commission president that their claim was important in gender terms—for instance, as a woman—but as a topic that her political coalition paid more attention to: security.

Finally, OCAC's success is a coming and going of closed doors and open windows, in which they definitely did not convince all the decision-making actors that SH was a problem that needed to be taken seriously, but worked to make enough people feel that SH was a case of social injustice, making it impossible for those that were against it to say so publicly.

# CHAPTER 6

## Conclusion

In a context in which women's policy agencies do not have the same political and social legitimacy as other political institutions, such as economic ones, and as a consequence, many times are affected by the oscillation of governments (such is of case of Argentina with their current president), “their very creation and the kinds of original powers they are granted can also create a degree of path dependency by empowering women as a constituency and giving rise to certain kinds of alliances” (Franceschet, 2010a, p. 9). In this way, the law's approval against street harassment can be seen as a new milestone of pro-women legislation, which impacts not only women but all of society. As this research was able to establish, OCAC’s work also contributed to the *Mayo Feminista*, which in turn achieved national legislation to prevent sexual harassment in universities. “Even weakly enforced VAW [ violence against women] laws may contribute to the transformation of norms toward a more egalitarian society” (Htun & Jensenius, 2022, p. 29).

This thesis has sought to analyse the question of how the internal structure and composition of a feminist social-movement organisation enabled it to take advantage of changes in the political opportunity structure to get important legislation passed. To this end, I selected the Chilean movement against SH, led by the Observatory Against Sexual Harassment (OCAC), as a case study. Using POS theory, I analysed all the data obtained from interviews and the institutional documentation about the Chilean SH legislation process, and established three reflections: how a gender approach enriches POS theory for analysing not only women’s movements, but social movements in general; the well-valued characteristics that let feminists speak publicly, and lessons learned for future research. However, before developing each of these reflections, I address the lessons drawn from the case analysed.

## 6.1 Lessons drawn from OCAC's experience

The two time periods analysed in the previous two chapters trace an almost six-year long path in which a new generation of feminists took a non-problematised topic, and achieved social and legal recognition of it as gender-based violence that deserves to be attended to by public and private institutions, and also by all those who are part of society. Thus, OCAC's experience as a feminist organisation comprised of young women helps us acknowledge the political and social context in which their milestones were achieved. Consequently, I identify three lessons from the analysis developed in chapters 4 and 5 about POS theory: the usefulness of allies depends on context; OCAC's location in the protest cycle was a crucial dimension to understanding its ability to confront a closed political context, and the characteristics of OCAC's volunteers—such as their educational level and networking, and also their ability to make their private gendered experiences open to be discussed in the public arena—were crucial to their ability to take advantage of openings in the institutionalised political system.

The two time periods of OCAC's work share a key similarity: in both analyses, the political context could be described as a male space. Even when women's participation in the Chamber of Deputies and Senate grew by almost six percentage points in 2017 compared to the previous electoral period, in both spaces the number of men was—and still is, in Chile as in most countries in the world—in majority. Currently, almost one in every four members of parliament is a woman, and although a stronger female presence in parliament does not mean more feminist politics, for women to have a seat in the decision-making arena is a matter of social justice. In addition, when women are not part of the political context, most of their experiences are not even discussed. In Chile, for instance, the bills that pursued women's rights were mostly sponsored by female parliamentarians, especially when they were about women's autonomy to make decisions about their own bodies.

During the almost four years that the legislative process of the bill against street harassment took, the male political context did not change. The lack of women in the decision-making stratum

reinforced the informal norms based on sexism and gender stereotypes, and the conception that women's issues are not a public matter. Thus, most of women's experiences were not able to be discussed in the political space. Nevertheless, OCAC was able to overcome this context, while several of their members going to Congress to discuss the bill suffered the sexism of male politicians and their advisors. As an example, in 2018, during the second legislative period, a male senator mentioned to OCAC's then-president, "Why legislate about a simple and inoffensive *piropo* [compliment]".

Notwithstanding this similarity, it is relevant to highlight the contrast between the two periods. Even when, during both periods, the context was the same regarding the lack of female presence on the political arena, OCAC's opportunities to impact them were different. As described in Chapter 4, OCAC was easily able to overcome this obstacle in the first period (2013–2016), getting approval in the first legislative process in just one year. In contrast, the second legislative process was more difficult to face, even when OCAC had the same allies on their side, had more experience, and a stronger internal structure.

The key difference between these two periods was a contextual one. The usefulness of allies depends on context. In other words, although OCAC had the same allies in the second period as in the first (the legislative discussion in the Chamber of Deputies), they had little influence over the process due to the characteristics of the Senate and, lacked critical actors to push forward the bill. During the first legislative process in the Chamber of Deputies, the key allies, such as UN Women Chile, the former student leaders who became deputies, and the first minister of Women and Gender Equity, Claudia Pascual, worked as key influential actors supporting OCAC's legislative claim. However, in the second legislative process, in the Senate, those actors had no influence on the discussion. Thus, the former student leaders who became deputies were unable to put pressure on the Senate to not only accelerate the discussion but even to commence it. On the other hand, because the Women and Gender Equity Ministry was embedded in the legislative discussion of the bill for Women's Right to a Life Free From Violence, it did not support OCAC's bill by, for instance, requesting acceleration of the legislative discussion in the Senate. Likewise, UN Women Chile were

no longer an influential ally during the Senate discussion because they were required to support the Integral Violence Law mentioned above. In this regard, despite OCAC having a stronger internal structuration, the male-dominated characteristic of the Senate during the first two years of the second legislative process made it difficult for OCAC to increase their allies in this space. In consequence, even when, in the Chamber of Deputies, the political scenario did not have a specialised commission to discuss gender and/or women's issues, and the presence of female parliamentarians was the minority, the allies OCAC had during that time worked as gatekeepers, opening doors to being able to discuss the bill.

Despite the two years of Senate silence during the second legislative process, OCAC kept working to impact other spaces, such as the public agenda. As described in the previous chapter, OCAC was not only able to increase its constituency but also impact the future of the Chilean feminist movement. The organisation's cultural stock was fundamental to their continued work to problematise sexual violence: labour that was recognised in several interviews—from recognised feminists, journalists, and influential actors from international organisations—as paving the way for the *Mayo Feminista* movement in 2018: the strong movement against sexual harassment in educational spaces. OCAC is considered to have kickstarted that movement, because those school and university students who fought sexual harassment inside their institutions were part of a generation that had seen, heard, and read about sexual harassment in public spaces since they were young girls and teenagers. The relevance of OCAC's work in the public sphere, which also impacted the wide problematisation of sexual harassment, lies in its effect on the protest cycle.

Considering that the political opportunity structure is also affected by the social movement itself, the feminist social movement infrastructure started to grow in 2017 and 2018. In this context, despite the political and relevant allies who worked in OCAC's favour during the first, but not the second, legislative process, the location in the protest cycle was crucial to advance the legal problematisation. Because in 2017 and the beginning of 2018, the social problematisation was more advanced than the legal one, OCAC's location in the protest cycle proved to be the fundamental aspect

that would push the claim against SH into the political arena. It is relevant to note that this location in the protest cycle was not only national, but worldwide. The broad context of gender-based demands impacted the Chilean movement as well.

Finally, the third lesson learned from the analysis of the case selected regarding POS theory, is that during both periods, the openness of the institutionalised political system could not have been taken as an opportunity without OCAC's characteristics of being able to do so. Taking advantage of the openness of the institutionalised political system in the first and the second legislative processes was not a given. As Gamson and Meyer (1996) mention: an opportunity unrecognised is not an opportunity at all. In this sense, OCAC's ability was not only to recognise the opportunity to act to achieve legislative success in each of the parliament discussions, but to have the cultural stock, skills, and knowledge to take advantage of it.

During the first legislative process, the entrance of the former student leaders as deputies was not itself an opportunity for OCAC or any other new social organisation. OCAC had a key characteristic that enabled it to take advantage of it as an opportunity: the personal relationship of some OCAC members with some of these former student leaders. Indeed, the presence of new and younger faces in the parliament worked as a general opening-up of new topics, because it brought new experiences to be discussed in the public scenario. However, the direct access that some OCAC volunteers had with the new deputies was more than an opportunity window. In this regard, OCAC's members had the cultural stock not only of being university educated, but having been educated at the very universities that they were, because of the networking that this enabled them to do.

At the time of the second legislative process, OCAC's cultural stock, skills, and knowledge had only been growing. Thus, OCAC was able to take advantage of the openness of the political system. The creation of the Women and Gender Equity Commission in Congress was a clear window of opportunity for any gender-based bill that was being discussed in parliament, however, the bill against street harassment was the first one to be discussed and approved by the commission. This opportunity was not given to OCAC but pursued by the organisation. Their cultural stock during 2018

gave OCAC the availability to push their claim in several spaces, such as traditional mass media (including CNN Chile) and formal spaces. In this context, during 2018, OCAC's members already had direct contact with relevant senators and their advisors, and they were thus capable of contacting them and requesting the bill to be pushed.

In conclusion, the openness and closure of POS, and how an organisation is capable of taking advantage of it, is an iterative process. Therefore, the lesson drawn from OCAC's experience is that the same characteristics on the political or social arena, or even of the social movement itself, will not always signify the same outcomes.

### 6.2 The gender approach versus a theoretical male consensus

Having used POS theory to analyse all the data obtained from the interviews and the institutional documentation about the Chilean street harassment legislation process, the first reflection concerns how the gender approach enriches the POS theory to analyse not only the women's movement but social movements in general.

Among the most accepted definitions of POS, the following four dimensions are customarily regarded as crucial: a) the relative openness or closedness of the institutionalised political system; b) the stability or instability of that broad set of elite alignments that typically undergird a polity; c) the presence or absence of elite allies; and d) the state's capacity and propensity for repression (McAdam, 1996a). My understanding of these dimensions is that they operate as a male consensus, not because a man described them as the most consensual ones, but because the analysis to identify them as the most consensual is based on a non-existent gender neutrality of structural changes and power shifts.

McAdam (1996a) mentions the need to not confuse the structural changes and power shifts that compose the POS with the collective processes by which these changes and shifts are interpreted and framed. Regardless of the necessary identification of the dimensions to be analysed, I understand that the complete separation of structural changes and power shifts from interpretations and frames

can be regarded as rather restrictive, since both structure and power are already interpreted and framed. The gender perspective gives us the opportunity to understand that what seems to be neutral is, in fact, already signified by the patriarchal structure and other systems of oppression. Therefore, those structural changes and power shifts cannot be deeply understood by the four "most consensual dimensions" in isolation. In this sense, the hierarchy and inheritance of the institutionalised political system needs to be discussed; what can be considered an elite or an ally (for whom, how, and why), and what types of bodies, experiences, and existences the State is able to oppress (and which it is not). Consequently, intersectionality between class, colonialism, and gender, among other things, are systems and dimensions that not only frame the current political structure and power but shape the original pillars on which they are built.

As a consequence of the above, it is necessary to acknowledge that each dimension is shaped by the gender system, and also add more dimensions to the analysis to allow us to comprehend the political structure and its shifts holistically. From this perspective, I understand McAdam's approach from a gender perspective, because it gives a deeper understanding of political opportunity by considering the specific characteristics of the people making claims. Considering that the gender identity or expression of a group of people, and how the binary and hegemonic gender structure shapes society, affect the possibility of acting collectively (both the why and how of that collective action), both acknowledgements are also crucial to the POS analysis. The gender approach gives McAdam's consensus more accuracy in its use of those dimensions.

In this regard, the value of taking a gender perspective lies not only in its adequacy for examination of women's and feminist movements, but also social movements in general, since the gender structure affects all people and not only girls, women, and the LGBTIQ+ community. Accordingly, the addition of more dimensions that question the neutrality of the political structure and its actors opens a window through which to reflect on the political subject: who can make demands in public spaces, and around which experiences. In this regard, I added to this research the dimension of a movement's location in the protest cycle as crucial for analysing the POS of the case

selected. Considering that all of the present research has been shaped by the gender approach, the location in the protest cycle helped me to approach the social movement infrastructure more comprehensively, not only to describe it, but also to recognise its direct effect on structural changes and political shifts. Given what has been said, the location in the protest cycle was fundamental in the analysis of the openness of the POS in the work for the bill against SH, since the changes and shifts in the structural and political arena did not happen in isolation, just affecting OCAC, but as an iterative relation.

According to the above, had I used only the dimensions described by McAdam as the most consensual ones, without applying the critical gender lens to analyse the selected case, not only would the analysis have been different, but several dimensions would also have been undermined in relation to understanding the political process, and how those may or may not have been considered opportunities. In this respect, I identify at least two fundamental results from my analysis which would have been difficult to arrive at with McAdam's genderless approach. First, the understanding that the in/stability of the broad set of elite alignments which operated as political opportunities to OCAC needed to be analysed in light of how their members had become political actors. In other words, how younger women who were born at the end of the dictatorship, daughters of a political and moral transition period, in which claims against the military regime's moral base were not allowed—thus they did not have protest role models—became political protestors not only as women but as feminists. In this regard, my analysis found the presence of elites and allies to be shaped by gender. OCAC's members were able to influence elites and allies because they were capable of overcoming their lack of political socialisation as part of a new generation who had the student mobilisations as their political schooling. In addition, and as a consequence of the latter, OCAC was able to shape its claim in a hegemonic manner for discussion: with data. As the next section will address, because women's experiences are commonly seen as local and private, rather than as experiences of the general population, and thus deserving of public attention, the allies worked as window openers as OCAC was able to put aside the particular experiences and claims in favour of 'scientific truths',

through surveys. In this regard, McAdam's view does not offer the analytic tools to acknowledge what sustained the influences and allies in gendered terms.

The second understanding from my analysis is the relevance of the location in the protest cycle as a dimension for a deep understanding of the openness/closedness of the POS in the case selected. With McAdam's genderless approach, the broader feminist social movement would probably only have been seen as the social movement infrastructure in which OCAC was. In other words, it would have been described and explained but not understood as a variable of the POS. As stated, I understand that both structure and power are already interpreted and framed, and, in this particular analysis, the POS dimension of location in the protest cycle helped to acknowledge that the context in which a feminist claim is being made, in terms of the broad movement, is crucial to understanding how the POS dimensions worked (or did not work) as facilitators. For instance, in OCAC's case, I can conclude that its location in the protest cycle worked both as a barrier and facilitator during the legislative process, not only because it was not strong enough and then it was, but because its presence or absence was more than contextual, it was a pillar on which young feminist women who were less likely to be heard in the political scenario stood.

## 6.3 The relevance of highly valued characteristics to let feminists speak in the public and formal arena

After analysing the data given by the interviews and the institutionalised document, which permitted me to examine OCAC's development toward achieving legislative success in less than six years from its creation, the question remains as to why OCAC emerged, but no other feminist organisations. This is why the second reflection in this conclusion chapter argues for the relevance of the well-valued characteristics that let feminists speak publicly in the formal and public arena.

The gender division of public and private spaces reserves the first for men and the second for women. This does not mean that women are not allowed to be in public spaces anymore, but that their

bodies, experiences, and interests, among other things, are consider private. In other words, women are not by default subjects of law with the same conditions, opportunities, and rights to exist, enjoy, and build the public space as men. This is why the UN gender equality agenda advanced from searching for 'gender equality' to 'substantive gender equality' (UN Women, 2015). The second acknowledges the unequal system in which different rights are sustained, meaning that even when men and women can participate in politics, women do less and have less participation in the higher decision-making positions; even when men and women can own property, women are the less likely to own land; and despite women and men having the right to work for a salary, women do it less, in worse conditions, and for less pay, etc. Recognising gender subordination gives us the opportunity to understand that not all people have the substantive right to make a claim, be heard, and have that claim answered.

In accordance with the above, it is worth noting that the analysis of the case selected was allowed to make a claim, was heard, and got an answer to its claim in a short time—as compared to the legislative process of the bill that regulates sexual harassment in the workplace, which took more than ten years. Based on the gender approach, those three aspects (to be able to make a claim, be heard, and answered) must not be considered as a given to any group of people, since even when we all have the same human rights on paper, in practice we do not. In this particular case, intersectionality needs to be attended to: OCAC's members were not just women but young women, and they were not only making claims as women but as feminists in a patriarchal society. It is not the same when mothers make demands for their children and when women make demands for sexual autonomy in a patriarchal society. The first is more related to the traditional role that gender subordination not only supports but is based on, and the second one questions it. Given this, I understand OCAC to have had the relevant well-valued characteristics that allowed it to speak in public and formal arenas.

From the analysis of this research, it can be said that OCAC's features were read as positives by relevant actors, providing a rich environment to advance in social and legal problematisation. Along with this, I identify three main characteristics of OCAC that worked in their favour, to claim

not only as women but as feminists: their ability to make their private gendered experiences open to discussion in the public arena; their professionalism; and their ability to negotiate with powerful decision-makers.

From the start, OCAC's members were conscious of what women represent in the political sphere and the informal gendered norms that ruled the legislative process. In this sense, they knew that their experiences with SH were not enough to support their demand. In their interviews, they referred to this when they mentioned the need for data to demonstrate the high frequency and consequences of street harassment in girls' and women's lives. In other words, in a context in which women's experience is insufficient to support the argument of what they are living, they needed to count on scientific data to open their private gendered experiences to discussion in the public arena. On the other hand, because men are the political subject by default, their experiences are enough to establish truths. In those cases, the data and measures are relevant to show how deep the problem is but not to prove it. In other words, the data and information men use to make claims usually work as support for their experience, which is already validated, making it unnecessary to make that experience real. During the social and legislative discussion of street harassment, it was very common to hear men in different decision-making positions saying that SH (*piropo*) was not a bad thing, that they did not believe that almost every woman has experienced it, and even that women should be thankful to receive a positive opinion on their looks. OCAC's members knew their voices would not be heard without providing data demonstrating what they already knew. This is why, even before winning the UN Women Chile and European Union funding, they did an online survey.

The second characteristic that worked in OCAC's favour was their professionalism. This feature was consistently highly valued by different relevant actors, from politicians, journalists, and other feminists. As reviewed in chapters 4 and 5, the internal organisation of OCAC's members was, from the beginning, based on their knowledge and skills. About this characteristic, it is crucial not to forget that the professionalism feature is related to university education, which is also linked to a social class. Even when OCAC's members were not part of the elite or wealthy families, their

knowledge and skills were validated by their studies and degrees from prestigious Chilean universities. The professionalism characteristic was positively valued since they knew what they were saying, and—as mentioned by different members of parliament and the government—this separated OCAC from other organisations because it not only pointed out a gender injustice but demanded that specific actions and measures be taken.

Finally, OCAC-members' availability to negotiate with decision-makers was a well-valued characteristic by key actors who collaborated with them. The organisation chose to impact the political arena by engaging with political and governmental actors, which shaped OCAC into a more institutionalised organisation. As reviewed in previous chapters, this feature had positive and negative effects on OCAC. On the one hand, the organisation impacted the formal arena by achieving the support needed for the bill. On the other, because OCAC searched for that impact, it could not be as aggressive or direct as they would have liked to respond to some political actors who acted against the claim against street harassment. In other words, they needed to take care of their institutionalised relationships.

Taking everything into account, I understand that OCAC's ability to speak and be heard in the public arena as a feminist organisation was a mix of being left to do it and their own agency. Regarding the first point, I identify that the characteristics reviewed in this section were highly valued because, up to a certain point, it took away the feminisation of the claimers and the claim, making them objective (a gender-stereotypically male characteristic). OCAC's members' awareness of what they represented in the political arena allowed them to shield themselves against public criticism: they put their knowledge and skills into the evidence. In this sense, they were left to speak, and the strength of their argument made it difficult for them not to be heard. Nevertheless, women are not just victims in a patriarchal society but they also have agency. In this sense, even when, at first, OCAC's members did not have previous experience in leading social movements, they were fast learners of the rules of the game. Accordingly, they did have agency and they planned strategies and

discourses, searched for allies and built opportunities not only for them but for the broader feminist movement as well.

### 6.4 Lessons learned for future research

This research process was both exciting and challenging and, at every step, I had the opportunity not only to learn but to critically reflect on the topic, the theory, the methodology, the political arenas, the international context, and more. In this regard, I have pointed out both theoretical and methodological lessons of taking a gender approach for future research.

As I have argued throughout this thesis, I understand that the political sphere is gendered, which means that men and women do not enjoy the same substantive rights not only to have access to the public space but to build it, frame it, and signify it. The sexual division of labour has as a consequence that, historically, female participation as decision-makers in the political arena is extremely low, even though they have—on paper—the same rights as men to participate in it. In fact, the beginning of Chilean political history (as almost every contemporary democracy in the world) developed its democracy model exclusively for and by men. The female right to vote, obtained in 1949, did not mean that women would have the same political participation as men, but the ability to vote for (mostly) men. Acknowledging that the political sphere is gendered brings, without a doubt, a lesson for the POS theory: every political analysis would be more precise if developed with a gender perspective.

The theory lessons described above mean that the analysis of any political, legislative and/or policy process, and social movement development, is richer with a gender lens, regardless of whether their main topic includes women or gender-based regulations. This theoretical lesson is a consequence of each of the POS research I reviewed for this thesis, in which, if they were not about gender-based legislation, women's movements, or the LGBTIQ+ community, most not only did not add a gender approach but did not even acknowledge that the political scenario is gendered. In this sense, much of

the research on wars, revolution, economic legislation, and democracies, and more, did not stop to consider the fact that most of the decisions in those processes were made by men and what this means.

The methodological lesson is a direct result of the theoretical lesson described above. How researchers understand the scenarios they are studying leads to the methodological decisions that they would consider to approach it. As a consequence, for example, if they do not even consider that male and female participation in the political arena is unequal, they will not question the methodological decisions such as the operational definitions of variables, types of dimensions to measure, or the use of qualitative techniques to approach other experiences, etc.

Therefore, it can be said that, including the gender approach in POS theory would make the analysis more accurate. In this sense, this perspective is an opportunity for deeper critical thinking, recognising that all society is framed by a gender system that subordinates some experiences to others. In this sense, for example, if democracy analysis involves human rights perspectives, it cannot leave to the side an approach that helps to understand that half of the population do not have the same rights as the other, even though the legislation says it does. In this regard, Simone de Beauvoir's quote is relevant: “Never forget that it only takes one political, economic or religious crisis for women’s rights to be put in jeopardy. Those rights are never to be taken for granted; you must remain vigilant throughout your life” (Simone de Beauvoir, cited by Hass & Binard, 2022, p. 164). As a consequence, adding a gender approach to POS theory enriches it significantly by adding awareness not only to the analysis that can be done with it but also to the researchers. In this sense, mainstreaming the gender perspective into their studies will give them a critical perspective from which to acknowledge inequality dimensions without which it would be less possible to value them as crucial aspects to integrate.

Several research topics in the political science field could be better understood by adding the gender approach, such as the analysis of democracies regarding political participation. As Tripp and Hughes (2018) observe, “political scientists hoping to understand or to control for attitudes about gender must make do with a handful of crude measures, typically that assess gender role attitudes”

(p. 247). Commonly, quantitative and qualitative research about it does not integrate variables and dimensions in the analysis that relate specifically to intersectional gender experiences. In this regard, until now, different studies about democracies do not even question the definition and dimensions measure of political participation in gender terms. For instance, in the Democracy Index 2022, of 60 variables measured in five dimensions[92], only one is about women. Specifically, variable number 29 of the political participation dimension measures the number of women in parliament. From a gender perspective, this index is, at least, questionable, and for two main reasons. The first reason is related to the 29th variable. Each answer to the variables is converted to a score of 1 to 0, 1 being the most democratic answer and 0 the least democratic. According to this, the answer to how many women are in a given parliament receives a maximum democracy score "if more than 20% of the seats" are held by women (The Economist Intelligence Unit Limited [EIU], 2023, p. 72). In this regard, a question emerges, how it can be that only 20% or more of the seats could be considered a characteristic denoting democracy? Would it be considered a democratic characteristic if the lower participation was the other way around, more than 20% of the seats being for men? Female political participation is a right and is a matter of justice, therefore, considering 20% of participation as a democracy characteristic is not only short-sighted but goes against women's human rights.

The second reason to question the Democracy Index is what the other 59 variables, that do not take a gender perspective, represent. It seems like the index is measured based on false neutrality, in which questions about campaigns, elections, seats, political parties, and even government authorities, etc., are neutral to the hegemonic gender system. According to the Democracy Index 2022, Chile is considered a full democracy, being the 19th most democratic country in the world (EIU, 2023). However, how can a country in which only two in ten members of parliament are female be considered a full democracy? Or, the other way around, would a country be considered a democracy

[92] Electoral process and pluralism; functioning of government; political participation; democratic political culture, and civil liberties.

where only two in ten members of the parliament were men? Or in which only one man in the history of the democratic nation has been president?

As the findings in this study have shown, the male configuration – both formal and informal- of the political space affects female political participation—and thus democracy—not only in political roles in parliament but also to actively impact it from other fronts. In the case of this research, OCAC faced gender-based barriers to impacting the political arena, and not because it was not always explicit, were less strong. In this sense, the Chilean lack of female parliamentarians is both a gap in and a consequence of a male structure of how the democratic process is conceived. Consequently, this feminist organisation had a primary disadvantage when entering the political arena. Their experiences were not represented as they should have been in that decision-making sphere, and the latter was not interested in the topic until the context made it impossible for them not to support it—or at least loudly speak against it.

In this regard, the Democracy Index could be improved upon by being rethought in gender terms, specifically regarding the concepts of 'fairness', 'freedom', and 'equality' that described several of its variables. OCAC was free to make claims based on women's experiences, however, its claims and its members were not considered—by members of parliament, the media, and even society—as equals. Thus, they requested that OCAC produce data to prove that what they were saying was right.

In addition to the example above, it is very common for research into the gap between male and female participation in the political decision-making arena to fail to integrate the variable of violence against women in politics (VAWP) as a key element to understand why women not only have less access to the political arena than men, but also to understand their development in that space. In OCAC's case, during the legislative discussion in the Women and Gender Equality Commission in the Senate, the female senators who composed that commission often mentioned the need to approve a strong bill so their male colleagues could not say that female parliamentarians in a female commission were approving weak bills. In this sense, they not only discussed the bill in

detail—which of course is what is expected in this space—but often remarked on what other—male—parliamentarians would think. This lengthened the discussion of a particular, and short, bill. It is important to recall that this constant consideration of what male colleagues could say is an effect of VAWP, by which women's capacity is constantly questioned. It can thus be established as a finding that VAWP affects not only female parliamentarians but all women, and by extension the substantive democracy. Acknowledging VAWP alongside the different consequences of gender stereotypes, bias, and sexism, is a crucial aspect of acknowledging that all political institutions are both male-structured and understood in male terms.

In conclusion, this reflection opens a window of opportunity to critically discuss how we, as researchers, think, understand and question the political scenario, its actors, and what they represent.

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## APPENDIX 1. ETHICAL CONSIDERATIONS

Even when this research did not involve interviewing vulnerable people or groups to collect data, ethical aspects were considered "due to the in-depth nature of the study process" (Mohd, 2018, p. 30). Scholars have identified specific ethical aspects that researchers need to be aware of, considering that the researcher always impacts their environment (Husband, 2020; Mohd, 2018; Tojar, 2006; Iphofen & Tolich, 2019, among others).

Prior to fieldwork, the research methodology was approved by the University of Essex Ethics Sub-Committee 3 under ERAMS numbers ETH2122-1242 and ETH2223-0669. The ethical considerations in this study are as follows:

1) Informed consent: I adequately informed all the participants of the aim of the research, and the characteristics of the interview, such as the need to record the interview, note-taking during the interview, transcription of the recordings, etc., and of the use of the resulting data. Their informed consent was received in written form and was signed by all of the interviewees.
2) Anonymity and confidentiality when possible: Because of the nature of my research and some informants' characteristics, it was in several interviews impossible to ensure anonymity. The reason for this was related to current and previous public positions of some interviewees, whereby it would be possible to identify them even with de-identifying labels. This ethical issue—that complete anonymity was impossible to ensure—was clarified in the informed consent form. However, I did not use any of their names when writing this thesis.
3) Interview session: Because some informants are recognisable people in Chile, I provided a safe, quiet, and neutral place for the interview.
4) Data analysis and dissemination of the findings: I let all of the informants know that only I, as the researcher, had access to the interview recordings and the notes taken during the interviews. Along the same lines, I specified to them that I am not allowed to divulge any document or recording that contains the interviewees' personal information. Finally, I notified the informants that this research has an academic divulgation purpose, therefore, despite the considerations above, the analysis is not private.
5) Data protection: To ensure the previous ethical consideration, I ensured the informants that all the interview material, such as records and notes or written consent, would be secure. In this matter, the devices I used in the interviews and analysis are for personal use, hence, no one else has or will have access to this material. In addition, there will only be one copy of these materials on my personal laptop and one backup on a flash drive. Consequently, this material will not be shared, emailed, left, or copied in a hard format where it might be read by others.
6) Ethical approval: I notified the participants that I had ethical approval from the University of Essex (numbers ETH2122-1242 and ETH2223-0669) to lead my study. This was noted in the Participant Information Sheet.

## APPENDIX 2. PARTICIPANT INFORMATION SHEET ENGLISH VERSION

**The problematization of street sexual harassment in Chile. How OCAC took advantage of the political opportunity structure to penalise this (not) new sexual violence?**

My name is María José Guerrero González and I am a PhD researcher in the Department of Government at the University of Essex. I would like to invite you to take part in a research study. Before you decide whether or not to take part, it is important for you to understand why the research is being done and what it will involve. Please take time to read the following information carefully.

The purpose of this study is to analyse the internal structure and composition of the Chilean Observatory Against Harassment that enabled it to take advantage of changes in the political opportunity structure to facilitate the social movement's success in getting important legislation passed. You have been invited to participate because you were involved directly or indirectly to the legislative process of the Chilean law against street harassment between 2013 and 2019.

It is up to you to decide whether or not you wish to take part in this research study. You are free to withdraw at any time, without giving a reason. If you decide to take part in this research study, you will be invited to complete a face-to-face interview that takes approximately 60 minutes to complete. If you would like to take part, please read and sign your consent below.

There should be no risks or disadvantages associated with you taking part in this study. There are no material or individual benefits associated with taking part in this study. Any benefits will be a general contribution toward a better understanding of feminist social movements and their claims.

The only information that will be collected from you are your responses to the questions in the interview. Your own personal identifying information will not be collected at all. Because of the nature of my research, ensuring anonymity would be impossible because the role you have or had been is probably identifiable.

All data resulting from this research study will be stored on a secure devices, and only the principal investigator of the project will have access to the raw data. Your agreement to participate provides the legal basis for the researcher to use the data you provide. The Data Controller for this research study is the University of Essex and the contact is Sara Stock, University Information Assurance Manager (dpo@essex.ac.uk).

The results of this research study will be included in my doctoral thesis. Your name will not be included unless you consent for it to be, but your responses may be used to identify you in the published work. The Social Sciences Ethics Sub-Committee at the University of Essex has reviewed and approved the application for ethical approval of this study.

If you have any concerns or a complaint about any aspect of the study, in the first instance please contact the principal investigator of the project, María José Guerrero González, using the contact details below. If are still concerned, you think your complaint has not been addressed to your satisfaction, or you feel that you cannot approach the principal investigator, please contact the Director of Research in the department responsible for this project, Allyson Benton (email abenton@essex.ac.uk). If you are still not satisfied, please contact the University's Research Governance and Planning Manager, Sarah Manning-Press (e-mail sarahm@essex.ac.uk). Please include the ERAMS reference at the foot of this page.

The only investigator in this research is María José Guerrero González (email: mg20503@essec.ac.uk).

## APPENDIX 3. PARTICIPANT INFORMATION SHEET SPANISH VERSION

**La problematización del acoso sexual callejero en Chile. ¿Cómo OCAC tomó ventaja de la estructura de oportunidad política para penalizar esta (no) nueva violencia sexual?**

Mi nombre es María José Guerrero Gonzalez y soy investigadora doctoral en el Department of Government en la Universidad de Essex. Me gustaría invitarte a que participes en un estudio. Antes que decidas si quieres participar o no, es importante que entiendas por qué estoy haciendo esta investigación y qué involucra. Te agradecería que leyeras atentamente la siguiente información:

El objetivo de este estudio es analizar la estructura interna y la composición del Observatorio Contra el Acoso Chile (OCAC) que le permitió tomar ventaja de los cambios en la estructura de oportunidad política para facilitar que el movimiento social tuviera éxito en conseguir la ley contra el acoso. Has sido invitada/e/o a participar debido a que tuviste un vínculo directo o indirecto con el proceso de la ley contra el acoso sexual callejero entre los años 2013 y 2019.

Participar o no de este estudio es completamente tú decisión. Eres libre de retirarte en cualquier momento sin dar ningún motivo. Si decides participar, serás invitada/e/o a una entrevista que toma aproximadamente 1 hora en completar. Si quieres participar, te pido por favor que leas y firmes el consentimiento al final de este documento.

No hay ningún riesgo para ti en participar en este estudio, como tampoco hay beneficios materiales o individuales asociados a ser parte de estudio. El único beneficio será una contribución general acerca del mejor entendimiento de los movimientos sociales feministas y sus demandas.

La única información que será recolectada son tus respuestas a las preguntas en la entrevista. Información sobre ti no será recolectada. Debido a la naturaleza de esta investigación es imposible asegurar el anonimato ya que el rol que tuviste o tienes puede ser identificable, sin embargo, no utilizaré tu nombre en ninguna publicación académica.

Toda la información recolectada en este estudio será guardada en dispositivos seguros donde sólo la investigadora principal del proyecto tendrá acceso. Tu consentimiento a participar en esta investigación proporciona la base legal para que la investigadora use la información de tu entrevista. El controlador de datos para esta investigación es la Universidad de Essex y el contacto es Sara Stock, Encargado de Aseguramiento de la Información de la Universidad (dpo@essec.ac.uk)

Los resultados de esta investigación serán incluidos en mi tesis doctoral. Tu nombre no será incluido a menos que des tu consentimiento para esto, de todas formas, tus respuestas podrían identificarte en posteriores trabajos publicados. El Sub-Comité de Ética de Ciencias Sociales de la Universidad de Essex ha revisado y aprobado la solicitud de aprobación ética de este estudio.

Si tienes cualquier pregunta o queja sobre cualquier aspecto de este estudio, en primera instancia por favor contactar a la investigadora principal del proyecto, María José Guerrero González, usando los datos de contacto más abajo descritos. Si todavía tiene preguntas y sientes que tu inquietud no ha sido abordada satisfactoriamente, o sientes que no puedes comentarla con la investigadora principal por favor contacta a la Directora de Investigación del departamento responsable de este proyecto, Allyson Benton (abenton@essex.ac.uk). Si todavía no está satisfecha/e/o, por favor contactar a la Encargada de Planificación y Gobernanza, Sarah Manning-Press (sarahm@essx.ac.uk). Por favor incluya la referencia ERAMS que se encuentra en la nota al pie.

El estudio es realizado sólo por una investigadora, María José Guerrero González (mg20503@essex.ac.uk).

**APPENDIX 4. CONSENT FORM ENGLISH VERSION**

**The problematization of street sexual harassment in Chile. How OCAC took advantage of the political opportunity structure to penalise this (not) new sexual violence?**

| | |
|---|---|
| I consent to participate. | Yes ☐ No ☐ |
| I consent to have my interview recorded. | Yes ☐ No ☐ |
| I consent to notes being taken of my interview. | Yes ☐ No ☐ |
| I consent to have my name included in published academic works. | Yes ☐ No ☐ |

_____ _____

Name Date

**APPENDIX 5. CONSENT FORM SPANISH VERSION**

**La problematización del acoso sexual callejero en Chile. ¿Cómo OCAC tomó ventaja de la estructura de oportunidad política para penalizar esta (no) nueva violencia sexual?**

| | | |
|---|---|---|
| Consiento participar. | Sí ☐ | No ☐ |
| Consiento que mi entrevista sea grabada | Sí ☐ | No ☐ |
| Consiento que se tomen notas durante la entrevista. | Sí ☐ | No ☐ |
| Consiento que mi nombre sea incluido en publicaciones académicas. | Sí ☐ | No ☐ |

_____ _____

Nombre Fecha