

Mala Htun. *Sex and the State: Abortion, Divorce, and the Family under Latin American Dictatorships and Democracies*. Cambridge: Cambridge University Press, 2003. ISBN 0521008794.

In this book, Mala Htun studies reforms on family law, divorce and abortion in Argentina, Brazil and Chile since the 1960s. Military dictatorships introduced policy changes that made family law more egalitarian from a gender perspective, and ensuing democratic governments enacted more liberalizing reforms. Divorce has been legalized in Brazil and Argentina, but not in Chile, and no democratic government has legalized abortion in any of the three countries.

Htun proposes that the three issues (family law, divorce and abortion) are so different that they should be studied separately – what she terms ‘the disaggregated approach’ (p. 1). She argues that liberalizing state reform on all three issues took place when actors favouring change (networks of feminists, lawyers, politicians, doctors and the media) operated in a favourable institutional and political context. This context was composed of three elements: policy making commissions of experts during dictatorships; the configuration of democratic institutions (authoritarian legacy, party system, executive women’s agencies, among others); and church–state relationships in both dictatorships and democracies.

This book has four key strengths. First, it is truly comparative, since it poses a question that is best answered through a comparison of cases: when, where and how is liberalizing reform on family law, divorce and abortion possible? Second, it contains an impressive number of in-depth case studies of state reforms – eighteen – drawing on both primary and secondary sources. Third, it offers a nuanced, sharp and convincing analysis of the specific contexts that make policy change possible or highly unlikely. Fourth, it offers an explanation of policy reform that balances the importance of both agency (of the actors favouring policy change) and structure (of the institutional and political contexts that prevent or promote new policies).

In my view, three aspects of the book could have been improved. First, according to the ‘disaggregated approach’ favoured by Htun, the policy process depends in part on the nature of the issue at stake. Some policies are ‘absolutist’, in the sense that they ‘tend to be seen in symbolic terms, provoke gut responses and value clashes, and ... [r]eligious institutions are likely to weigh in on changes to an absolutist agenda’; by contrast, ‘technical’ policies ‘demand expert knowledge and provoke little public controversy. Change on technical issues is less likely to put religion on the defensive’ (p. 5). Abortion is the epitome of ‘absolutist’ issues, while family law is usually a ‘technical’ matter. However, the reader is given the impression that matters are either ‘technical’ or ‘absolutist’ depending not only on the nature of the topic at stake but also partly on the politics surrounding it in each case. Therefore, a ‘technical’ issue could become an ‘absolutist’ one (and vice versa). A deeper discussion of the explanatory power (and the limitations) of the conceptual

distinction between 'technical' and 'absolutist' issues would have enhanced this work.

Second, a political science book like this understandably contains political explanations of why some gender reforms have taken place in Latin America, while others have not. Nevertheless, the causal role played by societal variables could be more adequately specified. For example, the importance of the role played by public opinion in favouring or impeding reforms on family law, divorce and abortion is not made clear. Public opinion is not included as a main causal factor in the explanatory model used in this research (chapter one). However, in some places, to take the example of abortion, the 'little public support for major changes' (p. 9) seems to be a significant factor preventing policy development in the direction of decriminalization.

Third (and of a lesser importance), some reforms are characterized by Htun as primarily 'symbolic' or 'rhetorical', for instance, the Chilean law adopted in 1989 that granted married women full civil capacity but did not change the marital property regime which made the husband administrator of this property (chapter three). This characterization is questionable. Notwithstanding the need for changes in marital property regimes, the recognition of married women's civil rights is also important because it significantly expands the possibilities for the autonomous agency of married women. Certainly, this reform is not usually seen by social conservatives as a mere cosmetic device and they are likely to oppose it, as they did in Chile in 1979 when they were able to block the initial proposal (p. 74).

However, the valuable strengths of Htun's book, as described here, outweigh these problems and the book as a whole is a substantial contribution to our understanding of the politics surrounding specific women's rights. Moreover, the book is relevant not only to scholars specialized in gender and Latin America, or to area specialists (Latinamericanists), but also to scholars (myself included) interested in gender and politics more generally. It will be a very welcome addition to any collection of texts on gender and politics.

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