In Mexican Workplaces, Sexual Harassment Is Illegal--and Commonplace

_Labor: Female members pushed the ban through Congress in 1990. But few complaints are filed, and activists say too few women know their rights._

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MEXICO CITY — Alejandra Petra Romero was a low-level government typist, but she knew her rights. She had worked for 20 years in the courts here and was assigned to a judge in the civil division when her nightmare began earlier this year.

One of her superiors, a male secretary in the judge's office, started sexually harassing her.

He repeatedly "made indecent proposals" and suggested that her job was at stake if she didn't comply, Romero reported.

But she refused to quit or endure the treatment, as many women do in Mexico's male-dominated workplaces.

Romero, 43, filed a complaint with her labor union, alleging that her superior was violating a 6-year-old federal law that criminalized sexual harassment.

She begged for a transfer, but nothing was done. After weeks, Romero's son said, she complained to her boss, Judge Maria Rosario Mancera, a woman who had broken the court's gender barrier.

Still nothing happened.

Finally, early last month, depressed and desperate, Romero walked into Mancera's office and pulled out a .25-caliber pistol. She shot the judge, then turned the gun on herself—an act that her son and co-workers insist was the direct result of the sexual harassment.

Romero died several days later. Mancera recovered.

The case merited just a brief mention in Mexico City's papers.

But for female legislators who pushed the sexual harassment law through a Congress dominated by men, it was a harrowing—extreme—reminder of how little the law has changed the Mexican workplace, a man's world where sexual harassment remains part of the job for millions of Mexican women.

In a labor force that is one-third women—a proportion that grows each year—most workers still do not know that the harassment law exists, the legislators said.

"In most cases, people still aren't aware of their rights," said Maria de la Luz Lima, who drafted the bill as a local prosecutor and was later elected to Mexico's Chamber of Deputies. "They don't know what constitutes sexual harassment, and they don't know what to do about it."

In the first year the law took effect, she said, just 10 sexual harassment complaints were filed in Mexico City, population 20 million; an average of 20 cases have been registered each year since.

"Frankly, I don't know of a single successful prosecution under the law," said Luz Lajous, a senator who co-sponsored the law. "It was a step forward, but it has not been a definitive one."

Both legislators attribute the law's limited effect to machismo in the Mexican workplace.

Legislators, activists and harassment victims agree that this is a culture in which men hold the overwhelming majority of positions of power; the system encourages female subordinates to dress and act "pretty"; Mexico has a gender-based hierarchy in which fear almost always wins out over dignity.

The prevailing mind-set has created a position known as the edecan—a woman whose sole job is to look attractive. It is a position roughly comparable to hostess but found everywhere—from banks to government offices and even at the legislature that passed the law.

"It comes from a tradition where the men would like to be taken care of by young, pretty women," said Lajous, a member of the ruling Institutional Revolutionary Party.

She added that she and the other female legislators who unanimously backed the law in a rare multi-party move tried to be sensitive to those cultural nuances.

"In our culture, we still have a lot of machismo left," she said. "Things that are considered sexual harassment in the United States are not considered so here. For example, if a man we work with makes a compliment about us looking pretty, we are used to just saying, 'Thank you.' [But] we drew the line in the law on the issue of power. If they put your job in jeopardy in exchange for sexual favors, to me that's the limit."

That was so for Malena Gaytan—and dozens of other victims of sexual harassment who asked that their names not be used.

Gaytan, 23, was hired by the Treasury Department in 1994. She described her job as "greeting and directing people" at a public-service center.
But from the first day, she said, her 45-year-old boss made life miserable—not just for her but for all the women in the office.

"He only wanted women for the job—and only pretty women. He said he wanted to give the office a good image," Gaytan recalled.

It began with lunch invitations, she said. "If you didn't accept, he would make your life impossible."

Then, Gaytan said, he started grabbing her by the hand, the waist, the hair.

"He would get too close, hang around, and you would just become uncomfortable," she said. "He would spread rumors about you."

One day, Gaytan's boss—whom she declined to identify—asked her to work late. When the rest of the staff had left, he grabbed her by the hand and would not let go.

"He kept getting closer," she said. Finally, she tore herself away and ran out.

The next day, Gaytan complained to another boss, who agreed to transfer her to a different center. Three months later, Gaytan said, the boss who transferred her left, her first boss was promoted, and he promptly fired her.

Asked why she did not file criminal charges against him under the 1990 law, Gaytan said: "I didn't know about it. If I had, I would have filed a complaint—I'm the kind of person who speaks up when I have a problem."

"But, in truth, it would have been like asking for apples to fall from the sky. And if I had made a legal complaint against him, I would have been blacklisted in all federal agencies. Since I want to be a teacher, I'd never be able to work in public education."

Elena Tapia, coordinator of the United Women Workers activist group, said such fears are widespread. They have a chilling effect that allows harassment to continue.

"For example, the secretary-general of the flight attendants association recently called me to see how we can help, because pilots so frequently harass flight attendants," Tapia said. "The flight attendants start working when they're only 18 years old, and the pilots take advantage of them. . . ."

"Another woman—she's 18—told me she was hired to work in an ice cream shop," Tapia said. "The boss started to tell her that she was pretty and young, that she needed a man like him to teach her how to live. . . . After two months, she quit. But she didn't file charges because she knew it would be her word against the word of a respected 50-year-old man."

Tapia and legislators agreed that fear has made statistics meaningless in assessing the problem.

"More than numbers, though, I think we need a greater awareness to really cut down on sexual harassment," she said.

With more women in the work force each year, activists say more needs to be done to teach workers about their rights.

"At the end of the line, what you're talking about is education," Lajous said. "And education is a very slow process."

It is also painful.

The death of court typist Romero, the senator said, was a case in point. By taking her despair to the extreme, Lajous said, Romero helped focus public attention—however briefly—on the issue.

"For consciousness-raising, it helps," she said. "You certainly don't like to see a tragic case such as this to raise society's consciousness, but that is the effect."

But the education process is further hampered because more serious crimes against women continue—despite tougher sanctions that were included in the same 1990 law.

"I would say the No. 1 problem is rape; second is battered wives and children; and third is sexual harassment at work," Lajous said.

As Lima put it: "We know sexual harassment at the workplace is a big problem. But a lot of women are beaten and abused at home. So when someone at work verbally insults them, they say, 'Well, that's not such a big deal.' "

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