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## Feminist activism and the politics of reform: When and why do states respond to demands for gender-equality policies?

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Working Paper 2016-13

## **Feminist Activism and the Politics of Reform**

*When and Why Do States Respond to Demands for  
Gender-Equality Policies?*

*Anne Marie Goetz and Rob Jenkins*

prepared for the UNRISD project on  
When and Why Do States Respond to Women's Claims?  
Understanding Gender-Egalitarian Policy Change in Asia

September 2016



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# Acronyms

<b>ANC</b>	African National Congress
<b>CCT</b>	Christian Council of Tanzania
<b>CEDAW</b>	Convention for the Elimination of Discrimination Against Women
<b>CENGOS</b>	Coalition of Eastern NGOs
<b>CONTAG</b>	Confederation of Agricultural Workers
<b>CSO</b>	Civil society organization
<b>CWO</b>	Catholic Women's Organisation
<b>ELCT</b>	Evangelical Lutheran Church of Tanzania
<b>ERA</b>	Equal Rights Amendment
<b>FENATRAHOB</b>	Federación Nacional de Trabajadores del Hogar de Bolivia (National Household Workers' Federation of Bolivia)
<b>FIDA</b>	Uganda Association of Women Lawyers
<b>FOWODE</b>	Fund for Women in Democracy
<b>GEP</b>	Gender-equality policy
<b>GLTF</b>	Gender Land Task Force
<b>IMF</b>	International Monetary Fund
<b>INCRA</b>	Instituto Nacional de Colonização e Reforma Agrária (National Institute for Colonization and Agrarian Reform)
<b>KNWC</b>	Korean National Council of Women
<b>MAS</b>	Movimiento a Socialismo (Movement Towards Socialism)
<b>MP</b>	Member of Parliament
<b>MST</b>	Movimento dos Trabalhadores Rurais Sem Terra (Landless Rural Workers Movement)
<b>NALAF</b>	National Land Forum
<b>NF</b>	New Feminism Movement
<b>NGO</b>	Non-governmental organization
<b>SDG</b>	Sustainable Development Goal
<b>TAWLA</b>	Tanzania Women Lawyers Association
<b>ULA</b>	Uganda Land Alliance
<b>US</b>	United States
<b>UWONET</b>	Uganda Women's Network
<b>VAW</b>	Violence against women

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## **Abstract**

Under what conditions is gender-equality policy advocacy successful? This paper examines a segment of the growing quantitative comparative political science literature that seeks to answer this question. Recent scholarship emphasizes such factors as the strength of women's movements and the forms of opposition to which their policy demands gives rise. Variables such as the nature of the state or the economy, are also seen strongly to influence whether women mobilize to make claims on the state, the issues they politicize and their chances of success. However, one consequence of focusing on institutional factors is that the role of strategic choices made by feminist policy advocates is underestimated in explaining their successes. The article argues that understanding variation in the outcomes achieved by women's rights advocates requires close attention to the strategic capacity of policy entrepreneurs, assessed in terms of three inter-related political skills: (i) "framing" policy demands; (ii) forming and managing civic alliances; and (iii) engaging with state entities without compromising organizational autonomy.

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*Keywords:* feminism, policy reform, civil society, social movements



# 1. Introduction

Identifying a globally applicable set of conditions under which feminist claims making is successful is a daunting challenge, to say the least. It may be impossible to know with any degree of certainty why policy or institutional reforms to advance gender equality are implemented in some places and not others, at some times and not others, and through some means and not others. Molyneux observes that the capacity of women's movements to contribute to a "workable formula for the delivery of social justice within which women's interests, diverse though they be, are given recognition" depends on the existence of "favourable political circumstances" (2001: 160). The nature of these circumstances is left unspecified, but clearly included are elements that transcend such conventional variables as regime type, the nature of party competition or the formal legal environment.

While fully identifying the necessary and sufficient conditions for successful feminist claims making may be too tall an order, the search for patterns is nevertheless useful. It can focus attention on enabling factors such as the structure of women's movements, the alliances and tactics they pursue, the types of resistance that reform proposals encounter, and the political and institutional environments in which claims making efforts are embedded. This paper therefore has the more limited goal of reviewing some of the ways in which various combinations of "political circumstances", which resist attempts at classification, create opportunities for women's rights advocates to succeed in advancing at least parts of their agendas.

Women have sought to advance claims in a wide range of institutional settings—including in most variants of democratic and authoritarian regimes. They have pressed for favourable treatment from traditional and religious authorities, private-sector actors, voluntary associations, the executive, legislative and judicial officials of national (and subnational) governments, and within international institutions of multilateral governance, such as the African Union and the World Bank. The focus in this paper is on claims made with respect to public authorities of all kinds: demands for legislative and policy reform, changes in public expenditure patterns, the redesign of institutions and improved methods for implementing laws and programmes. These claims may be advanced at any tier of governance—from the local to the global—though our primary focus is the national level.

We examine a small segment of the wide-ranging literature on comparative gender-equality policy (GEP) analysis, paying particular attention to research that attempts to derive broad generalizations about the nature of successful claims making.<sup>1</sup> Some of this scholarship stresses enabling factors such as the existence of autonomous women's civil society organizations; economic and political conditions that enable women to control assets; rule by left-of-centre parties; the cultivation of allies and champions within state bureaucracies; positive extra-national influences such as international human rights conventions; the erosion of local and national cultural norms that deny

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<sup>1</sup> The article is also based on a literature review of comparative gender equality policy studies from around the world, with a particular focus on claims making in areas that arouse the most intense resistance from patriarchal interests – claims making to legalize abortion and to expand women's land rights. Space constraints mean the cases cannot be presented in detail here (the main comparative studies are summarized in the annex). They were analysed to assess differences in the tactics used by women's groups, their alliances with other social movements, the influence of national histories of women's claims making on a country's "gender regime", the role of "spoilers" such as traditional interests and the impact on claims-making of features of public sector institutional configurations, including the implications of working at different levels of government. The study was conducted for the research project *When and Why do States Respond to Women's Claims? Understanding Gender-Egalitarian Policy Change in Asia*, coordinated by the United Nations Research Institute for Social Development.



women equal rights; and high capacity among public institutions (Mazur, 2015; Weldon, 2002).

A country's long-standing characteristics—including its social structure, institutional framework, legal system, economic profile, and the history of prior policy battles—influence the prospects facing feminist claims makers. But determining the extent of such influences through statistical methods is often extremely problematic—for instance, because of the unavailability of data or the incommensurability of national contexts. Most importantly, however, statistical methods tend systematically to downplay, or even exclude, the conscious strategic decisions of feminist claims makers themselves. Because of fundamental disagreements over strategy in most cases—notably, whether it motivated action—consistently applying classification criteria to empirical events is nearly impossible.

This does not mean that there is not excellent quantitative scholarship to consider. We examine two different approaches to identifying the determinants of successful claims making. First, we draw on Htun and Weldon's (2010, 2012) work, which addresses, among other things, the links between the policy domain within which a claim is located and the character, intensity and/or effectiveness of the opposition its advocates face. A shortcoming of this otherwise impressive body of research is its limited consideration of what we call “political practice”—the political strategies used by claims makers to overcome the forms of opposition that arise in response to their specific policy and institutional reform proposals.

The second analytical approach we examine does focus on political practice, and for this reason, we argue, is a useful guide to the real world struggles for influence that play themselves out in the country contexts considered by this branch of the literature. Political practice encompasses the range of strategic choices made with respect to the three inter-related activities: (i) “framing” policy demands, (ii) forming and managing civic alliances, and (iii) engaging with state entities. The discussion of *issue framing* notes the tension between the feminist principle that the social foundations of gender inequality must be confronted head on, and the pragmatic impulse to articulate policy ambitions in politically less threatening terms—in some cases, based on more traditional understandings of gender relations—in order to win short-term policy battles. A key form of *alliance building* for feminist policy champions are “issue networks”, coalitions that connect movements with senior officials, policy analysts, human rights lawyers, elected legislators and other stakeholders. Engagement with transnational feminist movements and international norm-development processes such as those created under CEDAW (the Convention on the Elimination of all Forms of Discrimination Against Women) can have contradictory effects—taking advantage of each country's concern with maintaining its good standing in regional or global institutions, while also in some cases marking out women's groups who participate in such forums as captured by the (foreign) donors that fund them. As for *engagement with the state*, we discuss the social and professional backgrounds of state elites (particularly their infiltration by feminists), which can affect the degree of official receptivity to gender-equality policy reforms, and the nature of state engagement, primarily in terms of the level involved, whether local, regional or national. Both of these aspects of state engagement have a bearing on the ability of gender-equality advocates to find a space within the state where they can not only shape policy and monitor impacts, but also activate the women's movement to prevent the erosion of women's rights.

Before proceeding further, three qualifications are in order. First, this paper is not concerned with all women's claims making, but with a more limited set of cases—those involving *feminist* claims. Feminist claims making is understood as efforts to demand the creation and implementation of gender-equality policies, to use women's electoral leverage to trigger more responsiveness on issues of concern to women, and to guarantee the recognition and realization of equal rights for women. Not all women's claims making is feminist. Some women's organizations may choose to improve imbalances in resources and power between women and men without necessarily seeking full equality in terms of the roles and opportunities available to men and women. For instance, some Muslim women's groups in Sri Lanka have focused on improving adherence to elements of personal law for Muslim communities, rather than reforming the discriminatory provisions themselves, while others have called for the creation of a uniform personal law for all Sri Lankans, regardless of religion. The literature describes this kind of dichotomy in a variety of ways. Gelb and Palley distinguish between "role equity" demands that do not threaten male dominance, and "role change" demands that are seen as taking power from men (women's control over their own bodies, over public office or over land) (cited in Htun and Weldon 2010). Molyneux (2001) distinguishes between meeting women's "practical" needs, (widows' pensions or service delivery) and the more ambitious challenge of advancing women's "strategic interests" (recognizing rights or creating institutions). The latter can be seen as directly taking power from men and can include efforts to increase women's control over their bodies and reproductive decisions and to reduce obstacles to women's property ownership. It is this latter subset of demands that is the focus of this paper.

Second, we recognize that women do not constitute a homogenous category, politically or otherwise. They do not share the same views regarding the injustice of existing gender relations or the means of remedying it. Women, like men, are both united and divided by ethnicity and nationality. The notion that women share or perceive "objective" gender interests has been challenged for decades (Scott, 1988: 6; Jonasdottir, 1988). Some of the most significant forms of women's mobilization today—such as pro-"family" campaigns coordinated by conservative elements from a diverse range of societies—are defined almost entirely by their *opposition* to gender equality policy and institutional reforms.

Third, this paper is focused on issues of policy formulation and revision, and efforts to improve the institutional conditions within which policies are implemented. The analysis is not based primarily on the outcomes produced—a field in which many other studies have been undertaken. The focus instead is on the role of governance. We define governance as a process of defining and pursuing collective public action by an ensemble of actors (state officials, the public, experts, firms), using a set of rules (laws, social codes, procedures) and a web of relationships (contractual, personal, familial, political).<sup>2</sup> Assessing the governance conditions that contribute to successful women's claims making means assessing the pattern of interactions among these actors, rules and relationships. Many governance variables can shape the strategies used by and on behalf of women to make demands on the state, or indeed on other actors engaged in governance functions. These variables include: arrangements for political participation, the nature of secularism (particularly the relationship between the state and religious authorities), the distribution of decision-making authority among public institutions at various levels of aggregation, prevailing patterns of corruption and rent-seeking,

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<sup>2</sup> A detailed review of concepts of governance, and a proposal for a gendered perspective on governance, can be found in Waylen 2008.

whether (and in what form) plural legal systems exist, the transparency of public expenditure management systems and so forth. Our analysis focuses less on the regime or institutional conditions within which gender-equality advocates operate, stressing instead variations in the agendas pursued and the strategies employed to advance them—bearing in mind that these are shaped, to a considerable degree, by the parameters for popular participation that a political system allows.

The paper is organized as follows: section two reviews examples of comparative analytical frameworks that focus on formal institutions and the quality of public political debate. Section three examines comparative policy analysis that uses large-N datasets to identify the major factors driving policy developments. While we discuss a range of authors, including the region-specific work of Annersley and Gains, our focus is on the influential research of Htun and Weldon, which has assessed, *inter alia*, some of the governance conditions associated with the adoption of GEPs. It is the challenge of applying this framework in practice that draws our attention to the nature of oppositional forces, and to the repertoire of strategic action used by policy advocates. Section four highlights features of feminist policy advocacy, particularly aspects of political practice, whose contributions can be somewhat underappreciated in segments of the comparative feminist policy literature. We conclude, in section five, by summarizing the implications of these arguments, and offering some reflections on the contextual and historical specificity of successful feminist claims making.

## **2. Agency and Structure in Comparative Frameworks for Analysing Gender-Equality Policy Making**

The political problem faced in feminist claims making can be expressed bluntly: policy proposals centred on promoting gender equality—whether reforms to an existing law or the creation of new programmes—can trigger substantial resistance. The interest groups advancing these policies are often small, sometimes urban-based and elite, and are rarely able to make their claims part of mainstream political discourse or the basis on which elections are contested. This raises the question: how can we explain cases when an objectively weaker constituency achieves policy successes—in terms of enacting new laws, programmes or regulations?

Identifying the ideal governance conditions for successful claims making is a long-standing objective of feminist scholars and policy practitioners. It is “the puzzle of how, why and to what end states respond to women’s rights and gender equality” (Mazur and Pollack, 2009:2). Achieving policy change to advance the interests of subaltern groups is inherently difficult, regardless of the political regime or the size of the subaltern movement, not only because of the opposition of dominant groups that benefit from the subordination of others but also because of bureaucratic lags in adapting to new understandings of people’s needs and translating them into action. Where policy agendas are crowded and multiple groups are competing for attention, public opinion may not sway policy makers. When proposed reforms are counter-cultural, there is even less chance they will result in government action. The importance of the factors stacked against success is what makes the policy victories resulting from women’s claims making around the world all the more significant. Explaining these is at the core of a maturing field of comparative gender-equality policy analysis (Annesley et al., 2015: 528), within which two emerging sub-fields can be discerned: one analysing

development policy (for instance Tripp, 2015), the other welfare and post-industrial states.<sup>3</sup>

Explanations for feminist policy successes and failures show a tension between voluntarism and determinism, between a focus on the agency, tactics, and alliances of GEP advocates, and a recognition of the extent to which outcomes are more or less determined by the configuration of formal and informal policy-making institutions. An approach labelled “feminist institutionalism” has tried to bridge this agency-structure divide and stress the importance of feminist institutional insiders to promoting change (Mackay et al., 2010; Chappell and Waylen, 2013). This perspective also identifies mechanisms through which productive interactions between women’s movements and institutional insiders can influence policy and institutional change—a powerful example of state-society synergy (Evans, 1997). Such a finding complements this paper’s claim that quantitatively oriented comparative studies that focus on statistical indicators of the size and strength of women’s movements or the state’s relative accountability to women can obscure the complex enabling environments that contribute to advances in gender-equality policy.

Analysts of GEP successes have identified such key factors as conditions of “fair debate” (Walsh 2012); female representation in the legislature and in the core executive;<sup>4</sup> women’s policy agencies or executive branch champions of policy reform;<sup>5</sup> feminist advocacy in political parties;<sup>6</sup> the size, strength and autonomy of the feminist movement (Htun and Weldon 2012); and combinations of contextual factors such as a country’s history of peace and conflict, process of democratization, and susceptibility to international pressure to comply with human rights norms (Tripp 2004; 2015).

A constant across these approaches is an interest in analysing the impact of increased numbers of women in public office. But the once-solid assumption that growth in women’s representation in public office will normally drive effective gender equality policy (Lovenduski 2005) has been belied by the seeming proliferation of cases in which rapid increases in the proportion of women holding elected office has not resulted in a markedly feminist shift in public policy. Rwanda, for instance, leads the world in the proportion of women elected to parliament. While this has led to some legislative gains in women’s land rights, these have not been matched by similar policy advances with respect to reproductive rights, violence against women, access to services, or the promotion of women’s entrepreneurship. Due to this and other cases, there is now much greater caution about assumptions that a feminization of public space necessarily leads to more gender-equitable policies or to public service provision that is more responsive to women’s needs.<sup>7</sup> To some critics, invoking a feminist “voice” in decision making represents a failure to unravel the gender (and race and other) biases that obstruct equal competition, which liberal conceptions of democratic governance take for granted. Beyond this, faith in feminist “voice” underspecifies the social construction of women’s

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<sup>3</sup> Annesley et al., 2015; Mazur, 2015; Weldon 2002.

<sup>4</sup> Lovenduski and Norris 1993; Dahlerup 2006; Lovenduski, 2005; Annesley and Gaines, 2010.

<sup>5</sup> Goetz 1995; Weldon, 2002; Stetson and Mazur, 1995; Childs and Krook, 2008.

<sup>6</sup> Lovenduski and Norris 2003; Buchanan and Annesley 2007; Stetson and Mazur 1995.

<sup>7</sup> However, there is nevertheless important evidence that above a certain token minority, more women in representative politics and more women at all levels of the public service do have at least two positive effects. First, they tend to create a more women-friendly environment – in the sense of creating physical infrastructure (such as sanitary facilities) and an everyday culture that enables more women to approach policy makers with their concerns. Second, more women in public life can have be role models, encouraging more women and girls to aspire to public roles. There is some evidence that increasing the proportion of women service providers (in security, educational, health and other fields) results in delivery practices that are more responsive to the needs of women and girls (Joshi 2011).

interests and the extent to which social and political institutions determine the size, strength and targets of women's movements (Goetz 2003).

One analytical framework (Goetz 2003) forefronts the way that institutions can shape the scope for feminist agency, arguing that feminist claims making depends on:

- the nature of civil society and the extent to which women can organize around (and debate) their interests and build constituencies;
- the nature of political competition and the extent to which political parties represent feminist interests; and
- the nature of the state and the extent to which public institutions (particularly the police, judiciary, and service delivery bureaucracies) are able to enforce counter-cultural policies (such as banning child marriage, promoting gender-equal property rights, ensuring women's control over reproductive decision making, and preventing and prosecuting domestic violence).

The framework also distinguishes between women's *access* to these three arenas (civil society, electoral politics and the state), their *presence* as institutional leaders, and the degree to which institutions are *accountable to* women and/or *for* actions to promote gender equality. Applying this framework to a range of case material, Goetz (2003) shows that variations in the institutions of civil and political society affect degrees of access to public space for women, the intensity of participation in public decision making, and patterns of state responsiveness to women's needs and interests.

While the framework may be helpful for analysing formal institutions, it does not consider how economic factors affect women's mobilization and influence. It also downplays the role of informal institutions (Mackay et al., 2010; Chappell and Waylen, 2013), including informal resistance by state officials (Helmke and Levitsky, 2004). Institutions can shape incentives to engage in gender equality reform, and informal institutions can be decisive in determining the prospects of gender equality policy. They can ensure that gender equality policy is accepted and internalized, or they can subvert it through appeals to defend traditional, or "family," values. Helmke and Levitsky (2004) also stress the need to analyse gendered practices in, for instance, clientelist politics, which predominates in some countries. Patron-client relationships can profoundly undermine the influence of those seeking to advance gender equality policies.

Scholars and practitioners have long assumed that the legal protections for public debate ostensibly provided by liberal democracies encourage women's organizations not only to emerge but also to recognize and advance specifically feminist interests. Yet as Iris Marion Young argues, it is the *quality* of democracy that influences the parameters of deliberative space, which in turn can be seen to improve the prospects for feminist claims making (2002). A study that takes women's political agency in policy deliberation as a starting point is Walsh's comparison of feminist engagement in "just debate" in the democratic transitions of Chile and South Africa (2012). Walsh assesses women's access, voice, and capacity for contestation in legislatures and civil society and distinguishes between cases in which these conditions could be described as:

- *Limited* (women are present but do not hold high-ranking positions of decision-making power);
- *Moderate* (most women assimilate conventional gender expectations, but some exercise political voice to make periodic challenges to institutional priorities); and
- *Good* (women do not conform to expectations, but openly confront established norms and values to advance gender-equality claims).

Walsh notes that as women's access, voice and capacity for contestation in the public sphere improves, the content of public debate will include more demands for women's rights. Political elites facing elections become more likely to respond with legislation endorsing those demands (Walsh 2012: 1344). Walsh focuses on the openness and inclusiveness of debate conditions in the leading institutions of the public sphere: the legislature, social movements, trade unions, political parties and the media. Ruling party ideology is not immaterial. Like others writing in the comparative welfare states literature, Walsh notes that left-of-centre party ideology is associated with openness to gender equality as a part of national political programmes to reduce class-based inequalities.<sup>8</sup>

Walsh's criteria for evaluating the openness and inclusiveness of debate conditions—access, voice and the capacity for contestation—are not dissimilar to Goetz's (2003) focus on women's access, presence and influence. But neither author identifies which features of national politics generate “openness” and inclusion, nor do they address reasons for resistance and explain the conditions under which debate closes down. This means Walsh's analysis is unable to explain dramatic political reversals. She concludes that the democratic transition in South Africa offered feminists much better conditions than did the Chilean transition for making women's rights a focus of national politics. Yet, already by 1999 the governing elites of the African National Congress (ANC) had co-opted feminist activists, resulting in a dramatic decline in feminist contestation throughout the public sphere. Twenty years after the end of apartheid, according to Hassim (2014), the women's movement had lost not just autonomy, but also integrity, with key women leaders having defended Jacob Zuma against rape charges. In contrast, Chile has seen the institutionalization of feminist policy making, thanks to a committed executive (particularly under Michele Bachelet's two terms as President), and meaningful improvements in class-specific gender policy performance (near-universal early childcare, improved health services for women, and pensions for mothers).

While the divergent fates of feminist mobilization in Chile and South Africa stem in part from differences in their party systems, the composition of governing elites, the relative depth and predictability of state institutions and practices, and other variables, feminist movements operating in all democratic countries find their strength ebbing and flowing, and the conditions for public debate are not the only reasons for this. In Chile, women's relative alienation from the country's first post-authoritarian government reinforced the autonomy of the country's women's movement and sharpened the transformative dimensions of its claims. In South Africa, where a record number of feminist activists moved from civil society to positions within the post-apartheid state, they appear to have experienced an “exile of inclusion” (Otto 2009). Feminists in government were unable to operationalize earlier policy promises from the ANC leadership, while the erosion of the autonomy of the women's movement in civil society meant the loss of a consistently demanding external constituency pressing for policy action (Hassim 2014).

The focus of the literature on gender and representation is on mechanisms by which feminist claims making can be made more effective through support to women's mobilization, or quotas to expand women's presence in governments. One of the findings of analyses of women's mobilization is that history matters—the length of time women have had the vote, or the significance of their role in state formation, leaves an imprint in terms of their effectiveness in pressing claims. As Walsh notes, women's

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<sup>8</sup> Htun and Weldon, 2010; Annesley et al., 2014.

capacities to engage in public debate may reflect feedback effects from *prior* rounds of claim making. Hence, “[t]he first requirement is public support for gender policies to trigger this cycle” (Walsh 2012: 1332). One of the triggers for this cycle to begin, if domestic women’s movements are weak or silenced, can be international pressure on states to comply with international human rights treaties if they wish to participate in regional or international decision-making bodies. Ratification and reporting on CEDAW or submitting to the Universal Periodic Review of the Human Rights Council can stimulate domestic feminist movements as well as support the position of “femocrats” in government. Participation by national feminist and women’s groups in global debates such as the world conferences on women may also stimulate domestic policy claims and the creation of monitoring tools to hold decision makers to account.

The body of literature reviewed in this section is rich, but provides few lessons concerning how women’s presence and participation in public institutions can reliably generate gender equality policy in changing contexts or across different policy areas. Several important recent studies have attempted to quantify the relative influence of governance, social and economic variables on the viability of feminist advocacy goals. This work is influential and important and merits detailed review, which is offered in the next section.

### 3. Policy Types, Political Strength and Patriarchal Resistance

The most significant contribution to the field of comparative GEP studies is the work over the past 15 years of the feminist political scientists Mala Htun and S. Laurel Weldon. Independently, each has conducted in-depth studies of sustained feminist policy struggles. Htun’s 2003 book analyses the challenges to liberalizing women’s access to divorce and abortion in Latin America. Weldon’s 2002 book offers an international overview of the conditions under which governments strengthen laws and systems to prevent domestic violence. Together they have built a global comparative framework for the analysis of conditions conducive to the adoption of gender equality policy (Htun and Weldon, 2010, 2012). It is the first framework to quantify what they find to be the crucial variable shaping feminist policy outcomes: the extent of feminist mobilization. The cross-national dataset they have created captures key characteristics of women’s movements around the world—particularly their size, capabilities, feminist orientation and relative autonomy from other actors. It includes data from 71 countries, covering 30 years, 1975-2005.<sup>9</sup> Their 2010 article establishes a framework for identifying the most significant drivers of GEP according to the policy type involved.

The crucial insight and point of departure in Htun and Weldon’s work is adapted from Lowi’s (1964) analysis of the degree of political contestation triggered by various types of policy reforms. Lowi found that the type of policy pursued would largely determine the type of politics that arose in response. Redistributive policies were, according to Lowi, the most contentious because they seek not equal opportunities but the production of equal capacities. This can require differential treatment to favour a disadvantaged group. Htun and Weldon creatively extend this analysis to efforts to redistribute social value (or what they call “status”) from men to women. They demonstrate how doing so can trigger ferocious policy contestation, driven by the “losers” from such reforms. “Status” policies challenge women’s subordination as an entire group—for instance, awarding women reproductive rights or rigorously prosecuting violence against women.

<sup>9</sup> See Appendix A: Definitions and Approach to Measuring Strong, Autonomous Feminist Movement in Htun and Weldon (2012).

In contrast, what Htun and Weldon identify as “class” policies are those likely primarily to advantage poorer women by relieving them of the burden and cost of unpaid labour (for instance, through maternity leave or publicly funded childcare) or by ensuring just returns to their own labour (equal pay). Both status and class policies are seen to share a key set of aims: to “dismantle hierarchies of power that privilege men and the masculine, a sexual division of labour that devalues women and the feminine, and the institutionalization of normative heterosexuality” (Htun and Weldon, 2010: 7). But each policy type “involves a distinct set of actors [and] activates different cleavages and conflicts” (Htun and Weldon 2010: 208). Policy domains, in other words, determine the types of actors that take the lead in pursuing or obstructing these claims. In class-based struggles, for instance, conventional actors such left-wing political parties or social movements are involved, and governance variables such as welfare state structures influence outcomes.

Htun and Weldon introduce a further distinction that cuts across each of the two categories of status and class. This is between “doctrinal” and “non-doctrinal” policies. Doctrinal policies are those that dictated by religious authorities, traditional belief systems, or the “sacred discourse of major cultural groups.” Doctrinal policies can be found in both the status or class categories. Abortion is a status issue that triggers opposition on the basis of religious doctrine. Public funding for contraception is a class issue—it disproportionately benefits poorer women—that can also trigger “doctrinal” opposition. Non-doctrinal policies, on the other hand, are not central to religion, culture or tradition. Class-specific gender equality policies may be opposed by class elites, but have been successfully promoted by left-wing parties. Efforts to advance claims on doctrinal policy issues (regarding reproduction and sexuality, for instance) trigger resistance from traditional elites.

The most significant factor determining policy success is the strength of feminist movements. However, the strength and impact (perhaps even the very existence) of feminist movements and their capacities to sustain pressure on the state to make and implement policy changes depend greatly upon the nature of the state and the policy-making process. Lowi’s (1964) insight that “Power elite and pluralist models fail as *general* theories of politics but succeed when applied to *specific* issues” (quoted in Htun, 2003: 12) helps to explain why strong feminist movements can win policy battles in some areas but not others. Htun and Weldon include a measure of “state strength”—perhaps better described as “government effectiveness”, to use the World Bank’s term. The World Bank’s approach to this concept is to assess: “perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government’s commitment to such policies” (Kaufman et al., 2010: 4). Htun and Weldon find that higher state effectiveness has some, but not a determinant, effect on prospects for advancing either gender-status or class policies.

The notion of “state effectiveness” does not tell us much about the conditions for political bargaining and the nature of state-society relations. Also presumably relevant to the fate of the most difficult type of policy claims—status-based policies that challenge religious doctrine—are the symbolic and value orientations in society that condition the reception and response to social movement claims and actions. A very general indicator of national policy-making style is included by Htun and Weldon in a binary variable that distinguishes between “group-based” policies in which national policy making includes recognition and accommodation of the specific needs of diverse



racial, ethnic or religious groups (Canada, India), and “universalizing” calls to equal citizenship emphasizing the solidarity of all citizens (the United States, Norway). They posit that the former may be more open to group-specific claims (and thus women’s claims as a gender-status group), while the latter may be open to class-based claims aimed at addressing discrimination against poor women but not policies addressing disadvantages faced by all women by virtue of their gender (Htun and Weldon, 2010: 11). However, they found that neither their indicators for “policy style” nor for state strength had a significant impact on national propensities to pass either status or class policies, likely because of high multi-colinearity with other independent variables. This definition of policy style is subject to contestation and a more concrete measure of state capacity to accommodate women’s group-specific claims could be the nature of state-society institutions designed to address concerns not adequately addressed in party competition (Dryzek et al., 2003), a point to which we return later.

In their 2012 study, Htun and Weldon narrow and sharpen their focus on policies addressing violence against women. They find that more important than national wealth, the existence of left-wing parties, or the levels of women in government, are strong and autonomous feminist movements. This finding reinforces observations from feminist policy campaigns against violence against women around the world. The finding that strong gender-equality outcomes are associated with a well-organized civil society constituency demanding accountability for women’s rights recently saw direct operational application in negotiations for the Post-2015 Sustainable Development Goals. UN Women proposed including the strengthening of women’s organizations as a specific target, given its relationship to women’s empowerment. The target: “Strengthen women’s collective action” was added to the draft Goal on gender equality and women’s empowerment in 2013, with two indicators: the proportion of managers of civil society institutions who are women, and the proportion of women who are members of civil society organizations (UN Women 2013: 37).

Neither indicator captures the challenge of measuring the strength of mobilization to hold governments, local or national, to account for promoting women’s rights or gender equality. The measurement of the size and strength and autonomy of women’s movements remains a technical challenge. In addition, simply counting the number of women active in women’s organizations, or the number of women’s organizations in a country (e.g. Kenworthy and Malami, 1999; Weldon 2002) can be misleading as it may actually indicate fragmentation and weakness within a movement (Goetz 2004). The proposed SDG target on women’s collective action did not survive in the stand-alone gender goal that was ultimately adopted, nor was it ever a serious contender as a target under the governance/peace goal, ostensibly because of measurement challenges. Of course, the target itself represents a political challenge: many governments do not want to foster the creation of a more powerful women’s movement that will make additional demands on the state.

In addition to stressing the role of domestic feminist movements, Htun and Weldon’s 2012 analysis revealed that transnational women’s rights norms (notably measured by country decisions to conform more fully to CEDAW) and regional progressive policy diffusion also contributed to improved policies. But the influence of such norms was apparent only where strong and autonomous feminist movements were present. Dedicated state institutions to advance gender equality also tended to produce more comprehensive policy approaches to VAW—but, again, mainly in contexts where a strong autonomous women’s movement could hold these bodies to account. Democracy

was found to have a weaker impact on outcomes than in the 2010 analysis—weaker than women’s movements and regional variables.

This approach, using large-N quantitative analysis for the systematic investigation of factors triggering state action on gender equality policies has been applied to the analysis of post-industrial states in a series of studies of Western Europe led by Claire Annesley (Annesley and Gains, 2010; Annesley et al., 2014). These studies stress the economic determinants of securing governmental attention to feminist demands and show that where traditional or religious interests do not dominate policy elites, status policies (such as liberalizing abortion laws) are perceived as a low-cost response to women’s demands and a short-term substitute for the significant costs involved in accommodating “class”-type policy claims. This work has also shown that higher numbers of women in parliament encourages governments to pursue class-based gender equality policies such as the removal of gender discrimination in hiring, wages and pensions, and the provision of subsidized childcare and parental leave (Annesley et al., 2013: 22). Also important is the influence of left-wing parties, as is the strength of the economy: subsidizing women’s care work is more politically palatable when economies perform well.

Annesley et al. found that policies regarding reproduction, same-sex marriage and domestic violence—status issues—were *not* affected by rising numbers of women in decision-making roles. Nor did economic conditions play any role. But the surprise was that party politics did not play a role, either. Apparently, left-wing parties performed more or less the same as centre-right or Christian Democrat parties did. The one variable that significantly advanced gender-status policies was the presence of women in the executive (as opposed to the legislature), particularly when they were heading relevant ministries empowered to advocate for reform in health or internal security policies. Another important variable was CEDAW ratification, which exerts a positive effect on the promotion of gender-status policies. This, according to the researchers, was because of the need to amend discriminatory policies prior to ratification (Annesley et al., 2013: 24).

The results of these two sets of cross-national quantitative analyses are not radically different but point to important regional variations. Western Europe is clearly less governed by doctrinal vetoes than some other parts of the world, and also more economically secure and therefore more liberal in its approach to class-specific gender equality policies. The two sets of studies are also limited in that the search for globally relevant patterns explaining the outcomes of women’s claims making inevitably pushes researchers to select broad-brush variables that can be assembled into cross-national datasets (Kabeer, 2015). Inevitably, specificity and nuance are sacrificed. They offer no firm answers to the question of why autonomous women’s movements in countries with similar governance systems and levels of wealth, and even sharing certain cultural commonalities, achieve substantially different outcomes in their struggles over both class and status issues. For example, in spite of many governance, social and other similarities between Canada and the United States, and their identical scores on Htun-Weldon’s scale for measuring the autonomy of feminist movements, women’s abortion rights are much more secure in Canada than in the United States (Vickers, 2010). A range of other context-specific explanations for variations in policy outcomes must be considered—including differences in the *professionalization* of a country’s women’s movement, details of feminist movement *tactics* in asserting claims, their *timing* in

seeking leverage during moments of opportunity such as elections, or their degree of engagement in institutions managing state-society relationships.

The ongoing work of Htun and Weldon is of tremendous importance for having established a composite measure of the strength of a feminist movement, based on the number of organizations, their visibility, the capacity to organize large public protests or advocacy actions, and the degree to which the movement enjoys popular support. They also have developed measures of movements' autonomy, based on their degree of independence from political parties and state agencies.<sup>10</sup> While such independence seems necessary, it does not appear sufficient. Movements can squander such assets as organizational flexibility and public support, which means that strategic skill on the part of movement activists requires assessment. Which political alliances, forum-shopping decisions, or calculations about effective timing helped successful policy advocates to see their reform proposals adopted? How are decisions made about priorities and sequencing? How do movement actors prepare for and adapt to party alternation, whether effected through democratic means or not, and the less frequent occurrence of regime change. How do movements react to periods during which their leaders are co-opted into government bureaucracies or political parties?

The Htun and Weldon findings suggest advantages in pursuing class-specific policies when left-wing parties are in government, and non-doctrinal gender-status policies particularly in situations where public and elite support for these policies is approaching the “tipping point,” when a “cascade” of acceptance begins forming with respect to a given international norm (Keck and Sikkink, 1998). But we are left with little guidance on propitious conditions for advancing gender-status policies that trigger “doctrinal” resistance. This is an urgent question given that when countries face economic austerity or conflict there is a tendency for communities to retreat to religious or traditional connections and to restrict women's rights in the process of expressing—in some cases reinventing—group-specific identities (Kabeer, 2002).

How Htun and Weldon conceive of and measure the autonomy of women's movements, or what they count as policy successes, are subject to competing interpretations. The Htun and Weldon database (2012) systematically assesses evidence of mobilization by women's movements as well as their capacities. But assessments are based on a model that privileges certain principles over others. This can affect how cases are classified. South Africa, for instance, scores well in terms of having a strong feminist movement, which is coded as “moderately autonomous”. However, other analysts of South Africa's feminist movement come to different conclusions. Hassim (2014) despairs at the wholesale co-optation of movement leaders into the state and the ruling party, and perceives the overall trend as being one of progressively less autonomy. It is hard to imagine that such interpretive discrepancies—between Htun and Weldon's assessments and those of independent analysts with deep knowledge of individual countries—do not exist with respect to other cases as well. These differences can of course reflect biases, political or otherwise, that country specialists accrue over time. This is the downside of regional expertise. On the other hand, cross-nationally quantifiable indicators for movement autonomy might be unable to capture crucial aspects of women's activism. For instance, in some comparatively conservative contexts women's associational activity may on the surface appear to validate women's traditional roles, but over time it can also facilitate social changes that advance equality. Examples include protests by

<sup>10</sup> The limitations of the findings are, however, evident when attempting to identify their policy implications. Clearly, the size, strength, and autonomy of feminist movements is so decisive in supporting “status”-based gender equality policy, that support for the growth and capacity of feminist movements at national, regional and transnational levels is crucial.

women's organizations, among others, against (mainly male) alcohol abuse in parts of India, or demands for affordable food in West African countries during the food price crisis of 2008. Both demands, while seemingly rooted in gender-stereotypes—women as reformers of male dissolution and preparers of family meals—laid the ground for women's further involvement in local policing and government policy making (Goetz and Nyamu-Musembi, 2008).

Another shortcoming of the Htun and Weldon approach concerns their finding that regime type plays a relatively unimportant role in the adoption of progressive policy measures. This may be generally true but would clearly tend to downplay the importance of certain types of women's rights—particularly with respect to participate in fair, reasoned, and rule-bound public decision making—that cannot be said to exist in the absence of a wider framework of more or less liberal civil and political rights. The idea of constitutionally protected rights for individuals is premised on a constitution that is itself protected due to the limitations on power imposed by democratic competition for control over state office. If rights are important to women's claims making—and they are—then democracy may be a more important ingredient than one might expect, because it helps to consolidate the rule of law, on which the longer-term *sustainability* of changes prompted by these claims depends. This not only because democracies are more likely to tolerate autonomous women's movements, but also because women can make their claims the subject of political competition, build popular support for policy platforms, and encourage politicians to appeal to voters interested in gender equality.

Htun and Weldon use the POLITY measure of democracy, which does not capture some potentially relevant variations in the types of state-society instructions and opportunities to press GEP demands. Levels of decentralization, for instance, can make a difference in the degree to which GEP advocates are provided access to decision makers. But decentralization is not an independent variable included in the framework, for the good reason that there was no consistent cross-national measure of levels of democracy at the time of this work. In 2012, the World Bank created a new "Governance Closeness Index" to measure the extent to which states now make and implement policy at the local level (Ivanya and Shah, 2012), but it focuses, as does much of the World Bank's governance work, on how governance systems (in this case decentralization) affect business freedoms and thus might not capture features of local government that are consequential for GEP.

Htun and Weldon's status and class distinctions, and the importance of the "doctrinal" veto on matters that impinge too directly on patriarchal power over women, are valuable concepts for anticipating obstacles to feminist claims making. These distinctions may, however, be unstable. Htun and Weldon recognize that the content of these categories will vary by context, and this is why their 2012 study added a variable to capture regional effects. This revealed stark variations in violence against women (VAW) policies across the world's regions.<sup>11</sup> The distinction between status- and class-based gender policies can be hard to sustain in practice. It is, for instance, not obvious that a commitment to public funding of contraception—or better yet, a requirement that all private health insurance policies cover the cost of contraception—is solely, or even primarily, a matter of class politics. Htun and Weldon call these class issues for two reasons: first, because they primarily benefit working (and presumably underclass)

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<sup>11</sup> However, even within the same region and polity, a degree of migration of gender equality issues across these distinctions is possible, because of the insecurity of patriarchal cultures and their tendency, in times of crisis, to interpret almost any improvements in women's immediate class or physical condition as a challenge to men's socially dominant position.

women—the affluent of course have means—and, second, because this set of issues relates to the structural position of women in an economic division of labour—reflected everywhere from the household to labour markets—that systematically denied them power.

The key point is that the value of a commitment from a state governed by the rule of law transcends the ostensible guarantee of equal access to contraception regardless of financial means or whether one's employer decides to include it within the company health insurance plan. By making the right to contraception a part of government health policy, the idea of women's unencumbered choice over how to access contraception is removed from the domain of family decision making. The new policy reaffirms women's individual autonomy, and therefore their status—indeed their citizenship status—as much as it addresses class inequality. Similarly, women's advances in education or employment, while elevating the class position of those who benefit from them, and firmly rooted in the division of labour around which Htun and Weldon construct their class category, can also be interpreted (and often have been) as threats to the foundation of male dominance on which religions have been built—thus making them *status* issues. In other words, the constructs through which policy demands are “received” is as important as the objective substance of the proposals themselves. While the status versus class distinction exists theoretically, for a subset of policy questions, including many found within the broad domain of women's rights, the issues have a dual dimension that makes their confinement to one or another category highly problematic as an empirical matter.

Another issue that has both a status and class dimension is women's migration, listed without commentary as a status issue by Annesley et al. (2013: 7). Women's immigration can indeed constitute a status issue if it, for instance, triggers a “biopolitical” reaction from groups eager to maintain the nation's racial purity. In some societies, large-scale international migration of women for work has triggered status-based panics about women's changing roles as mothers. In Sri Lanka, this led to reactionary measures, such as a 2013 government addition to the National Labour Migration Policy requiring a Family Background Report to be compiled for all migrants. Women migrants with children under five years of age were temporarily prevented from leaving the country, thus protecting conventional interpretations of women's proper roles (Jayasundere et al. 2015). On the other hand, migration of women, particularly single women, is also a class issue in that it is often driven by the dearth of economic opportunities that the patriarchal division of labour offers women. For these and other reasons, women are forced to take dangerous, low-paid jobs in countries that are often nearly as poor—and sometimes substantially less free—than their home countries. Efforts to improve working conditions for these women, particularly when they are in domestic work, can trigger class-based resistance from the more wealthy women who hire them.

Even seemingly clear-cut policy areas end up, upon closer examination, to straddle the class and status categories. Women's land rights might seem an obvious class issue, centring on women's capacity to access and exploit property. But depending on the cultural context, attempts to change land-ownership policy will be taken as a threat to the status of men. In short, where social prestige is bound up with control over land, policy changes cannot help but be status-based.

Similar problems afflict the distinction between doctrinal and non-doctrinal policy areas. This distinction, while theoretically valuable, can be difficult to apply in practice.

Land policy is, again, a good example. While classified by Htun and Weldon as a non-doctrinal policy domain, in some contexts (but not others) the denial of women's rights to own land is viewed as a doctrinal issue, considered necessary to preserve lineage and even ethnic or clan solidarity. In Tanzania, for instance, many women marry outside of their own clans, but when they die, some clans refuse them the right of burial on their husband's family's land (Mushi, 2014). A Land Act passed in 1999 that granted women equal rights to land ownership has never been implemented properly. Resistance from customary authorities, who chose to perceive this law as a violation of unwritten traditions, triggered efforts, 15 years later, to further strengthen the legal basis of women's property rights through a proposed constitutional amendment (Mushi, 2014).

While Htun and Weldon identify the overwhelming importance of strong and autonomous feminist movements to effective claims making, they do not clearly identify the conditions for the emergence of strong and autonomous movements. Broad-brush reviews of major drivers of change cannot capture differences among national models for including civil society in policy making and variations in the capabilities of state institutions, the composition of governing elites, the institutions that manage state-society relations, or the levels of the political system (national, provincial, local) available for advancing claims. The rest of this paper explores these variables while highlighting the need to accord greater explanatory weight to the strategic agency of claims makers themselves, whose decisions can affect how issues are perceived and thus their chances of being resolved in ways that advance women's interests.

#### **4. The Strategic Capacity of GEP Activists**

In addition to the categorical ambiguities found in the work of even the most conceptually careful authors, such as Htun and Weldon, there is reason to suspect that movement activists are aware that opposition to GEP proposals varies by policy domain. Seeking to reclassify a policy proposal so that it faces less daunting political obstacles is a time-honoured tactic.<sup>12</sup> To the extent this is true, skill among feminist policy advocates in performing such a feat would be highly prized. The three main skills that define the strategic capacity of GEP activists are an ability to frame (and in some cases continuously reframe) the relevance of campaign issues; to form and manage alliances; and to engage with the state without falling prey to capture. This ensemble of capacities is distinct from, though indirectly related to, the size/strength variable that Htun and Weldon highlight. By deftly deploying these three skills, movement actors can, through the exercise of effective agency, overcome structural barriers which quantitative studies suggest act as additional (statistically measurable) obstacles to successful feminist claims making. Turning a doctrinal issue into one that is class-based is difficult but not impossible, depending on the cards that movement actors are dealt, which includes the wider political opportunity structure, and the skill with which they play them.

##### ***Framing and claiming***

Any analysis of political practice, and the degree to which it assesses strategic capacity, must address a range of questions, including, *inter alia*: through which conceptual lens, and on the basis of which political position, do feminist policy advocates participate in

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<sup>12</sup> For instance, the movement for "marriage equality" in the United States, which culminated in a landmark Supreme Court decision in 2015, was couched – politically as well as legally – in the language of the 14<sup>th</sup> Amendment to the US Constitution precisely to differentiate the underlying claim from what otherwise might have been perceived by some segments of the public as a demand for particularistic "gay rights".

public debates about rights and needs—whether in the courts, through lobbying, or by means of protest action linked to political organizing? How do progressive GEP advocates position their claims vis à vis traditional social roles? Do they, for instance, challenge male sexual, property-ownership and decision-making prerogatives? Or, for tactical purposes, is the focus on women’s practical needs within the sexual division of labour—needs that stand at least some chance of short-term amelioration?

The process of reflecting on these questions, and acting on the answers, is at the core of issue framing, or the placement of advocacy goals within a narrative or cultural context, with the intention of improving the chances for attracting support and reducing the influence of reform opponents (McAdam et al., 1996). How issues are discursively situated has been a matter of concern to feminists throughout the twentieth century, whether the subject was suffrage, pay equity, or reproductive rights. Among the key issues in this area is the extent to which feminist policy advocates are able and willing to exploit ambiguities in the ideologies of dominant social groups to pursue incremental change. An important method of dampening political resistance to particularly threatening reform initiatives is to frame the issue in a way that divides opponents—for instance, “instrumentalizing” feminist claims by demonstrating their potential contribution to core state imperatives, such as economic prosperity and political stability. Even national security has been instrumentalized in this way—for instance, in the campaign waged by advocates for women in the US military: those who opposed this reform on cultural grounds were cut off from their traditional allies in the military establishment, many of whom could not ignore the benefits of expanding the talent pool for the country’s increasingly stretched armed services.<sup>13</sup> Instrumental appeals on issues that ought to be considered a matter of equal rights—particularly when they involve, as they do in this example, issues of both class and status—are often condemned for their tendency, over time, to distort feminist agendas—toward comfortable accommodation and away from radical change. Despite these criticisms, there is ample evidence from a range of policy arenas that such tactics can be of crucial importance in the “long game” of outmanoeuvring anti-reform coalitions. In the case of market-oriented economic reforms in India, for instance, the introduction of politically unpopular reform measures was eased through tactics of obfuscation that can be labelled “reform by stealth” (Jenkins, 1999). These strategies are intended to “soften the edge of political conflict by promoting change in the guise of continuity, and to arrange clandestine compensation for groups who perceive reform as a threat” (1999:52). The idea that cultural conservatives, or reactionaries, may have scaled back the extent of their opposition to threatening gender-equality policy reforms as a result of face-saving compromises that included (possibly hidden) compensatory gestures by the state in order to secure their acquiescence should not be discounted.

One policy area in which feminist claims have been positioned to downplay what might seem a zero-sum dynamic—with women as victims and men as perpetrators—is domestic violence. Policy advocates in Scotland and Wales pursued two markedly different framing strategies for this issue. In the United Kingdom, after the partial devolution of governing authority from Westminster to an elected Scottish Assembly in 1998, feminist ministers and parliamentarians took a women’s empowerment-centred approach to domestic violence. Strategies aimed at ensuring the direct representation of women victims’ priorities in both policy making and oversight institutions. By contrast, in Wales, where power was also devolved, domestic violence was framed more traditionally, as a criminal justice matter that can affect men too—an approach that

<sup>13</sup> “Women in combat: US military officially lifts ban on female soldiers”, *The Guardian*, 24 January 2013, <https://www.theguardian.com/world/2013/jan/24/us-military-lifts-ban-women-combat>.

mirrored that found in England. The focus in the Welsh case was mainly on perpetrators, with little attention to the need for prevention or to building women's autonomy. For instance, funding for shelters was neglected, and no space was made for representation of shelter managers in planning, coordinating or monitoring (Charles and MacKay, 2013). There are any number of institutional factors that might account for this variation across Britain's regional governments, including the structure of their policy-making processes. But there is good evidence to suggest that a major explanatory variable is the way in which anti-VAW activists have been incorporated into public policy making and the extent to which they retained a professional base outside the state (Charles and MacKay, 2013)—issues we address in the discussion of state engagement later in this paper. Consistent with the framework elaborated by Dryzek et al. (2003, see below), the Scotland-Wales comparison shows that executive incorporation of a feminist issue, combined with high professionalization of the feminist movement outside of the state, was effective in driving progressive agendas.

It is worth noting that gender-equality policies that are not driven by a more encompassing project of women's rights can evolve into forms of social control that undercut women's rights. Early initiatives to liberalize women's access to abortion, for instance, were not framed as a matter of women's reproductive rights but as an element of national eugenics or population control campaigns. The first country to legalize abortion on demand was Japan, and this was under the 1947 Eugenic Protection Law, which was intended not to preserve women's choice but to promote racial purity. Abortion in Taiwan was, likewise, introduced as part of a eugenics policy aimed at preserving the "quality of the population" by limiting poor women's child bearing (Chen, 2013). In 1970s Taiwan, feminist policy advocates founded the "New Feminists," a campaign to revise and liberalize abortion law. Taiwan's New Feminists successfully reframed their campaign so that it could be perceived as a privacy issue—a strategy that emulated the arguments put forth in *Roe v Wade* arguments advanced in the United States, not as a tool in an anti-poverty eugenics programme (Chen, 2013).

Socialist authoritarian governments usually support women's equality in the workplace and subsidize childcare in conformity with class-egalitarian ideology and to accelerate growth (Molyneux, 2001). But socialist state employment policies did little to increase men's contributions to care work, reduce women's dual work burden or increase the proportion of women in public office. Public decision making remained largely a male "status" domain. The speed with which advances in women's rights have been reversed when authoritarian regimes fall, whether in Eastern Europe or North Africa, shows how precarious GEP is in regimes that lack popular legitimacy.

In some cases, different groups of women frame women's rights claims differently depending on their class status. A good example of this is the campaign by the National Household Workers' Federation of Bolivia (FENATRAHOB) to end the explicit discrimination against domestic workers in the national labour code. Most domestic work was done by indigenous women, who began to frame domestic workers' rights as a matter of support for indigenous people's rights. They supported a domestic workers' bill in the mid-1990s that granted regular work hours and basic employment rights, including mandatory social security coverage. The bill, however, was rejected by a female legislator who argued that domestic service was a "way to educate and socialize indigenous women" (Blofield, 2012a: 86). This class-biased framing constructed work opportunities in rich urban households as a "civilizing mission". Hundreds of middle-class women in La Paz supported this sentiment and created a housewives' organization



for the specific purpose of fighting the bill. The growing political success of an indigenous people's rights political party in the late 1990s supported FENATRAHOB's framing of domestic workers' rights as a human rights issue, and gave it the leverage it needed to get the bill passed following the 2002 elections.

An example of a reactionary framing of women's rights as subordinate to men's is the doctrinal and conservative presentation of women's demands for co-ownership of homestead property in Uganda during the 1998 debates over land legislation. Women often do not have the right to claim their spouse's land and the marital homestead upon his death; this land is reclaimed by his clan. In 1998, the Uganda Women's Network (UWONET), a coalition of women's organizations, and allies in the Uganda Land Alliance asserted women's right to co-own and inherit spousal property on the grounds of women's contribution to household income throughout the marriage. This framing of the issue defined it as a matter of women's livelihood security and earned benefit from contributing to household well-being. The UWONET campaign was opposed by customary leaders, who feared a breakup of clan land, and by President Museveni, who argued that co-ownership would empower women to engage in serial marriage and divorce as a means of accumulating property. In spite of obtaining parliamentary approval for the "spousal co-ownership clause", Museveni took executive action to delete the clause from the new Land Act and add it to the Domestic Relations Bill that had been presented in the 1960s and has still, at the time of writing, not been passed. This reframed the issue as a matter of women's dependency in the conjugal relationship (see Tripp 2004 and Annex). The feminist rights-based framing of the issue was undermined by a coalition of traditional leaders with the direct support of the president, a potent combination given the president's willingness to override parliamentary procedure. This shows that competition to frame women's claims to attract political support relies on a basic precondition: respect for democratic rules by all interested parties—a condition that is often lacking.

### ***Forming and managing alliances***

A second strategic capacity that is closely related to issue framing is proficiency in gauging the strength of potential allies, and devising structures to manage relations with a constantly changing roster of coalition partners, some of which may gain or lose attractiveness over time due to evolving political challenges. These are advanced political skills that are unevenly distributed. For instance, to determine which civil society groups are worth cultivating requires gender-equality activists to develop fairly sophisticated intelligence-gathering systems on the size, strength and commitment of various organizations, many of which can take unusual forms and therefore be difficult to gauge. To take a hypothetical example: the payoff—in the form of policy leverage—that feminist activists might expect to gain by drawing into their campaigning women from ethnic or religious minorities could, in theory, be more than offset by the reputational "costs" to the women's movement exacted by nationalist constituencies who might become permanently alienated, even if they do not necessarily disagree on the principles underlying the reform proposals. An advanced capacity for continuous assessment of such risk-reward ratios is required to successfully harness alliances in support of feminist policy demands.

The choice of GEP reform allies will depend on the character of the political system, including not just formal opportunities to compete for office, but also features associated with the de facto operation of informal power relations, where traditional leaders and private-sector actors, a male-dominated category, pursue their interests. The literature on social movements and party systems suggests that groups of the poor or

other subalterns are best able to influence state policy in contexts where parties are well-institutionalized, ideologically diverse and numerous. This is because political competition encourages parties to seek alliances with new social groups and to promote their interests (Mainwaring, 1999; Houtzager, 2000). In choosing allies, GEP reform advocates may also need to draw on support from leaders within the more conventional sphere of community and social politics in which women have been permitted to operate. The concept of “political opportunity structure” (Tarrow, 1998) captures a wide range of openings for subaltern groups, but all of them require such groups to seize these sometimes fleeting chances—for instance, by exploiting conflicts among elites (Kriesi, 1995: 167). Opportunities to broaden alliances are also generated by moments of crisis or armed conflict. Over the past two decades, post-war peace-building has provided a huge opportunity for feminists, within and outside the state, to renegotiate social compacts and generate new alliances (Tripp, 2015). So, too, do widely-publicized incidents of extreme abuse that galvanize movements for change. In India, the 16 December 2012 Delhi rape case triggered nationwide protests framing violence against women as a governance crisis, and led to legal and procedural changes. Not all of these measures have been universally endorsed, but what was particularly striking to observers of Indian politics and policy making was the speed of government action, driven by a strong women’s movement and a pre-existing violence against women reform coalition that showed skill in harnessing the emotional power of a moment of social and political outrage.

“Issue networks”—sometimes referred to as “principled issue networks” (Sikkink, 1993), to indicate the non-material-reward-based nature of these entities—have been formed by and around social movements for decades. This is true for most GEP advocacy initiatives as well. Coalitions of lawyers, activists, doctors, educators and other civic actors, working alongside elected legislators and state officials, build policy platforms and devise strategies to overcome issue-specific forms of political resistance. Htun (2003) documents the importance of feminist participation in issue networks in Latin America. Doing so actively helped to leverage the resources (funds, skills, contacts) of modernizing elites, including lawyers, doctors, business leaders, media professionals, etc. to advance countercultural policy aims such as liberalized abortion policy in Argentina and Brazil. Successful policy making often involves issue networks evolving into policy-making machineries that support government actors to interpret and implement legislation or policy. Feminist policy advocates sometimes work closely with transnational women’s movements, sometimes in a purely non-governmental fashion, but in other cases through official structures created to oversee the monitoring and further development of international norms, such as those created under CEDAW. As with the other dimensions of alliance formation, strategic calculation on the part of feminist claims makers is required to ensure that the political advantages of external alliances (public visibility, legal legitimacy) are maximized, while the potential liabilities (notably, accusations of undue foreign influence) are kept to a minimum. This is a skill that is difficult to code for as part of a cross-national quantitative analysis, and the nature of these alliances can affect the likelihood of attracting debilitating resistance to reform.

The alliances among feminist lawyers, legal studies specialists and legislative leaders is a distinctive trend, one in which feminists exploit one of the professional networks most closely associated with governing. Feminist lawyers have been a core component of the early phases of women’s rights movements in many countries, often running legal aid centres linked to shelters or refuges for victims of domestic violence. Beginning in the

late 1960s in Asia and Latin America, and in the 1980s in Africa, feminist lawyers and associations of women lawyers have driven public policy campaigns addressing issues that left-wing parties have been reluctant to touch: family law, women's property rights, violence against women and abortion rights. Feminist lawyers, working through committees of bar associations and other organizations, have been able to advance GEP claims even during authoritarian periods, such as 1960s in the Republic of Korea. As early as 1963, law professor Choo-soo Kim founded an association of legal scholars to revise the country's system of family law. The main objective was to abolish the extremely patriarchal head-of-family system that, among other things, denies Korean citizenship to foreign men married to Korean women (Nam, 2010). Feminist lawyers spearheaded reform campaigns to abolish the head-of-family system in 2005, building alliances with other professional associations and increasingly working alongside legislative leaders and the officials responsible for implementation (Nam, 2010).

Feminist lawyers were the trigger for reforming abortion law in Colombia, initiating the 2005 lawsuit in the Constitutional Court of Colombia to overturn the absolute prohibition on abortion. The attorney who organized the network of feminist and human rights organizations filing the lawsuit also drew in international legal resources, such as the Yale and Harvard Law Schools and Human Rights Watch, which together sent 500 supporting briefs to the court, all of which framed abortion as a public health and human rights issue rather than a doctrinal one (Reuterswärd et al., 2011). This network also managed to resist the ferocious counter-mobilization by the Catholic Church by appealing to the fact that the Constitutional Court had upheld commitments to international law and human rights treaties since its founding in 1991. A national survey conducted during the 2006 election confirmed widespread public support for repealing the ban. This undermined the Church's position. In contrast, a campaign at the very same time in Nicaragua on this issue was not successful, in part because there was no independent constitutional court to which appeal could be made, but most of all because the leading left-wing candidate in the 2006 election, the Sandinista Daniel Ortega, sided with the Church on abortion issues.

In some African countries, feminist lawyers, and in particular their well-networked associations of women lawyers, have focused on the domestication of CEDAW, often through campaigns to improve national policy on eliminating violence against women. A nationwide campaign led by feminist lawyers to domesticate all aspects of CEDAW in Nigeria in ways compatible with the 1999 constitution was less successful than state-by-state efforts to address the most egregious features of discrimination, such as the treatment of widows in Anambra state, where feminist lawyers worked with journalists and Christian religious authorities on a law (passed in 2005) to support widows' right to inherit property. Women's rights to own land were also the focus of feminist lawyers' work in Tanzania, where the Tanzania Women Lawyers Association (TAWLA) headed the coalition called the Gender Land Task force in the late 1990s, which eventually succeeded in inserting a spousal co-ownership provision to the Land Act passed in 1999 (Killian 2011).<sup>14</sup>

A recurring theme in the literature on feminist alliance building is the tension between, on the one hand, maintaining autonomy in order to sustain commitment to the socially transformative project of gender equality, and on the other, making immediate real world gains for women, which, while only ameliorative, nevertheless contribute to

<sup>14</sup> Fifteen years after the passage of the Land Act however, women in Tanzania have tremendous difficulty asserting their right to individual property ownership, and a constitutional revision was pursued by feminist lawyers in 2014 to reinforce the gender provisions of the 1999 law.

human security. Molyneux (2001) has pointed out that seeking “associational linkages” or negotiated alliances can be valuable for feminist policy ambitions, but can also lead to the subordination of feminist claims to other goals. In many countries around the world, autonomy has been critical to enabling feminists to politicize issues that many other groups will not defend—notably, reproductive and sexual rights. GEP reform advocates struggle with the tension between the marginalization that autonomy can bring (especially if the organized feminist constituency is modest in size and scope, urban-based and elite-dominated) and the need to work in alliances (precisely because of the often narrow social base of feminist groups).

Nevertheless, in many cases feminists have used alliances to promote gender equality within both elite issue networks and larger protest movements. Women in the Bodhgaya Movement in Bihar, India, in the late 1970s and early 1980s, for instance, generated acceptance among their colleagues in the struggle for land redistribution for the idea that any land that was handed out be registered in the names of women. Some of the men in the movement initially protested that this provision would weaken the movement’s unity, since some communities would not be able to accept such a radical proposal. Women leaders in the Bodhgaya movement and beyond responded by arguing that “equality can only strengthen, not weaken, an organization” (quoted in Everett, 1989: 169). If equality were to “weaken our unity,” one woman maintained, “that will mean that our real commitment is not to equality or justice but to transfer of power, both economic and social, from the hands of one set of men to the hands of another set”. Indeed, a common phenomenon experienced by women in grassroots protests is marginalization from leadership, even in movements inspired by ideologies of social equality. Brazil’s massive Landless People’s Movement saw women marginalized from decision making with no focus on the toll their burden of unpaid work takes on their capacity to become leaders (Caldeira, 2009, and Annex).

### ***Engaging with the state***

The range of available methods for engaging with state actors varies widely across and within countries, between policy areas, and among institutional arenas. Some feminist GEP campaigns are based on a continuously evolving set of structured relationships between activists and the state. The composition of state elites, the constraints they face in responding to policy demands, and the sites they offer for shaping public decision making are all crucial influences on the effectiveness of activism. A movement’s capacity to successfully frame issues, or to build and manage alliances, may well depend on the types of access that activists have to policy-making processes.

As noted above, the tension between co-optation and autonomy is frequently found, explicitly or implicitly, in analyses of feminist policy struggles. But it may be that feminist policy initiatives are more successful and sustainable when *both* accommodation and autonomy are pursued—in other words, the “in and against the state” approach in which feminists engage with policy authorities yet maintain a base in civil society and grassroots movements. This two-part strategy has become virtually institutionalized in a number of democracies that have multiplied opportunities for civil society engagement in policy making via consultative councils, participatory forums, or issue-specific commissions (discussed below). Moreover, it is the timing of strategic alternation between these two modes—of partnership and protest—that is often crucial. Ensuring the preservation of autonomous organizational resources beyond these forums is another of the challenges that is rarely met in the absence of strategic decision-making capacities.

To date, most research on infiltrating governing elites with gender equality advocates has focused primarily on the challenge of getting more women into legislatures. But as many women discover when they get to parliament, real power lies elsewhere, in the core executive. Where policy making is dominated by executives and policy networks—for instance, in corporatist decision-making systems such as Sweden or Germany, where decisions are traditionally agreed by social partners before they reach parliament (Hernes and Voje, 1980)—there is little that women in parliament can do unless they infiltrate these policy networks prior to reaching elected office. The same is true where policy making is informal and governed by patronage networks—these tend to be male-dominated and in some places are only open to women born into the families that dominate these networks (Goetz, 2007).

Annesley and Gains (2010: 13) stress that in Westminster-style democracies, the core executive is the most significant site of power and policy change, and argue that the central focus of studies of the strategic representation of women should be cabinet committees that oversee government business and the bilateral discussions between the Treasury and spending departments to set public service targets and agree budgets. Annesley and Gains identify concrete policy changes brought by feminist ministers in the United Kingdom during the 1997-2005 period that covered most of Labour Prime Minister Tony Blair's time in office. Women Members of Parliament (MPs) and dedicated committees also improved state-society deliberation on GEP by creating consultative forums to engage organizations such as the Women's Budget Group with relevant departments, such as the Treasury (Annesley and Gains, 2010: 11).

The case of Bolivia, where a number of positive GEP reforms have been enacted, demonstrates the value of infiltrating the state elite—the bureaucratic, political, economic, and often military core policy circle surrounding the chief executive. The state elite's buy-in is crucial to the credibility of national commitments to policy and institutional reforms. In most countries, this circle is dominated by male class and ethnic elites. It can also be dominated by traditional power holders (customary and religious leaders, rural land-holders) who are biased against gender equality and whose cultivation of patron-client networks to sustain their power undermines the democratic dynamics on which feminists often rely to build support for social change. While left-wing governments are crucial in driving pro-poor reforms (Ascher, 1984), including, as we have seen, reforms enabling poor women to profit from their labour, there has been little analysis of when and why traditional and modernizing elites decide to support gender equality reforms.

Personal opposition to elements of a GEP reform agenda by a country's president or prime minister, no matter what position on the political spectrum they occupy—can deeply undermine the work of feminist lawyers and the issue networks they build. In 2014, Ecuadoran President Rafael Correa disappointed gender-equality advocates by appointing an extreme anti-abortion activist as head of the National Interagency Strategy for Family Planning and the Prevention of Teen Pregnancies. Challenged during a debate on abortion law by a feminist legislator who proposed decriminalizing abortion in rape cases, President Correa suggested that a pro-choice position threatened the very foundations not of religion, but of the state: "I've spoken very clearly. Anything that challenges life from the moment of conception is quite simply, treason" (cited in Guidi, 2015). Other examples of the devastating and decisive role of national leaders that appoint themselves guardians of faith or culture—even in opposition to more progressive legislatures—include the stand against abortion taken by President

Ortega in Nicaragua after 2000, the opposition to abortion by President Carlos Menem in Chile in the 1990s (Blofield, 2008 and the annex), the opposition to spousal co-ownership of land by Uganda's President Yoweri Museveni in 1998 and since (Tripp, 2004 and the annex).

There is a small but growing feminist literature on gendered aspects of national and international civil service work (Chappell, 2014; Eyben and Turquet, 2013). The steady feminization of public space, despite some setbacks (Landgren, 2015), via the increased recruitment of women to local and national public administration, represents a vast potential arena for tactical advances in feminist policy implementation. Public servants at these levels interact, at the higher levels, with elected officials and exert considerable influence over policy making, making them part of the governing elite. At lower levels, bureaucrats have considerable influence over the day-to-day experience of public policy clients in their interactions with the state (Lipsky, 1980). There is some research on "femocrats"—feminist bureaucrats—that shows not only examples of coordination across public bodies to advance feminist agendas, but also high levels of communication and collaboration with women's organizations outside the state.<sup>15</sup> Much of this research focuses on bureaucracies in industrialized countries, with little data on the work of femocrats in developing states or the former Communist bloc.<sup>16</sup>

There is also very little research available on women front-line workers in service delivery bureaucracies, with the exception of some analysis of the work of women in fields such as public health in developing countries in the 1970s and 1980s, in particular those who in family planning (Jewkes et al., 1998; Tendler and Freedheim 1994); micro-finance and other development policy in the 1990s (Goetz 2001); and in agricultural extension (World Bank 2010). Considering the extent of interest in the potential transformative role of women in elected public office, and the expectation that by virtue of being women they will address gender-equality issues, the lack of attention to women in public employment is surprising. The steady feminization of public space via the increased recruitment of women to local and national public administration represents a vast potential arena for tactical advances in feminist policy implementation.

How the structures that link state and society can enable the successful negotiation and internalization of gender-equality policies has received insufficient attention in the comparative gender-equality policy literature, except in the work of feminist institutionalists (Mackay et al. 2010; Waylen 2008). The institutions that can be used to channel GEP advocacy to decision makers include courts, administrative processes, elections, corporatist bodies, and traditional and social media. The performance of these entities is inevitably affected by the social composition of the governing elite.

Specialized women's agencies, such as ministries of gender affairs, are a logical entry point for GEP advocates, but in less developed countries and authoritarian states, these have not on the whole proven valuable spaces for deliberation. Interest in the role of these agencies is at least three decades old, and after the 1995 Beijing Conference there has been considerable innovation in the institutional design of these feminist spaces within the state (Goetz, 1995). As might be expected, feminist policy elites have tried to make women's policy machineries more effective by increasing the funding of these agencies and elevating their status (Outshoorn and Kantola, 2007; Squires and Wickham-Jones, 2001). Weldon's (2002) cross-national analysis of factors supporting

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<sup>15</sup> Staudt, 1985; Chappell, 2014; Connell, 2006.

<sup>16</sup> But see Du 2009 for an exception.

more effective national policy formulation on violence against women finds that women’s policy machineries complement or boost the actions of women in government and civil society, but that this effect works best in contexts that rank high in measures of state effectiveness.

Studies of “national women’s machineries” in developing country contexts show that access to top decision making by the leaders of these units is crucial, as are adequate resources and formally legislated powers of policy review to protect these units from obstruction by top leadership (Goetz 1995). But very few specialized women’s agencies are able to resist changes in the political climate, and even if they can, they cannot function effectively outside of alliances with feminist leaders in the core executive. The women’s policy machinery in the United Kingdom, for instance, retreated in public prominence after a Conservative-led government took office in 2010, not least because of the shift of so many feminist members from the government to the opposition benches. In Argentina, the national machinery—the Consejo Nacional de la Mujer—was established by presidential decree in 1990 and supported the dramatic early 30 percent gender quota law in 1991. However, by 1995 President Menem had made a pro-Vatican turn: he cut the Consejo’s budget and dismissed its leader as part of his reaction to new reproductive rights legislation (Waylen 2000). In other seemingly more propitious contexts, such as ANC-dominated policy making in South Africa, the Commission on Gender Equality, the Office of the Status of Women in the Presidency, and eventually (after 2009) the Ministry of Women, Youth, Children and People with Disabilities have performed much less well (Hassim, 2014). This “gender architecture” was “conspicuously ineffective” in supporting the passage of the 1999 Domestic Violence Act. According to Hassim, it was alliances between organizations working on VAW and interventions by feminist lawyers that were more decisive in getting the law passed (2014: 124).

Corporatist state systems offer “categorical representation” for certain interest groups of citizens (usually business and labour). These groups participate in structured negotiations over the policies to be pursued to adapt to prevailing economic challenges. Corporatist policy making can provide openings to new social interests if corporate parties broaden their social base to build leverage in negotiations. This has rarely happened in the case of gender-equality interests but an important study of the success of environmental movements in Germany and Norway in promoting a national commitment to a green economy provides lessons for feminist movements (Dryzek et al., 2003).

The Dryzek et al. study demonstrates the significance of systems for state-society negotiation and interest representation for the success of social movement. Even states that are not democracies often create institutions to manage competing demands for state resources and public recognition. Dryzek et al. found that demands by environmentalists for a national switch to renewable energy performed best at two extremes of state-society relations—in Norway and Germany. It showed that the more independent environmental movement (Germany), because it was rooted in the professions, was better able to turn the corporatist bargaining framework toward the making of greener energy policy. In Norway, by contrast, environmental achievements have been less profound. Norway’s inclusiveness and the state’s active role in shaping civil society—through generous funding for non-governmental organizations (NGOs)—tended to squeeze out radical initiatives by eroding the environmental movement’s autonomy. A similar fate may await GEP reform networks that fail to maintain their

financial, political and legal independence, even in national contexts where their input is formally sought and their voice is institutionalized.

It is notable that in contrast to the United Kingdom and the United States, Norway and Germany have proportional representation election systems that permit debate and compromise rather than the adversarial stand-offs. Both are also corporatist systems with “categorical representation” for certain interest groups of citizens (usually business and labour) through which structured negotiations can help to address economic challenges. Corporatist styles of policy making can provide openings to new social interests if corporate parties broaden their social bases. Environmental movements found success in an instrumentalist framing of their concerns in corporate terms, addressing core state imperatives of accumulation and growth, but also by linking ecological management to state legitimation.<sup>17</sup>

In the Dryzek et al. analysis, Germany proved by far the “greenest” state but not because it had included the environmental movement in public debate. On the contrary, its tight controls on corporate bargaining meant an absence of political opportunities for environmental groups. Its attempt to impose a nuclear programme in the 1980s and 1990s, along with the limited opportunities for political debate, radicalized civil society and promoted independent capacity building—for instance, through research institutions, which helped drive the confrontations, adoption by a political party of the green agenda, and eventual policy success. The autonomy of the environmental movement was sustained even after inclusion of movement leaders in the state, because of the marked professionalization of the movement outside of the state.

The Dryzek et al. findings have useful implications for the study of feminist claims-making. Besides confirming the value of national state-society relationships that seek compromise and inclusion, they call attention to the role of the state in affecting the strength and effectiveness of social movements, as well as the need for such movements to stay “in and against” the state even when they are successful. They note the need for social movements to frame their claims in relation to core imperatives of the state and also to expand those beyond a concern with raw accumulation to concerns with legitimating liberal capitalism—first (historically) with investments in welfarist policies, and later (increasingly) with reference to protecting planetary ecosystems.

Multilevel governance, in the form of federal institutions or democratic decentralization, can create opportunities for women’s engagement in decision making “closer to home”. Over the past two decades, varieties of decentralization and federalism have been introduced via constitutional reform in Burundi, Iraq, Nepal and Uganda, to take just a selection of post-conflict examples. The purpose of such reforms is primarily to defuse geographically based ethnic tensions. Thanks to efforts by both local women’s right advocates and feminist policy advocates in international NGOs and within international

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<sup>17</sup> Dryzek et al. argue that state-society engagement varies between *inclusive* and *exclusive* approaches. These engagements also range between *active* and *passive*. An active state intervenes to shape the content and power of group interests, while a passive one “does little or nothing to either advance or impede the standing of particular groups” (Dryzek et al. 2003:7). The potential advantage of using these distinctions is that they focus attention on how states both shape social interests (for instance, through national welfare and development policies that create shared interests for specific social categories), and how they are influenced by social activism. Some of the most difficult contexts for sustained advances in women’s rights are passive/inclusive contexts like the United States, where there is little targeted support for socially subaltern groups, where adversarial “winner take all” electoral politics is a crippling disadvantage for minority or countercultural interests, and where federalism fragments women’s activism across a number of political arenas. Moreover, the professionalization or institutionalization of feminist movements takes different forms according to the types of states they encounter, and this has consequences for the fate of the movements.



organization bureaucracies, many of these institutional reforms have been accompanied by provisions for women's representation in newly created (or empowered) local and provincial bodies.

Federations represent only 20 per cent of the world's nations, but contain over 40 percent of its population, thus representing an important institutional framework with which women engage. Sublevels of government, such as provinces or states in a federation, may enjoy considerable space for policy development. The provincial level can, moreover, open space for experimentation with reform. Committed reformers at the subnational level can find ways of overcoming resistance among a variety of interest groups that protect the status quo, and the tactics employed (by both the state and regional women's organizations) can be emulated in other jurisdictions (Jenkins, 2004). Asymmetrical federalism can also be a useful tool. In Iraq, for instance, Kurdistan's state-level policies on violence against women and women's rights are far stronger than those prevailing in other parts of the country, a divergence permitted by constitutional provisions for subnational policy differentiation in this area.

However, federalism can be a "two-way street" (Vickers, 2010) for women's claims making, with sharply divergent outcomes seen in similar institutional models. Federalism can fragment the advocacy and policy-monitoring efforts of activists and permit high degrees of local variation in the way women's rights policies are implemented—most often in ways that entrench more traditional and customary approaches. Federal arrangements can include assigning authority over family law and the management of public services to substate governments. Ceding authority over aspects of women's rights—notably, in laws on divorce, marriage, and reproduction—to provinces or regions can greatly empower region-specific traditional or conservative authorities. On the other hand, federal arrangements can permit more progressive subnational polities to experiment with policy reforms that exert a demonstration effect on the rest of the country. Women have been able to manipulate federal systems in some contexts to promote progressive policy developments in one subnational government and to use these examples to trigger changes across the entire federation.

The potential of federal arrangements to dilute the impact of women's activism or to empower traditional interest groups that are regionally concentrated is a matter of tremendous concern to women in post-conflict contexts, where varieties of federalism are at the core of power-sharing arrangements designed to keep fractious regions within the national fold. Bargaining on the types of powers to be devolved to sub-state authorities as part of a post-conflict settlement is currently underway in a number of contexts, including Myanmar and Sri Lanka.

Studies of women's claims making efforts in local councils show divergent outcomes. In India, studies have shown a marked impact of women's local political leadership on local spending patterns, such that services demanded by women were prioritized (Chattopadhyay and Duflo, 2004). South Africa, on the other hand, experienced significant setbacks in terms of gender equality through its system of elected local government. This may be because the institutional restructuring was accompanied by economic reforms that undercut the economic and social bases of some forms of women's collective action (Beall, 2005; Desai, 2003).

In low-income countries, women can find that power is more concentrated and ruthless at local levels than at national levels or in urban centers. Rural elites may be more hostile to gender equality claims than are urban elites because their class power is

embodied in informal local face-to-face personal relationships that become an important component of identity, self-image, and status—all of which are profoundly threatened when women demand recognition and rights. Greater resistance at local levels sometimes triggers more militancy among rural women's groups than urban associations. Jana Everett's study of contrasts between urban and rural women's livelihood-related collective action in India in the 1980s shows that the larger presence of the state in big cities—due to the presence of zoning regulations, government officials, banks, and other bureaucracies—encourages cooperative non-confrontational strategies by urban women's associations, strategies that supported co-optation and uncomfortable compromises. The more open exercise of domination by rural power holders triggered more confrontational strategies by women's rural movements, which she assessed as more effective in generating genuine changes in attitudes and practices of local patriarchs (Everett 1989:174).

Institutional structures to enable “state-society synergies” (Evans, 1995) have multiplied since the 1980s, representing a “a silent revolution” in governance (Ivanya and Shah, 2012: 2). Through a range of deliberative forums and monitoring mechanisms (Goetz and Gaventa, 2001), states have sought to bring decision making closer to citizens and to improve the responsiveness of public sector institutions. The integration of vertical and horizontal channels of accountability, incorporating both state and non-state actors, has led to the creation of new, hybrid institutions that provide “diagonal accountability” (Goetz and Jenkins, 2001, 2005). The entry points and possible locations for feminist engagement with the state have multiplied in contemporary democracies where states responded to disaffection with party politics with a range of new democratic spaces for citizen engagement such as issue-specific commissions, parliamentary committees, participatory local budgeting or audits, or local service co-management bodies (Cornwall, 2004). These complement more established state-society institutions, such as specialized gender equality agencies or multilevel governance. To the extent that GEP advocates have been able to exploit these expanded opportunities, it has been because of strategic decisions about which of these “invited spaces” (Cornwall, 2004) are most likely to provide leverage for their policy agendas without compromising their autonomy. The skill required to operate within such structures should not be underestimated.

## 5. Conclusion

This paper does not undertake a quantitative analysis of the potential causes of improved gender equality policy making. It instead suggests the usefulness of stressing the profoundly contested nature of feminist policy ambitions, the considerable political skill involved in navigating the space between co-optation and autonomy, and the need to assess, on a context-sensitive basis, the political opportunities afforded by all kinds of institutions that link states and social groups. We call attention to three key dimensions of political capacity—skill at: issue framing, alliance building and engaging with the state, through whatever entry points present themselves, without abandoning the socially transformative intentions that underlay feminist claims making. We note that many recent feminist policy successes have been grounded in “issue networks”, coalitions that connect women's movements with senior officials, policy analysts, human rights lawyers, elected legislators, and other stakeholders. We also note that engagement with the state by feminists has evolved from confrontational approaches to strategies that exploit feminists' capacity to infiltrate state elites (particularly those in the national executive and among expert communities such as constitutional lawyers).

In addition, the evolution of institutions to manage state-society relationships, from corporatist bargaining systems to local government arrangements, has created valuable new access points for feminist claims making. This helps to highlight the levels of government, and the types of roles, in which feminists are most effective as advocates for gender equality, as well as the kinds of alliances that generate sustainable policy changes, and the ensemble of institutional structures that support these and other approaches.

This paper also stresses the significant contribution made to comparative GEP studies by Htun and Weldon's analysis of gender policy types and the types of politics they engender. We also note the important contribution of Annesley and Gains and their focus on institutionalized public space for gender equality debates, such as gender equality commissions and the growing role for feminists in national executives. We nevertheless argue that there are other aspects of GEP initiatives that merit closer examination and that are not easily susceptible to quantitative analysis. The most notable are the strategic capacities of claims makers themselves. We emphasize how feminist policy actors frame issues in ways that increase the likelihood that proposed reforms will attract the necessary political support; build coalitions that can sway key decision makers; and exploit avenues for engaging with state authorities. The continued proliferation of governance innovations offers feminist activists at least some opportunity to forum-shop for the institutions and political arenas that will fit the movement's issue-framing and alliance-building strategies.

An issue that we have not addressed is the increasing private-sector influence over politics and law in many countries (and in multilateral settings), and the ability of corporate actors to cultivate allies across a range of domains, including cultural conservatives. This has strategic implications for women's claims making. In addition to traditional targets, such as elected officials and the judiciary, new actors will have to be targeted, and innovative political tactics employed. The latter will, as a matter of necessity, involve even wider forum shopping and increased attention to forging alliances between sectors of the women's movement and between women's rights advocates and groups working on behalf of other causes, such as campaign finance reform. These considerations once again highlight the importance of tactical skill—and activist agency more generally—in shaping policy decisions and outcomes.

## Annex: Selected Country Case Profiles

<b>Domestic Violence (Scotland and Wales)</b>				
	<b>Actors</b>		<b>Framing/Discourses</b>	
	<b>Feminist</b>	<b>Non-feminist</b>	<b>Feminist discourses</b>	<b>Official framing</b>
<b>Scotland 1999–2007</b>	Scottish Women's Aid Feminist ministers and parliamentarians Feminist organizations Refuge Movement Actors	Scottish Partnership on Domestic Abuse Violence Against Women Team	Gender equality, women's rights as human rights	Gender equality, women's rights as human rights
<b>Wales 2003–2007</b>	Feminist organizations Refuge Movement Actors	Welsh Women's Aid	Women's rights	Criminal justice and crime prevention; gender-neutral, including adults and children

The first Scottish parliament (1999–2003) made domestic violence policy a priority, enacting legislation, a national strategy, a working group, an executive team and a development fund dedicated to domestic violence. In Wales, momentum did not begin until the second term of the national assembly (2003–2007), and there was no central funding strategy for Welsh Women's Aid or for the network of refuges. Unlike in Wales, in Scotland the refuge movement and feminist actors were incorporated into government, such as the secondment of a Scottish Women's Aid policy worker into government to take forward implementation of the National Strategy. Scottish Women's Aid had much greater political leverage, and technical and financial support. As a result of the devolution process, Scotland enjoyed much greater administrative autonomy than Wales, where policies that are pertinent to domestic violence, like criminal justice and criminal prevention are controlled by Westminster. The different degrees of autonomy also resulted in an underdeveloped Welsh civil society, whereas in Scotland, civil society was strong, well-coordinated and highly engaged with statutory and volunteer organizations. In addition, Welsh Women's Aid comprised a smaller group of elite women, whereas Scottish Women's Aid was part of a broader coalition of domestic violence activists that directly contributed to the policy-making process.

**Source:** Charles, Nickie and Fiona MacKay. 2013. "Feminist politics and framing contests: Domestic violence policy in Scotland and Wales." *Critical Social Policy*. 33 (4): 593–615

**Domestic Violence (Peru)**

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>Peru (1990–2000)</b>	Mujeres por la democracia (Women for democracy)	Grass roots organizations, NGOs, civil organizations, Club de Madres  Females politicians, lawyers	Unequal power relations  Women's rights issue	As broader measures of democratization

Policies combating domestic violence were motivated by an effort by President Alberto Fujimori to improve its image rather than seek effective protection of women. These policies were approved as part of a modern rhetoric employed by the regime to distract international attention from corruption. The dominant discourse found in state policies was the protection and preservation of the family unit before the individual, which suggested women's rights were subordinated to family integrity. Mediation and conciliation were compulsory—which implied women were under pressure to find solutions within the family status quo. Police officers, judges and medical examiners' attitudes reproduced sexist and racist discourses in relation to violence against women—discourses that had also been expressed in Peru's sustained internal armed conflict. Women's collective strategies such as organized mothers' groups and participation in grassroots organizations supported women in coping with domestic violence—including leaving violent partners. Husbands protested wives' participation in women's organizations, recognizing this would disturb the established power relations in the household. Women's organizations generated growing visibility regarding the extent of domestic violence, and this served as a justification for acting collectively against male violence. In addition, training offered by NGOs and other civil society organizations was crucial in a strategy of reframing domestic violence as a serious crime, pushing back the boundaries of what was accepted as legitimate violence. Other tactics employed by Peruvian women included stressing the relevance of state policies by using available services on an increasing scale "even if the services are perceived to be poor". Still, significant legislative improvements, such as the removal of mandatory conciliation from the existing law, only followed after the fall of the Fujimori regime in 2000. Feminists' organizations such as Mujeres por la democracia (independent feminists, scholars and politicians against Fujimori's regime) framed their discourse in terms of democratization, linking women's security in the home to a broader movement toward equal rights, democratic participation and transparency: "What is not good for democracy, is not good for women" (p. 377).

**Source:** Boesten, Jelke. 2006. "Pushing Back the Boundaries: Social Policy, Domestic Violence and Women's Organizations in Peru." *Journal of Latin American Studies*, 38(2):355–378. May.

### ***Sexual and Gender-Based Violence (Nigeria)***

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>Nigeria 2000s</b>	Feminist business women and lawyers	Women lawyers and journalists Coalition of Eastern NGOs (CENGOS)-including the Catholic Women's Organisation (CWO) and the Mothers' Union  Religious organizations and leaders, especially Catholic and Anglican  State Assembly's Committee for Women's Affairs  Women's Action Committee (WACA)	Secular NGOs and feminists promoted human rights—widowhood practices were unjust, inhumane, negative impact on children	State aligned with Church to promote protection of widows, denounced superstitious traditional practices.

The key to passing the Widows and Widowers (Prohibition) Law No. 2005 was the support from churches and faith groups, and the diversity and geographical extension of the campaign coalition that spanned nine states. The proposed reforms aligned with religious values and also undermined traditional practices, which the churches were keen to eliminate. The coalition gained support at the grassroots level by educating women on their rights and providing support to widows seeking redress. Secular NGOs and professional associations helped to raise funds. The church was able to legitimize and disseminate the message, and mobilize resources, which included working with journalists and other media outlets to promote the campaign. The campaign lobbied town unions and chiefs, and even convinced some male traditional leaders to be patrons. In addition, prominent businesswomen, lawyers and the State Assembly's Committee for Women's Affairs lobbied Assembly members in Awka, a state capital. This successful effort to pass legislation is contrasted with the failed attempt to pass CEDAW, which was led by an elitist campaign that did not make a substantial effort to disseminate its messages, engage grassroots women or civil society organization, and most importantly, they failed to gain the trust or support of Christian and Muslim organizations.

**Source:** Amadu, Fatima L. and Oluwafunmilayo J. Para-Mallam. 2012. "The Role of Religion in Women's Campaigns for Legal Reform in Nigeria." *Development in Practice*, 22 (5–6): 803–818.

***Family Law (Republic of Korea)***

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>Republic of Korea (South Korea) 1950s–2005</b>	Korean National Council of Women (KNCW) Korean Society of Family Law Citizens for the Abolition of the Head-of-Family System All Women's Association for Urging the Revision of the Family Law International Council of Women	Planned Parenthood Federation for Korea Ministry of Health and Social Affairs International Legal Aid Association	In the 1980s: Gender equality (following ratification of CEDAW)	1960s-1980s : Controlling high population growth rate, improving the economy 1990s: Citizenship rights (for men and women)

Since the early 1960s, the South Korean government put strong emphasis on economic growth. The KNWC leveraged the national concern with high population growth rate as support for the revision of the family law. After the transition to democracy in 1987, subsequent South Korean governments also showed much more willingness to respond to pressures from national and international institutions, especially after signing several treaties that required regular reports on human rights, such as International Covenant on Civil and Political Rights and the International Committee on Economic, Social and Cultural rights. In addition, international pressure was deepened under the provisions of the reform packages of the International Monetary Fund (IMF) following the Asian financial crisis. In the 1990s, the feminist movement was also able to link their campaign to other activist networks who were fighting for equal citizenship rights as a result of an influx of migrant workers. In addition, while feminist activism was largely dominated by elite women from the 1960s through the 1980s, by the 1990s, the feminist movement, led by Citizens for the Abolition of the Head-of-Family System comprised both conservative and liberal women's groups, grassroots women's organizations and NGOs and had much stronger ties to international NGOs.

**Source:** Nam, Sanghui. 2010. "The Women's Movement and the Transformation of the Family Law in South Korea. Interactions Between Local, National and Global Structures." *European Journal of East Asian Studies* 9 (1): 67–86.

### ***Family Law (Morocco and Iran)***

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>Morocco 1950s-1990s</b>	Union de l'Action Feminine	King Hassan I King Mohammed VI  Secular and socialists political opposition groups  Muslim Women's organizations	Gender equality	Secular women: Women's rights as part of countering violent extremism, modernization   Muslim women: Women's rights as protection of maternal role, moderation
<b>Iran 1950s-2000s</b>	Secular feminists, democratic organizations	Women's Organization of Iran  Women parliamentarians  Women's religious organizations		1950s and 1960s: Women's rights as modernization   Post-revolution: women's rights as part of Islamic <i>fiqh</i> (original teachings of Allah)

While both Morocco and Iran have reformed their family codes several times throughout the last century, and both countries use Islamic jurisprudence as their source of family law, the reforms in Morocco have been much more progressive, especially in the early 2000s. The political relaxation in Iran two decades after the Revolution came from below and divided the ruling elite into two bitterly opposed factions with divergent readings of Islam and gender rights. The Supreme Leader sided with the conservatives, who by 2005 had ousted the reformists from the structures of power. During this time, theocratic forces were strengthened by Iran's increasingly adversarial relationship with the United States, supplanted by President George W. Bush's invasion of Iraq and Afghanistan. In Morocco, political relaxation happened around the same time, but was initiated from above and did not divide the political elite. During the 1990s, King Hassan, who was politically unchallenged, opened space for the women's rights movement. In Morocco's bid to become a full member of the European Union, as well as in its free trade agreements with the United States, social and economic provisions placed pressure on the government to liberalize and reforms women's rights. In the wake of the Casablanca bombings in 2003, King Mohammed VI, as well as the broader public, was keen to turn the tide on Islamist extremism, making liberalism and women's rights more appealing. Both secular and feminist women were able to claim their rights, though in different fashions, as ways to counter religious extremism, and eventually passed reforms to the Family Code in 2003.

**Sources:** Mir-Hosseini, Ziba. 2007. "How the Door of Ijtihad Was Opened and Closed: A Comparative Analysis of Recent Family Law Reforms in Iran and Morocco." *Washington & Lee Law Review*, 64(4): 1499–1511.

Hawkesworth, M.E. 2012. *Political Worlds of Women: Activism, Advocacy and Governance in the Twenty-First Century*. Boulder, CO: Westview Press .



**Abortion (Taiwan POC)**

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>Taiwan POC 1970s–1980s</b>	New Feminism Movement (NF) Annette Hsiu-lien Lu Feminist lawyers, doctors, writers	State-run family planning programmes involving the Populations Council (United States), Rockefeller Foundation, Taiwanese public health officials Lawyers, professors, legislators, doctors, attorneys	<i>Early 1970s:</i> abortion as a form of patriarchy  <i>Late 1970s:</i> Women's right to choice and privacy	1970s: population control  1980s: physical protection of women, women suffering as a result of unsafe abortions and unwanted pregnancies

Taiwan's feminist movement used strategic framing in accordance with the norms and priorities of successive governments. Rights-based discourse, especially the concept of "right to privacy" was picked up from American feminists and the Roe vs. Wade case. However, because population control was a priority of the government during the 1960s and 1970s, the NF used population control framing when the draft amendment of the criminal code on abortion was announced in 1979. The NF held public forums, published academic journals and magazines and lobbied the Legislative Yuan alongside male and female professionals, academics and politicians. Recognizing the limits of rights-based claims in post-martial Taiwan, women's associations began using the protection and victimization discourse in propaganda and in political lobbying efforts during the final round of legislative debate. This discourse was ultimately successful in catapulting the legalization of abortion in 1984, but may explain why women have limited power under the Act, which requires spousal approval.

**Source:** Chen, Chao-Ju. 2013. "Choosing the Right to Choose: Roe v. Wade and the Feminist Movement to Legalize Abortion in Martial-Law Taiwan." *Frontiers* 34(3): 73–101

### ***Abortion (United States and Canada)***

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>United States 1960s–1980s</b>	Feminist lawyers Pro-choice women's organizations	Health officials	Gender equality, bodily integrity	Women's basic rights guaranteed under the Ninth Amendment, women's rights over state's rights
<b>Canada 1970s–1980s</b>	Radical feminists in Quebec Pro-choice women's organizations	Royal Commission on the Status of Women Government of Quebec Supreme Court of Canada, especially Madam Justice Wilson Prominent pro-abortion doctors (Dr. Henry Morgentaler)	Quebec: Marxism—liberation of women, Quebec and society	Women's freedom of conscience, bodily integrity, citizenship rights

In the United States, the abortion rights movement was fragmented by multiple government sites during a time of increasingly intense partisan polarization. The Constitution assigns criminal law regulating abortion and policing powers to the states, and without the ratification of the ERA (Equal Rights Amendment), the Constitution promotes state's rights over women's bodily integrity rights. In addition, nationalizing abortion through constitutional litigation enlarged its scope and visibility, and also increased conflict around the issue.

Feminists in Quebec, who were already well mobilized, framed abortion rights in alignment with progression, freedom and independence of Quebec. Due to Quebec's asymmetrical power it was able to declare de facto decriminalization of abortion in 1976. This served as a springboard for the pan-Canadian women's movement.

While this movement was weaker and more divided than its counterpart in the United States, there was less intense partisan polarization around bodily integrity issues because of preoccupation with Quebec's threatened separation. In addition, criminal law legislation is a federal responsibility, while administration is under provincial power. In addition, with the enactment of the Canadian Charter of Rights and Freedom in 1982, the Supreme Court was granted further power to strike down unconstitutional federal and provincial statutes. The Charter included gender equality provisions, which were cited by the Supreme Court in its rulings on abortion in the late 1980s.

**Sources:** Vickers, Jill. 2010. "A Two-Way Street : Federalism and Women's Politics in Canada and the United States." *Publius: The Journal of Federalism*, 40 (3): 412–435.

***Abortion (Colombia and Nicaragua)***

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>Colombia 2000s</b>	Feminist lawyers Women's Link Worldwide	International Human Rights organizations  American Universities	Discrimination against women  Violations of women's rights under CEDAW and other treaties	Public health and human rights issue
<b>Nicaragua 2000s</b>	Independent Women's Movement  Women's Network Against Violence	National Media Minister of Health U.S. agencies  International NGOs  Women's organizations	Violation of women's rights under the Constitution	Protection of women- dangers of illegal abortions

In Colombia, the pro-abortion movement succeeded in framing abortion as a public health and human rights issue rather than a religious one. Through its coalition with international organizations, and its extensive social campaigns, it elicited and altered public discourse, eventually gaining direct support from the media. In addition, the revised Colombian Constitution of 1991 made the country's acquiescence to international law and human rights treaties official and also established a Constitutional Court composed of several liberal-minded judges, who were able to defy the counter-movement of the church. The Nicaraguan women's movement also had international support, but was weakened by internal political divisions. The Nicaraguan women's campaign was less effective in disseminating its message and did not manage to bring about significant change in public perception. The Nicaraguan church was highly mobilized, well-resourced and had cross-party political alliances, and the church's support was critical for presidential candidates in election of 2006.

**Source:** Reutersward, C., P Zetterberg, S. Thapar-Bjorkert and M. Molyneux. 2011. "Abortion Law Reforms in Colombia and Nicaragua: Issue Networks and Opportunity Contexts." *Development and Change*, 42(3): 805–831.

### ***Abortion (Italy Spain, Portugal, Uruguay, Argentina and Chile)***

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>Italy, Spain and Portugal 1980s</b>	Feminist organizations Women Institute (Spain)	Communist Party (Italy) Women's Commission (Spain, divided)	Protection of women- dangers of illegal abortion  Women's rights	Public health and human rights issue  Social equality rooted on a strong notion of citizenship
<b>Portugal and Uruguay 1990s–2000s</b>	Feminist organizations	Left-wing government officials	Women's rights issue	Socioeconomic grounds, cross-class solidarity Social citizenship
<b>Argentina and Chile 1990s–2000s</b>	Pro-choice feminists	Women's Policy Agency	Women's rights issue	Protection of the mother health

The variation in abortion policies between Catholic Latin America countries and West European nations can be explained in terms of class divisions and the differential social mobilization of the Catholic church and feminists, as well as the relative influence of both in politics. Church opposition to abortion in Argentina, Chile, Italy, Portugal, Spain and Uruguay has been a constant. In the 1980s the feminist movements in Italy, Portugal and Spain were able to influence the agenda of initially reluctant left-wing parties by highlighting the high numbers of dangerous clandestine abortions, framing it as public health issue. They held demonstrations and gathered signatures from women who admitted to abortions (and men who admitted to aiding them). In these countries, feminist social mobilization was positively influenced by what is called cross-class solidarity. The strategy was an explicit show of solidarity by women who could afford safe abortions, and hence escape detection, with those who couldn't. In Spain admissions of abortion were collected in front of public notaries. For all three countries, democratic transitions supported an environment in which issues that had been repressed during authoritarian regimes could be addressed on the basis of citizenship and social equality. In Italy, the Communist Party pushed to legalize abortion. In Spain, it was the Socialist Party that responded to feminist pressure and added it to its agenda in the 1980s.

In 1998, feminists in Portugal called for a referendum to legalize abortion but lost by a 2 percent margin. They continued demanding reform and gathered over 120,000 signatures for another referendum, which was opposed by the centre-right prime minister.

In Argentina and Chile, the significant size of economic inequalities across classes have impeded cross-class feminists mobilization on this issue. In addition, left-wing parties did not have as strong a hold on public office in the 1980s and 1990s as in Western Europe, obliging coalitions with more conservative interests including the Church, which has retained significant influence over reproductive health politics. In both countries signature-gathering campaigns in the 1990s failed. In addition, legislators in Chile argued that there was not an effective network of feminist organizations. Blofield cites a Senator in Chile saying: "Look out the window. I don't see any feminist movement there, anything like what I saw in Italy in the 1970s" (p. 414).

Conservative sectors labelled abortion a serious crime. For feminists in Argentina, mobilizing support become difficult during the democratic transition and repeated economic crises. National women's machineries -- the Women's Ministry in Chile and the National Advisory Council in Argentina -- side-stepped what they considered a very controversial issue. On the other hand, the Church and right-wing parties exercise great influence in both countries politics. President Carlos Menem (elected in 1989) promoted an anti-abortion agenda as a feature of his strong ties with the Vatican (he visited the Pope seven times in his 10 year tenure as president). In Chile, the Catholic Church forged a strong alliance with the Chilean Right, aided by Opus Dei and the Legionaries of Christ. "In these two countries, the Catholic church and conservative Catholic organizations have succeeded in accessing political elites, and even left-wing politicians bow to conservative pressure" (p. 415).

In sum, in both countries left-wing parties would not act in women's interests in the absence of consistent feminist pressure. On the other hand, in Uruguay feminists forged links with left-wing feminist politicians in the legislature and helped put abortion on the legislative agenda despite the opposition of a centre-right government in 2002.

**Sources:** Merike Blofield. 2008. "Women's Choices in Comparative Perspective: Abortion Policies in Late-Developing Catholic Countries." *Comparative Politics*, 40(4): 399–419.

**Land Rights (Tanzania)**

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>Tanzania 1950s-1990s</b>	Gender Land Task Force (GLTF) Tanzania Women Lawyers Association (TAWLA)	National Land Forum (NALAF) Christian Council of Tanzania (CCT) Evangelical Lutheran Church of Tanzania (ELCT)	Discrimination against women	Women's rights to land as part of the broader land rights movement Women's rights guaranteed under the Constitution

The multiparty competitive system, introduced in the 1990s, opened opportunities for women to organize and saw an enormous increase in the number of women's organizations, civil society organizations and religious organizations. At the same time, the government embarked on a process of land reform, which provided political space for land rights activists. The Gender Land Task Force, created by the Tanzania Women Lawyers Association contested the proposed 1996 Land Bill, which lacked gender provisions. They started a widespread social and political advocacy campaign that included workshops, seminars, community outreach activities and parliamentary lobbying. They gained the partnership of the National Land Forum, a powerful and diverse coalition of civil society organizations (CSOs). Most critically, the GLTF achieved support of the Evangelical Lutheran Church of Tanzania (ELCT), who had a pre-existing focus on gender issues within its structure and activities, as well as the Christian Council of Tanzania that also promoted gender equality. The GLTF was adamant about remaining religiously neutral so as to gain a broader coalition, as well as because of the constitutional ban on the politicization of religious organizations. While the churches were not active members of the GLTF, they very effectively disseminated information and legitimized the movement. In addition, the land rights movement was largely urban and was able to distance itself from the influence of traditional Islamic leaders. The GLTF was ultimately successful with the incorporation of many of their recommendations in Land Act no. 4 of 1999 and the Village Land Act no. 5 of 1999.

**Source:** Killian, Bernadeta. 2011. *The Women's Land Rights Movement, Customary Law and Religion in Tanzania*. Religions and Development Working Paper. Birmingham: University of Birmingham.

### ***Land Rights (Brazil)***

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>Brazil 1980–2000</b>	National Gender Collective (former National Council of Landless Women)	INCRA  CONTAG Movement of Organizations of Rural Women Workers-South  National Movement of Rural Women workers	Modify gender relations in the rural way of life  Enforcement of women's rights  Improve welfare of women working in the agricultural sector	Family as the natural unit  Women's rights guaranteed under the Constitution

The Brazilian rural women's movement emerged in the 1970s and 1980s demanding land, specifically in the south. However it wasn't until 1988 that a Constitutional reform guaranteed equal rights between rural and urban men and women with respect to labour legislation and social rights. For the women's movement, Article 189 was crucial as it stated that ownership and use of land was independent of their civil state. However, the introduction of joint adjudication did not translate into any specific government action. Obstacles to the implementation of Article 189 are found at the administrative level (especially from the National Institute for Colonization and Agrarian Reform/INCRA). Ironically, there are also obstacles among unions of the rural poor, most well-known of which is the Landless Rural Workers Movement (MST), which does not have a separate institutional structure for women.

Despite the existence of an organized structure for the representation of landless people's interests, and of autonomous movements created to defend the rights of rural women, political conflicts have relegated gender issues to a secondary level. In the context of the new agrarian reform, INCRA focused on benefiting family farming over joint titling. By privileging the husband as the main holder, INCRA didn't considered its approach necessarily a discrimination, as women were protected by the Civil Code in case of separation, divorce or death. The slow progress of efforts to ensure that women hold land titles can be explained by the indifference of state-level institutions and the resistance from the various national land rights movements. For instance, the inclusion of women settlers in the context of the agrarian reform is not mentioned. Though progress has taken place as a result of women leaders that have become more prominent in the MST, they continue to face significant internal obstacles to making discussion women's rights a movement priority. In addition, the family remains the natural unit of reference in discussions of women's issues in many of these organizations, both in civil society, such as the National Confederation of Agricultural Workers (CONTAG), and governmental departments. New initiatives must face the "resistance of women to participate; the resistance of men to allow their women to participate, and the resistance of both to the existence of a non-sexist division of productive or political/social work". (p. 14)

**Source:** Guivant, Julia S. 2003. *Agrarian Change, Gender and Land Rights A Brazilian Case Study*. Programme on Social Policy and Development, Paper No. 14. Geneva: UNRISD.

**Land Rights (Uganda)**

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>Uganda</b>	Women's activists	Uganda Land Alliance (ULA)	Women's Rights and autonomy	Non-discrimination clause under the Constitution
<b>1980s-</b>	Women's activists lawyers	Uganda Women's Network (UWONET)	Individuality against communally oriented ideas	Uganda as signatory of CEDAW
		Women Parliamentarians Association		Development and efficiency concern
		Uganda Association of Women Lawyers (FIDA)		
		Fund for Women in Democracy (FOWODE)		Equity concern

Women's movements in Uganda organized to challenge customary land practices, which have been used to preserve practices that subordinate women by excluding them from the clan or communal entity. After colonialism, land tenure in Uganda included freehold and leasehold tenure, as well as *Mailo* tenure that involves holding registered land in perpetuity, and customary tenure regulated by clan leaders. Given customary practices, women in Uganda usually do not inherit land either from their fathers or husbands. Still, "women provide 70-80 percent of all agricultural labour and 90 percent of all labour involving food production in Uganda, yet they own only a fraction of the land" (p. 4). In 1998, women's activists worked collectively to ensure key clauses—such as co-ownership—were included in the Land Act. However, they faced great opposition from male politicians who argued in defence of tradition and clan cohesion. They believe women would marry and then divorce for the purpose of accumulating land. Also, land scarcity and higher land prices have prompted clan leaders to hold on to more land.

Strategies to include co-ownership in the 2000 amendments to the Land Act failed despite the coordinated support of UWONET and ULA. For instance, women's land rights groups under the umbrella of UWONET produced educational and informational materials, such as a film to educate politicians about the clause; they lobbied members of the parliament; carried out surveys and focus groups about women's land rights; and organized public events and demonstrations. They also held public hearings, and UWONET issued a peoples' manifesto with women's demands. The campaign also received the support of the *Nabagerka*, the Queen of Buganda, Sylvia Nagginda, who in her International Women's Day speech (2000) recognized how customary laws were depriving women of a right to property. Though the co-ownership amendment was passed by the parliament, it was left out from the Act. Miria Matembe, minister of ethics was interrupted the moment she started reading the amendment with the excuse that there was no need to read it all. Because she didn't read the clause for the legislative record, it was not included.

The biggest impediment came from the President himself who publicly accused women of using marriage to get land. Other opponents argued that co-ownership would undermine clan cohesion. Museveni added the co-ownership clause to the Domestic Relations Bill, which had been pending since the late 1960s. Women protested and in 2003 launched a new (but unsuccessful) campaign to give all family members rights to family land. Today, women in Uganda are taking their claims to magistrates' courts and a small percent is obtaining legal title to husband's land by paying registration fees.

**Source:** Aili Mari Tripp. 2004. "Women's Movements, Customary Law, and Land Rights in Africa: The Case of Uganda." *African Studies Quarterly* 36(4): 1–19.

### ***Land Rights (Bolivia)***

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
<b>Bolivia 1990s–2000s</b>	Domestic feminist organizations	Movement Towards Socialism (MAS) National Household Workers' Federation of Bolivia (FENATRAHOB) Women and Minor's Commission in the Chamber International Organizations Domestic indigenous rights organizations Comité Impulsor Bolivia's Central Labour Union Urban middle-class Women's organizations	Domestic workers rights to enable decent work and self-respect of indigenous women	Discrimination against domestic workers as discrimination against indigenous people Discrimination as a form of colonial oppression

The first bill on domestic worker rights, written by FENATRAHOB, with legal assistance, was introduced by a sympathetic legislator in the Women's and Minors' Commission in the Chamber in 1993. During this time, the indigenous rights movement was at the forefront of political debate. The vast majority of domestic workers were Aymara or Quechua women, and they linked into the broader indigenous rights movement, framing their struggle as one of indigenous oppression. FENATRAHOB was extremely effective in organizing public marches and events, and disseminating information, and subsequently gained widespread financial and technical support from international organizations, domestic feminist organizations, housewives' organizations, human rights organizations and indigenous activists. Their alliances also helped them gain the support of the highly influential Central Labor Union. This broad-based attention and pressure from so many social organizations, as well as political allies, compelled the Chamber to open up debate on the bill in 1996. A key turning point was the rise of indigenous left-wing parties, especially MAS, to Congress following the 2002 elections. These indigenous politicians articulated a clear stance in favour of approving the domestic worker bill, which they viewed as an issue of indigenous rights. In 2003, under pressure from MAS legislators, the executive allowed for a plenary debate on the domestic worker bill during the executive-controlled extraordinary legislative sessions in early April, where it was eventually passed.

**Source:** Blofield, Merike. 2012. "Bolivia and Costa Rica: Social Mobilization and Reform from the Bottom Up." In *Carework and Class: Domestic Worker's Struggle for Equal Rights in Latin America*. University Park: Penn State University Press.



**Land Rights (Tanzania)**

	Actors		Framing/Discourses	
	Feminist	Non-feminist	Feminist discourses	Official framing
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**Source:** Killian, Bernadeta. 2011. *The Women's Land Rights Movement, Customary Law and Religion in Tanzania*. Religions and Development Working Paper. Birmingham: University of Birmingham.

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