Protest, Policy, and the Problem of Violence Against Women

A CROSS-NATIONAL COMPARISON

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2002

UNIVERSITY OF PITTSBURGH PRESS
Many activists believe that institutional reforms will improve government responsiveness to violence against women and women's issues in general. In India, one report on women and violence calls for "the setting up of a Women's Commission as a watch-dog agency with . . . powers and autonomy" (Krishnaraj 1991). Activists in Latin America call for specialized family courts and police stations (Brasiliero 1997). Feminists in Canada, Norway, and the United States have agitated for commissions on women, equal status offices, and other institutional changes aimed at improving conditions for women (Geller-Schwartz 1995; Bystydzienski 1992a; Stetson 1995).

Does the structure of government agencies affect government responsiveness to violence against women? If so, how? The turn to the "new institutionalism" in political science has spawned numerous studies exploring the connections between institutional structure and public policy (Weaver and Rockman 1993; March and Olsen 1989; Hall 1986; Skocpol 1992; Immigut 1992; Knight 1992; Sproule-Jones 1993; Steinmo, Thelen, and
Longstreh 1992; Weir, Orloff, and Skocpol 1988; Heclo 1974; Atkinson 1993; Tuohy 1992). Feminist studies of social policy and public administration have examined the interaction of the women’s movement and the state in policy processes (Stetson and Mazur 1995; Staudt 1997; Busch 1992; Walker 1990; Stivers 1993; Cockburn 1991). Below, I explore the contributions and limits of these approaches for explaining cross-national differences in policies on violence against women. As we shall see, the structure of political institutions is critical for understanding responsiveness to violence against women, but this effect cannot be fully accounted for by the extant literature.

**DEFINING INSTITUTIONS**

With the rise of the new institutionalism in policy studies and in political science more generally, many people now agree that institutions are important determinants of policy outcomes. But few agree on how or why institutions might matter to policy outcomes, or even what institutions are.

For rational choice scholars, institutions are defined as the “rules of the game” (Knight 1992; Immergut 1992; Sproule-Jones 1993). Institutions provide a complex structure within which actors must pursue their ends. Institutions, in this definition, include particular rules and socially shared prescriptions (Knight 1992), constitutional structure (Immergut 1992), and the nested configuration of rules that constitute a federal system (Sproule-Jones 1993). This definition of institutions includes both social conventions and formal structures such as legal codes. It also includes both state and private bureaucratic or administrative structures. Although it may be useful in some contexts, this category seems to me to be too broad for the purposes of explaining the impact of institutions on policy, because it would include local social norms, the rules of English grammar, the rules of Monopoly, and the tradition of having bridal showers. While some of these things may have an impact on policy outcomes, some conceptual distinctions are required in order to construct an account of how these “rules of the game” influence policy.

The institutions that constitute the state may have a different impact on the authoritative decisions and actions of the state (that is, on policy) than do private rules and practices. Collapsing state and private institutions into a single category obscures any such difference, and little conceptual leverage is gained.

Atkinson (1993) distinguishes between state and nonstate institutions. He defines the state as “those political institutions that together comprise a system of order that claims a monopoly on the exercise of coercive power and the authority to issue determinations that are binding on all of those living within a prescribed territory” (7). Weaver and Rockman (1993, 8) define political institutions to mean governmental structures, including federalism, bureaucratic structures, electoral rules, number of legislative chambers, and so on. Although, as Hall (1986) points out, state and nonstate institutions are often closely related, they are conceptually distinguishable.

I follow Atkinson in distinguishing between political or state institutions and nonstate institutions. Politics is the means by which “relatively large and permanent groups of people determine what they will collectively do, settle how they will live together, and decide their future, to whatever extent this is within their power” (Hannah Pitkin, cited in Young 1990a). In other words, politics is the means by which a political community governs itself, or makes decisions about its collective life. Political institutions, then, are those institutions concerned with determining the conditions of collective life, what we owe one another, and when we are free from mutual obligation. Political institutions are distinguished from nonstate institutions by virtue of the legitimacy and authority they claim over all citizens or members of the political community. In this chapter, I focus on the policy impact of political institutions defined as the rules and administrative structures of government for a given community or country.

As I noted earlier, political institutions are conceptually distinguishable from government, that is, the agencies of highest public authority for a particular territorial unit. Governments act through but are not identical to political institutions or administrative structures. Political institutions can also be distinguished from the concept of the state. The term state is often used to refer to the totality of government, political institutions, laws, policies, and the like. Since I am examining subcategories of the concept of the state (policy, governments, institutions) and the relationship between them, I will mostly use these more specific terms, except when I am discussing broader theories of state.

**NEOECONOMICAL AND PUBLIC POLICY**

How do political institutions affect policymaking? With the resurgence of interest in the state and political institutions, two distinct types of accounts of how institutions affect public policy have emerged (Ostrom 1995; Atkinson 1993). The first variant of institutionalism assumes that policy outcomes are best understood as the aggregation of the actions of self-
interested individuals (Immergut 1992; Sproule-Jones 1993). Actors make rational decisions based on their preferences and the choices that confront them. These decisions drive their behavior. The policy process can be understood as a culmination of such decisions. The second variant of the institutionalist approach to policymaking, the structural, or historical, approach, focuses on institutions as organizers of political actors and policy. Political institutions enable some actors and exclude or disempower others through their structure (Weaver and Rockman 1993; Weir, Orloff, and Skocpol 1988; Skocpol 1992; Hall 1986; Atkinson 1993; Offe 1984).

Both of these approaches offer insights into how institutions affect policymaking. Although the method of analysis often differs, I see the central tenets of structural institutionalism as compatible with, and even complemented by, the main conclusions of rational choice analysis. These central tenets direct the analyst’s attention to four key characteristics of political systems: (1) the organization of actors outside the state; (2) the organization and historical roots of the administrative structure; (3) processes of institutional feedback; and (4) variation in institutional structure.

The organization of actors outside the state: Neoinstitutional approaches emphasize the impact of institutions on the organization of political actors, that is, on the groups, agencies, individuals, and networks whose behavior affects collective life. Institutional structures can affect whether certain group interests are ever articulated, and how strongly they are articulated (Hall 1986; Skocpol 1992). For rational choice theorists, the organization is important because it affects how individual preferences are aggregated (Immergut 1992), while for structural theorists institutional structure can be transformative, changing the values or identities of actors (Atkinson 1993; Skocpol 1992). But both approaches hold that institutional structures can either empower or disable actors, give them voice in the policy process or deny them access to it. For example, labor laws can make it much easier for unions to organize and thus express their members’ collective interests. When interests are more effectively articulated, they are better represented in the policy process. This is one key way in which institutions shape policy outcomes.

The organization of the administrative structure: Rational choice theorists and structural theorists argue that the structure of the administrative system affects policy outputs because it constrains actors inside political institutions (Immergut 1992; Weir, Orloff, and Skocpol 1988). Rational choice theorists focus on how the rules of the institution (such as voting procedures) affect policy outcomes at a microlevel—at the level of each decision or action. Structural theorists emphasize the importance of the structure of the administrative system in determining whether and how governments will produce policies. Federalism, or the division of power between central and regional governments, is one example of a type of administrative structure. Administrative systems may also vary as to whether they include, say, a centralized statistical agency or an education department. Different structures not only afford different capacities for policymaking and innovation, they also result in different proclivities: administrations are likely to formulate policies in ways that “fit” into the existing administrative structure and language (Weaver and Rockman 1993; Tuohey 1993; Weir, Orloff, and Skocpol 1988; Hall 1986). For example, a government with a department of the environment might be more likely to address environmental problems.

The organization of political institutions reflects past political struggles between groups (Skocpol 1992; Weir, Orloff, and Skocpol 1988; Hall 1986; Atkinson 1993; March and Olsen 1989). The Canadian provinces and the U.S. states were important actors in shaping the federal systems that constrain or enable them today (Atkinson 1993; Morrison, Commager, and Leuchtenberg 1980). Thus, “the institutions that organize group relations act as a kind of social memory, imprinting the conflicts of the present with the institutional legacy of the past” (Hall 1986, 233). Of course, this does not mean that institutions simply mirror social conflicts: “Organization does more than transmit the preferences of particular groups; it combines and ultimately alters them. Accordingly, economic policy may not faithfully reflect a struggle among competing interests precisely because organization refracts that struggle” (ibid.).

Processes of institutional feedback: We often hear of “backlash” against particular policy initiatives. In Canada, Prime Minister Mulroney’s popularity was said to have plummeted partially in response to his government’s introduction of the Goods and Services Tax in 1990; pro-life groups in the United States are said to have mobilized in reaction to the Supreme Court’s 1973 decision in Roe v. Wade; the Supreme Court of India’s 1985 decision in favor of a Muslim divorcée named Shah Bano met with rioting and protests. Such reactions to policies can be thought of as a kind of feedback that government gets about policy.

Policy feedback occurs continuously as policy alternatives are debated and implemented. Lobbying, protests, and shifts in public opinion may all be considered types of feedback. The amount and type of feedback depend partly on the degree of access that affected groups have, both to the policymaking process and to the administrative structure in general. As Atkinson (1993, 36) puts it: “The institutional design of political systems is under-
stood to be a key variable in the degree to which citizens are able to participate in the policy process.” This means that the organization and formal structure of the institution, in addition to affecting the structure and strength of political actors and the structure of policy, can affect how groups or individuals interact with administrative systems and how much input they actually have in policymaking that affects them.

**Variation in institutional structure:** Finally, both structuralists and rational choice theorists conceive of institutional structure as varying across institutional units (such as departments or offices), as well as over time and space. They also acknowledge that institutional capacity can vary from policy issue to policy issue, even within an institutional unit. These variations in institutional structure, may thus be of differing degrees of importance for different policy issues.

**NEOINSTITUTIONALISM AND GENDER**

How, then, is institutional structure likely to affect policies on violence against women? One relevant group of actors outside the state is the women’s movement. How does the organization of the state affect the ability of women to organize and articulate their interests? The neoinstitutionalist literature has, for the most part, not considered this question. March and Olsen (1989) note that historic struggles among social groups, such as gender groups, affect the structure of political institutions. Although this observation is suggestive, theorists of political institutions have not taken it much further. How, if at all, do historic struggles over gender affect contemporary policymaking? The neoinstitutionalists have provided little insight into this question. Nor have they considered how the structure of political institutions might constrain those within the institutions who are attempting to address violence or other women’s issues. Thus, there are few answers to be found in neoinstitutionalist political science as to how the structure of political institutions affects and is affected by gender structures, that is, relations between men and women as groups.

This is partly because of the intellectual history of these approaches: they aimed to distinguish the independent effects of institutions, to show that they could not be collapsed into social structures and processes. In addition, because of their interest in organizational factors, neoinstitutionalists have studied social groups mostly in terms of their formal organizations, such as labor unions or women’s clubs, rather than as social cleavages or forces more broadly understood (Weir, Orloff, and Skocpol 1988; Skocpol 1992). This work has contributed many significant insights about the importance of such organizations for the policy influence of groups. However, social groups such as women and minorities are much more than official organizations. The effects of social structures such as gender, race, and class groups are broader than those of such officially representative organizations.

Research by feminist political scientists working mostly outside the neoinstitutionalist literature suggests some answers to the question of how social structures of gender affect political institutions and vice versa. In a study of women’s commissions in the United States, Duerst-Lahti (1989) finds that women’s commissions played an important role in strengthening the women’s movement. In a series of case studies of organizations in Britain, Cockburn (1991) argues that equal opportunity policies are more likely to be successful when there is a women’s movement inside the institution that seeks to implement the policy. Other scholars contend that bureaucracies such as development organizations and the European Union bear the imprint of the men who created them and thus tend to reflect masculine perspectives and values (Staudt 1997; Hoskyns 1996).

In spite of these and other suggestive studies, we still lack an adequate theoretical account of how political institutions are gendered. Specifically, we need a theory of political institutions that can explain both (1) the respects in which political institutions are gendered, that is, how they affect and are affected by social relations between men and women, the masculine and the feminine; and (2) how the relationship between political institutions and gender relations changes over space and time. Although neoinstitutional approaches suggest many possible ways for thinking about variation in political institutions, they are not much help in understanding whether or how institutions might be gendered.

Conversely, as I will show below, although feminist theorists have provided accounts of how institutions are gendered, they have not accounted for change or variation in political institutions. In the early feminist theories of state and bureaucracy of the 1970s and 1980s, the administrative structure of the state was either ignored or assumed to be uniformly bureaucratic and therefore male-biased. This opposition to bureaucracy has given way to a more nuanced view of the state as sometimes women-friendly and sometimes male-biased. However, even these more nuanced studies tend to collapse the concepts of the state and social policy and thereby overlook variation in the administrative structure as a possible source of policy change. In spite of a developing body of empirical work, then, there is still very little feminist theorizing about variation in the gendered nature of the administrative structure of political institutions.
FEMINIST THEORIES OF THE BUREAUCRATIC STATE

Early feminist theories of the bureaucratic state tended to see all bureaucratic forms as antifeminist by virtue of being bureaucratic. The classic feminist theoretical study of bureaucracy is the work of Kathy Ferguson, who argues that bureaucratic systems can never promote feminist goals because they are systems of domination (1984, 83). Even if feminists were able to secure positions of power in bureaucracies, they would be prevented from using their position to promote feminist goals because of what is required of managers in bureaucratic systems: they must conform to bureaucratic norms in order to procure promotion and other rewards; they must support “goal consensus” (which really means forcing a unified vision of reality on workers) in order to ensure the smooth running of the organization; and they must remain distant from subordinates. Outside such structures, in contrast, feminists can organize in “active and authentic” ways (82).

More recently, Camilla Sivers (1993) has argued that there is a male bias built into the structure of public administration in the United States. She notes, “Like other public sector activities, public administration is structurally male despite its apparent neutrality: it can only go on as long as it does because women bear a lop-sided share of the burden of domestic functions without which life would simply not be possible” (5). She maintains that the norms and practices of administration privilege men and their work over women and their work. Bureaucratic norms of objectivity, expertise, leadership, and virtue may appear to be gender-neutral. But in practice they disadvantage women, because women are not seen as embodying these virtues. For example, the models of leadership require that women violate norms of femininity. This creates tension for women who wish to be leaders in public bureaucracies.

This view of bureaucracy as inherently biased against women and the feminine has had a strong influence on many studies of policies to address violence against women. Busch (1992) develops this argument in a study of policy response to domestic violence in India and the United States. Following Ferguson (1984), she argues that policy processes neutralize women’s movement demands because bureaucratic structures are incompatible with feminist goals. Because of this bureaucratic structure, in this view, even where states appear to be acting to address feminist concerns, on closer analysis we find that state action works to disempower women. For example, state policies on violence against women construct women as passive subjects of policy, as victims and clients. Feminist organizations, on the other hand, emphasize empowerment over treatment. Moreover, Busch argues, “the bureaucratic structure of the liberal democratic state means that state response to women’s movement demands criminalizes violence against women without recognizing that such violence is rooted in unequal gender relations” (1992, 603).

A similar analysis can be found in Walker’s study (1990) of government response to violence against women in Canada: a problem initially framed by the women’s movement as a problem of social inequality (violence against women) is translated by expert bureaucratic discourse into a fragmented, apolitical problem (family violence). This makes it subsumable within the helping professions as a “special problem” of dysfunctional families, easily administered by the mental health, social service, and criminal justice systems. Daniels (1997) develops a similar analysis for the United States.

It is easy to understand why scholars who have studied the history of government response to violence against women would be skeptical of the emancipatory potential of state policy. In the United States, for example, until the legal reforms of the past ten or twenty years, the state was involved in legitimizing and supporting patriarchal dominance within the family by, for example, permitting a marital exemption for rape. In judicial decisions and policies, agents of the state have legitimized male violence against women by explicitly considering such violence a private matter, and they have sometimes explicitly named wife beating as a husband’s prerogative. Moreover, government involvement in funding shelters and crisis centers has often been held responsible for the professionalization and subsequent depoliticization of rape crisis centers and women’s shelters. Activists complain that government funding brings too many strings, requiring formal credentials and training, hierarchical forms of organization, eligibility requirements, and often invasive bureaucratic practices that interfere with the empowerment that crisis centers and shelters originally took as their main goal (Dobash and Dobash 1998; Walker 1990; Elman 1996a; Everett 1998; Reinelt 1995; Arnold 1995; Matthews 1995; Patel 1991; Sanchez and Gonzalez 1997).

Nevertheless, there are good theoretical and empirical reasons to look beyond this one-sided view of bureaucracy (Haney 1996). More recent theorizing about organizational structure and bureaucracy has produced a more nuanced view of the possibility for feminist organizing within hierarchical structures. In view of the wide variety of organizational forms that feminists have adopted, it seems unlikely that all bureaucratic forms of organization are equally inimical to feminist goals (Ferree and Martin 1995). Indeed, many large feminist organizations can claim some degree of success in promoting feminist action. Women’s groups can take a variety of forms, but most of the big ones (such as NOW in the United States, the National
Action Committee in Canada, and the Women's Electoral Lobby in Australia, to name a few) must these days be described as bureaucracies (Ferree and Martin 1995; Molyneux 1998). Even those that are formally nonhierarchical are not free of domination, as revealed by the proliferating critiques of consciousness-raising groups by African American, lesbian, and other women. There are degrees of hierarchy, and some bureaucracies are more decentralized and less hierarchical than others (Staudt 1997; Yudelman 1997; Gelb 1995).

Both women's groups and bureaucracies in modern society take a variety of forms. The notion of bureaucracy as uniformly male-biased is also difficult to maintain in light of the significant variation in government policy that bureaucracies have produced across space and time. If we think there is a difference between providing shelters, crisis centers, and hotlines and not providing such services, and if we think that having wide-ranging public education programs is better than not having them, then we must concede that the variation in policy does indeed matter to those concerned with violence against women. If we think there is real policy variation despite the male-biased nature of bureaucracy, then we must find out what circumstances permit policymakers to produce better policies and what circumstances prohibit such innovation. This suggests that we ought to investigate the consequences of variation in bureaucratic forms to discover which forms are most likely to produce policies that benefit women, and which are not.

**COLLAPSING THE STATE AND SOCIAL POLICY**

With the realization that state policies affecting women vary so much over space and time, and even within particular institutions, many scholars of gender and policy began to theorize the relationship between the state and social policy in a more nuanced way. However, much of this feminist scholarship has ignored the administrative structure of the state by collapsing the concepts of state and policy. The most egregious example of such theoretical slippage is MacKinnon (1989), who equates law and state, and sometimes even the courts and the state, making little reference to either the legislative or executive branch.

More subtle examples are evident in feminist scholarship on the welfare state, which equates the state with the structure of social policy. As Leira notes, whether a state is "woman-friendly" or male-biased is usually determined by examining the policies of different welfare states: "Analytically, the concept of the 'woman-friendly state' is difficult, as a range of different criteria may be applied to argue the woman friendly or unfriendly character of the policies of different welfare states" (1993, 50). Sassoon (1987) equates the structure of the welfare state with the structure of social policy, examining the effect on women workers of the organization of state services around a male model of work. Similarly, Saraceno (1994) equates changes in state welfare policy with changes in the state; she examines the effects of Italian social policy on families and women and uses this as evidence to support arguments about the structure of the Italian welfare state. Lewis (1998) investigates changes in the structure of the welfare state by examining changes in social care policies, such as government provision for child care and elder care. In a book entitled *The State and the Family*, Gauthier (1996) does not define the state, and focuses primarily on state support for families—that is, family policy.

While valuable in other ways, these studies share the feature that they collapse the concepts of state and social policy. These feminist scholars analyze the state by examining assumptions about women or gender that are built into the pattern of social legislation and by examining the impact of policies on women and families. But states are more than policies: they are administrative, decision-making systems. Treating policy as equivalent to the state turns the administrative structure of the state into a black box.

Collapsing the state and policy makes intranational policy variation very difficult to analyze. When a state enacts contradictory policies, it appears to be in conflict with itself (Dahlerup 1987; Haney 1996). But in some cases, policy conflict can be reconceptualized as policy variation within a state across policy areas. If this is the case, we can ask (for example) whether differing administrative structures of the responsible agencies could account for the differing outcomes. An important area of inquiry is being obscured by the mode of analysis that equates state and social policy.

**FEMINIST INSTITUTIONALISTS**

Over the last decade, a handful of feminist scholars have begun directly studying the structure of political institutions (Duerst-Lahti and Kelly 1995; Elman 1996a; Gelb 1989; Malloy 1999; Stetson and Mazur 1995; Staudt 1997). These studies suggest that two main types of institutional structure may have an impact on women's policy issues: federal and corporatist institutional structures, and women's policy machineries.

Centralized Corporatist Structures versus Decentralized Federalism

Institutional structures may indirectly affect policy processes by stifling or encouraging the organization of women's movements. In a study of Sweden, the United States, and Britain, Gelb (1989) argues that the degree of
corporatism or political centralization is a crucial variable affecting the emergence and activism of a women's movement. Pluralism or dispersed power "makes the system accessible to a wider range of interest groups" (20). In a comparison of the United States and Sweden, Elman (1996a) similarly argues that centralized, corporatist political structures suppress women's autonomous organizing and that fragmented federal republics encourage it.

Corporatism rests on a tripartite division between government, business, and labor. These sectors are represented through hierarchical organizations whose leaders are taken to be able to make commitments and express positions on behalf of the whole sector or group. As Schmitter puts it, corporatism is a system of interest representation in which the constituent units are organized into a limited number of singular, compulsory, non-competitive, hierarchically ordered and functionally differentiated categories, recognized or licensed (if not created) by the state and granted a deliberate representational monopoly within their respective categories in exchange for observing certain controls on their selection of leaders and articulation of demands and supports.

(Phillippe Schmitter, cited in Peters 1991, 168)

Generally, critics of corporatism focus on the elitism and exclusionary character of the tripartite bargaining system (Peters 1991; Yeatman 1990). In particular, new social movements raise issues that cannot be addressed within the framework of the traditional categories of social democratic thinking, namely, class inequality and employment-related concerns. Peters argues that even in Sweden, where the process is relatively inclusive, certain features of the corporatist processes of decision-making make it difficult to include new social movements. The organizations that speak for these movements can rarely make binding commitments on behalf of their constituents. Furthermore, the purpose of membership in an environmentalist organization, for example, is different in important ways from the purpose of membership in a union. Insofar as these interests are noneconomic, they do not necessarily lend themselves to bargaining between elites (Peters 1991).

Elman (1996a) argues that the problem with corporatism is that it prevents women's autonomous organizing by limiting women to organizing within the tripartite structure of corporatist decision-making. The emphasis on organizing only on the basis of class obstructs gender-based organizing, which is seen as subsidiary or even detrimental to class solidarity. There has been male resistance to feminist demands in unions and other labor organizations in the United States, Sweden, and Britain (Brownmiller 1999; Elman 1996a; Cockburn 1991). The point is that corporatist decision-making procedures privilege these class-based organizations and deny access to independent women's groups.

But in Norway and Denmark, corporatist political processes did not prevent women from organizing outside as well as within the formal institutions of government. Gelb identifies both Sweden and Britain as being closer to the corporatist, centralist end of the pluralist-corporatist continuum. Yet a strong, autonomous women's movement emerged in Britain but not in Sweden (Gelb 1989, 8). So women can organize independently in the context of corporatism.

In addition, response to violence against women varies across the Scandinavian countries, where centralized, corporatist decision-making structures are the norm. The Swedish state, for example, has been much more innovative and comprehensive in its response to violence against women than Denmark and Finland have been. Moreover, the Swedish government has recently become even more responsive to violence against women, yet Sweden is still a centralized state with a corporatist decision-making structure. Thus, corporatism alone cannot explain the lack of an autonomous feminist movement (since Britain had one but Sweden did not); and it does not appear, alone, to account for a lack of government response to violence against women.

It is possible that corporatism has a stifling effect on women's movements where they do successfully organize, limiting the concessions that governments can provide to these organizations. This may be due to the elitist character of corporatist decision-making. The male-dominated character of the process has been documented: the main players tend to come from those segments of society (business and trade union leaders) from which women are most completely excluded (Yeatman 1991). But is this elitism so different from the political bargaining processes in federalist states? Women have also been excluded from the leadership of unions, business, and other "nonpartisan" special interest groups in federal systems.

Elman (1996a) argues that corporatist structures are more centralized and that federal systems provide more points of access for organized groups. It is important to note that although Elman compares corporatist systems to federal systems, it is certainly possible to combine a federal structure with corporatist decision-making processes. Federal systems are political conglomerations of regional units in which there is a division of power
between the member polities as a collective and the individual member polities. “The essential institutions of federalism are, of course, a government of the federation and a set of governments of the member units, in which both kinds of governments rule over the same territory and people and each kind has the authority to make some decisions independently of the other” (Riker 1964). There is no reason to think that this type of arrangement is incompatible with corporatism. Indeed, Germany is one such federal, corporatist system (Esping-Andersen 1990).

It may indeed be that federal systems, because they involve a division of power between levels of government, offer more points of access for social movement organizations (Elman 1996a; Sabatier 1999). But federal systems vary greatly in the degree to which they are decentralized, and this decentralization often varies across policy issue areas. Moreover, unitary systems are often more decentralized in practice than they are on paper. This makes it exceedingly difficult to use a formal classification of federal versus unitary to predict the actual degree of decentralization in a polity that exists for any given policy issue. At any rate, the eight most responsive countries are equally divided into federal, decentralized states (the United States, Australia, New Zealand, and Canada) and unitary, centralized states (France, Costa Rica, Israel, and Ireland).

The very “specialization” that Elman credits with granting women access to the policymaking process under the federal system in the United States has itself been criticized as exclusionary, admitting only certain types of people who qualify as “experts” while excluding many others (Walker 1990; Fraser 1989; Stivers 1993). In other words, it is not only corporatist policy processes that are male-dominated, and we need to know more about how the exclusion of women from these corporatist processes (as compared with other male-dominated processes) prevents women from pressing for reforms from the outside.

**Women’s Policy Machinery**

Most democratic governments in the world, and almost all the national governments considered here, have implemented some kind of institution that ostensibly promotes the status of women. There is even some evidence that the institutionalization of feminism can have an impact on policy outcomes (Stetson and Mazur 1993; MacKinnon 1989; Staudt 1998).

A women’s policy machinery is a set of one or more government institutions (an office, department, commission, or ministry) whose main purpose is to promote the status of women. Feminist proponents of women’s policy machineries concede that in many respects political institutions have historically been male-biased (Staudt 1998; Stetson and Mazur 1995). They rightly point out the importance of disaggregating the concept of the state into its component parts and considering the theoretical possibility that the impact of political institutions might vary across institutional structures (Stetson and Mazur 1995; Haney 1996; Pringle and Watson 1992; Brown 1992; Alvarez 1997). But this disaggregation of the state is inadequate to explain why a women’s policy machinery might have an effect on policy different from that of agencies that are not designed to focus on women. Is a women’s policy machinery more effective in developing and implementing policies than are feminist bureaucrats working in regular departments? Why or why not?

**Gender Bias in Institutions**

The feminist literature does not answer this question directly, but there is much that is instructive in the extant research. Feminist policy scholars have developed concepts that reveal gender bias in policies that appear, on their face, to be gender-neutral. They have done this by examining the assumptions embedded in the very categories and language the policy employs and by showing that these assumptions often concern the appropriate roles for, and relationships between, men and women.

There may be such a bias in the administrative structure of the state, that is, in the organization of political institutions. The administrative structure of the state refers to the substantive categories around which administration is organized (for example, health, education, or defense) and relationships between the agencies responsible for specific categories. As March and Olsen (1989, 26) note, “internal divisions of labor normally result in politics built around the principles of division of labor and specialization, and so a partitioning of citizens and officials into relatively self-contained collections of roles and rules.”

Modern administrative structures tend to be bureaucratic in the sense that they involve a fairly stable arrangement of roles and assignment of tasks. But administrative structures vary across bureaucracies: for example, one state bureaucracy might have a department of marine affairs, and another might not; one structure might have a central statistical office, while another is organized so that each department gathers its own information. The question is, which administrative structures facilitate responsiveness to violence against women and which obstruct government response?

We know that all forms of organization privilege some categories and subordinate others, a phenomenon known as the mobilization of bias. As
March and Olsen (1989, 27) point out, “attention is a scarce good in politics, and control over the allocation of attention is important to a political actor. . . . By inhibiting the discovery of an entry into some potential conflicts, a structure of rules organized into relatively discrete responsibilities channels political energies into certain kinds of conflicts and away from others.” Bureaucracies are set up to deal with a certain set of problems, and they tend to define these problems in characteristic ways. By doing so, they may exclude particular ways of thinking about problems or solutions.

The structure of administration can affect the ease with which problems are addressed. For example, if one agency has the resources and responsibility to deal with a major problem, the issue can be more easily addressed. If responsibility for a problem is divided among functional areas, this can present difficulties for effective policy design and implementation. “By suppressing links across partitions, the division of labor creates significant barriers between domains of legitimate action. . . . Coordination across boundaries is more difficult than within them. Different sets of rules tend to evolve independently in different domains” (March and Olsen 1989, 26).

In addition, the combination of agencies having responsibility for policies design and implementation can have a substantial impact on the success of a policy or program. If responsibility for a policy issue is not explicitly assigned to a specific agency, agencies will likely give priority to those tasks for which they already have explicit responsibility. “If multiple agencies are assigned responsibility for implementing the program, lack of coordination among them could mean that responsibilities are carried out with different degrees of rigor that different standards are applied by each agency. This problem has affected several policies of particular importance to women, such as employment, education and credit” (Conway, Ahern, and Steunenberg 1995, 10).

Some assumptions about the policy environment are necessarily built into the way that administrative categories are defined. These assumptions reflect the social and physical world in the context of which the administrative structure was designed. Often, administrative divisions persist even when they are no longer appropriate for the environment in which they are situated. For example, Finnemore (1996) points out that because many African states copied administrative structures wholesale from Western states, some landlocked states in Africa have navies.

The categories of administration often reflect assumptions about social relations that make it difficult to enact feminist policies. For example, in the United States, addressing the double burden of individuals’ paid work and their unpaid work in the family should involve policy coordination among agencies from both Health and Human Services (which handles, for example, subsidies for daycare) and the Department of Labor. A similar division into administration of the paid workplace and administration of family affairs is evident in Canada, Norway, Costa Rica, and many other countries. This division reflects an assumption that the problems of paid workers (assumed to be men who are not primary caregivers for children) are separate from family issues, such as the care of children (taken to be mainly the province of women). Policies that aim to recognize the family responsibilities of workers, therefore, usually involve at least two major administrations. The challenge of policy coordination is not insurmountable, of course, but it does add some complexity to addressing the policy issue.

In most countries, policies to address the status of women tend to cut across traditional administrative categories as they are currently constructed; that is, the functional areas of responsibility are usually divided so that women’s issues, such as violence against women, child care, and reproductive freedom, are addressed by a number of different agencies. This creates the administrative challenge of coordinating women’s policies and programs, which, as a result, often end up as a low priority for all agencies concerned.

Even when women’s concerns should fit into a department’s area of responsibility, it is often hard to make an issue that is critical for achieving equal equality seem like a priority for that department. Each department constructs its agenda so that it can take care of the things it has traditionally been taken care of (usually not the business of promoting women’s issues).

The promotion of the status of women is not, senior bureaucrats might argue, a primary responsibility of these departments. So policy priorities that focus on women have to be justified in terms of their relationship to traditional agenda items. This means that even where women’s agenda items fit into traditional areas of bureaucratic responsibility, they fall through the cracks, because it is not clear to senior bureaucrats that their mandate includes ensuring that they address men’s and women’s concerns equally. Leading officials of the European Union, for example, at one point viewed its gender equality directives as marginal to the main work of the EU (Boskyns 1996, 154). Such attitudes likely affect how issues are ranked in terms of their importance throughout the institution.

Designing, implementing, and evaluating policy to address the status of women sometimes requires developing new ways of collecting and analyzing data. There is often a lack of information for designing and implementing new policies. Women’s policy machineries can help provide the resources and expertise to generate this data.

Most feminist and mainstream state theorists agree that one of the func-
tions of an administrative system is the maintenance of a social order (March and Olsen 1989; Fraser 1989). Most modern state administrative structures were at one time responsible for a social order that disadvantaged women and rendered them subordinate to men. The categories of administration often retain assumptions about social relations (for example, that paid work and child welfare are cleanly separable issues) that make it difficult to enact feminist policies. Policies that aim to promote the status of women usually require policy action across administrative categories, or the reordering of traditional priorities within departments. Thus, the institutional remnants of this historical origin create an organizational disadvantage that makes it difficult to employ the administrative structure to change gender relations.

FEMINIST INSTITUTIONALISM

How, then, do political institutions affect actors outside the state in the case of violence-against-women policy? The key relevant social groups that have struggled on this policy issue are women’s movements. Providing symbolic, material, and research support to feminist activists is one way that states can strengthen women’s movements (Duerst-Lahtii 1989). Providing formal opportunities for access to the state is another important way. Examples of such support include the advisory committees set up in both Canada (until 1995) and Australia whereby women’s organizations had regular access to government officials. In addition, in Australia (and in Canada until the early 1990s) there were regularized annual meetings between political officials and women’s movement representatives to discuss a women’s agenda. Thus, one determinant of state responsiveness might be whether states provide formal avenues through which women’s movements have access to state decision-making. We would expect increased access and resources for women’s groups to result in greater policy responsiveness on the part of the institution.

The neo-institutionalist approach suggests that the categories of administration—that is, the substantive categories that are the focus of the major departments—and the distribution of resources across these categories construct policy capabilities. Our discussion suggests that the current construction of administrative categories in most of the political institutions in question makes it difficult to address issues of concern to women. We have noted that government response to violence against women requires policy action in areas as diverse as criminal justice, education, and income assistance. But these areas are usually the responsibility of a variety of different agencies, which poses considerable coordination problems. This may be one reason that government response to violence against women has often been so fragmented and partial.

The categories of administrative structure may obstruct an effective response to women’s concerns. The way that institutions organize work makes it hard for them to address women’s concerns, even when they have the political will to do so. Policy responses to the issues of provision of child care, violence against women, the protection of reproductive freedom, and advancing economic equality between men and women usually require coordination among a number of major government departments. As Malloy (1999, 267) notes, “Movements and groups such as women, indigenous peoples, people with disabilities and others form and frame new policy fields that challenge traditional departmental and functional boundaries. Their specific policy interests and goals—such as domestic violence prevention or same-sex spousal rights—commonly do not fit in existing portfolios but require the coordination of multiple departments and agencies.”

It has long been recognized that all forms of organization privilege some categories and ways of seeing the world and ignore or repress others. The current mobilization of bias in political institutions disadvantages women and their concerns, creating a sort of gender bias in the fundamental structure of the institutions. Existing institutional structures are likely the product of past struggles and thus tend to reflect the view of the historically dominant group (Hall 1986; Atkinson 1993). Social groups struggle to get their way of looking at the world formalized in political institutions, or to preserve the existing institutionalization of their perspective, because this greatly privileges that group over competing groups in future struggles. “Dominant groups create environments to which others must respond, without themselves attending to the others. This is a fairly standard characterization of the position of dominant ethnic or gender groups, of persons in authority in totalitarian regimes, or of leading firms in a concentrated industry” (March and Olsen 1989, 47).

Although it happened in different ways in the many countries considered here, the general account of the development of political institutions is that powerful groups of men were successful in having the social perspective of privileged men codified in the functional divisions of the state. As Hoskyns (1996, 10) points out, “Virtually all public policy making on women’s issues takes place within structures that are male-dominated, in the sense that they reflect male life-patterns, are largely controlled by men, and support a process that presents different but essentially male views of problems and solutions.”