MEASURING FEMINIST POLICY AUTHORITY: A MIXED-METHODS COMPARATIVE ANALYSIS OF FEMINIST POLICIES AFTER ADOPTION

By

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To the Faculty of Washington State University:

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This doctoral research study presents a new way to measure, score, and scale feminist policies through their process phases and outcome. It maps the complexity of the policy process and outcome by selecting literature-based variables, operationalizing them, and systematically tracing them through four policy cases in a mixed-methods multi-case comparative analysis to assess the dependent variable—the policy’s impact on society. In addition, it identifies ‘drivers’—the internal and external elements of the selected variables that ‘drive,’ or impact, the variables in creating policy authority (or lack of authority). The guiding research question behind this study was: How much societal change has occurred to increase gender equality as a result of feminist policy? This research question has two primary sub-questions which further guided the research design and analysis: 1) How authoritative are feminist policies in the social and political reality in which they exist? and 2) What makes the policy more authoritative or less authoritative in this reality? The analytical framework in this study uses the large body of feminist policy literature as well as primary sources to systematically analyze and map the
complex post-adoption processes and outcomes of four national-level feminist policies in two subsectors of feminist policy (violence against women and equal employment opportunity) in two Western post-industrial democracies—the United States and Sweden. For this study, policy cases were viewed as configurations, or combinations of characteristics, and were specifically selected to bring out and test success indicators revealed by literature. By contributing a system for measuring, scoring, and scaling policies ‘in practice’—in the political and social realities in which they exist—systematic analysis can ultimately determine whether these policies matter, and how/why they matter.
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Chapter 1: Introduction and Analytical Framework

Feminist thought has had an undeniable effect on the contemporary welfare state. Gendered insight has impacted the construction of ideas and conceptualizations of social problems, which has in turn impacted social policies: “Gender perspectives have had a growing influence on policy paradigms” (Orloff & Palier 2009, p.406). Changing gender relations, women’s movements, increased participation of women in political offices and organized committees, and feminist academics have all gradually modified what is considered socially acceptable in welfare states. This shift has impacted social policies, and specifically, feminist policies. But how feminist policies further impact the society in which they exist has yet to be extensively studied. Although much research has explored the process of how problems and issue areas are moved onto public policy agendas, the role of political and societal entities in policy formation and adoption, and what elements are likely to make policy adoption successful, little academic research has considered if—and how—policies impact society after adoption.

Considering feminist policies theoretically have the power to create significant societal change, understanding how they navigate social and political reality and create (or fail to create) change is relevant to fully understanding a policy’s potential impact. This is true for the field of public policy broadly speaking, but it is especially true for feminist policies. Feminist policies are created with the general goal of creating societal change aimed at improving the lives of women. Fully understanding how feminist policies operate in political and social reality and how they do or do not create the societal change they are intended to create is a problem that goes beyond simple policy evaluation methods.
This doctoral research study presents a new way to measure, score, and scale feminist policies through their complex process phases and outcome. It maps the complexity of the policy process and outcome by selecting literature-based variables, operationalizing them, and systematically tracing them through four policy cases in a mixed-methods multi-case comparative analysis. The dependent variable, the policy’s impact on society, is assessed through this complex mapping and system of measures. The analytical framework outlined below contributes to the field of feminist comparative politics by presenting a systematic, robust, empirical method for assessing how feminist policies operate within the social and political realities in which they exist.

Background

Until recent years, the field of feminist policy research has focused primarily on the pre-adoption and adoption phases of policy, including agenda-setting, mobilization of organizations, how issues are framed, who is framing them, and how the problem is defined to increase the chances of adoption (examples include Ferree et al 2003; Kantola 2010, Lombardo & Forest 2012; Lombardo, Meier & Verloo 2009; McBride & Mazur 2010; Weldon 2011). Mazur (forthcoming) notes that “the question of the impact of policies is left out” of research (p. 5) and echoes Blofield and Haas’ (2013) statement that “more research is needed that links different policy frames to their adoption, implementation and outcomes” (p. 694). Gender and welfare state studies have considered policy impact to a great extent, but this research “often examines aggregate outcomes of general social policy regimes in terms of patterns of gender relations
without looking at the specifics of the policy process or the details of policy implementation” (Mazur, forthcoming, p. 5).

One of the primary reasons it is likely this area of research has not yet been widely studied is that widespread adoption of gender equality policies is a relatively new phenomenon. Gender policies began to make it onto legislative agendas in the 1970s, but many of these early policies were largely symbolic. Only later (in many cases not until the 1990s) did gender equality policies with the ability to create real change begin to make it through the policy process (Mazur, forthcoming). The notion of measuring the impact of policies on the social reality in which they operate presupposes the policy has had time to create social change. Thus, perhaps the absence of studies exploring the impact of policies post-adoption is a result of simply not enough time having gone by to study them until recently. As Mazur (forthcoming) states, “We now have a significant amount of time that has gone by to make assessing implementation and outcomes meaningful in terms of the degree to which these policies have actually changed gender relations and equality between the sexes” (p. 5). Therefore, we are seeing the beginning of a research cycle in which feminist policies are considered in their post-adoption stages, or as “policies in practice.”

This doctoral study is taking place at the beginning of this research cycle, in parallel with other studies beginning to consider how to approach this stage of research. An international network of feminist scholars is currently convening through the Gender Equality Policy in Practice (GEPP) project to begin research into the post-adoption stages of feminist policies.

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1 This term is attributed to Celeste Montoya, who began using it at a European Conference on Gender and Politics working group meeting in 2002.
Currently, not enough information is available in this new field of research, which is the primary reason the GEPP project is beginning to conceptualize a research agenda. This study contributes to the research occurring in parallel by developing measures and testing them through rich mixed-methods.

**Analytical Framework and Research Questions**

The analytical framework in this study addresses several research questions; a central question and two primary sub-questions. A central question provides a focus for exploration in qualitative research studies by establishing a principle of consideration through query of a specific concept (Creswell, 2009). The guiding research question behind this study was: How much societal change has occurred to increase gender equality as a result of feminist policy? This research question has two primary sub-questions which guided the research design and analysis: 1) How authoritative are feminist policies in practice—in the social and political reality in which they exist? and 2) What makes the policy more authoritative or less authoritative in this reality? These questions were operationalized into secondary questions for the process phases and subsequent outcome of each policy case analyzed in this study. Discussion of secondary questions is given in chapter 3 and the interrogatory template used in the study is provided in appendix 4.

The analytical framework in this study uses the large body of feminist policy literature as well as primary sources to systematically analyze the post-adoption processes and outcomes of four national-level feminist policies in two subsectors of feminist policy in two Western post-industrial democracies. Process-tracing (George & McKeown, 1985), ‘thick
description’ (Geertz, 1973), and scoring and scaling (Guttman, 1944) are used to systematically test variables through several process stages (adoption, implementation, and evaluation) and outcome of the policies. The unit of analysis is policy decisions made, which are further broken into two stages of analysis: process phases and policy outcomes. The dependent variable under investigation is the policy’s impact on society—the social and political realities in which the policy exists. Case selection will be detailed in chapter 3, but for the purpose of a general overview here, cases were intentionally selected to test arguments and hypotheses identified by feminist literature as what makes feminist policies successful. Cases were also selected partly based on literature coverage. The cases are linked comparatively by these identified measures of success and tested for the presence or absence of the operationalized variables across the above-mentioned stages and policy outcomes. Two theories informed the template used to test the authority of four feminist policies through mixed-methods comparative analysis: the feminist variations of institutional feedback and political opportunity structures. Cases were analyzed by separating each policy into two stages: the process phases (adoption, implementation, and evaluation), and the outcome of the policy. A template for systematic policy analysis was developed and used, and two worksheets were developed to systematically question, score, and scale variables for each policy case. Definitions of terms used in this study are listed in appendix 1.

**Scope of Study**

This mixed-methods comparative analysis included four feminist policies across two subsectors and two countries, controlling for similarities and differences. Other feminist policy
subsectors could also be explored in the future, as well as other countries. The scope of countries is assumed to remain within the feminist family of nations; however future work could be done to apply the method to a broader scope. Additionally, the policies analyzed here are national-level policies. Policies at other levels could be considered for future analysis.

**Limitations and Delimitations**

Limitations are potential weaknesses in a study, sometimes relative to sample size (Creswell, 2013). This study included a purposeful sample of four feminist policies across two policy subsectors and two post-industrial democracies. Further discussion of sample and case study selection is given in chapter 3. Because of these limits, generalization to other countries or beyond post-industrial democracies should be cautioned. Other limitations of the study include the number of variables tested. Further research should include additional variables in order to test a wider realm of factors which may influence policy authority. Chapter 9 further discusses next steps for research.

Delimitations reference the boundary of the study and the focus of the study (Creswell, 2005). Delimitations can include restrictions imposed by the researcher and purposeful sampling that may not represent the whole in a generalizable manner (Creswell, 2005). Namely, this study’s purposeful sample had delimitation to post-industrial democracies, the countries of the United States and Sweden, and the policy subsectors of violence against women and equal employment opportunity. The sample had further delimitation to policies considered feminist in nature that had been established for long enough to gauge relative impact, and that were considered to be “groundbreaking” policies in their relative policy subsector. These
delimitations do not mean the study results cannot be considered generalizable to other policies, policy subsectors, or post-industrial democracies, however. Details regarding internal and external validity are given in chapter 3, and a discussion for future research is given in chapter 9.

**Assumptions**

This study relied solely on the collection and analysis of primary and secondary source documents and research studies relative to the central research question. Because of this, there may be unknown assumptions underlying the research and documentation used that could potentially impact the conclusions of this study. For this reason, several strategies were undertaken to limit the probability of this occurring including data triangulation, which will be discussed further in chapter 3.

**Significance and Purpose**

Consideration of exploration and better understanding of policies in the stages after adoption is currently being discussed by feminist scholars. Panels and roundtables at the European Conference on Gender and Politics have discussed potential next steps in post-adoption study at the last several conferences, and as previously mentioned, the GEPP project is beginning research into the post-adoption stages of feminist policies. I was present at the European Conference on Gender and Politics in Barcelona, Spain, in 2013 and took place in a working group of GEPP feminists that have established this ground-breaking new area of research. Taking what I have learned from this working group, and building off what GEPP is doing in parallel, I have established measures, and developed a scoring and scaling system to test
variables of interest to this area of study. This doctoral study is timely and contributes one possible way to conduct this new focus of research.

This research contributes to the burgeoning field of feminist comparative politics by addressing the need for the study of feminist policies in the phases after policy adoption including the outcome. The purpose of this study was to develop measures and scoring in order to test variables to systematically assess the authority of feminist policies in practice—that is, to compare the impact of the policy in its social and political reality relative to established feminist goals for gender equality and social change. The study contains two components—1) the development of systematic measures, scoring, and scaling to assess four well-established feminist policies, and 2) a mixed-methods comparative analysis to explore and discuss what makes the policy more authoritative or less authoritative in this reality.

The underlying purpose behind this mixed-methods comparative analysis is to understand the rich meaning of how certain well-established feminist policies are able to work—if they are able—in the complex reality of political and social life. This research conceptualizes how to begin to systematically test policies post-adoption in a rigorous and replicable manner. Its ‘value add’ is the development of the scoring and scaling of variables in a systematic, cross-comparative way, including the highly complex mapping of policy processes (adoption, implementation, and evaluation) and outcome through crisp mixed-methods.

**Literature Review**

This section will discuss literature relative to policy evaluation, policy success, and the theories behind these considerations. This study is unique in that it takes place at the cross-
section of feminist and non-feminist theories of what makes a policy successful and develops measures for scoring and scaling, conducting comparative analysis through mixed-methods research. Therefore, literature from both sides of the spectrum was considered. In most cases, feminist theories of what creates policy success are grounded in theories that are non-feminist in nature, but add gender-specific elements that illuminate patriarchal hierarchies and social norms that cause the problems policies attempt to solve. This section will begin with a review of non-feminist literature and move to a discussion of feminist literature and theories that were used to ground the study.

**Non-feminist literature.** The study of public policies has been described as a focus on the public and its problems (Dewey, 1927), a focus on how, why and what effect governments have when they pursue courses of action and inaction (Heidenheimer, 1990), and a consideration of what governments do and what difference they make on the public (Dye, 1976). All of these explanations have one thing in common: studying public policies should combine study of both the policy and the broader society it exists in. It should consider both the policy and its effect. Policy evaluation should “supply information about complex social and economic problems and to assess the processes through which their resolution is pursued” (Fischer 2006, p. 2). However, much policy evaluation has tended to focus on “the rather narrowly defined actual or expected empirical outcomes of given policy goals” instead of consideration about how the policy has affected society (Fischer 2006, p.6). Fischer (2006) adheres to a combination of normative and empirical evaluation to ascertain not only if the policy has met its goals, but also if the policy’s goals were appropriate in the first place. Considering a policy’s goals and their appropriateness is important, but it’s only part of the consideration of how a policy affects society. Weimer and
Vining (2011) emphasize the importance of social values in the consequences of policies: good policy analysis takes a comprehensive view of consequences and social values” (p.24). Including social values in consideration of a policy’s impact is leaning more toward a feminist conceptualization of policy evaluation.

Understanding how a policy is created is also instrumental in understanding its impact. Scholars have differing ideas of the policy adoption process. Simon (1991) states that policy makers are limited in the information they use to create a policy, therefore consequences of policies are more or less educated guesses. Kingdon (1984) explains policy decision-making as a congruence of streams. Problem streams, policy streams, and politics streams create a window which facilitates policy change. Policy entrepreneurs act quickly to present the solution to a problem—the policy—before the window closes. Lindblom and Cohen (1979) state that planned policy goals are not possible—nor are they desirable. Creation of a policy requires feasible and supported decisions created by bargaining and negotiation, and systematic evaluation of what effect the policy should have—or is intended to have—hampers this bargaining and negotiation. Policy goals are created as the policy is adopted; this is an incremental model of policy decision-making. Cohen, March, and Olsen (1972) find that policies are created out of a congruence of problems, solutions, and choice opportunities and policy decisions are not rational or incremental. Pressman and Wildvasky (1984) posit that careful implementation is the key to a policy’s success. Small issues in implementation will become big policy failures, therefore top-down implementation hierarchies and intense cooperation is instrumental in a policy’s success.

Lipsky (1980) has developed a model of bottom-up implementation; a policy is more-or-less created as it is implemented, and ‘street level bureaucrats’ are responsible for shaping the
policy into something that is successful within the individual institution in which they operate. Thus, a policy can be implemented in differing ways between various institutions. All of these scholars consider how the policy was adopted; the policy’s outcome, or impact, is considered relative to how a policy was adopted. How a policy is adopted is important, therefore this study also includes the pre-adoption phase of each policy. Non-feminist literature was used as a foundation for understanding mechanisms behind policy adoption.

**Feminist literature.** Both feminist and non-feminist literature was foundational to this study, but the primary lens through which analysis was carried out was feminist in nature. Because the policies considered in this study were designed to be feminist-leaning policies, each policy case was considered in terms of whether or not the policy really contained elements of feminist theory. Feminist theory has the “capacity to understand gender, the continuum of masculine and feminine behavior, as a social construct” and “engenders political consciousness and moves both men and women toward higher-order thinking about the meanings and opportunities inherent in sexual difference (Radford-Hill, 2000, p. 120). Feminist literature will be discussed according to the research questions and analytical framework.

**Outcomes literature.** Outcomes for social policies are difficult to measure. First and foremost, a policy’s overarching goal is to change behavior, and changes in behavior are difficult to measure (Heider, 1958). Behaviors are tacit, not explicit, and defining what ‘change’ means—and how much change is necessary—is often tricky. Policy evaluations tend to compare what a policy ‘said’ it was going to do to what actually occurs, but policy goals are often not explicitly stated in the original (Weimer & Vining, 2011). Evaluation of the original against its evolution
also has a timeframe issue inherent in it—how long after adoption is the policy considered ‘fully evolved’?

Orloff (2002) discusses policy success in terms of improvement in the status of women or a reduction in gender inequality relative to the areas the policy was meant to target. This suggests comparing certain measures—the status of women and gender inequality—against what the policy was intended to do; for example, preventing gender discrimination at work. In order to capture this conceptualization, each policy was assessed for a decrease in the occurrence of the problem, which is considered direct impact. Other sub-elements of direct impact include an increase in public awareness of the problem, and a decrease in public tolerance of the problem. This measure of policy authority is meant to capture impact of the policy against what it was intended to do at policy adoption. A second measure was used, however, to fully assess changes in the structure of society relative to gender, and a change in behavior: women’s empowerment.

**Women’s empowerment literature.** Literature on women’s empowerment (Batliwala, 1994; 2007; Bertelsen, Holland, & Alsop, 2006; Kabeer, 1994; Kabeer & Subrahmanian 1999; 2005; Miller & Razavi, 1995; Romano, 2002; Sardenberg, 2008; Stromquist, 2002; among others) reveal a variety of definitions, mostly falling into two camps: 1) empowerment in terms of development goals (the elimination of poverty, the expansion of democracy, training/education for access to resources, etc.) and 2) empowerment considering power relations as a central issue (patriarchal gender orders).

This research study conceptualizes women’s empowerment as considered by the second camp—empowerment with power as a central component. Sardenberg (2008) calls this “liberating” empowerment and states: “Women’s empowerment is regarded as both on ‘intrinsic
grounds’ as the process by which women attain autonomy and self-determination, as well as an instrument for the eradication of patriarchy, a means and an end in itself” (p. 19).

Women’s empowerment is an instrument of social change. Its underlying goal is to “question, destabilize, and eventually transform the gender order of patriarchal domination” (p. 19). The measure of women’s empowerment captures elements of the theory of gendered political opportunity structures in that “changing gender relations can provide a gendered opportunity for success” (McCammon, Campbell, Granberg, & Mowery, 2001, p. 53). Gender relations are defined by Acker (1992) as an order of human practices and social structures, specifically those that differentiate between men and women (p. 567).

The United Nations has also weighed in on what women’s empowerment means, delineating five components that create it: 1) women's sense of self-worth, 2) their right to have and to determine choices, 3) their right to have access to opportunities and resources, 4) their right to have the power to control their own lives, both within and outside the home, and 5) their ability to influence the direction of social change to create a more just social and economic order, nationally and internationally (United Nations Population Information Network, n.d.).

Two measures were selected to determine policy outcome: decrease in occurrence of the problem (direct impact), and women’s empowerment (indirect impact). Direct impact is further measured by 1) an increase in public awareness of the problem, and 2) a decrease in public tolerance of the problem. Indirect impact is further measured by 1) assessing whether or not the policy protects and enhances the social rights of women (and in the case of economic policy—the economic rights of women), 2) facilitates equal access of women to decision-making roles, and 3) helps eliminate institutional patriarchy in society.
**Process phases literature.** In order to get to policy outcome, a policy must first go through its process phases, including adoption, implementation, and evaluation. In essence these stages break down what leads to outcomes. In other words, what leads to women’s empowerment and decrease in the occurrence of the problem? Two theories were used to identify these elements. The first was institutional feedback theory (Larsen, 2008; Rothstein, 1998; Rothstein & Steinmo, 2002; Svallfors, 2007) from a feminist perspective (Lovenduski, 2011; Mackay, Kenny & Chappell, 2010; Mazur, 2002). This theory identified the following elements that should be present for a policy to be authoritative: Mobilization of stakeholders/actors around and participating in the policy process, coalition-building, the formation of allies, the creation and use of instruments, programs, funding, etc. (outputs) that encourage/continue mobilization and the creation and use of accountability processes that encourage/continue mobilization.

Along these same lines, the United Nations Division for the Advancement of Women released a report on “Good Practices in Combatting and Eliminating Violence Against Women” (2005) in which a good model for social change in general is outlined as having the following components: Campaigning (education), use of the media, community mobilization, local activism, advocacy, alliance and coalition building, and a long term commitment (p. 32-36). The report states that “having a model of social change enables activities to be undertaken at different levels with diverse stakeholders within an interactive approach” (p. 32). The model for social change outlined in the United Nations report includes the same elements of institutional feedback mentioned above.

Further, in her assessment of feminist policy through pre-adoption, adoption and implementation stages, Mazur (2003) uses descriptive representation (DR) as one of two
measures for what makes a policy successful. Drawing from Pitkin’s (1967) notion of women in positions of power, she operationalizes DR as “active participation of women in forwarding overtly feminist ideas” (p. 38). Participation in women’s groups, mobilizing around the policy and building coalitions can all be considered elements of active participation. This conceptualization of DR is in line with the above cited measures for policy success as outlined under institutional feedback. Therefore, these various formulations of feminist policy success all point to the same important factors that must be present through the process phases in order to ultimately create the intended outcome. In fact Batliwala (1994) finds that “women’s organizations play a fundamental role in bringing women together for their mutual empowerment” (p. 132). Women’s empowerment is “consistent with a focus on women’s organizing and collective action” (Sardenberg, 2008, p. 19). Historically, women’s empowerment has been intertwined with conceptualizations of women’s movements and organizational goals. For example, during the Third World Conference on Women (1985), discussions were centered on empowerment through collective action. Stromquist (2002) identifies group participation as a causal effect on collective identity, and collective identity as a causal effect of women’s mobilization, which in turn raises consciousness. Consciousness-raising is further identified as a “means of empowerment and thus a political strategy for change” (p. 32). Therefore, there is a direct linkage between institutional feedback in the process phases of a policy and the ability for social change through women’s empowerment. Institutional feedback in the process phases of a policy can ultimately lead to an outcome of empowerment and a decrease in the occurrence of the problem (see figure 1).
The second theory used to further develop the research question was gendered political opportunity structures (Chappell, 2006; Ferree et al, 2003; Freidman, 1998; Meyer, 2004; McCammon, et al, 2001; McCammon, Muse, Newman & Terrell, 2007). This theory posits that not only does movement success occur when political circumstances shift in a manner that political actors are willing to support the change, but that other shifts, such as the discourse surrounding gender roles and the attitudes toward women’s role in society, create opportunities as well. This theory identifies shifts in gender attitudes as a “critical element of opportunity” for certain policies (McCammon et al, 2001, p. 51).

Mazur (2002) describes one of her measures of feminist policy success as the incorporation of feminist ideals into the content and overall approach to the policy’s implementation (p. 38). This is based again on Pitkin’s (1967) approach to descriptive and substantive representation (DR and SR) in which women are substantively represented when feminist ideals are incorporated into the policy process. The incorporation of feminist ideals and the subsequent discourse (or lack of discourse) surrounding these ideals is one way to measure gender attitudes and is also a starting point for measuring attitude changes.
In order to properly identify shifts in gender attitudes and shifts in mobilization caused by attitude changes, I employed a significant degree of discourse analysis during the course of my case study analysis. Shifts in gender discourse surrounding the policy are measured by identifying if the policy is linked to feminist ideals/responsive to feminist discourse at adoption and this is traced longitudinally through the policy process. Any shifts in discourse are identified and discussed in each case study. How organizations react to shifts in discourse (whether or not organizations also shift mobilization to match the change in discourse, how activities change—if they do—and what the policy response to shifts in discourse ends up being—if any) is also discussed as part of each case study. Linkage to feminist ideals allow for political opportunity structures to shift, even in the phases after adoption, which allow for gender attitudes to shift, mobilization to shift and further policy responses which may lead to the outcome of empowerment and a decrease in the occurrence of the problem (see figure 2).

**Figure 2: Model of Linkage to Feminist Ideals Measure**

The preceding discussion identified the following process phase measures: institutional feedback and linkage to feminist ideals. Policy outcome, or impact, is measured by: empowerment of women (indirect impact), and decrease in the occurrence of the problem (direct impact).
Interrogatory Template

The template for interrogation of the cases is discussed in chapter 3, and the template is attached (Appendix 4). This template was used in order to systematically analyze each policy case in a replicable and objective manner. An example of questions and secondary questions used to assess process measures is given here:

Institutional Feedback:

1. Is institutional feedback occurring in the adoption, implementation and evaluation stages of the policy process?

Secondary questions:

- Are stakeholders mobilizing around the policy? Does this change longitudinally over the process phases?
- Are coalitions formed? Are allies formed? Do these change over time?
- Are outputs and accountability processes being used to create action? If so, is action creating more institutional feedback?
- Is institutional feedback prompting further reform?

Linkage to Feminist Ideals:

1. Are gendered political opportunity structures present?

Secondary questions:

- Is the policy linked to feminist ideals/responsive to feminist discourse? How strong/weak is this linkage? Does this change throughout the policy process?
- Do shifts in discourse trigger shifts in mobilization?
Do shifts in mobilization impact the policy process? In other words, if discourse shifts, does it create political opportunity structures that in turn create new policies or amendments to the policy that alter the course of reform?

**General Methods**

Methodological details will be presented in chapter 3; however, an outline of the study’s overall methodological format is given here. This research used a sectoral approach and selected cases from post-industrial democratic welfare states. Selection of cases was deliberate; to test the selected variables in a variety of environmental situations. Each case serves as a ‘laboratory’ for the exploration of literature-based variables and what ultimately drives a policy to be more or less authoritative in the reality it exists.

**Subsectors.** Policy subsectors matter in consideration of feminist policies. Comparative public policy research traditionally involves studying policies through a sectoral approach (Harrop, 1992). The sectoral approach “assumes that policy actors operate within sub-systems or policy communities, based on the functional areas of government, composed of a given set of state and society actors, and with a certain pattern of interaction or styles” (Mazur, 2002, p. 32). Sectoral taxonomies by feminist academics contain up to ten subsectors of feminist policy, but eight of these are generally agreed upon and used regularly in feminist research. The two feminist policy subsectors used in this study are equal employment opportunity and violence against women.

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2 The eight subsectors of feminist policy as listed in Mazur (2002, p. 32): Blueprint, political representation, equal employment, reconciliation, family, body politics I (reproduction), body politics II (sexuality and violence), and public service delivery.
The policy subsectors of equal employment opportunity and violence against women were chosen as the focus for analysis because these two subsectors represent areas with substantial issue-area mobilization in both countries. Additionally, these subsectors represent issue areas that are historical and contemporary, respectively. The equal employment opportunity policy subsector represents an “old issue” with continued mobilization, while the violence against women policy subsector represents an issue with more recent/current mobilization. Both issues represent areas with substantial relevance to the feminist gender equality agenda. Each of these policy subsectors will be discussed in more detail in the subsector sections that explore each policy case. Both subsectors explore the concept of gender power relations in different ways. Gender power relations, namely hierarchical patriarchy, is societal organization which accounts for gender inequities even in states such as Sweden where formal gender equality has mostly been attained.

**Welfare state policies.** Cases selected for this study are from welfare states—a welfare state is typically “conceptualized as a state committed to modifying the play of social or market forces in order to achieve greater equality” (Ruggie, 1984 as cited in Orloff, 1996, p. 52). In welfare states, systems of tax transfers and state-provided social services help decrease economic risks for the population. Understanding how welfare states and their policies interact illuminates how populations in the state are affected by the policies. Orloff (1996) states:

> One needs to understand how the character of different welfare states’ policies both shapes and is shaped by the content of women’s (and men’s) practical and strategic gender interests, and how these change over time and vary within and across countries. (p. 70)
Different approaches to how these systems are modified create differing approaches to gender
equality, as well. As the welfare state affects gender equality within that state, gender relations
also shape welfare policies (Orloff, 1996). State policies are shaped by and affect gender
relations along the 1) gendered division of labor, 2) family wage system, 3) systems of marriage,
and 4) inclusion or exclusion in political power within the state (Orloff, 1996, p. 52). How a
state’s welfare system is constructed can contribute to—or ameliorate—gender inequality. For
example, Orloff (1996) discusses other scholarly work that highlights how the United States’
system contributes to gender inequality by reinforcing patriarchal structures according to
economic stratification:

In the United States especially, scholars speak of a “two-tier” or “two-track” welfare state
in which programs targeted on men and labor market problems tend to be contributory
social insurance while those primarily for women and family-related are means-tested
social assistance; they emphasize the disadvantages of relying on second-tier programs in
terms of benefit generosity, the restrictiveness of eligibility regulations and the extent of
concomitant supervision and intrusion. (p. 54)

Welfare regimes, which are discussed in detail relative to each country below, can
predict to some degree how certain policies can affect women within the state. For instance, in
this study policy cases are selected from Sweden and the United States. Differences between
these two countries are expected; Sweden is better for social policies and has a developed culture
of strong universal equality, while in the United States services are largely tied to labor market
participation. Some elements of equal employment opportunity policy, then, would be expected
to take hold faster in Sweden than the United States, given the country’s strong social services
programs such as childcare. Public services are well-developed in Sweden, while provision of services via the marketplace is prominent in the United States. As will be discussed in the United States’ equal employment opportunity case chapter, women in the United States who can afford to outsource care responsibilities have more latitude in labor market participation than those who cannot.

**Public and private spheres.** Another consideration in this study involves understanding public and private spheres and how policies—and the state—interact within them (or do not). Policies can change what is considered public and private, and therefore can regulate and even criminalize elements of social life once considered ‘untouchable’ by the state. When economic production became separated from the home, men’s and women’s activities became divergent; men were considered part of the economic or public sphere, while women were considered part of the care/family, or private, sphere (Cancian, 1985). Because the ideology of separate spheres developed, women became economically dependent on their spouses and more or less relegated to the private sphere. The private sphere was also considered free from intrusion or interference from the state, while the public sphere was regulated (Phillips, 1996). This did two things: 1) it subordinated women making them dependent on men, and 2) it allowed men to ‘control’ their private sphere without interference from the state.

Policies such as violence against women policies often have to overcome significant challenges for adoption to proceed, as the policy allows the state to interfere in the private sphere. Violence against women—occurring in the private sphere—becomes a public issue, criminalized and regulated by the state. Feminists often refer to ‘the personal as political,’ indicating that some ‘private’ issues should be public. Models of care and family roles are
central to feminist work relative to welfare state policies: “The family became and has since remained, central to the politics of feminism and a major focus of feminist theory” (Phillips, 1996, p. 123). Some states have a more difficult time with policies that attempt to impose regulations in areas not considered public. For example, the introduction of regulatory measures that promote women’s equality in the workplace is often easier in government workplaces and more difficult in non-government, or private, workplaces (Boyd, 1997).

**Countries.** Policies were selected from the vast pool of available feminist policies by first selecting the countries from which policies would be considered. Western post-industrial democracies were selected, specifically those in Sitaroff’s (1994) typology of feminist welfare states. Sitaroff uses composite measures of family welfare orientation, consideration of which parent is the recipient of benefits, and female work desirability to classify states in four categories: Late female mobilizing, Protestant Social Democrat, Advanced Christian Democrat, and Protestant Liberal (p. 93). For the purpose of this study, I chose to consider policies from the two of the most “woman friendly” state regime categories; Protestant Social Democrat and Protestant Liberal. Within this frame, the countries of Sweden (Protestant Social Democrat) and the United States (Protestant Liberal) were chosen for case selection. These countries were chosen for several reasons.

I chose a most similar case analysis with conditions of commonality and difference for the study (Tuene & Przeworski, 1970). Given this, the countries I sampled my cases from needed to meet specific requisites of commonality and difference. Thus, although similar in some respects, differences are present which will allow for the variables to be seen in multiple ways. Sweden and the United States have similar socioeconomic structures, but diverge in state
policies, which present a differing context for gender relations. Both countries have structures of patriarchal capitalism, but their forms of patriarchal capitalism differ. In terms of social policies, the United States has a low role of the state; most execution of social policies lies in the private realm. In Sweden, economic and social policies following the depression (1930s) signaled an increased role of the state similar to Sidel’s (1986) prototype of the Social Welfare State (p. 185). The social-feminist approach to gender equality contends that gender inequality stems from the intersection of patriarchy and capitalism (Acker, 1989; Hartmann 1981; Sokoloff, 1988). Therefore, these two states are ideal for case study selection since they have both similarities and differences in terms of social policy, patriarchy, and capitalism.

These differing types of patriarchal capitalism are especially evident in relation to the division of labor in work and family in Sweden and the United States. In terms of economic resources, Sweden and the United States differ quite drastically. In Sweden, a dual earner regime is predominant; collective needs and baseline support are stressed and social welfare is widespread, therefore individual economic resources (private resources) are not a huge source of power. The United States, on the other hand, has a market-oriented regime, where the primary means of production is privately owned (Sidel1986). There is a low role of the state in terms of economic power, and economic resources are a great source of individual power; the allocation of resources is highly linked to resources. The United States has a highly gender-segregated workforce as a result of the states’ form of patriarchal capitalism and market-oriented regime. Misra, Moller, and Budig (2007) places the United States in an “earner” typology of welfare state strategies, while Sweden is placed in an “earner-carer” typology (p. 809). There is still a persistent influence of patriarchy in Sweden, regardless of its more socialist form of capitalism.
Sweden’s workforce is still highly segregated despite policy changes (Haas, 1981), although the overall strategy of the earner-carer model indicates a ‘step’ toward gender equality: “The earner-carer strategy does reflect an attempt to challenge traditional gender norms and, as such, provides a step toward greater equality” (Misra et al, 2007, p.809).

Another reason these countries serve a good start for case selection is the consideration of the impact of the EU on gender policy. Much work has been done regarding gender equality and feminist policies in the European Union (Beveridge & Nott, 2002; Elman, 1996; Guerrina, 2002; Hantrais, 1995; Lombardo, 2003a). By looking at how similar policies within and outside of the EU operate in their post-adoption phases and outcomes, this variable can be controlled. Then a cross-case comparison could reveal similarities and differences between feminist policies in the EU and outside of the EU. Other considerations of similarities and differences between Sweden and the United States relative to gender equality and social policy can be seen in table 1 below.

<table>
<thead>
<tr>
<th>Country</th>
<th>Sweden</th>
<th>US</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gender Welfare Regime</strong></td>
<td>Protestant Social Democratic</td>
<td>Protestant Liberal</td>
</tr>
<tr>
<td><strong>Role of the State</strong></td>
<td>Universalism</td>
<td>Some commitment to universalism with equal opportunity focus</td>
</tr>
<tr>
<td></td>
<td>Strong role of the state Integrated social and economic policy</td>
<td>Low role of the state State intervention subordinate to the market</td>
</tr>
<tr>
<td></td>
<td>Emphasis on primacy of full employment</td>
<td>Strong emphasis on income and means</td>
</tr>
<tr>
<td><strong>Policy Regimes Country Type</strong></td>
<td>Dual earner regime</td>
<td>Market oriented regime</td>
</tr>
<tr>
<td><strong>Country Economy types and regional differences</strong></td>
<td>85% of means of production privately owned (Sidell, 1986) Patriarchal capitalism with strong state role Collective needs and baseline support are stressed Allocation of power not highly linked to resources because of social welfare state</td>
<td>Means of production privately owned (Sidell, 1986) Patriarchal capitalism with low role of the state Allocation of power is highly linked to resources Highly gender-segregated workforce Persistent influence of</td>
</tr>
<tr>
<td><strong>Patriarchy still exists, regardless of the form of capitalism being more socialist in nature (Haas 1981), still a highly segregated workforce</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Persistent influence of patriarchy despite policy changes to encourage otherwise</td>
<td>patriarchy changes have been made to affect a more socialist approach</td>
<td></td>
</tr>
<tr>
<td><strong>Europeanization/attitude toward integration</strong></td>
<td>Sweden’s gender equality policies target more than socio-economic issues—the primary focus of EU gender quality policies. Because of this, Sweden is more-or-less skeptical of the progress made by the EU toward gender equality and polices</td>
<td></td>
</tr>
<tr>
<td>Outside EU</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Historical stance toward gender equality policy</strong></td>
<td>Gender equality policy has a long tradition in Sweden and has become a matter of course in societal life/political life, more so than any other country in the European context. Considered to have one of the highest levels of gender equality in the world. Sweden one of the initiators of the European Gender Institute</td>
<td></td>
</tr>
<tr>
<td>Gender equality has taken a long, slow road in the US. Policy inroads occurring as part of the larger civil rights movement. Slow integration of policies with still large gaps in economic realms between men and women</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sector of policy actors most prevalent in monitoring GE</strong></td>
<td>Government actors and non-gov’t actors both have direct involvement with GE policies NGO’s assume a monitoring function, especially in reconciliation and employment opportunity policy areas. Research sector very active relative to gender equality</td>
<td></td>
</tr>
<tr>
<td>Primarily NGO/ non-profit org’s. Many social resources are led at the civil level and not government funded or supported. Local women’s organizations and non-profits fund and lead these supports</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Roles of NGO’s/Women’s groups/feminist organizations</strong></td>
<td>Operate in every field of GE. Feminist org’s nationally and internationally well-networked. Focal issues: political participation of women, violence/peace (human trafficking, conflict prevention, peace negotiations), gender roles and/or stereotypes, body/health.</td>
<td></td>
</tr>
<tr>
<td>Strong presence in GE but certain issues more prevalent at different times. Feminist org’s internationally well-networked. Groups do not always work together nationally, although do come together on some issues. Focal issues inconstant: Ebb and flow regarding some campaign issues and feminist mobilization, but strong representation at times</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Approach to Gender</strong></td>
<td>Sweden places emphasis on the role</td>
<td></td>
</tr>
<tr>
<td>Issue representation is feminist</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Equality in general of men in GE policy and the burden on men to put GE policy into practice; issues surrounding patriarchy and male hegemony are expounded--unique to Sweden among the other EU states

| Table 1: Similarities and Differences Between Sweden and the U.S. Relative to GE Policy |
| Variables. | What leads to the authority (or lack of authority) of a feminist policy is of utmost concern to this study. The policy cases were purposefully chosen to highlight the variables chosen for the study and to link the cases for comparative analysis. The policy subsectors and countries were also chosen to act as ‘laboratories’ for the variables, to see how the variables interact within their respective environments, and how the environment affects them. As will be detailed in the methodology chapter, a qualitative data management software system was used to help manage the data as it was collected. It was also used to code the data; coding revealed the variables used in the study. |
| Drivers. | Underlying the variables that lead to policy authority is what I refer to as ‘drivers.’ Drivers are conceptualized as the internal and external elements of the selected variables that ‘drive’—or impact—the variables in creating policy authority (or lack of authority). Drivers are detailed fully relative to each policy case (chapters 4-7) and comparatively in chapter 8, but are mentioned briefly here as they are critical to understanding the micro-level of what creates policy authority or keeps it from occurring. Examples of drives include weak or strong collaboration among groups, whether or not explicit feminist language was used in the policy text, and the country’s general approach to policies in the given subsector. |
Summary

This chapter has specified the value of this research and outlined the analytical framework of this doctoral research study. This study is a systematic mixed-methods approach to determining policy authority in the post-adoption phases and policy outcome—contributing a new method to measure how policies react in the social and political realities they exist within. By contributing a system for measuring, scoring, and scaling policies ‘in practice’—in the political and social realities in which they exist—systematic analysis can occur to determine whether these policies matter, and how/why they matter.
Chapter 2: Scoring and Data Collection

As previously mentioned, the unique contribution of this study is the development of systematic measures, a scoring system, and the scaling of variables in a clear, replicable manner. The previous chapter discussed the overall analytical framework of the study and the variables used in detail. This chapter discusses the scoring and scaling system and details the data collection process used in the study.

Scoring

Although the foundation of this study rests on collection of qualitative data, the research is considered to be mixed-methods since the variables are quantified. Although quantifying qualitative data is not traditional quantitative analysis, it is considered quantitative given its numerical qualities. Young, de Leeuw and Takane (1980) find that assigning numerical values to qualitative data allows for a more meaningful analysis. Since the case studies I use in this analysis were set up to be comparatively linked through the use of systematic measures, quantifying these measures and variables allows for direct comparison and meaningful analysis. In addition, the transparent system allows for replicability of the process.

Qualitative data provides a rich, deep understanding of a situation, but quantitative values allow for more objectivity and replicability (Michelene, 1997). Quantifying qualitative data also acts as a form of triangulation by operationalizing measures in more than one way (Jick, 1979). Quantifying structures the qualitative data “increasing the trustworthiness of the qualitative
research process” (Russel, 1993, p. 128). It does this by systematizing a procedure to analyze the unstructured qualitative data.

The first step in quantifying the qualitative data for this study was to identify the operational elements of each variable. For example, the measure of linkage to feminist ideals (representing substantive representation) is broken into five elements of operationalization and then applied to each process phase (adoption, implementation, and evaluation).

Operationalization of linkage to feminist ideals for the adoption phase of a feminist policy includes 1) feminist ideals or gendered language included in the body of the policy text, 2) the policy is based on feminist research, 3) responsiveness to women’s groups/feminist demands, 4) outputs and accountability mechanisms that are linked to feminist ideals or encourage a feminist agenda, and 5) measures and structures that promote public awareness and are linked to feminist goals/a feminist agenda. Operationalization of this measure is slightly modified to fit the implementation and evaluation phases. An interrogatory template was created to identify each element of operationalization in each of the cases, and to process-trace through the cases. The interrogatory template is attached in appendix 4.

The second step in creating the scoring schema was to develop a worksheet to record the presence or absence of each operational element of each measure throughout all process phases. The completed worksheet for each of the policy cases is included in appendices 5-8. The same process was used to operationalize and score the outcome measures for each policy.

The final step in quantifying the variables was to rank them along a continuum of measures for each variable; this is also called ‘scaling.’ Although scaling is considered one of the simpler methods of triangulation design, “researchers using qualitative methodology are
encouraged to systematize observations…and to develop quantifiable schemes for coding” (Jick, 1979, p. 603-604). Also, by using more than one method to analyze data, this “enhances the belief that the results are valid” (Jick, 1979, p. 602). Each measure was ranked from along a continuum from zero (not present) to three (highly present). Because each variable had multiple operational measures, a schema was used to create the score for the process phase variables. All of the process phase variables had five ways to operationalize each variable. Using the above-mentioned variable as an example, the variable of linkage to feminist ideals during the adoption phase was operationalized by the presence or absence of five elements: 1) feminist ideals/gendered language included in the policy text, 2) the policy is based on what is known about the subject (feminist research), 3) the policy is responsive to women’s groups/organizations/feminist demands, 4) outputs, accountability mechanisms, etc. created are linked to feminist ideals or encourage a feminist agenda, and 5) measures and structures created to promote public awareness are linked to feminist agenda.

The schema for scoring is as follows: if none of the operational elements are present, the score is zero. If less than a majority of the elements are present, the score is one. If a majority of the elements are present, the score is two. If all elements are present, the score is three. The scoring schema for policy outcome is foundationally the same; however, a slightly different scale for scoring was created for assessing direct impact (a decrease in the occurrence of the problem). Since this measure did not include multiple elements, scoring had to be based on a continuum of change. If there has been no change in the problem, the score is zero. If the problem no longer exists, the score is three. Incremental change is scored as one or two (see appendices 5-8 for
each respective country’s scoring worksheet). For all of the variables, if not enough data existed through case analysis, the measure was not scored.

Scoring and scaling creates a systematic method for objectively analyzing feminist policies through multiple phases and outcome. I constructed the scoring system to be “confident that the conclusions are not unreasonable” and to be reasonably sure that “another researcher facing the data would reach a conclusion that falls in the same general “truth space”” (Miles & Huberman, 1984, p. 22). Creating scalable qualitative variables also allows for better comparative analysis along multiple levels. As will be seen in the comparative discussion (chapter 8), variables can be compared systematically intra-policy, inter-policy, intra-subsector, inter-subsector, compositely across process phases and across all cases.

Data Collection

The first step in data collection was to get an initial idea about the scope and array of available documents and information relative to the research questions and assess any difficulty in retrieval of information (Yin, 2011). This was done to determine if the research required collection of the entire array of information or if a sample would suffice. Since the study was reliant on primary and secondary sources, I chose to collect the entire array of available information for each case until the point of saturation (Yin, 2011).

Data collection was a highly complex, iterative and interactive process involving a vast array of sources. Since data for the process phases of each policy was historical, the data had to take on meaning through other information—data gathered from other documents or, for example, stakeholder websites or interviews published formally or informally. Esterberg (2002)
posits researchers should immerse themselves in the world they are studying. For this study that meant placing myself in the social and political reality of each policy, each process phase and subsequent policy outcome, to fully understand what unfolded after policy adoption.

Although they are discussed separately here, data collection and analysis overlapped to a large degree. This is often the case in qualitative research; Strauss and Corbin (1994) discuss qualitative research as a continuous back-and-forth between collection, analysis, further collection, and further analysis. They lay out a foundation for research that includes 1) analyzing data early, 2) identifying themes and patterns, and 3) further data collection.

This research was conducted by first letting the data tell the story (Yin, 2011). As I gathered and reviewed data, I used an inductive approach to let the data guide my next steps. This iterative process allowed me to “recreate” an important element of inductive field research—allowing field events to drive the development of categories and concepts (Yin, 2011). By following “threads” in the data, I was able to identify categories and clusters of data, as well as new data for research. For example, an academic study that mentioned a government document that named a women’s organization that published a brief about the topic.

Both secondary and primary sources were used to conduct this research. Analysis of secondary sources allows a researcher to expand the type and number of observations which in turn permits the research to cover a wide range of social conditions, measurements, and variables. Accordingly, it produces a comprehensive empirical study of the problems the researcher has formulated (Hyman, 1972). By exploring and considering the wide array of materials in the course of secondary analysis horizons are expanded and the researcher is “stimulated to think about otherwise forgotten problems and also forced in the direction of higher
levels of abstraction” (Hyman, 1972, p. 11). Secondary research and analysis also provides researchers with “the opportunities to undertake longitudinal analyses, to research and understand past events, to re-analyze primary studies with new perspectives and to engage in exploratory work to test new ideas, theories and models of research design” (Smith, 2008, p. 41). Another advantage of secondary analysis is that “it enables a more robust analysis of subgroups” (Smith, 2008, p. 41) or in the case of this study, policy subsectors. Finally, perhaps one of the more popular and well-known reasons to conduct secondary research is that it is particularly well-suited to the “research needs of persons with macro-interest and micro-resources” (Glaser, 1963, p. 11). Conducting primary field research was unrealistic to consider for this study. In addition, numerous studies by top researchers have already been completed on various elements of this research topic. By using what has already been done but looking at it in a different way, this doctoral study was able to produce original empirical work in part by using the excellent work already completed.

Primary sources, including government documents, official evaluations, stakeholder communications, internal newsletters and memos, and stakeholder evaluations, helped ‘fill in’ missing data and expand analysis. Primary sources are created at the time of the phenomenon or event, or in this case, the policy process (adoption, implementation, evaluation) or policy outcome in question. Primary sources provide a “window into the past” and allow for “unfiltered access to the record of…political thought and achievement during the specific period under study” (Library of Congress). Examining primary sources is a form of qualitative document analysis (QDA), which “refers to an integrated method, procedure, and technique for locating,
identifying, retrieving, and analyzing documents for their relevance, significance, and meaning (Altheide, Coyle & Schneider, 2008, p. 128).

The addition of primary sources also helps counter concerns about sole reliance on secondary sources. Jacob (1984) cautioned using secondary sources as the sole source for data analysis: “Perhaps the most important attribute for the user of published data is a large dose of skepticism” (p.45). Because I did use secondary sources as one element of data collection, I considered the purpose of the original research, the sources of the research (and the context the original sources were collected in), and the author(s) of the research. I considered the type of conceptual or theoretical framework of the original study and how relevant the data was to my own research questions. I also considered the variables I was interested in studying and the variables that existed in the original data by asking the questions: how well do the variables fit my research questions? Are they defined in the same way?

Because this study hoped to determine the authority of a given policy in a given reality—the political and social realm in which the policy interacts and affects—a broad range of data had to be taken into consideration, including data from multiple sources. In the course of compiling data about each policy, new conceptualizations emerged that ‘shed light’ on the impact (or lack of impact) of the policy in nuanced situations that otherwise may have been missed. Because of this, the integration of primary sources was important. Barton (2005) noted that “ultimately, we cannot depend on any single source—primary or secondary—for reliable knowledge; we have to consult multiple sources in our quest to develop historical understanding” (p. 746).

This study was longitudinal in nature, covering each stage of the policy process from pre-adoPTION through adoption, implementation, and evaluation, and the outcome and impact of the
policy. In many cases, research had already examined one or two stages of the policy process, such as pre-adoPTION and adoption, or adoption and implementation. By reviewing all of these studies I was able to take a longitudinal approach by merging the data.

**Systematic literature review.** In order to systematically search for primary and secondary sources and complete a semi-exhaustive search of all data, I modified a protocol for systematic literature review (original protocol in Munzlinger, Narcizo, de Queiroz & Rangel (2012) as translated and discussed in Kitchenham, 2004). The modified protocol (table 2), systematically lays out the entire literature review process, including the development of a template for data extraction. The protocol was followed and all elements of it are discussed in detail in the body of this study.
Define the research question(s)
Develop draft interrogatory template
Identify specific inclusion/exclusion criteria
Pilot study template
Refine template
Identify appropriate databases/sources
Run searches on all relevant databases/sources
Document search strategy
Save all citations (titles/abstracts) in a reference manager
Review full texts of all articles/documents
Articles remaining after second screen is the final set for inclusion
Import articles/documents into database management software
Extract data and analyze using meta-analysis software. Pool data if appropriate. Look for heterogeneity
Interpret data

Table 2: Systematic Literature Review Protocol

This protocol and the data template and worksheets I created allowed for a transparent and replicable literature review and data collection process. This general protocol guided the data collection process; but for the purpose of replication, the document search strategy was detailed and systematic. Six types of data were collected:

1. Academic Research
2. Government Documents
3. Evaluations
4. Public Records and Other Publications
5. Press Discussions

6. Policy Actor Discussions

The following databases/indices were used to locate and collect the data:

1. Washington State University library database (griffin.wsu.edu)
2. Rutgers University library database (http://www.libraries.rutgers.edu/indexes)
4. Googlescholar
5. Google
6. State-specific government databases (for example: http://www.government.se/)

Human Rights Watch, ICPSR, and Lexis Nexis Academic were used to search for public records and other publications. News databases mined (in addition to those through the library databases named above as well as general Google searches) included BBC, The New York Times, and The Washington Post. The ‘Wayback Machine’ was also used to locate archived news. Archives from CEDAW, Human Rights Watch, government websites, and women’s organizations were also used. A list of terms searched for each policy case is located in the appendix (appendix 3). It should be noted that state-specific terms were used to search for data; for example, these included the addition of the terms ‘kvinnofrid’ and ‘honour violence’ for the Swedish violence against women policy case.

**Interrogatory template.** In considering the process I would use to structure the data once collected and create an interrogatory template for each of the policy cases, I first started with the “menu of potential indicators for analyzing success and failure” Mazur (forthcoming, p.11) conceptualized for post-adoption analysis (see Appendix 2). The ‘menu’ serves as a starting
point for consideration of indicators that may lead to a stronger or weaker policy in the stages after adoption. Bryman and Burgess (1994) give several reasons to use a template for collecting data. First, and of considerable relevance to this study, they are systematic and transparent and facilitate comparisons both across and within cases (p. 176). They also provide coherence and structure from large databases of written data which can be “unstructured and unwieldy” (p. 175-76); in the case of this research study this included data from various sources and often included obscure information from stakeholders. Second, templates lend an explicit process by which the researcher can move up analytic levels from descriptive to conceptual categories. Without a systematic template for analysis, categories can end up being nothing more than lists of themes which give little insight into the how and why questions under investigation by the research (p. 176).

Mazur’s ‘menu’ gave me a foundation for types of data to consider during data collection and delineated two process phases (implementation and evaluation) and policy outcomes. Guided by the feminist theories of institutional feedback and political opportunity structures and through the process of developing categories and coding the data (described in detail below), I narrowed my field of interrogation by focusing on the measures of “linkage to feminist ideals/responsive to feminist discourse” and “institutional feedback.” I also added ‘adoption’ as a process category in order to create a baseline against which to measure the ultimate policy outcome(s). Table 3 (below) shows the template I used for data extraction in this case study analysis.
<table>
<thead>
<tr>
<th>PROCESS PHASES</th>
<th>ADOPTION</th>
<th>IMPLEMENTATION</th>
<th>EVALUATION</th>
<th>OUTCOME</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Linked to Feminist Ideals/Responsive to Feminist Discourse (SR)</strong></td>
<td>• Feminist ideals/gender language included in the text of the policy</td>
<td>• Implementation process continues to respond to women’s groups/feminist demands</td>
<td>• Feminist content/demands are acknowledged throughout evaluation and included in any subsequent policy amendments or reauthorizations</td>
<td><strong>Empowerment of Women (Indirect Impact)</strong></td>
</tr>
<tr>
<td></td>
<td>• Policy is responsive to women’s groups/organizations/ feminist demands</td>
<td>• Implementation is based on feminist concepts and feminist research</td>
<td>• Evaluations include or are carried out by feminist researchers/address feminist conceptualizations of the problem</td>
<td>• Elimination of institutionalized patriarchy in society</td>
</tr>
<tr>
<td></td>
<td>• Policy is based on what is known about the subject (feminist research)</td>
<td>• Instruments, programs, funding, etc. are being used</td>
<td>• Funding, training, programs, etc. are evaluated and increased/improved if necessary</td>
<td>• Protection and enhancement of the social rights of women</td>
</tr>
<tr>
<td></td>
<td>• Outputs (instruments, programs, funding, etc.) created are linked to feminist ideals or encourage feminist agenda</td>
<td>• Accountability mechanisms/outputs/measures are being used that encourage feminist agenda</td>
<td>• Accountability re: feminist ideals occurring</td>
<td>• Facilitation of equal access to decision-making roles</td>
</tr>
<tr>
<td></td>
<td>• Measures and structures created to promote public awareness are linked to feminist agenda</td>
<td>• Awareness of the problem is linked to feminist ideals</td>
<td>• Awareness continues to be linked to feminist ideals</td>
<td>• Increase in public awareness about the issue</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Institutional Feedback (DR)</strong></th>
<th><strong>Institutional Feedback (DR)</strong></th>
<th><strong>Institutional Feedback (DR)</strong></th>
<th><strong>Direct Impact</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Stakeholders/actors/organizations in state and society mobilizing around and participating in the policy adoption process</td>
<td>• Mobilization of actors/organizations continue</td>
<td>• Mobilization of actors/organizations continues</td>
<td>• Decrease in occurrence of the problem</td>
</tr>
<tr>
<td>• Coalition-building is present</td>
<td>• Mobilization shifts/expands/includes other issues or groups</td>
<td>• Mobilization continues to shift/expand</td>
<td></td>
</tr>
<tr>
<td>• Allies are formed</td>
<td>• Allies and coalitions continue to build</td>
<td>• Coalitions and allies continue to build</td>
<td></td>
</tr>
<tr>
<td>• Instruments, programs, funding, etc. created that encourage/create mobilization</td>
<td>• Funding/training programs are being used to encourage continued mobilization</td>
<td>• Funding/training programs are evaluated and increased/improved if necessary</td>
<td></td>
</tr>
<tr>
<td>• Funding/training programs are created that generate mobilization</td>
<td>• Accountability mechanisms/measures are being used to encourage continued mobilization</td>
<td>• Mobilization occurs around any amendments/policy reauthorizations</td>
<td></td>
</tr>
</tbody>
</table>
Table 3: Operationalization of Variables

The table above (table 3) also shows how variables are operationalized through each of the process phases. Each variable is assessed slightly differently to account for the process phase it is located in. For example, institutional feedback during adoption is assessed by examining whether and to what degree organizations are mobilizing around and participating in the adoption process. Which organizations are involved in this process is also examined. During implementation and evaluation, however, measures for institutional feedback will also include whether or not new organizations are joining mobilization efforts, whether the previous mobilizers are still present, and if/to what extent allies and coalitions continue to interact and build. In other words, the adoption process measures will capture the beginning of the process, or the baseline for measurement, while the implementation and evaluation periods will capture subsequent changes and shifts.

Outcome of each policy is assessed by two measurements: Empowerment of women and a decrease in the occurrence of the problem. These include several sub-measures which operationalize the two primary outcome measures (see table 3 above). Empowerment of women is measured slightly differently for equal employment opportunity policy than it is for violence against women policy. For violence against women policy, empowerment measures include protection and enhancement of the social rights of women. For economic policies such as equal employment opportunity policy, this measure will consider protection and enhancement of the economic rights of women.
The above template was tested, or “piloted,” by attempting to use it to analyze Sweden’s Kvinnofrid policy. After several iterations and discussions with my committee chair to refine variables and re-structure the template, the above template was determined to be successful and subsequently used to inform the interrogatory template of questions (appendix 4) and complete the remainder of the case studies.

Summary

This chapter summarizes the scoring and data collection used in the study, highlighting the mixed-methods approach used to systematically and comparatively analyze the policy cases. The process of analysis used in the study was discussed relative to objectivity and replicability. The template for data extraction was also discussed relative to the analytical framework and literature it was derived from. This chapter has given the broad overview of methods and analytical framework; the following chapter will give the details of methodology.
Chapter 3: Methodology

The specific problem explored under this study is how to systematically test the authority of feminist policies in practice and answer the primary research question of how much social change has occurred to increase gender equality as a result of feminist policy. The research design accomplished this 1) by developing and testing an interrogatory template and worksheets to systematically test for, score, and scale variables to determine the authority of four feminist policies in practice, and 2) by identifying and understanding what makes a feminist policy more authoritative or less authoritative in the social and political reality in which it exists.

Although much work has been done to explore the process of policy adoption and how organizations and actors move an issue onto the policy agenda and achieve policy adoption, little scholarly work has been done to understand what occurs in the post-adoption phases and outcome of the policy. Using the pre-adoption and adoption phases as a baseline, this study attempts to systematically explore the authority of four feminist policies post-adoption—testing how authoritative these policies are in reality. The purpose of this chapter is to describe the details of the research design and methodology applied to explore and test policy authority in practice in two policy subsectors across two post-industrial democracies.

Comparative Mixed-Methods Research Approach

I chose a comparative mixed-methods approach for this research, mixing traditional qualitative multiple-case study comparative analysis with quantified, scaled indicators. I chose this integrated approach for several distinct reasons. First, qualitative research is especially suited to answer ‘how’ and ‘why’ questions (Miles & Huberman, 1994). This approach “covers
contextual conditions—the social, institutional, and environmental conditions within which people’s lives take place” (Yin, 2011, p. 8). Since the overarching goal for my research is to test and understand the authority of feminist policy in the political and social reality in which it exists, contextual social and institutional conditions are my primary concern. Additionally, “qualitative research is driven by a desire to explain” real-world events “through existing or emerging concepts” as well as to develop new concepts (Yin, 2011, p. 8-9). As earlier mentioned, this research strives to explain the work that has been done to date on policy adoption, explore the emerging concepts of feminist researchers recently beginning to consider and map post-adoption research, and to develop new concepts by systematically testing policy authority in practice. In essence, I needed an approach that would allow me to study the full context and depth of each process phase and outcome of individual policies and subsequently allow cross-comparison of data. The best way to allow for systematic cross-comparison of data is to standardize, or systematize, the observations (Jick, 1979), which allows for “observation in a standardized manner” (Guttman, 1944, p. 140). Quantifying qualitative data lets the researcher structure the analysis; something that is highly useful for comparing unstructured qualitative data (Russel, 1993).

Feminist policies are complex tools meant to change behavior. They do not operate in a linear manner, and stakeholders hold varying levels of power within the policy structure. This creates a complex dynamic in which the policy is both 1) attempting to change the power structure existent in society, and 2) impacted by it at the same time. Therefore, linear models are inappropriate for assessing social policy. Qualitative analysis allows the type of contextual, deep, thick description necessary to parse out and explore the various complexities involved, but
the quantified variables allows for systematic, direct comparison. The mixed methods utilized here maximize both methodologies for crisp, clean, comparative analysis.

Mixed research methods also allow enough flexibility for a range of analysis tools to be used within the context of the same research in order to test theories with the tool best suited for the available material. Methods used in this study included systematic and concurrent data collection and analysis (Strauss & Corbin, 1994), process tracing (Collier, 2011), discourse analysis (Lazar, 2008), the constant comparative method (Glaser & Strauss, 1967), and scoring and scaling (Guttman, 1944) to systematize and analyze the data. Qualitative research “cannot be reduced to particular techniques, nor to set stages—but rather that a dynamic process is involved which links together problem, theories, and methods” (Bryman & Burgess, p.3). But in order to allow for more objectivity and replicability, the process was completed systematically and data was quantified. For these reasons alone, mixed-methods were ideal for this study.

This study was grounded in feminist research methods (Eichler, 1988; Fonow & Cook, 1991; Smith, 1987; 1990; Stanley, 1990; Wise & Stanley, 1983). Bryman and Burgess (1994) in their discussion of feminist qualitative research state that “feminist research is both a delicate blending of political imperatives and theoretical insights and a dynamic and rapidly developing discourse” (p. 84, emphasis in original). A comparative analysis approach was used to systematically test policy authority of four feminist policies in two policy subsectors across two post-industrial democracies. Comparative analysis is particularly suitable when one is interested in a process (Merriam, 1998). Case studies allow for exploration between phenomena and the different contexts in which phenomena arise (Flick, 2013). Comparative analysis through linked case studies contributes five key elements to research: it 1) can identify the presence or absence
of a particular phenomenon, 2) allows for exploration of how manifestations of the phenomenon varies, 3) allows for exploration of differences in the impact of the phenomenon, 4) allows for exploration between phenomena, and 5) explores differences in context in which the phenomenon arises (Flick, 2013, p. 50).

For this study, policy cases were viewed as configurations, or combinations of characteristics and the cases were linked—they were specifically selected to bring out and test success indicators revealed by literature. Ragin (1987) states that “comparison in the qualitative tradition…involves comparing configurations” (p. 3) and Yin (2009) finds that case studies are adept at “identifying the attributes that contribute to success and failure” instead of focusing on relationships between attributes (p. 38). For this research, a tool that could specifically parse out attributes contributing to a policy’s exertion of authority—an element of success—and identify and compare configurations was important. Further, case studies help strengthen comparative analysis because they are “well-equipped to tackle questions that require complex and combinational explanations” (Flick, 2013, p. 95). This study involved answering complex outcome questions and equally complex process phase questions.

Questions concerning women’s empowerment and a decrease in the occurrence of the problem (outcome measures) must be asked of each element of the policy. These were structured as secondary questions and a template was created (see appendix 4) to interrogate each case systematically. For instance, one element of Sweden’s violence against women reform policy changed the penal code. Thus, this element had to be questioned relative to the outcome measures. For example: “How did Sweden’s violence against women policy (Kvinnofrid) impact women’s empowerment and decrease the occurrence of violence against women in
Sweden through to the penal code changes which now allow for consideration of men’s violence over time?” On a more micro-level, this question must be examined at the process levels as well, considering each process of adoption, implementation, and evaluation relative to institutional feedback (DR) and linkage to feminist ideals (SR) (process measures). An example of this relative to the above penal code change in Sweden is the following series of questions (see appendix 4 for the complete interrogatory template): “How did organizations mobilize around this change (or did they)—in adoption, implementation and evaluation?” “Who was mobilizing?” “Who was not?” “What was the public discourse surrounding the penal code change?” “What was the discourse of organizations?”

Because of the complexity of questions and the multitude of policy elements to study for each policy, case study methodology was instrumental in fully understanding the dynamics at play in this study. Sanders (1981) found that a case study design helps the researcher understand processes and contextual characteristics that shed light on an issue or an object. Because this study is a comparative analysis, each case was selected to test the variables in a different way; the variables link the cases comparatively.

Conceptualization of the comparative case analysis for this research involved deciding how many cases to analyze. Flick (2013) said in order for cases to be compared in their complexity, the number of cases has to be kept low (p. 95). Yin (2009) suggests a range of four to six cases. In this research study it was imperative that each case be thoroughly investigated by the template in order for systematic comparison across all four cases. A full understanding of the features and characteristics of each case is necessary before beginning a comparative analysis (Stake, 2006). I chose to analyze four cases for this study; one case for each subsector of
violence against women and equal employment opportunity policy across two countries: Sweden and the United States.

A Likert-like scale was used to score the policy cases throughout their process phases and outcomes. Flick (2013) states that in terms of comparison it can be useful to work with “(loosely defined) indeterminate quantifiers such as ‘intense’, ‘average’, and ‘low’,” to allow for cross-cutting comparisons across cases (p. 104). The policy cases in this study were scored according to ‘high’ ‘medium’ and ‘low’ policy authority in each of the process phases of adoption, implementation, and evaluation and policy outcome. The highest scores were given when there is a significant presence of the variable being tested for. Scoring was discussed in detail in chapter 2, and scoring worksheets for each policy case are attached in appendices 5-8.

Case Selection

The unit of analysis for this study is feminist policy that created significant legislative change—the “baseline” policy for subsequent policy action in the subsector of question. The unit of analysis is a case study of a specific policy. Further, cases were considered over a specific period of time—from the time just before policy creation (pre-adoption) until the outcome, or impact, of the policy can be assessed. Although this period of time varies for each policy studies, the bounding of cases (Yin, 2011) was done in a systematic and duplicable manner.

The four policy cases were bounded by time beginning at the point in time when the policy legislation became law and extending through the policy outcome, which considers the impact of the policy to the present. Pre-adoption information was included in the historical background for each case. Policies were studied over a period of time in order to fully
understand the process stages of the policy and to assess the outcomes within this context.

Mazur (2002) states “studying policies over an extended period of time provides a more accurate picture of policy dynamics and determinants” (p. 33). This study also aims to contribute to the emerging discussion of how to assess policies in phases after adoption and as a continuum; therefore considering the full range of time from before policy adoption to assessment of outcomes is critical.

Within the selected policy subsectors of violence against women and equal employment opportunity, the policies selected for comparative analysis were those policies that caused the most legislative change in the country relative to the respective subsector. Operationally, this means that while previous policies may have been passed in the respective subsector, the policy under analysis for this study will have made the most changes to legislation relative to the issue area. For example, while Sweden had passed two previous policies to address violence against women, both of these policies made only minor (although important) changes; the policy used for this analysis encompassed these changes and more at the time of its adoption. The policies selected for analysis in this study are considered the “groundbreaking” policies in their respective subsectors.

Within each policy case, exploration was done along the process phases and outcomes of the policy. Many authors discuss the benefits of breaking a policy into process phases in order to fully understand it (for instance Anderson, 1975; Bardach, 1977; Kingdon, 1984; Lindblom, 1959; 1968, Lipsky, 1977; Sabatier & Whiteman, 1985). Nakamura (1987) states in order to discover if a policy contributes to democracy and accountability, we should “de-couple the stages of process and focus on the functional requirements of each area—policy formation,
implementation and evaluation—as if each could be analyzed separately and independently” (p. 152). Also, proper analysis of a policy should consider all activities “in light of the context they are encountered” (p. 152). In order to do this, each policy had to be considered in terms of its post-adoption phases of adoption, implementation, and evaluation, and then in terms of policy outcome.

Pre-adoption context was considered for each case as well, but this phase was not measured or scored. The primary reason for this was many scholars have devoted considerable time to exploring and understanding the pre-adoption context of the four policies used in this study. Thus, further interrogation was unnecessary. Pre-adoption is considered, however, as part of the historical description of each policy case and the political and social context present leading up to adoption. An informed interpretation of cases by considering the history behind the policy decision process “can yield some ‘causal’ insights as to how and why those core conditions have led (or not led) to the outcome of interest in the contrasted or similar cases” (Rihoux & Ragin, 2008).

In essence, two measurement types are used in this study; process measurements and outcome measurements. The process measures determine if the process generated real responses—does the process lead to impact? And secondly, what were the drivers of this impact? Impact, or outcome, is measured to determine direct and indirect impact.

**Data Analysis**

Because existing policy research (both feminist and non-feminist) has yielded such rich theories and hypotheses regarding policy success in general and feminist policy success in
particular, I began my research with a general idea of theory-derived concepts and theoretical framework. This acted as a conceptual model which guided the initial stages of research by identifying a framework, or a series of ideas, about what to look for in the scope of each case. The model provided a way to organize concepts—inputs, outputs, information feedback—and kept the orientation inclusive and open to new data (Patton, 1990). Having a conceptual model helps orient the researcher and the research, especially since the vast amounts of information to sort through can be overwhelming. Creating a model and sensitizing concepts around it creates a way of “organizing the complexity of reality” (Patton, 1990, p. 218).

The model developed for this research was a descriptive model (Patton, 1990), as my key interest was in understanding the policy process as it unfolded and the ultimate impact of each policy. In reality this was a form of quasi-deductive analysis (Patton 1990), or a ‘modified’ grounded theory approach (Glaser & Strauss, 1967) since the concepts and variables had never been tested in quite the manner I was attempting. My first steps in data analysis were to read through the data to get a general sense of the information.

**Coding.** Next, I used Computer Assisted Qualitative Data Analysis (CAQDAS) software in the form of NVivo 10 to code the data, allowing me to identify themes and concepts as they emerged (Fielding & Lee, 1991). Journal articles, documents, reports, and e-books were uploaded directly from the internet into the software program. Printed text was scanned, transformed into a PDF document, and then ran through Adobe Acrobat XI Pro with optical character recognition (OCR) to convert the documents from image scans to text scans, which converts the documents to a codeable format. In some cases, such as print books, pertinent chapters were scanned and uploaded, or if the text was too much to scan, notes were taken and the notes were subsequently
coded. Coding data allows the researcher to identify and explore causal events that contribute to the phenomenon, create descriptive details, and identify and explore implications of the phenomenon’s impact (Straus & Corbin, 1990, Yin, 2011). Coding, which is “simply the process of categorizing and sorting data” (Emerson 1983, p. 111) through the use of software is no different than manual coding which might include using colors or “tags” to identify themes and concepts and physical “piles” to organize them.³

In this research the phenomenon in question was the authority of the policy, and operationally speaking that meant a great deal of process tracing (Collier, 2011) to analyze each process phase and the subsequent outcome of the policy—impact on women’s empowerment in the social and political reality surrounding the policy, and a decrease in the occurrence of the problem. Process tracing through the use of coding creates nearly tangible paths that allow the researcher to explore the phenomenon in detail. Coding allowed me to group and consider paths before accepting or discarding them. As previously discussed, coding allowed me to identify variables and trace them throughout the policy’s process phases.

For the initial assessment of the data I used open coding (Glaser, 1978, Strauss, 1987, Strauss & Corbin, 1990) to create broad themes and multi-dimensional categories, creating a template for analysis. Open coding involves “the process of breaking down, examining, comparing, conceptualizing and categorizing data” (Strauss & Corbin, 1990, p. 61). In most cases the data fell into categories I expected, but new categories did emerge, and most pointedly,

³ Benefits to using software, however, include 1) the ability to stay connected to the data without having to go back and search for a specific document or passage, 2) the ability to easily gain an overview of how often codes/categories are appearing the data, 3) the ability to easily find examples that are occurring through the data, and 4) the capacity to easily document the stages of category-building (Kuckartz, 2014). An additional benefit is that an experienced user can easily code and combine categories or “buckets” of material quickly and link details and impacts of the phenomenon in various ways—allowing the researcher to “play” with the phenomenon.
categories that I expected to stand alone began to merge. For example, some instances of organizational mobilizing overlapped with institutional feedback, creating multicollinearity. Variables were adjusted and combined to eliminate this.

In addition, the open coding stage allowed me to find new sources of data. For example, academic research would often cite a government document or report. By locating and reading the document and then searching the Internet for key terms using archived information (for example, using the Wayback Machine search engine or searching an institution or organization’s archived databases) I was often able to find additional documents or discussions that occurred around the time the document was released. In most cases, this revealed far more about the topic of interest than a simple ‘present-day’ search of the issue area or policy by name.

Later I returned to axially code the data (Strauss & Corbin, 1990), re-examining the categories and identifying how they were linked. At this stage I was conducting inductive analysis—looking at the data again for undiscovered patterns and emergent concepts (Patton, 1990). Additional data was collected as gaps in data were revealed and as new themes and categories emerged. When new data was collected and new themes emerged, old data was revisited to search for the newly identified themes and categories. Kuckartz (2014) states “building categories is a lengthy process which requires that you go through the data or parts of the data repeatedly” (p. 134). Memos were kept to identify emergent themes, patterns, concepts, thoughts, and to identify when categories were modified or replaced during analysis (Patton, 1990; Strauss & Corbin, 1990; Yin, 2011; Kuckartz, 2014). For instance, I kept discourse analysis memos that reflected what particular discourse was occurring at the time and indicated
shifts in discourse. This allowed me to triangulate between the category or concept, the discourse, and a specific point in time.

In reality, open and axial coding, deductive and inductive analysis, and the collection of more data occurred simultaneously and created an iterative—and messy—process of analysis that at times became a beast of gigantic proportion. Bechhofer (1974) summed this process up succinctly when he proclaimed: “The research process…is not a clear cut sequence of procedures following a neat pattern, but a messy interaction between the conceptual and empirical world, deduction and induction occurring at the same time (p. 73).”

Trustworthiness

Data was collected from several source types in order to create triangulation (Denzin, 1978; Flick, 2013; Kelle, 2007). Triangulation strengthens the validity of qualitative research by determining whether (and at what point) data from two or more sources converge (Yin, 2011), effectively telling the same story from different vantage points. Triangulation as an approach was first discussed by Denzin (1978) who defined it as “the combination of methodologies in the study of the same phenomenon” (p. 291). In order to adequately explore the context of and inform each policy’s process phase and outcome, I needed to triangulate source material across a variety sources. This allowed me to fully understand the policy in the context of multiple actors/stakeholders, organizations, and political environments longitudinally. In addition, quantifying variables also acts as a form of triangulation (Jick, 1979, p.602). By using a mixed-methods approach and quantifying the variables, I was able to systematize them and scale them, which also creates triangulation.
At least three data types are suggested for appropriate triangulation. Multiple data types were collected for this study in order to create adequate triangulation. The types of data used for this study and utility of each are listed below (table 4).

<table>
<thead>
<tr>
<th>Data Type</th>
<th>Example</th>
<th>Utility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Research</td>
<td>Feminist and non-feminist published academic studies</td>
<td>Experts on the subject have already produced data and results that can provide additional insight into new questions or variations on questions previously asked</td>
</tr>
<tr>
<td>Government Documents</td>
<td>Government briefs, white papers, memos</td>
<td>Allows for insight into motivation as well as government response relative to the policy</td>
</tr>
<tr>
<td>Evaluations</td>
<td>Formative and summative</td>
<td>Shed light on progress of the policy and impact of various elements of the policy on specific instances of the problem</td>
</tr>
<tr>
<td>Public Records and Other</td>
<td>Formal and informal evaluations, press releases, court documents, surveys and statistics</td>
<td>Can reflect public discourse relative to various elements of the policy in question; documents such as court decisions can give insight into whether or not criminal system changes are being used or followed by the courts; Press releases by stakeholder organizations allow for insight into these organizations’ discourse and reaction(s) to change or the absence of change</td>
</tr>
<tr>
<td>Publications</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Press Discussions</td>
<td>Newspaper articles</td>
<td>Allows for understanding into media response to various elements of the policy in question</td>
</tr>
<tr>
<td>Policy Actor Discussions</td>
<td>Blogs, websites, opinion papers, interviews, conference panels, symposiums, round tables</td>
<td>Allows for discourse analysis of policy actors/stakeholders; reactions to elements of the policy and perceived impact of the policy; illuminates</td>
</tr>
</tbody>
</table>
Researcher Positionality

In qualitative research, the researcher is the prime research instrument, and as such carries a potential for bias including motives for doing the research, personal background, and filters or conceptualizations that might influence understanding of the data (Yin, 2011). As a self-identified feminist doing feminist research, I inherently carry with me as a researcher a certain bias that stems from a desire to better understand—and change for the better—women’s issues and the equality of women in society. As Bryman and Burgess (1994) point out, “feminism carries with it a sense of urgency and an intense desire to know, in order to change, women’s experience” (p. 85). My own intentions certainly fall within this description. As previously mentioned, I was involved with the GEPP project during some of the early meetings and roundtables to discuss and debate potential next steps for analyzing policies in practice. I worked as an associate with Dr. Mazur and Dr. Lovenduski to organize potential research partners and to compile secondary sources. Although I am not directly involved currently, I am still in touch with the working group and plan to be more involved in the future. Given my research is in parallel with what GEPP is doing, linking up with the project in the future will be a good fit.

Further, my previous employment as a research fellow at the National Council for Research on Women in New York City gave me an insight into feminist and women’s issues that I carry with me to date. Research techniques at the Council were purposely couched in relevant
current—political—events and were activist in nature. After transitioning from the fellowship to a full time position at Rutgers University, my research has become far more policy-centric in nature, although still very action oriented.

Summary

This chapter outlined the process used to collect data and analyze the four policy cases used to create this study. The following two sections present the two policy subsectors used in this comparative study, including the two cases analyzed for each subsector. The first subsector discussed is that of violence against women policy; the second is equal employment opportunity policy. The comparative analysis follows the four case study chapters.
Policy Subsector 1

Violence Against Women

The following two chapters (chapters 4 and 5) present two case studies from the violence against women policy subsector. Violence against women is a relatively new issue area for gender policy, especially in the EU, and an emerging area for global public policy making. As recent as 1999, one in three Europeans surveyed thought violence against women should not be considered a crime (Eurobarometer survey as cited in Htun & Weldon, 2013). Violence against women is a “global phenomenon that historically has been hidden, ignored, and accepted” (Garcia-Moreno, 2015, p. 1685). This subsector is generally couched in terms of the larger human rights agenda; violence against women violates human rights and serves as a barrier to democratic transitions. Htun and Weldon (2013) find there is an “emerging political consensus about causes of violence against women and the policy actions that should be taken to prevent it (p.232).

Policy action to effectively combat violence against women should include the following elements: Legal reforms that specify violence against women as a crime, counseling, social services and other assistance for victims of violence, training for professionals such as police officers, public awareness and other preventative measures, coordinated agency efforts, and intersectional efforts to address all populations of women (Htun & Weldon, 2013). Additionally, research has indicated that countries with stronger feminist movements generally have stronger policies in this subsector. Movements, then, are “critical catalysts for policy development” (Htun & Weldon, 2012). Garcia-Moreno (2015) states: “The tide of silence has slowly been turning thanks largely to the sustained advocacy and organising (sic) of women’s movements
locally and worldwide” (p. 1685). The presence of women’s movements has slowly led to more
government action. Women’s shelter movements, for example, have been instrumental in
bringing attention to the problem by “providing support to women at the local level, often with
the help of government funding” (Mazur, 2002, p. 156).

International pressure is largely responsible for efforts to combat violence against women
in many countries. The United Nations posits that “violence against women is one of the crucial
social mechanisms by which women are forced into a subordinate position compared with men”
(1993). This growing international recognition of women’s rights as human rights has created
many opportunities for elimination of the problem (Garcia-Moreno, 2015). Since this policy
subsector usually requires a great deal of social restructuring and is not economically
redistributive, it is often more challenging for these policies to garner state support without
international pressure.

During the 1990s, academic attention began to turn to the problem of violence against
women and a small number of studies of were done. However, there was concern about how to
collect data about the problem, especially considering women may be re-traumatized by
discussing or re-living the violence. A multi-country study by the World Health Organization
(WHO) helped create a guide for researchers regarding what questions to ask and how to ask
them (Garcia-Moreno, 2015). Academic study of the issue and the mobilization of women’s
organizations eventually led governments to take more action. By the 1980s governments began
to “systematically turn attention to violence issues” (Mazur, 2002, p.157) but it was not until the
early 1990s that policy action began to be more widespread. Currently, the problem of violence
against women is still under-evaluated. Regardless, academics as well as international
organizations continue to urge action:

The small amounts of evaluation evidence cannot be used as an excuse for inaction. We
need to build on the evidence that does exist, scale up approaches and programmes (sic)
that have been shown to work, expand and adapt from one context to another, and
continue to monitor and assess outcomes. (Garcia-Moreno, 2015, p. 1692-1693)

The following two chapters present two policy cases from the violence against women subsector
in Sweden and the United States.
Chapter 4: Case 1—Sweden’s Violence Against Women Policy

Figure 3: Kvinnofrid and Subsequent Reform Timeline

Case History (Pre-Adoption)

Prior to the 1980s, Sweden’s generous social welfare system created the (false) belief that if social services did not exist they must not be necessary. Keeping with this general belief, Sweden largely attributed the lack of assistance for women abused by men to low demand; the services did not exist because women did not need them (Elman 2001, p 39). In other words, there was no violence against women problem in Sweden. Through the 1980s women’s shelters and crisis lines were underfunded, and legal protections virtually did not exist for women victims. This ‘out of sight out of mind’ attitude was fostered by a:

…General reluctance among politicians and policy analysts to examine gender inequality and/or the welfare state through the prism of sexualized subordination and violence.
against women. Their reticence helped sustain both Sweden’s impressive reputation for sexual equality and the social democratic ideology with which it was so closely identified. To suggest the insufficiency of one as a guarantor or goodness was to deny the benefits of the other. (Elman, 2001, p. 39)

The first policy on violence against women enacted in Sweden was a reform for battered women that recognized battery as a public offense (SFS, 1981:1313). This policy officially removed violence against women from the private sphere and made it a public issue. In 1988, another policy granted protective orders and allowed for more police intervention (SFS, 1988:688). 1991 saw an increase in allocated funds for training programs aimed at expanding the knowledge of social service workers and criminal justice authorities in violence against women issues.

However, it was not until the early 1990s that the state’s indifference was brought to the forefront of discussion and debate. Most notably, discourse surrounding the issue began to increase as more women came forward about experiences of abuse and violence. Women began to publicize what had until recently been considered a private issue. Over the course of several decades, three things led to major reform in terms of Sweden’s violence against women legislation: A long-standing debate on gender equality fueled by strong feminist research, a strong women’s shelter movement that encouraged women to break their silence, and national/international pressure to respond to the issue (Leander, 2006).

This increased pressure eventually led to the necessity of the state to create legitimate change. Sweden had a vested interest in keeping its image as an equality state both nationally
and internationally. Not only was the Swedish state built on the premise of equality, but state political parties often identify themselves as feminist (Wendt, 2012 p. 93). Hornscheidt (2008) points out that to Sweden, feminism “has become a core value in the political debates, a value that ‘serves as a strategy of public branding of a Swedish image as ‘liberal’ and ‘progressive’ with respect to gender issues’” (as cited in Wendt, 2012, p. 93). By claiming to adhere to feminist values in political rhetoric, the state was under pressure to address the issue of violence against women. This pressure created the beginning of legal reform aimed at eliminating multiple forms of violence against women in Sweden.

The 1998 Kvinnofrid policy, also called the Act on Violence against Women, expanded prosecution abilities and was the first to address the issue in terms of repeated violence against women instead of single instances of battery. The term Kvinnofrid means “women’s peace,” indicating the right of women to lead a peaceful life; the policy is also referred to as ‘women’s integrity’ reform because of changes made to the penal code which criminalize violating a women’s integrity. Kvinnofrid was a multi-faceted policy reform package which addressed public health and safety, the abolition of prostitution, changes to criminal law, the abolition of violence against women and protection for children as witnesses of violence against women. Much research on the Kvinnofrid reform centers on the healthcare and prostitution portions of the policy; this study will focus on the violence against women portions of the policy and will not include the healthcare portion. The prostitution portion of the reform will be briefly discussed relative to the role of feminist actors in mobilizing around the issue as part of the larger reform package.
Kvinnofrid was not the first policy to address violence against women in Sweden, but it was the first to coalesce various policy issues previously dealt with separately. The act was also the first to address what was considered by feminist actors and various facets of the women’s movement as Sweden’s unequal power distribution between men and women, which is why this policy was selected for case analysis. The process leading up to Kvinnofrid’s adoption was slow. To some degree it is surprising that a policy addressing men’s violence toward women in ‘equal’ Sweden did not come about until 1998, but this was likely a result of the fact that a policy addressing inequality between men and women represented something counter to Sweden’s culture of gender equality (Lindvert, 2007, p. 250). Additionally, as is the case with many states, Sweden’s primary focus relative to gender equality has tended to be on economic and redistributive policies (Lindvert, 2007). Policies focused on other issues including violence against women have in large part been ignored and although gender policies have shifted this to some degree, the bias toward redistributive policies remains (Borchorst & Siim, 2002; Elman, 1996; Lindvert, 2007; Mitchell, 1998; O’Connor, Orloff & Shaver, 1999).

Although the pre-adoption process was slow, it was ultimately effective regardless of the fact that the policy reform ran counter to the image the state had previously portrayed and the state’s tradition of focusing on redistributive policies. This was likely due in part to the presence of strong activism. Htun and Weldon (2013) have found the presence of activists in the pre-adoption phase is the most important factor in creating effective policy reform. Likewise, the UN Division for the Advancement of Women in its “Report on Good Practices in Combatting and Eliminating Violence Against Women” states that “the best reforms are those made after
careful deliberation and consultation …some of the most creative and innovative laws are those which have been drafted by, and/or campaigned for, by activists” (2005, p. 39). Sweden’s reform combined multiple organizations and movements mobilizing across multiple issue areas associated with violence against women. Policy actors engaged in careful deliberation and consultation with a variety of informed and involved organizations in an effort to create good reform.

Feminist actors and the women’s shelter movement were instrumental in bringing a feminist nature to the pre-adooption process. Specifically, feminist researchers were largely responsible for the production of knowledge leading to policy adoption. The government used this feminist-based production of knowledge to inform the legislative committee leading the policy formation process—although no feminist actors were present on the committee. Regardless, feminist conceptualizations of the problem were evident. The committee stated that “one of the key elements in men’s violence against women is the structure of society, a structure that is founded in the subordination of women to men” (Granstrom, 2009, p. 339). Feminist demands leading up to adoption centered on an acknowledgement of gendered power structures in creating and re-creating violence against women.

Feminists and feminist academics mobilized political action and attempted to center the debate in the larger issue of the patriarchal structure of society (Elman, 2001; Wendt, 2012). At the same time, the women’s shelter movement brought the empirical knowledge behind violence against women to the forefront (Steen, 2003). Feminist actors and the women’s shelter movement were instrumental in bringing a feminist nature to the pre-adoption process.
Mobilization and strong lobbying by the women’s shelter movement ultimately created the necessary drive and motivation for movement of the state (Leander, 2008).

The women’s shelter movement focused on the needs of abused women for funding from the state. Elman (1996) states “the battered women’s movement, unlike many other movements, cannot subsist on the financial support of its constituents” therefore, the movement “turns to the state for fiscal assistance” (as cited in Mazur, 2002, p.162). Demands included expansion of services, funding for shelters and social services, increased attention to the nature and prevention of violence against women, and mechanisms for understanding the nature and extent of violence against women in the state (such as reporting and statistical analysis). At the time of adoption, the political environment in the state was strongly in favor of equality which helped focus legal reform on the rights of women as part of the discourse of crime victim’s rights. This made the shelter movement’s demands timely. Organizations took advantage of these political opportunity structures to get the policy adopted. Interest group demands coupled with the shift in discourse surrounding violence against women as a crime issue played a role in Kvinnofrid reform as a whole (Granstrom, 2009, p.332).

International pressure was also unmistakably present leading up to the Kvinnofrid reform. In the 1990s a Nordic association for shelters was created, which strengthened international networking among the women’s shelter movement (Mazur, 2002, p. 164). Violence against women was also a “hot” agenda item for the UN, and various mechanisms were in place to apply to pressure to states (CEDAW, the Beijing Platform, international women’s organizations, etc.). It is also evident that the international women’s movement was shifting discourse to make
gender equality a larger human rights issue during this time, and violence against women was a part of this. With global pressure to take strides in preventing violence against women, the international sphere certainly had a role in European reform more broadly and Sweden’s reform specifically. Sweden’s reputation as the global leader in gender equality enhanced the pressure for the state to take an active role in the international movement to eliminate violence against women.

Figure 4: Kvinnofrid Process Phases and Outcome Timeframe
*Implementation and evaluation overlap to some degree, especially during the period of 2003. The first major summative study of Kvinnofrid reform occurred in 2003, thus this year is selected as the beginning of the evaluation period, however, implementation efforts were still very much occurring in 2003. Additionally, evaluation did not cease abruptly in 2012; this is considered the “end” of the evaluation period for the purposes of this study since studies and reports of the Kvinnofrid reform did taper off to a large degree. What studies were continuing at this time were mostly updates to earlier reports.
Adoption

The written text of Kvinnofrid at adoption was definitely feminist in nature. Aside from the policy acknowledging the existence of a gendered power structure, the policy also made “gross violation of a women’s integrity” a crime written into the penal code which allowed for punishment of repeated acts of violence toward women. This made it possible to consider acts of violence not as isolated events but within a larger scope and context. In addition to the gendered nature of the text, even the title of the new crime was written in the policy as gender-specific (Eriksson, 2012). This was unusual since Swedish legislation is not historically written in this manner (Granstrom, 2009). The feminist-leaning text and undertones of the policy was a direct result of feminist involvement and mobilization present at the time of adoption.

Text accompanying the legislation was also highly feminist in nature, both citing violence against women as a result of an imbalance in power relations and as a larger societal problem. For example, the introduction to the bill states:

Sweden is seen by many as the world’s most successful country when it comes to gender equality…But in many areas there is still an imbalance in the power relations between the sexes. The most extreme example of this imbalance is the violence that men use towards women that they are or have been having a close relationship with…Men’s violence towards women is, therefore, a serious societal problem. (Kvinnofrid introduction, as translated in Granstrom, 2009, p. 347)
Legal reforms such as the one written into the Kvinnofrid policy alone are not directly linked to gender equality; however, the feminist nature of this particular reform has helped further the political agenda centered on gender equality. The penal code reform can be seen as a mobilizer for a shift in discourse that has since helped meet some interest group demands. For example, using feminist language to identify the gender power model, and ultimately to further social change relative to gender equality:

The law reform resulting in the new offence Gross Violation of a Woman’s Integrity has been used in political discourse as an example of an important aspect of striving for gender equality in Swedish society and of the struggle for protection for victims of domestic violence. It is rather unusual for criminal law reforms to be so obviously intended to further social change, in this case gender equality. (Granstrom, 2009, p. 346)

Although the policy was written in feminist-leaning text, it was actually a toned-down version of the recommended policy text which was far more feminist in nature. The policy committee formed by the government to inform the policy creation process recommended wording of the policy that was much more centered on feminist ideals than actually occurred in the policy. Although this doesn’t seem overly surprising, it is interesting that the government was instrumental in the committee taking into consideration the research and recommendations of feminist academics and feminist organizations; and then ultimately ignored some of the recommendations given (Granstrom, 2009). This was likely a result of fear of political backlash if the policy was worded in a way to be stigmatized as “radically” feminist in nature.
Once discourse shifted away from the liberal feminist stance policy reform was able to occur. It is likely that Sweden’s violence against women reform would have continued to circle the books for many more years if not for the shift in discourse to a crime prevention/crime victim’s reform. The resulting text was able to survive political backlash while still maintaining linkage to feminist ideals and satisfying organizations that mobilized for the policy’s adoption.

Mobilization continued to be strong into adoption. Prior to the adoption of Kvinnofrid the women’s shelter movement and academic feminists made sure the issue of violence against women was on the political agenda as a social problem as well as a crime issue. The combined efforts of these multiple organizations and actors created the necessary environment for policy adoption. Mobilization efforts continued after adoption, such as those centered on public awareness. Specifically, informational pamphlets such as those created by the Swedish Institute (beginning in 1993) were built upon and continued during the adoption of 1998 reform package, a website was created (http://kvinnofrid.gov.se), and much emphasis was given to actions the government continued to take relative to the issue. As Elman (2001) stated, this was an indication that “the state no longer dismiss[ed] the problem” (p. 41).

Continued involvement of a wide range of organizations and allies during the adoption phase created strong institutional feedback. Feminist organizations continued to push for increased acknowledgement of the gendered power structure behind men’s violence toward women, and organizations worked together to build new successes. For example, impact of the gender-specific language added to the penal code to punish violence against women was immediately evident when the policy was adopted; rights of victims were better protected than in
the past. Changes to the penal code effectively created accountability mechanisms at policy adoption. These changes allowed the courts to take what may appear as minor abuse and add to it the context of other abuses by the same person, thus allowing the system to create a picture of a process of abuse. This allowed for a higher penalty for what could have been seen as a minor issue in the past (Granstrom, 2009).

Outputs are another consideration of import during Kvinnofrid’s adoption. Because Swedish municipalities were in charge of disseminating most of the outputs created by the policy, many outputs fell short due to the low wage and sometimes volunteer status of workers in municipal organizations, such as shelters. It should be noted that volunteerism in Sweden is “viewed contemptuously” according to Elman (1996), adding another reason institutionalization of shelters was “uneven” (as cited in Mazur, 2002, p.163). Additionally, municipalities generally operated their own staff training, thus training and education regarding how to handle men’s violence against women in light of the new policy was inconsistent. Some municipalities gave better training to their workers than others. Also, health and medical caregivers in municipalities are often the first to recognize the problem of violence against a woman, but many of these municipal systems were still passive directly after policy adoption and did not function to the degree needed (Eliasson & Ellgrim, 2007, cited in Mazur, 2002). While the policy eventually impacted shelters in a positive way, funding and appropriate training was short and inconsistent in the adoption phase.
Implementation

It is evident by examining documents and inquiries throughout the period following the 1998 reform that interest groups were very happy with implementation progress, especially regarding specific elements—namely the penal code reform and actions surrounding it by the government. The policy reform package was underpinned by feminist concepts of men’s violence toward women and the social problems surrounding it; this underpinning was still evident throughout early implementation. However, just four years after adoption of the 1998 policy, a subsequent Kvinnofrid reform policy (2002/2003) ignored, if not diluted, the original feminist-leaning legislation, by stating “violence in society is a serious problem regardless of who the perpetrator or victim is” (70, 1). This policy reauthorization is considered as part of Kvinnofrid’s implementation for several reasons: 1) very few substantive changes were made, 2) it occurred relatively soon after Kvinnofrid’s adoption, while the policy was still undergoing its original implementation efforts, most of which simply continued following the 2002/2003 replacement, 3) policy amendments and replacements often occur at various times during the policy process and do not always occur directly following formal evaluation, and 4) the period leading up to the 2002/2003 reform significantly shifted the discourse occurring at the time, which heavily influenced the implementation process.

In the period leading up to the 2002/2003 Kvinnofrid policy, research indicates the criminal justice system began referring to men’s violence against women in gender-neutral terms such as “domestic violence,” where the link between gender and power is made invisible. The term itself is not unusual, as men’s violence toward women is often referred to as domestic
violence or “violence in domestic relationships,” but in this particular case the terminology represents a shift in discourse surrounding the policy. For example, in the early stages of Kvinnofrid (pre-adopter and adoption) references to the issue behind the policy were repeatedly referred to as “women’s integrity assaults” and the policies measures were said to protect “women’s honor.” A few years into implementation, however, discourse had shifted to eliminate the gendered description of the violence. Removing gender-specific language makes violence against women part of a more generalized type of violence, “a view which may be said to conflict with the standpoint…that there is a specific category of violence, namely male violence directed at women, both in public and private life” (Wendt, 2012, p. 99). This type of phrasing effectively removes the gender power model from the discourse surrounding the violence and leaves the problem of violence in society a problem without a cause.

Kvinnofrid’s implementation process happened fairly quickly and took strong hold. Violence against women was prioritized as a crime in the criminal justice system and several methodological and procedural changes were created during implementation of the 1998 act. These included “action plans, organizational changes, further education and evaluation of working-methods” (Burman, 2009, p. 30). Other outputs included assignments commissioned to agencies, many of them criminal justice in nature, including the Prosecution Authority, the National Police Board, the National Council for Crime Prevention, the Prison and Probation Authority, the Crime Victim Compensation and Support Authority, the National Board of Health and Welfare, regional authorities and the national court administration. Agencies were assigned the task of creating and maintaining evaluation mechanisms and were encouraged to work
together in coalitions, include other organizations, and create plans to prevent and combat violence against women. Groups mobilized around these outputs, shifting from mobilization around feminist concepts (in the pre-adoption and adoption phases) to mobilization around education programs, training, and prevention. Groups acted as “watchdogs” to make sure outputs created the action they were meant to create.

This shift in mobilization also likely occurred in response to the shift in discourse throughout this period from one based in feminist ideals to one more criminal justice in nature. This is not surprising, since the 2002/2003 Kvinnofrid reform policy eliminated much of the feminist language present in the first policy and focused on the criminal justice reforms and a more “general” sense of violence. Likewise, mobilization did not cease, but instead shifted to a more criminal justice-centric core.

Documents, websites, forums, and articles published during the implementation period reveal that many more organizations contributed to the construction of knowledge about violence against women than previously, and more groups and different groups mobilized around the issue. Coalition-building continued and stretched to include men’s organizations, public health organizations and authorities in the public realm. Further, discussion expanded to include children as victims by the witnessing of violence against women and violence in the home, and immigration reform mobilization expanded to include violence against women and situations of “honor-violence.” As Leander (2002) noted during this period, while there is still a very long ways to go in improving the status of and empowerment of women, “nowhere does there seem to be a full denial of the gender-power model” (p. 42). Therefore, although mobilization shifted,
organizations were probably instrumental in maintaining momentum behind the policy.

Kvinnofrid and its subsequent 2002/2003 reauthorization created many new and sustained many existing centers, agencies, reporting organizations and watchdog groups during implementation.

For example, the National Centre for Battered and Raped Women became independent and institutionalized. Funding was set aside for social services, training of social workers and criminal justice professionals, and public education outreach. A big part of the reform package centered on the penal code reform, thus many implementation efforts centered on this. Other implementation efforts were diverse, since the bill included the abolition of prostitution and the expansion of other elements of criminality. Instruments, structures, programs and funding were set up in the implementation phase. Additionally, systems for statistics and measures of violence against women were established as an important need for the process of identifying context and preventing violence. Most of this was possible only because of the continued involvement of multiple organizations.

Some existing systems were modified in order to increase awareness of violence against women and increase knowledge surrounding the problem. For example, a national women’s center was founded during the pre-adoption process of the policy, in 1994. During implementation the center was recreated into the National Centre for Knowledge on Men’s Violence Against Women (NCK). NCK to this day has multiple facets, including the production and maintenance of several outputs from the policy and subsequent reform: a national phone hotline for women victims of violence, the development of methods to combat violence, training and education, and the conduct of research (http://www.nck.uu.se/en). This center was re-
created during the implementation phase of the policy, renamed in a gender-specific manner, and mobilized to create awareness and provide education.

Articles and documents indicate that many of the actions during the implementation process worked; awareness campaigns and public education such as public poster campaigns have ingrained the concept of Kvinnofrid in the public awareness. They have “increasingly provoked public debate…and have lent strong support to the notion that multiagency coordination and cooperation are essential in the public response to men’s violence against women” (Leander, 2002, p. 19). Continued collaboration during the implementation period made this public awareness possible. Awareness also seemed to occur at the governmental level. For example, a government document in 2003 stated: “there is a gender power structure in society which perpetuates the issue of men’s violence against women” and that “this violence is still a prioritized issue in the political realm” (Granstrom, 2009, p. 346). Activities during implementation also centered on setting up accountability processes and funding allocation.

One problem with implementation efforts at the process level became visible in the later stages of implementation; in Sweden municipalities control the dissemination of resources and were tasked with the social services aspect of VAW. Municipalities handed this duty over to local organizations and women’s shelters. Although this seems like a good local solution to a problem rooted in social norms and actions, in reality shelters and NGOs did not receive enough funding to carry out their duties, are often run by volunteers or low-paid part-time workers, and many could not accommodate women with special needs or disabilities. However, hotlines were created and run by many shelters and NGOs and were able to sustain.
**Evaluation**

Sweden’s political culture relies heavily on an extensive use of public opinion surveys, white papers, briefings, etc. as part of a general reliance on knowledge as well as a belief in its power to create change (Wendt, 2012, p. 94). Strandbrink (1999) stated “One established notion [in Sweden] is that political action should be based on knowledge, indeed even that policy can be subordinated to knowledge and that ‘better’ knowledge will generate more satisfactory policies” (as cited in Wendt, 2012, p. 94). Because of this tradition, Sweden has created a number of informal and formal evaluations, papers, briefs, government documents and academic research centered on its Kvinnofrid policy. Given Sweden’s political proclivity to align with feminist ideals as well as its desire for the production of academic knowledge, many of these have been produced by feminist academics.

Evaluation primarily focused on whether or not accountability processes and outputs created during implementation were actually used, whether protection and support for women was available and being used, whether combatting violence against women was a priority of the state, and whether enforcement of the new criminal code was occurring. Formative evaluations began occurring immediately after the policy’s adoption, and summative evaluations occurred during implementation and after. The majority of Kvinnofrid’s evaluations occurred after the implementation process was complete. However, the government did call for a national study to better understand the depth and breadth of the problem of violence against women in the country shortly after Kvinnofrid’s adoption. Although it was not an evaluation of the policy, it ended up serving at very least as a litmus test to determine if violence against women was (still) a problem.
The report is mentioned here because it did end up spurring policy change—as mentioned above in the implementation section, the 2002/2003 Kvinnofrid policy was enacted shortly after the report was released.

This report, the first key national study of men’s violence against women, was initiated by the government and directed by the Crime Victim Compensation and Support Authority. “Captured Queen” (Lundgren, Heimer, Westerstrand & Kalliokski, 2002) was a feminist-based study carried out by Uppsala University; its aim was to “increase knowledge about the extent of violence against women, in the hope that this would create more opportunities for preventative measures.” The study reported a high prevalence of violence against women. Given the report was released just three years after the adoption of the 1998 integrity reform, really very little time had passed to allow the policy to create significant change. The report, however, sent the signal that very little had been accomplished and caused a great deal of controversy in that its image of Sweden ran counter to the states’ portrayed image of a woman-friendly country (Wendt, 2012, p. 93).

Evaluation of the Kvinnofrid reform began in roughly 2003: “Since 2003, the various components of the overall reform have been the target of official and unofficial evaluation and investigation” (Leander, 2008, p.31). The first major evaluation of Kvinnofrid was commissioned by the government. “Vain Endeavours” (2003) and its subsequent documentary “Gender War,” indicated that violence against women was still a major problem in the country, a low priority to the state, and the state seemed “bewildered and unable to act despite its claim to be active” (Leander, 2008, p. 33). The evaluation’s demands included the creation of posts to be
filled by people with expertise in issues related to Kvinnofrid (read: feminists) and a full understanding of the interpretation and definition of the gender power model. Public backlash occurred as a result of the media attention to the report and the release of the documentary, which portrayed feminists as radicals and much of the work of women’s shelters to be counter to the goals of the Kvinnofrid reform. Some shelters lost their support, activism was severely destabilized for a time, funds were decreased, and general feminist ideals came under fire. However, the report did not ultimately cause long-term damage to the policy. Leander (2008) found that despite the press and public outrage caused by the report and documentary, “the political will—and funding—for fighting violence against women] has not diminished, in fact it has become stronger, in the official sense” (p. 41).

Other evaluations occurred during this period, many of them focused on the outputs and accountability mechanisms created during implementation. These reports evaluated whether or not, and to what extent, accountability mechanisms had led to action. Many accountability processes were enacted through the criminal justice system; evaluation found that enforcement, however, was largely nonexistent. Likewise, evaluation found that many of the outputs and processes created during implementation had not been institutionalized or prioritized to a satisfying extent.

The 1998 policy called for funds to be set aside to develop and work with women victims of violence. No specific amount was determined, however, and the 2002 study to determine the extent of violence against women in the country found that not only was there a high prevalence of violence against women in Sweden, there were also few resources for women victims. After
the 2003 reauthorization of the policy, a specific amount—109 million (SEK)—was called for to be set aside for this. It is unclear if money was distributed immediately, but government allocation of these funds did occur in 2007 and has continued since. It is not surprising distribution occurred in 2007, since the 2005 “Vain Endeavours” evaluation brought renewed attention to the problem and a focus on the shortcomings relative to distribution of funds and the lack of accountability mechanisms among organizations and shelters. This spurred the government to re-commit to addressing the problem of violence against women.

Sweden’s involvement in the Committee on the Elimination of Discrimination against Women (CEDAW) produced some accountability at the national/international level. Exploration of the reports and memos produced by CEDAW reveal the Committee outlined issues of concern relative to Sweden’s gender equality in general, with one section specifically addressing violence against women. For example, CEDAW called upon the state to better allocate funding, to increase the realm of study on violence against women, to increase the statistical research, and to increase the low prosecution and conviction rates relative to violence against women within the country (UN Women, 2001a; 2001b; 2008). It is evident by reading the trail of recommendations and responses dating from the early 2000s, including the above-mentioned issues of concern, that Sweden has heeded many of the committee’s recommendations.

Sweden’s involvement with CEDAW also prompted several evaluations focused on items of concern to the Committee. These evaluations spurred the government to encourage organizations and actors to implement better success measures and mechanisms for action. The state was also highly concerned with its national and international image, which prompted
evaluations and “corrections” to the policy. In 2011, Sweden signed the Council of Europe Convention on preventing and combatting violence against women and domestic violence (CETS No. 210). The treaty “open[ed] the path for creating a legal framework at pan-European level to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence” (CETS No. 210).

The same year, the government restructured funding allocation to create more performance-oriented measures within municipalities and for more funds to be distributed to non-profit organizations. This is an indication that once it was identified that NGOs, shelters and other organizations in many cases lacked structure and funding but yet were tasked with many of the responsibilities set out by Kvinnofrid, the government began to allocate more funds and call for more structure and accountability mechanisms. There is apparent correlation between identification of problems in evaluation reports and subsequent action to correct these issues throughout Kvinnofrid’s policy process. This example highlights a trajectory of initiative implementation, issue identification and mid-course adjustment. There is evidence that the main issues identified by evaluation were addressed at least to some degree through structural adjustment, funding allocation, or further policy change.

Evaluation also spurred some rebound in terms of feminist ideals linked to violence against women reform. This change can be illuminated by summarizing fluctuations in discourse and policy phrasing. At adoption Kvinnofrid was a very feminist-leaning policy both formally (in written text) and informally (through mobilization and activism). After the release of the first national survey on violence against women (2003), the policy reauthorization stripped all
feminist language from the text of the policy and activism/mobilization focused on the criminal
justice elements of the policy. In 2005, after the release of “Vain Endeavours” and its
subsequent publicity, discourse began to shift once again and re-focus on feminist concepts
relative to violence against women.

Within two years, a National Action Plan (NAP) (Gov’t Comm. 2007/08:39) was
enacted, restating that combatting violence against women is a priority for Sweden and re-
introducing feminist concepts by using gender-specific language and stating its purpose was to
specifically fight men’s violence against women and “violence and oppression in the name of
honor.” While a policy evaluation’s purpose is to influence and impact future policy decisions
and changes, by considering the range of changes longitudinally through document review and
discourse analysis it is evident that evaluation publicity greatly affected discourse surrounding
violence against women in Sweden. The 2007 NAP covered six areas that expanded on the
Kvinnofrid reform: 1) greater protection and support for victims, 2) more emphasis on
prevention, 3) higher standards and better efficiency in the judicial system, 4) stronger measures
targeting violent offenders, 5) increased cooperation among agencies, and 6) improved
knowledge about violence against women. The action plan signified a move back to feminist
ideals.

It should be noted that NAPs are not the same as policies; they are plans based on
international and regional legal and policy frameworks enacted by a country in accordance with a
United Nations call to action (UN Women, 2012). Countries such as Sweden that strive to
maintain their “equality image” internationally take NAPs very seriously, however, especially
those linked to gender equality. The “Vain Endeavors” evaluation also prompted an amendment to the Kvinnofrid policy (also in 2007) which was added to provide more protection against stalking, although the stalking amendment did not include specific feminist language.

**Process Phase Variables**

**Linked to feminist ideals.** Not only were feminist ideals clearly represented throughout adoption, but the text of the policy was written in unmistakably gender-specific terms. It is evident that the policy was intended to be linked even stronger to feminist ideals, but the resulting text still fulfills the five primary components necessary to score the policy highly in the category of linkage to feminist ideals: The policy 1) included feminist content written into the policy, 2) was responsive to women’s group and feminist group demands, 3) was based on what was known about the subject of violence against women, 4) created accountability mechanisms that were linked to feminist ideals and encouraged the feminist agenda, and 5) created measures and structures to promote public awareness that was linked to the feminist agenda. The main reason for this was the work of the committee which helped form the text of the policy. The committee took into consideration interest group demands and the work of feminist academics in determining the best policy action. The resulting policy text was still highly linked to feminist ideals and concepts. (Score=3/3)

The feminist language used during adoption “stuck” during early implementation of the policy and the underpinning of feminist ideals was still evident early on. In the first few years of implementation the policy was still being referred to as the “women’s integrity reform.” Four years into implementation, however, the 2002/2003 reauthorization of Kvinnofrid removed
feminist language from the policy, creating a gender neutral policy. This shift in discourse also shifted the focus of implementation, moving it from the concept of social change to a focus on criminal justice elements. Implementation efforts continued to respond to women’s groups and feminist demands, but were conveniently centered on those demands that were more crime-centric.

Creation of public awareness was weak during implementation. Publicity surrounding the policy did continue into implementation, but there was little concerted effort to create public awareness campaigns or to decrease tolerance of the issue until late in implementation and through evaluation. Implementation was also somewhat bogged down by attempts to define the newly created crime. For example, a women’s shelter stated in a memo that there was a “basic confusion about what counts as gross violation of a woman's integrity preventing any cases reaching court” (Refuge, 2014, p. 5-6). (Score=1/3)

During evaluation, feminist ideals and discourse took another hit but eventually made a rebound. The “Vain Endeavours” report created a public backlash against “radical” feminism relative to Kvinnofrid. For the most part, discourse continued to focus on the more crime specific elements as it had done during implementation. Feminist language and linkage to feminist ideals made a comeback, however, and by 2007 additional policies and NAP’s were added to the reform; these new elements did include feminist and gender-specific language. Response to feminist demands increased, and there was a renewed focus on social change.

From a feminist perspective, in order for violence against women policy to be effective it needs to make changes not only in how violence against women is addressed, but also change the
societal trends of patriarchy and the model of hierarchical, gendered power structures that (re)enforce the violence. During evaluation it became evident that in practice it may be difficult for some agencies in Sweden to fully embrace the concept of the gender power model through outputs and mechanisms for addressing violence against women because in many cases (especially in social services) municipal offices have an equal responsibility for all—women, men, and children (Leander, 2008, p. 37). This makes elimination of gender power structures difficult. Although the national and city action plans may be rooted in the feminist concepts of disrupting patriarchal or gendered power structures, in practice some agencies have difficulty applying action mechanisms based on this. Sweden’s focus on equality in many ways creates problems when an issue calls for a focus on one group of people. Funding and training for municipal centers was increased during the evaluation phase, and a concerted effort was put into balancing ‘equality for all’ with ‘help for women’ who were victims of men’s violence.

During evaluation there was also an increased push for public awareness campaigns, since evaluations found more public awareness was necessary. The state stepped up funding and called for more organization around public education relative to violence against women. Since this push, awareness campaigns increased and awareness of the issue seems to have spread. (Score=3/3)

**Institutional feedback.** The adoption phase of the Kvinnofrid policy saw continued action by various organizations that had been mobilizing during pre-adoption. Mobilization continued to move forward feminist ideals and concepts relative to violence against women. Continued involvement of a wide range of organizations and allies during the adoption phase created strong
institutional feedback. Feminist organizations continued to push for increased acknowledgement of the gendered power structure, and organizations worked together to push for social change. Strong institutional feedback during adoption led to the creation of many feminist-leaning outputs focused on creating lasting social change. Organizations maintained focus on violence against women as a public issue, and mobilization expanded to include other issue areas as well. For example, women victim’s access to resources and the impact of domestic violence on children.

Many instruments, programs, trainings, and other outputs were called for during adoption. These type of outputs often directly impact the ability for organizations to create change relative to the policy, and give organizations an injection of excitement to maintain and increase mobilization. However, at adoption and through implementation an issue was revealed in the dissemination of outputs and accountability mechanisms that was not foreseen. Namely, the municipal organizations charged with Kvinnofrid outputs and accountability mechanisms were under-paid, under-staffed, and inconsistent regarding training activities. These organizations had little structure during Kvinnofrid’s adoption and few accountability mechanisms were in place.

Kvinnofrid’s adoption was relatively weak relative to the creation of accountability mechanisms as a whole. The primary accountability mechanism rolled out during adoption was the change in the penal code which affected the criminal justice system. Although this was a highly important element, there was not widespread creation of accountability mechanisms save for the penal code adjustments. Out of the five measures of institutional feedback during
adoption, four of them were present. Organizations mobilized around and participated in the policy adoption process, coalition-building was present, allies were formed, and funding/training programs were created that generated stakeholder mobilization. Accountability mechanisms that created/encouraged mobilization, however, were lacking. (Score=2/3)

The shift in discourse that occurred after the “Captured Queen” study (which revealed the extent to which violence against women was a problem in Sweden) impacted institutional feedback during implementation. Mobilization was still incredibly strong, but organizations largely shifted mobilization efforts away from feminist-centric discourse to crime-centric discourse. In some ways, this served to strengthen institutional feedback because it added new organizations to the reform effort that eventually created strong coalitions and allies. But the mobilization that occurred around the 2002/2003 reauthorization of Kvinnofrid was almost completely criminal justice in nature; a drastic shift from mobilization during adoption.

Some accountability mechanisms were being used during the implementation process, but despite the shift in mobilization to the criminal justice elements of the policy, those in the criminal justice system were not being used to the degree they were intended. Much of the implementation phase of the policy was actually spent still creating and setting up accountability processes. The usage that did occur happened quite late in the implementation process.

Funding was distributed during early implementation, but it is difficult to ascertain an accurate accounting of how much or where it was spent. Later in implementation and into evaluation it was easier to find the amounts of funding allocations and where they were spent.
This likely a result of better accountability mechanisms following evaluation reports, which targeted this as an issue. (Score=2/3)

During evaluation, institutional feedback continued to be very strong. Early in the phase, after the release of “Vain Endeavours,” mobilization continued to focus on the criminal elements of the reform, since the “Gender War” documentary created a hostile environment for feminism for a time. By 2007, however, the women’s shelter movement gained strength as the government began to appropriate more funds and create better structures and outputs for shelters and non-profits, which in turn increased mobilization.

Later in evaluation, shifts in the type of mobilization and who was mobilizing were evident once again. NGOs continued to mobilize around every aspect of women’s equality, violence included, but shifts in mobilization were seen in the focus. In 2012, for instance, more emphasis was given to sex trafficking and women involved in conflicts and conflict resolution than in the past (Heinrich, 2012).

Criminal justice actors also continued to mobilize around various facets of the policy, including the focus on prostitution abolition. Although that aspect of the policy is not discussed in this analysis, the call for research and analysis of ‘underground’ or ‘clandestine’ prostitution was often combined with efforts for more research and analysis of violence against women in the state. Actors combined forces through coalition-building to mobilize.

Also, by the late 2000s the political environment in Sweden was keenly focused on its international and national image relative to violence against women and gender equality in general. This created a situation in which mobilizing around feminist ideals was once again the
appropriate thing to do, as well as allowed for coalitions to form cross-nationally and internationally. The policy process started over several times as well, and each policy change after the 2002/2003 reauthorization did once again include feminist language, although none were feminist to the same degree as the original. The subsequent decade saw “an oft-amended criminal code and numerous local, regional, and national efforts aimed at improving responses to and preventing” VAW, including “mandates directed at public agencies such as the social services, the health services, and the police” (Leander, 2008, p. 31). The government also continued to call for a multitude of evaluations, many of them by feminist researchers, which generally allowed for organizations to mobilize around new data, new measures, and new information about violence against women. (Score=3/3)

**Process summary.** By considering all three process phases together, my research indicates the Kvinnofrid policy was highly linked to feminist ideals, especially during adoption and evaluation, and institutional feedback was strong throughout. Where the policy was weakest during the process phases was the creation and activity of outputs, although some criminal justice-centric outputs were created and used. Outputs and activities that impacted institutional feedback started weak but ended strong; an indication the problem was acknowledged, targeted, and corrected.

During early implementation, the release of statistics that revealed the depth and breadth of violence against women in the state ended up shifting discourse to a more criminal justice nature. The shift in discourse impacted both institutional feedback and the linkage of the reform to feminist ideals. This trend followed into the evaluation period, but discourse did shift back to
social change and the gender power model shortly after summative evaluation reports began to be released.

By analyzing the Kvinnofrid policy, it is evident that evaluation played a big role in ‘righting the course’ of the women’s integrity reform. Policy reform began to shift away from feminist ideals and toward a gender-neutral formation of the problem during implementation. Interestingly, the policy reform was able to bounce back and shift back to feminist-based concepts of change, even after negative media attention created public backlash against radical feminism. The policy was highly authoritative at adoption, less authoritative during implementation, and highly authoritative during its evaluation phase.

**Policy Outcome (Indirect and Direct Impact)**

**Empowerment of women.** Among the changes that have occurred because of Kvinnofrid, one has been rather significant and has gone far to create a shift in social norms. The change in the criminal justice system that specifically made men’s violence against women a crime against women’s ‘integrity’ and allowed for the system to consider the perpetrator’s acts of violence as a whole—not as isolated acts of violence—has significantly changed the discourse around violence against women. The change in the penal code shifted the way violence against women is spoken about and dealt with in a criminal context, which has also changed discourse in a public context. The ability to closely scrutinize values and differences in gender in relation to the law and criminality placed the gender imbalance in view and opened it to discussion.
Societal organization that creates power imbalances account for gender inequities even in states such as Sweden where formal gender equality has largely been attained. Fighting violence against women by targeting these gender power relations is the primary way to protect and enhance the social rights of women. Kvinnofrid recognizes the inequality of women in the gender power structure prevalent in Swedish society, though it has not been able to fully reverse this structure. In many ways major advancements have been made in creating public awareness and increasing the social rights of women, but social inequity still exists.

An example of this was evident when the “Vain Endeavours” evaluation report was released. It called for a full understanding of the interpretation and definition of the gender power model and further feminist conceptualization to be included in the policy. The result was a backlash against feminists, a diminishment of public will to support the policy, and a general public sentiment that the policy was already too radical. This indicates that while the public has embraced the concept that violence against women is wrong, it is not willing to fully place violence against women in the realm of societal patriarchy.

Great strides have been taken, however, in the realm of prevention of gender violence and in assistance to victims of gender violence. Much of this can be seen in the impact Kvinnofrid reform has had on women’s shelters. Shelters are able to offer women resources that allow them to get away from the violence, shelter their children, and get back on their feet. Access to resources and freedom from violence is crucial in allowing women security. Local shelters struggled to maintain funding and offer services and resources, especially early in the adoption process. By 2012, however, this had changed for the better. The government restructured
funding allocation to create more performance-oriented measures within municipalities (an indication that accountability issues were being addressed), allowing more funds to be distributed to non-profit organizations.

By eliminating violence against women and tackling the gendered power structure at work behind the violence, women are able to become equal members of society. Although Sweden is considered an “equal society,” violence against women is still quite prevalent. Therefore, Sweden has not fully reached this place yet. In addition, it is evident that with an intersectional lens one can see the problem is bigger than simply women’s unequal place in an ‘equal’ society. As Sweden has continued to shape its reputation as the ‘gender equal capital of the world’, an evident side-effect has occurred; namely the distinction between ‘being Swedish’—and therefore gender equal, and not being Swedish—and therefore gender unequal.

Variation in how gender equality and violence against women directives and policy are directly and indirectly applied matter when these variations create differences in how Swedish women are treated vs. immigrant women, etc. It has also created a dichotomy in which Sweden is the “gender equal state” while other states are “gender unequal states.” Immigrants, therefore, implicitly bring their gender inequality with them into the state. (Score=3/3)

Decrease in occurrence of the problem. A report by the European Union Agency for Fundamental Rights (FRA) in 2014 found that 46 percent of women reported they had experienced violence in their domestic relationships. Although this number is extremely high, the same report stated that Sweden had created a promising practice in its legal reform:
Many women experience repeat victimization (sic) at the hands of partners. As the primary objective of any intervention is to safeguard the rights of victims, to ensure that violence – and the threat of violence – should stop, measures protecting women against repeat victimization (sic) are paramount (as a general obligation under Article 18 of the Istanbul Convention). Recognising (sic) that intimate partner violence is often repetitive in nature, legislation in several EU Member States – including Austria, the Czech Republic, France, Hungary, Italy, Poland, Portugal, Slovakia, Slovenia and Sweden – reflects this by providing criminal law definitions that allow criminal proceedings to address the wider pattern of relational violence. Other Member States could consider following this path by adopting comprehensive criminal law definitions that encompass the reality of repeat victimization (sic) experienced by women. This would be in line with Article 22 of the EU Victims’ Directive, which provides for an individual assessment of the victim’s specific protection needs, including protection against repeat victimization (sic). Importantly, this provision brings, beyond doubt, the issue of the victim’s protection against repeat victimization (sic) under the scope of EU law. (European Union Agency for Fundamental Rights, 2014, p. 158)

Further, the report found that women in Sweden are more likely to be aware of the extent of the problem, and are more likely to talk about violence (p. 158). This indicates that public awareness campaigns have been effective and that women feel comfortable enough to talk about the violence.
Some organizations feel more work needs to be done. For example, Refuge, a women’s shelter organization, stated in 2014:

Although there is some evidence that prosecutions seem to have increased, problems remain in that several forms of male use of psychological violence to gain power and control over women remain excluded, even though the possibilities of considering psychological violence have increased… We believe that greater effort must be made to implement existing laws. We know through our daily close contact with 3,000 abused women and children on any given day that very often police officers and other professionals within the criminal justice system do not respond to their calls for help with the seriousness and urgency deserved, even where serious physical harm has been perpetrated. (Refuge, 2014, p. 7)

Overall, however, women’s groups/feminist organizations seem positive about the changes in Sweden and eager to take more action. A letter written by a coalition of women’s groups and gender equity organizations to the Swedish government in May of 2014 sums this up quite well:

Our perceptions of Sweden’s efforts to prevent violence and abuse are positive and hopeful. Some of us have had the chance to engage in and learn more about the careful thinking and strategic planning that is currently underway to promote and sustain a “violence-free” Sweden. Preventing gender based violence and abuse will take sophisticated thinking and complex actions – both of which Men for Gender Equality, SKR and The Swedish Agency for Youth and Civil Society are willing to engage in and implement moving forward. Involving society as a whole is necessary, and the
conditions to do so are excellent. Yet, there is little action, even though we know more than ever what works to prevent men’s violence against women and can learn from emerging success stories across [the] world. We need to dare to use models that already exist and adjust them to our contexts, and at the same time dare to try new work. We cannot afford to say no to ideas that aim to prevent violence, just because we don’t know in advance if they will work. (Kvinnojouren.Se, 2014)

While progress is being made and there has been a decrease in the occurrence of the problem to some degree, violence against women is still prevalent in the state.

(Score=1/3)

**Outcome summary.** Although some improvement can still be made in Sweden relative to facilitating equal access to decision making roles, women’s empowerment within the state is quite high. Public discourse has shifted to recognize the problem and tolerance of the issue has decreased. Women trust the system enough to speak out against violence. Improvements still need to be made, especially since violence against women is still prevalent in the state. Although some elements of the policy were highly authoritative during the process phases, the policy’s outcome reveals improvements could be made in how authoritative the policy is in practice.

(Score=5/6)

**Drivers.** What makes the Swedish violence against women policy so authoritative (5/6) in the social and political reality it exists? Although institutional feedback and linkage to feminist ideals are identified by literature as variables that lead to feminist policy success, there are elements of these variables as well as certain external factors that help them create more
authority or less authority for the policy ‘in practice.’ Drivers will be discussed further in the comparative discussion (chapter 9), but here the drivers that are in action in the Kvinnofrid policy will briefly be identified.

The policy contained an explicit feminist nature and included feminist language written into the text, which provided easy mobilization, encouraged collaboration, and increased institutional feedback. The policy also included structural components that later increased the policy’s authority; it allowed for cycles of violence to be considered, and outright blamed the structure of society for the problem, allowing blame to be removed from the victim. Strong collaboration throughout the policy process helped the policy return to a linkage to feminist ideals after the brief turn to a criminal justice-centric focus after the release of the “Captured Queen” report.

Because Sweden has a general approach to gender equality within the state, this helped the policy’s authority in two ways: 1) the state’s desire to live up to its reputation as gender equal persuaded it to enact the policy in the first place, and 2) this approach allowed for the policy to be written in explicit feminist language and created an environment which let the policy identify and target societal norms as a primary reason for the existence of the problem. The policy was also brought to the table through an interest-group approach, which allows organizations to have a direct role in the formation of the policy, creating increased mobilization and collaboration. All of these elements helped create stronger institutional feedback and linkage to feminist ideals, which ultimately created strong authority ‘in practice’ for the policy.
Chapter 5: Case 2—The United States’ Violence Against Women Act

Figure 5: U.S.VAWA and Subsequent Reform Timeline

Case History (Pre-Adoption)

Feminists were mobilizing early in the 19th century to change the “chastisement of women” by their husbands from a private, accepted, matter to one of public distaste. The women’s rights movement in 1848 published a “Declaration of Sentiments” which stated that the “chastisement of women” was “part of a political system of male dominance,” which the movement and feminists as a whole continued to expound on in decades to come (Siegel, 1996, p. 2128). The movement to illuminate and eliminate violence against women was led by feminists and focused on feminist conceptualizations of the problem. Violence against women was seen by this movement as a structural problem; the state sanctioned the violence against
women as part of the structure of marriage, an institution that mirrored the state structure giving more power to men than women.

The road to change was slow, but eventually the law allowing men to chastise their wives was eliminated: “decades of protest by temperance and woman's rights advocates, combined with shifting attitudes toward corporal punishment and changing gender mores, together worked to discredit the law of marital chastisement.” (Siegel, 1996, pg. 2129).

During the 1960s and '70s the women's movement politicized domestic violence, calling public attention to this previously private issue and viewing it as a crucial means by which men exercised illegitimate dominance over women. The National Plan of Action at the National Women's Conference in Houston in 1977 declared that “wife abuse is chronic and widespread at all economic and social levels.” The conference urged Congress to consider "the elimination of violence in the home to be a national goal," and called for expanded "legal protection" at the state level to permit women "to sue their assailants for civil damages" setting the foundation for what would become the Violence Against Women Act (United States, National Commission on the Observance of International Women's Year, 1978). The conference also focused on a call to action for increased collaboration, public awareness and services:

Congress should establish a national clearinghouse for information and technical and financial assistance to locally controlled public and private nonprofit organizations providing emergency shelter and other support services for battered women and their children. The clearinghouse should also conduct a continuing mass media campaign to educate the public about the problem of violence and the available remedies and
resources. (United States, National Commission on the Observance of International Women's Year, 1978)

Once violence against women became recognized as a social problem in the 1970s, the women’s movement mobilized around it and took the lead in offering services to women affected by violence and as advocates for policy change (Postmus and Hahn, 2007, p. 771). At the same time this movement mobilized to change popular attitudes toward domestic violence by making it less acceptable and "normal," feminist legal scholars and women jurists led a campaign to educate judges about gender bias in the courts (Resnik, 1991). Resnik described this process as consisting primarily of "gender bias task forces," which began in New Jersey in 1982 and were subsequently adopted in many other states. In 1988 Congress created a committee to scrutinize the federal judicial system, which noted the existence of gender bias in state judicial proceedings, concluding gender bias was a general social problem and it was likely this bias existed at the federal level as well (Siegel, 1996). This development revealed two important facts which signified validation to the gender task forces and the women’s movement in general: Congress identified gender bias as a general social problem, and further identified it as a problem embedded in both the state and federal judicial systems.

Following this, the Senate Judiciary Committee, under the leadership of Senator Joseph Biden, initiated a multi-year review of the status of violence against women in America; from this a report was issued in 1993 (United States Congress, 1993). The report clearly outlined the Committee’s rationale for introducing the Violence Against Women Act. As then Senator Biden noted in the report’s introduction:
The report I issue today culminates a 3-year investigation by the Judiciary Committee’s majority staff concerning the causes and effects of violence against women…Through this process, I have become convinced that violence against women reflects as much a failure of our Nation’s collective moral imagination as it does the failure of our Nation’s laws and regulations.

He went on to state the report’s findings revealed “a justice system that fails by any standard to meet its goals – apprehending, convicting, and incarcerating violent criminals…” Although this discourse is very criminal justice system-centric, Senator Biden also addressed the need to change national attitudes, not simply national legislation, indicating an explicit call for real change; something the policy was intended to do:

More than any other factor, the attitude of our society that this violence is not serious stands in the way of reducing this violence. This attitude must change…The first step in altering our attitudes toward this violence is to understand the failures of our laws and policies in this regard. Our criminal laws must be judged by their effectiveness in responding to the injustices done to victims of violence…The knowledge that society and its criminal justice system offer no real protection has the potential to victimize all women, forcing them to remain in abusive family situations, or to circumscribe their lives, because of fear. The stakes are high. If we do not succeed, we risk the faith of over half our citizens in the ability – and the willingness – of our criminal justice system to protect them. And, what is worse, we condemn future generations to accept not only the possibility of violence but the reality of lives too often limited by the fear of violence.

(p. V)
After decades of mobilization around the issue of violence against women and gender bias in general, the stage was finally set for the Violence Against Women Act.

**Figure 6: U.S. VAWA Process Phases and Outcome**

**Adoption**

The broad goal of the Violence Against Women Act was to enhance social services and judicial system protections that were available for victims of gender violence; specifically battered women and sexual assault victims. This goal is in line with the criminal justice nature of the larger Violent Crime Control and Law Enforcement Act of which the Violence Against
Women Act was included. But underlying this goal was a feminist agenda for social change. Part of this agenda was to shift societal attitudes about violence against women by improving the criminal justice system, which has historically failed to address this type of violence. By improving enforcement, increasing access to legal structures, and creating funding for public education and training service providers, the hope was that these changes would eventually shift the attitudes of the general public (Runge, 2013, p.429).

Organizations focused on the patriarchal structure of society “defined wife abuse as an explicit expression of patriarchal power in the family being exercised against women by men” (Postmus & Hahn, 2007, p. 772). During pre-adoption and extending into the adoption phase the women’s movement viewed violence against women as a structural problem. In other words, the state sanctioned violence against women as part of the structure of marriage, an institution that mirrors the state structure giving more power to men than women.

Although feminist groups were overall happy that the Act was grounded in these concepts, at adoption some groups felt a major problem with the policy was that “it did not focus enough on increasing awareness on the cycle of domestic violence” (Abolfazil 2006, p. 878). For example, it blatantly excluded notions grounded in social science which suggest myriad of reasons a woman does not just simply ‘leave her attacker.’ By not recognizing these issues stemming from feminist research, the Act largely left the burden on the woman to remove herself from the situation, without addressing reasons she may not. Thus, cyclical reasons behind the violence were left unaddressed at adoption.

In addition, although the title of the Violence Against Women Act and some of the headings within it specifically address women, such as “Safe Streets for Women,” “Safe Homes
for Women,“ and “Equal Justice for Women in the Courts,“ the language of the policy was
gender neutral at adoption (United States Department of Justice, n.d.). From a feminist
standpoint, policies that address women specifically and include gendered language are stronger
and more able to directly address the gender norms and the gendered nature of the structures at
work behind violence against women. Although the policy did specify women as beneficiaries,
the text of the policy was written in gender-neutral terms.

Historically, violence against women was viewed as a ‘law and order’ problem, and in
many ways it remained so. As such, it has often been intertwined with race, class, and rights
issues. The policy was enacted to specifically provide resources to local crime enforcement
authorities to combat spousal violence and acts of rape, but the Act’s proponents also fought to
create a federal civil rights remedy for victims. The civil rights remedy was a contentious issue
and although it was adopted, it was later dropped from further reauthorizations. The Bill
introducing the civil rights remedy stated constitutional rights were necessary for women to be
free from gender violence:

A Federal civil rights action as specified in this section is necessary to guarantee equal
protection of the laws and to reduce the substantial adverse effects on interstate
commerce caused by crimes of violence motivated by gender; and the victims of crimes
of violence motivated by gender have a right to equal protection of the laws, including a
system of justice that is unaffected by bias or discrimination and that, at every relevant
stage, treats such crimes as seriously as other violent crimes.” (United States
Congressional and Administrative News, n.d.)
The civil rights remedy became Subtitle C in Title III of the policy at adoption. Title III had many opponents as the policy went to adoption, and opponents continued to mobilize after adoption to have the civil rights portion of the policy removed. Although opponents were not able to block the passage of the civil rights remedy, the controversy surrounding it continued after adoption. An interesting dynamic of the opposition to the civil rights portion of the Violence Against Women Act was that critics did not oppose the goals—to protect women and to illuminate gender discrimination—but rather opposed the authority of the federal government to interfere in what was previously a state issue.

The civil rights remedy of the Violence Against Women Act was innovative; victims of sexual and domestic violence had never before had federal civil rights protection. Title III considered gender violence a type of sex discrimination:

It was premised on the view that crimes motivated by the victim's gender constitute bias crimes in violation of the victim's right to be free from discrimination on the basis of gender, that existing bias and discrimination in the criminal justice system often deprives victims of gender-motivated crimes of equal protection of the laws and the redress to which they are entitled, and that victims of gender-motivated violence have a right to equal protection of the laws, including a system of justice that is unaffected by bias or discrimination and that, at every relevant stage, treats such crimes as seriously as other violent crimes. (Siegel, 1996, p. 2120)

The Violence Against Women Act was based on broad overarching goals that were grounded in feminist content, but this content was written into the text of the policy in gender neutral terms—it was scripted in a way to encompass either gender. Feminist demands did
ultimately result in the adoption of the civil rights remedy as part of the larger Act, but eventually it was overturned.

Aside from some issues, such as not acknowledging the social science behind why women often do not leave their attackers, the Violence Against Women Act was based on knowledge of violence against women, but not the degree necessary. Most of this knowledge came from research relative to violence as a crime, and not feminist research. This makes sense to some degree, since the policy was enacted as part of a larger criminal reform. However, the American criminal justice system is not designed to deal with larger patterns of violence, but rather individual incidents of violence. This did not change as part of the Act, therefore the system at policy adoption was not set up to deal with the complexities women victims of violence can endure (Parmley, 2004, p. 1423). Cycles of violence, as well as multiple incidents of violence, were not considered by the system. The fact that the policy was legislated into a system that was not set up to appropriately deal with the problem indicates that it was not appropriately based on knowledge about violence against women. It also indicates that not enough research was put into whether or not the system was an appropriate vehicle for the policy at adoption. Although feminists and the women’s movement took the lead in spurring legislative change to eliminate gender violence, the text of the Act was not grounded in feminist research and the enforcement vehicle for the policy was inadequate.

This did not stop feminist organizations from continuing mobilization around efforts to change societal attitudes about violence against women. Momentum from mobilization and coalition-building during pre-adoption continued into the adoption phase, and the collective energy was strong. The adoption of the Violence Against Women Act symbolized “the
convergence of historical forces contributing to the growing collaboration between the feminist movement, social work engagement with gender-based violence, and the carceral state” (Kim, 2013, p. 1276). Representatives from multiple organizations were involved in the enactment of the policy and continued to be involved after adoption. Beyond the various feminist organizations and women’s groups, the collaboration was heavily supported by legal and political organizations. Organizations rallying around the policy included the National Association of Women Judges, the US Conference of Mayors, the National Governors Association, the National Association of Attorneys General, National Conference of the Chief Justices of the State Courts, the Young Women’s Christian Association, Citizens Against Physical and Sexual Abuse, the American Medical Association, and various volunteer and victim’s advocacy groups.

Even with the presence of and activism by feminist organizations, mobilization during adoption appears to have been primarily focused on two areas: fighting the continued opposition toward the civil rights remedy, and education and training for the criminal justice system about violence against women. Neither of these primary areas of focus is explicitly feminist in nature, which illuminates the policy’s more crime-centric focus. Also, prior to the policy’s adoption, legal culture was already changing and reformation was occurring nationally (Seigel, 1996). Therefore, the environment was right for mobilization to focus on criminal justice elements. The Act actually rewrote some areas of federal criminal law while it concurrently strengthened penalties for perpetrators and increased restitution for victims (Laney, 2010). Because of this, it was easy for mobilization to focus on building public awareness relative to violence against women by focusing on the criminal justice elements of the policy. Given the continued
opposition and lobbying by critics to have the civil rights remedy removed from the Act, feminist mobilization was largely preoccupied with that; it’s likely more mobilization could have occurred around feminist-centric concepts instead of the “easier” criminal justice-centric notions had this not been the case.

The policy provided funding and other assistance to states for criminal law enforcement against perpetrators of violence, taking into account the particular needs of women of color and immigrant women. Its provisions included sections on Interstate Enforcement, Shelter Grants, Arrest Policies in Domestic Violence Cases, and a National Domestic Violence Hotline (103rd Congress, 1994). The Act, then, had an intersectional lens relative to law enforcement, which is not only a positive component and indicative of implicit feminist ideals, but it also allowed for organizations to mobilize around promoting public awareness of these particular elements. Shelters, law enforcement, and other organizations worked in tandem to increase awareness that would increase the general public’s awareness of the problem as well as reach potential victims to inform about available provisions such as hotlines and shelters.

The adoption phase of the Violence Against Women Act saw continued mobilization by various organizations, and strong coalition building and creation of allies that began in the pre-adoption phase and carried through into adoption. Feminist demands did result in the civil rights remedy being added to the policy at adoption, which encompassed many broad feminist goals. Although the remedy was later removed from the policy, the feminist ideals behind it did persist and the majority of states later stepped in to create civil rights remedies that carried these ideals forward at the state level. As will be seen in the outcome discussion below, later victories
relative to feminist goals were a result of strong coalitions and allies formed early during pre-adoption and adoption.

Implementation

Although the policy itself was written in gender-neutral terms, efforts by various organizations continued to encourage feminist ideals and include feminist demands during implementation. At the beginning of the implementation phase the Federal Judicial Center published a research guide for federal gender task forces (1995). The same year, however, opposition against such task forces mobilized in the U.S. Senate, therefore the effort had little effect (Siegel, 1996). Feminist organizations continued to be critical about the focus on criminal justice rather than more feminist concepts, such as the gender structure behind the violence. These organizations wanted to see beyond violence against women as just another violent act, and focus more on the gendered reasons for it. Feminist organizations felt while awareness about violence against women was increased, feminist ideals and values were not necessarily tied to that awareness. Although the policy was highly effective in some ways, the implementation phase revealed a larger societal—and political—trend to push back against feminist demands.

Aside from a general pushback against the inclusion of explicit feminist goals and concepts, collaboration was encouraged by the policy and most organizations’ goals were well-reflected throughout the implementation process. Cooperation between entities was required throughout the implementation phase. For example, it was explicitly stated that advocacy organizations were required to meet with District Attorneys in their states, medical personnel were trained to work with law enforcement and advocacy groups, and etc. The Act literally
required coalition building: The legislation advocated for a multipronged approach that required the criminal justice system, the social services system, and nonprofit organizations to collaborate to effectively respond to domestic violence. The legislation provided crucial funding to rape centers and domestic abuse centers to provide more adequate services to victims, and funding was backed by this cooperative approach to training and dissemination of funds (Conyers, 2007, p. 457-58). Thus, accountability mechanisms were in place that tied funding to cooperation and coalition-building. This element of the policy created a (possibly unforeseen) foundation for positive influence by a multitude of women’s groups, including feminist organizations, during a period when general pushback against feminist ideals was occurring. Without this call for cooperation and collaboration written into the policy, it is possible feminist groups (and ideals) would have been pushed out completely.

The coalition of organizations that mobilized around the Violence Against Women Act banded together so effectively that in various speeches and panels these groups actually refer to themselves as “the coalition.” In addition, many representatives from these organizations discussed the ways in which their lobbying and efforts became more targeted and precise during implementation than they were during pre-adoption. For example, Lisalyn Jacobs spoke of targeting Capitol Hill offices: “The coalition knew which offices had concerns or were balking, and was able to focus our efforts on these particular offices to the point where we had some of them begging us literally to make the calls stop” (Baycliff, 2010, p. 578).

Although there were some concerns that the Act was too criminal justice in nature, generally stakeholders were very positive about progress during implementation. Likely this was
because such strong mobilization was occurring and groups were actively working toward inclusion of more feminist ideals throughout implementation.

Mobilization was strong and spread to other areas, including new groups, and strengthened relationships, indicating positivity and progress. The original goal of women’s organizations was to implement the Violence Against Women Act through the criminal justice system and to gradually change societal attitudes using the system as a tool.

It seems that by the end of the implementation period some organizations did begin to question whether this strategy was the best. Progress was being made, but the end goal of shifting public discourse to feminist concepts seemed far afield. By examining websites, articles, and documents posted during this time, it is clear there was dissatisfaction building. Although groups were positive overall about implementation efforts, uneasiness relative to realizing this goal was beginning to permeate the feminist ranks.

In terms of accountability mechanisms, three items contributed to the policy being deliberative and accountable during the implementation phase: 1) the collaboration of multiple organizations and sectors, 2) the function of the criminal justice system as the primary mechanism for prevention and punishment of non-compliance, and 3) funding. Collaboration has already been discussed relative to implementation, but the far-reaching effects of it can be seen again here. Organizational collaboration forced accountability. Also, given the penal code was re-written by the policy and these changes have been institutionalized, the criminal just system has been forced to be accountable. Lastly, while the policy only provided for a small amount of funds to programs and agencies, these funds had a large impact. Victim agencies were able to expand services to reach more victims; police departments were able to use equipment
purchase to improve the quality of criminal justice cases, and prosecutors were able to take more steps to reduce repeat offenses (Postmus and Hahn, 2007).

During the implementation phase shortly after the original act was passed, the Domestic Violence Clinic (then called the Georgetown Sex Discrimination Clinic) and other local organizations worked to use the funding available under the Act and create and unify new systems. A unified court was created with a prosecution until focused on domestic and sexual crimes. A representative for the clinic stated:

The new Violence Against Women Act was putting money out there and incentives out there to really make a difference…the unit went from literally less than twenty domestic violence crimes being prosecuted in a year, to prosecutions in the three thousands in the following year. (Postmus & Hahn, 2007, p. 776)

Another representative from an organization receiving funds from the policy stated that the most important thing about the funding was that it was stable. The organization could “always count on the money.” She said “not only did the money help [us] do more, but it also helped…make long range plans and really grow the rape crisis center” (Bayliff, Jacobs, Orloff,, Schafran, & Fulcher, 2010, p. 575).

Most funding from the Act went to prevention programs such as school-based education, media campaigns, programs for prevention of dating violence, and law enforcement programs. The policy program that received the most funding was the Services-Training-Officers-Prosecutors (STOP) formula grants, meant to assist state, tribal and local governments in strengthening law enforcement, prosecution, and services for victims. STOP grants could be used to “provide personnel, training, technical assistance, data collection, and other equipment to
increase the apprehension, prosecution, and adjudication of person committing violent crimes against women” (Laney, 2010, p. 2). However, “actual appropriations for violence against women programs have tended to be less than the amounts authorized in the law” (Laney, 2010, p.4). Once again, however, the small amount of funds distributed actually had a large impact.

Additionally, an office was created within the United States Department of Justice devoted to implementing the Act and combatting violence against women at a national level. The creation of this office was one of the “most impactful outcomes of the Violence Against Women Act” because it was a “recognition of the scope of the problem of violence against women and the need for a national response, and has provided critical leadership on these issues within the federal government” (Runge, 2013, p. 433). The creation of a federal office to implement the policy sent a message to the public that awareness needed to be increased, and occurrence of the problem needed to be decreased. This action also sent a message to the groups behind continued the mobilization efforts: they are working.

The implementation phase of the Violence Against Women Act saw intense collaboration, multi-faceted alliances and mobilization, the creation of a unified court system and the institutionalization of accountability mechanisms throughout the criminal justice system. At the same time, the policy faced societal and political resistance toward feminist conceptualizations of the causes of violence against women. Goals during adoption to create societal change relative to gender violence by focusing on the criminal justice system seemed as if they would fail.
Evaluation

The evaluation period for the Violence Against Women Act began in roughly 1999, when a report issued by then Senator Joseph Biden was released. Also, the original policy was up for reauthorization in 2000, therefore evaluation activities did increase to some degree. The 1999 report indicated attitudinal and anecdotal evidence that the policy had been effective in creating national change. The report claimed that “five years after the Violence Against Women Act became law, it is demonstrably true that the state of affairs that existed before its enactment has changed for the better” (Biden, 1999, p. 5).

Beginning in 2000 a synthesis of research was done to assess what was already known about violence against women in the United States. Relatively few assessments have been done to evaluate the short and long-term impacts of the policy, however, and evaluation is considered weak. In fact, stakeholders have repeatedly called for an increased budget for research and more accountability mechanisms that focus on evaluation assessments and research relative to violence against women.

It should be noted that the evaluation phase was set against a political backdrop. Campaigning for the 2000 presidential election occurred during late implementation and early evaluation, and may have been at least partly responsible for shaping some of the soon-to-made decisions relative to the policy. For instance, the policy was reauthorized in 2000 while political discourse during campaigning centered on a ‘tough on crime’ message for both presidential candidates. Organizations and activists took advantage of the message and used it to further coalition-building, and the resulting reauthorization once again reflected a crime-centric core. It
is also likely that the sudden flux of evaluations and assessments occurring during 2000-2005 were a direct result of 1) political attention to violence against women as a crime and 2) an increased focus by political groups and activists to ‘crime statistics gathering’ activities. In 2001, a report released by the Urban Institute found that during the first 5 years of the VAWA over $1.8 billion was appropriated for programs administered by the U.S. Department of Justice and the Department of Health and Human Services. The report found through the STOP training program alone from 1995 to 2000, “an excess of $440 million was awarded to support 9,000 projects” (Burt, Sweig, Andrews, Parikh, Uekert, & Harrell, 2001).

Only one of the policy’s reauthorizations seems to be directly correlated to information discovered during evaluation and assessment; the second reauthorization. The first and third reauthorizations expanded rights to previously excluded populations, but did not significantly alter its content. The first reauthorization, occurring in 2000, focused on an expansion of the policy to include a wider population and reinforced the crime-centered approach to violence against women. This reauthorization also dropped the civil rights remedy, which will be explored further below; this action was in response to the remedy being found to be unconstitutional by the Supreme Court.

The second reauthorization, occurring in 2005, is the only reauthorization that seemed to be based on shortcomings identified during evaluation. This reauthorization included several “fixes” to problems revealed by evaluation and research. These included increases in funding to areas found to be lacking funds, a call for more collaboration, which was seen to be effective, and an expansion of relief to other populations. It is evident that the assessments done leading up to the reauthorization were considered in mobilization efforts surrounding the policy. For
example, a public policy consultant in 2005, just prior to the second reauthorization of the Act, wrote:

The Violence Against Women Act (VAWA) has improved federal, state, and local responses to sexual assault by spurring changes in public attitudes, policy, and law. However, much remains to be done in order to more fully address the emergency and ongoing needs of victims of sexual violence and their families. Additionally, while the VAWA initiated progress in strengthening the criminal justice system’s response to sexual violence, it’s clear that major service, funding, and policy gaps remain. If the VAWA aims to encourage victims to engage in the criminal justice system, there is a related responsibility to provide for the crisis, emergent, and on-going emotional healing, legal and economic needs of those same victims. (Roe, 2004)

Statements and documents such as this example reflected the mobilization efforts of groups using the current information to attempt to impact the upcoming reauthorization. This indicated a true use of the evaluation phase—adjustments were made to strengthen the policy based on evaluation and assessment of what was working and what needed help.

The final reauthorization, in 2013, was similar to the first, in that very little was done to “correct” or change the policy. The reauthorization was used to expand the policy’s reach, however, by including protections for lesbian and gay populations and other minority groups not previously mentioned explicitly in the policy. The expansions to additional minority groups in both the first and third reauthorizations were likely a direct impact of the continued mobilization efforts by organizations—and also an indication of new groups joining the efforts. As new groups join in mobilization, policies are often expanded to include these new groups’ interests.
Another reason for the expansion to previously excluded groups may be changes in societal perceptions about who is considered appropriate for protection. As societal norms have gradually shifted to be more inclusive of minority groups, policies such as the Violence Against Women Act tend to gradually include more populations as time goes by.

It is evident that research and evaluation occurred mostly in a period of five years, beginning in 2000 and ending early in 2005. This directly corresponds with the 2005 reauthorization. Policy adjustments made in 2005 seem to be based on suggestions made by assessments and research conducted throughout this five year period. A national assessment, launched in 2009, seems to be the last large-scale evaluation of the policy, although the assessment is updated periodically. Aside from assessments and research, the late evaluation period included ‘informal’ evaluation which focused more on group demands and political lobbying. The late evaluation period also encompassed increased media attention relative to issues surrounding the policy. These elements, although not formal evaluations, ultimately led to the 2013 reauthorization of the policy which expanded the policy to a broader population.

The process phases of a policy can be seen as a continuum. During pre-adoption and into adoption, activities focus on ‘demanding.’ During implementation, activities focus primarily on ‘doing.’ During the evaluation period of a policy, activities should shift from ‘demanding’ and ‘doing’ to ‘monitoring progress.’ When this does not occur, it is an indication that progress has not been made in one or more areas. During adoption and implementation, the focus was on demanding and doing, respectively. However, the shift to ‘monitoring progress’ in the technical sense never really occurred. Evaluation and assessment of the policy really never occurred to the
degree needed. Repeated attempts were made to increase the number of evaluations, but a thorough monitoring of progress has not yet occurred to date.

Another indication that a policy has not made progress is when mobilization gets ‘stuck’ in one or more areas of a policy; efforts stay focused on these areas and never shifts. Mobilization relative to the Act remained stuck in three areas. Organizations have continued to mobilize, especially during periods of reauthorization, to encourage legislators to look at the issue as a gender issue and not just a criminal justice issue. Efforts to include employment protection and unemployment insurance at the federal level for victims have also continued to be an issue of mobilization to no avail. Finally, mobilization has continued to push for more culturally sensitive programs and those tailored to languages other than English (Abolfazil, 2006). Mobilization around these issue areas has been ongoing due to lack of a federal response to include these components in legislation each time reauthorization has occurred (Runge, 2013, p. 454).

Mobilization remained strong during the evaluation phase and as throughout all of the process phases, alliances and coalitions worked together to create awareness about the feminist concepts behind violence against women. At a presentation during this time, Diane Stuart, Director of the Office on Violence Against Women, U.S. Department of Justice, indicated that it was because of the policy’s approach to coordinated response and intense collaboration that progress had been made. It is evident that these efforts had impact—the few assessments that were done indicate an increase in the awareness of feminist-related conceptualizations of violence against women at the societal level—but mobilization has remained stuck in several areas. It has never been effective at getting feminist language inserted in the policy.
Mobilization has also been ineffective in providing for economic relief in the form of federal assistance, or better recognizing cultural sensitivities. However, considering that these are fairly divisive political issues in the state regardless of the problem area, this is not surprising.

One element of the evaluation period that created strong momentum for the policy was the creation of new practices relative to accountability mechanisms. Accountability mechanisms were strengthened during the evaluation phase; organizations were required to report annually on the efforts of their programs and successes that have occurred as a result of programs and funding. This was a promising development because it allowed for “best” and “promising” practices to be shared and duplicated in the future. It also gave yet another voice to organizations and another avenue for groups to share progress—with each other and with the general public.

During the evaluation phase there were repeated calls for more and better research to occur relative to violence against women. Likewise, more resources were called for to conduct research. There has been follow-through on formal outputs and accountability mechanisms were used—and strengthened—during the evaluation phase, but the call for more research and evaluation was largely ignored.

**Process Phase Variables**

**Linked to feminist ideals.** In order for a policy to be considered to have strong linkage to feminist ideals it must contain five primary components. It must 1) have feminist content written into the policy, 2) be responsive to feminist demands, 3) be based on what is known about the problem of violence against women, 4) create outputs and accountability mechanisms that
encourage a feminist agenda, and 5) create measures and structures to promote public awareness linked to feminist ideals. The Violence Against Women Act was not written in gendered terms, nor did it include explicitly feminist content. Outputs, accountability mechanisms, and public awareness campaigns created during adoption were not linked to feminist ideals; rather they focused on the criminal justice and legal elements of violence against women. Interestingly, at the outset this seems to have been purposeful. Feminist organizations stated the goal was to use criminal justice system to shift societal attitudes about gender violence. (Score=1/3)

The policy was still based on feminist goals, with an emphasis on outputs that would help increase public awareness and decrease tolerance of men’s violence toward women. During adoption and early implementation, criminal justice elements were far more prevalent than feminist elements. The creation of a unitary court system and changes at the federal level which allowed for explicit punishment of spousal violence and restitution for victims was unquestionably a giant step forward in ending violence against women. (Score=1/3)

Also during these early phases, feminist organizations were highly focused on preserving the civil rights remedy and were largely preoccupied with this venture. By late implementation and into the evaluation phases, organizations seemed to begin to fully realize the policy and its impact had become far more criminal justice-centric than intended, without the shift to feminist conceptualizations they had hoped would happen. By 2005 two reauthorizations had already taken place, neither of them adding feminist language to the text.

Ultimately stakeholders felt overall happy about the progress of the policy, and felt it was still based implicitly on feminist goals. From a research standpoint, however, the policy was not written in feminist language, nor was it responsive to feminist demands. Repeatedly feminist
organizations have demanded the policy shift from criminal justice-centric to include more feminist-leaning language, but this has never occurred. Additionally, as mentioned above, groups have maintained focused mobilization on several issues that have never been resolved.

Interestingly, late in the evaluation phase (roughly 2012-2013) my research reveals the policy may have done more to create feminist change than stakeholders believe. During this time feminist-centric organizations were still signaling the issue has been dealt with primarily as a crime issue and the norms and the gendered power structure behind the violence had not been completely acknowledged. However, an anti-feminist article written in *The Washington Times* in 2012 brings to light the fact that the policy may have actually achieved some of the feminist ideals that organizations had been pushing so hard for.

The article states that the policy reauthorization should be focused on preventative measures such as curbing drug addiction and alcohol abuse—factors that can lead to violence—but instead “the law is more about building feminist power structures than about protecting vulnerable women or helping battered women” (Crouse, 2012). The article also states that the policy “promotes a feminist agenda” and that funds and outputs from the policy “go to ‘re-train’ judges and other officials in the details of ‘women’s rights’” (Crouse, 2012). Although the article states these items as proof the policy is misdirected and incompetent, reading it from a feminist perspective one can see inroads have been made over time in embedding feminist ideals into the Violence Against Women Act. Additionally, another article about the policy stated it “has had a profound impact on the way the legal system defines, identifies, and responds to violence against women” (Runge, 2013 p.454). Social media, op-eds and media pieces from 2010-2013 reveal other similar revelations, indicating there is indeed a linkage between the
policy and feminist ideals. Therefore, feminist organizations simply may not realize the degree to which their efforts have actually been effective. (Score 2/3).

The policy was written based on what was known about violence against women from a criminal justice perspective. This was likely intentional, and as previously mentioned, even feminist organizations mobilizing during pre-adoption were planning to use the criminal justice system as a tool to increase public awareness about feminist concepts. In order for a policy to be considered feminist in nature, however, it must be grounded in feminist research. Even during the evaluation phase and subsequent reauthorizations the policy never shifted from its criminal system core to use feminist research in the re-shaping of the policy.

The Violence Against Women Act seemed to fail in all criteria relative to its linkage to feminist ideals. It never contained explicit feminist language or content, it was never responsive to feminist demands, and the policy and its reauthorizations were not based on feminist research. However, the policy has a strong implicit foundation in feminist goals and has been more successful in shifting societal attitudes to a feminist direction than likely even stakeholders realize, and during the evaluation phase, evidence points to funding, training, awareness and accountability that was aligned to feminist goals and ideals to much more extent than during adoption and implementation.

**Institutional feedback.** Part of the reason the Violence Against Women Act likely increased awareness relative to feminist conceptualizations of the problem of violence against women is the strong coalition building that has taken place throughout. Continued involvement of wide range of organizations working together for social change has created strong institutional feedback. Institutional feedback has led to the creation of accountability mechanisms and
outputs, and although most of these have been criminal justice in nature, organizations have used them to further feminist ideals. As earlier mentioned, organizations used the political opportunity structures available at the time to further their cause. Specifically, the political message forwarded by candidates that the United States needed to be ‘tough on crime’ during the 2000 Presidential campaign was used by organizations to further awareness of violence against women and ultimately led to reauthorization. It also likely spurred a sudden (albeit short-lived) flurry of evaluation activity later. (Score3/3).

Outputs called for during adoption were implemented, and organizations carrying out these outputs worked together. Funding has been fairly low throughout the life of the policy, but it has had big impact. Funds created resources and accountability mechanisms that led to increased mobilization and extended mobilization to other groups. For example, funding created hotlines which led to mobilization by shelter organizations to demand the policy expand populations served. In addition, twice reauthorizations of the Act have expanded the populations served by it.

The policy has never shifted from its crime-centric nature, but discourse surrounding the policy and the problem of violence against women among the general public seems to have gradually shifted to include more feminist concepts. The shifts have been subtle, and as previously mentioned, many feminist organizations are still pushing for shifts; indicating the gradual change has possibly gone unnoticed by many organizations. When political opportunity structures exist, discourse has an easier time shifting, indicating societal change. At the adoption of the Act, political opportunity structures existed that opened the door for criminal justice
changes relative to gender violence. Societal attitudes shifted from the conceptualization of gender violence as a private issue to one of public concern—punishable by law. (Score 3/3).

Since then, the political landscape relative to gender violence has expanded to include conceptualizations of intersectionality, including LGBT populations, an issue previously politically contested. This has opened a new political opportunity; one which organizations took advantage of, and created shifts in discourse at the societal level. Evident throughout articles and social media during the late policy evaluation phase are repeated mentions of gendered power structures, patriarchal hierarchies, and the recognition that violence against women is a power and control issue. (Score=3/3)

The expansion of the policy to include immigrant women, tribal women, and LGBT communities is a shift in discourse that indicates rights expansion. Rights expansion decreases hierarchal structures. By using this process phases framework to study the Violence Against Women Act, it becomes evident that the policy has implicit feminist goals and these goals have had an impact through strong, dynamic, and tenacious mobilization, collaboration and institutional feedback.

**Process summary.** The process phases of the Violence Against Women Act reveal a gradual shift in societal discourse directly correlated to the policy. Specifically, shifts in discourse seem to occur during periods of reauthorization, when the policy was likely the subject of political discussion, stirring mobilization. Since mobilization efforts have been so strong throughout the course of the policy’s trajectory (and have only increased in strength over time), this has created real change, which will be discussed further below. The policy started weak from a feminist perspective, with very little feminist-centric language, and very little response to feminist
demands. It was never based in feminist research, and started—and stayed—primarily criminal justice in nature. But strong feminist goals behind the policy and strong collaboration efforts (written into the policy) built momentum. By the end of the evaluation phase, shifts in discourse became evident.

**Policy Outcome (Indirect and Direct Impact)**

**Empowerment of women.** The Violence Against Women Act, through its various reauthorizations, brought the concept of violence against women to the forefront of social thought. From its beginning as a policy focused predominantly on crime-centric concepts of the problem, it has been able to build on concepts of empowerment over time and shift discourse to other areas. Relative to policy outcome, the Act evolved into a reform protecting a broad range of women as well as the LGBT community. Additionally, it has created a focus on education and increased public awareness of the problem. The policy has gone far to bring empowerment to women.

Two issues prevent the act from bringing high levels of empowerment to women. First, the act is still primarily centered in the criminal justice system, and therefore is limited in its ability to tackle the issues behind the violence. Also, the current system does not have a mechanism for dealing with acts of violence against women that occur outside of an isolated event. In other words, histories of violence toward women are not considered.

Secondly, the act has focused on ‘all women’ and has not dealt with violence toward women with an intersectional lens. Although, as previously mentioned, the policy has expanded to include more minority populations, evaluations completed after all reauthorizations of the act
have stressed the need for more culturally sensitive programs and those tailored to languages other than English (Abolfazil, 2006). Mobilization has continued around this concept throughout the policy stages after adoption and this focus can still be seen to date.

The 2012 reauthorization was delayed over political divisions relative to its expansion to LGBT and illegal minorities. It is evident that change has come slowly through the Violence Against Women Act relative to intersectionality. Ortega and Busch-Armendariz (2013) state the delay of the reauthorization in 2012 “highlights the reality that, in the United States, violence against women and violence based on sexual and gender expression or immigration status are still considered the natural course of life” (p. 227). Although it did ultimately pass, they state: 

It is not at all clear that Congress truly agrees with the promotion of social justice for all members of our society. After a century of civil right legacy and an active women’s movement (whose roots are in the domestic violence and sexual assault movement), we still accept interpersonal violence and all its intersectionality, such as race, class, and homophobia, as part of the fabric of our lives. (Ortega & Busch-Armendariz, 2013, p. 227)

The policy is slowly changing some gender ideals, and some organizations feel the Violence Against Women Act and its reauthorizations have evolved the way that violence against women is thought about and its impact on different groups of women.

Three provisions were added to the reauthorization which finally occurred in 2013 (effective 2014). These provisions were not included in the first Violence Against Women Act or its subsequent reauthorizations: protection for non-heterosexual intimate partner violence, tribal court sovereignty (for Native American tribes), and extension of provisions for immigrant
victims (Ortega & Busch-Armendariz, 2013). Again, these additions were grounded in broad feminist goals, but were not written in feminist or gender-specific language. There is evidence that institutional feedback was received better when it was focused on criminal justice elements relative to violence against women. As noted above, it is likely that linkage to feminist ideals occurred regardless of the absence of feminist terminology in the policy, and this is probably a result of the intense levels of mobilization that occurred, especially during the implementation phase.

Other events occurred that signify progress has been made relative to women’s empowerment, even in the absence of explicit statements in the policy. Since the federal civil rights remedy was found to be unconstitutional in 2000, many states have enacted their own civil rights remedies; an indication the goals behind the remedy are widely accepted, even though the remedy was repealed. Considering that in the early twentieth century a husband could physically abuse his wife and it was considered a “private matter” without legal consequences, progress has been made in a short period of time (Abolfazil, 2006). Civil rights are a huge step toward protection and enhancement of economic rights. Although the federal remedy is no longer available, state protections serve the same purpose, but without the federalism controversy.

Awareness about the issues of violence against women was raised considerably throughout the process phases, and increased awareness about the issue continues to be an outcome of the policy. Elevated media attention and discourse has occurred at every reauthorization point, and over time this discourse has shifted to focus more on feminist conceptualizations than in the past. Because reauthorization failed in 2012 and did not pass until
2013, media attention was especially high during this time. Discourse was divided along political lines, but as previously mentioned it did center on feminist concepts. Since the last reauthorization occurred so recently, not a lot of time has passed to assess outcome of the policy. However, a slow and gradual shift in discourse and increase in women’s rights can be seen over time. The policy’s trajectory has continued toward higher levels of authority over time leading to higher level of women’s empowerment. (Score=2/3)

Decrease in occurrence of the problem. Repeatedly throughout the process phases organizations signaled there was not enough information about the effect of the policy. More surveys, research and data-gathering were called for frequently. Most information available about the impact of the Act came from evaluations completed early (from 2000 through about 2005). There have not been enough evaluations on the policy’s effects for a true longitudinal assessment. For this reason, it is impossible to ascertain if a decrease in occurrence of violence against women was a result of the policy. By reviewing the few evaluations that took place later (2006, 2008, and 2009) there has been an overall decrease in the occurrence of the problem and also an increased awareness of the problem among the general public, but again, it is impossible to attribute these outcomes to directly to the policy.

Although there is still much work to be done improving evaluation and research strategies focused on violence against women, interest groups have largely been happy with the funding and—more so—the impact of the funding on prevention of violence against women and help for victims. Reauthorizations of the policy have made the policy more effective and expanded whom it serves relative to victims of crime against women. Therefore, although the
policy has never been seen by feminists as an ideal feminist social policy, its course over time has been in an implicitly feminist direction. Because of the shortage of longitudinal data to robustly assess whether there has been a decrease in the occurrence of the problem, this area of outcome measures remains unscored. (Score=N/A)

**Outcome summary.** Evidence suggests the policy has had a slow but steady impact, with a gradual increase in authority—and effectiveness—over time. Great strides have been made in the prevention of gender violence and assistance to victims of gender violence. From a feminist perspective, fighting violence against women requires targeting gender power relations. The United States still has a long way to go in this regard, but gradual inroads are being made. The criminal justice system in the state historically failed to recognize or address gender violence, which has changed as a result of the Violence Against Women Act. Opportunity structures are evident that have allowed for a general—albeit slow—shift in societal attitudes about gender hierarchies and how they affect violence against women. (Score=2/6)

**Drivers.** What keeps the Violence Against Women Act from being authoritative in the social and political reality it exists? It is evident that institutional feedback was fairly strong throughout the process phases, although most mobilization occurred around criminal-justice focused outputs. It is also clear that linkage to feminist ideals did not occur except implicitly. The drivers that impacted these variables and ultimately the policy’s authority will be briefly discussed here and in more detail in chapter 9.

The policy was not written with feminist text, nor did it explicitly identify feminist conceptualizations of the problem, which is one thing that kept the policy from high authority. It was able to gain some feminist-leanin nature over time, and the primary reason for this was
strong collaboration and coalition-building by feminist organizations. This ‘drove’ institutional feedback to become more feminist over time, although never truly linked the policy explicitly to feminist ideals. The policy was also not structured in a way that allowed the problem to be clearly targeted—it left the responsibility largely on the woman to remove herself from the perpetrator to avoid future acts of violence. This leaves the policy without high authority in the social world in which it exists. The policy was brought to the table through an interest-group approach, but the movement was small and not well organized. The state had dealt with the problem of violence against women in the past; it had already moved from the private sphere to the public sphere, which likely helped the interest groups that were involved to move the policy forward. Collaboration increased after the policy was adopted, and as this case study has indicated, groups were responsible for increasing the policy’s authority over time. Although the variables of institutional feedback and linkage to feminist ideals ultimately create policy success, these drivers impact how the policy is able to exert authority over social and political reality.
Policy Subsector 2

Equal Employment Opportunity

The following two chapters (six and seven) represent the equal employment opportunity policy subsector. Equal employment is a crucial area for promoting women’s rights and status, and for striking down gender hierarchies. Historically it is one of the first gender equity issue areas; it also one of the issue areas that the most progress has been made in the European Union (EU). Since “European integration is strongest in the economic realm” (Von Wahl, 2005, p. 68), this is not overly surprising. In fact, one of the initial areas of EU gender policy was on equal employment and the issue has continued to be one of high priority relative to gender equality.

Equal employment has been an important focus of women’s movements and a mobilizing element for women’s groups and feminists. Employment was the first area of feminist state action and “arguably the most acceptable to a wide variety of policy actors” (Mazur, 2002, p. 82). Laufer (2003) states “the implementation of sex-based equality in paid labor is now a well-articulated objective in most Western democracies” (p. 423). This policy subsector also represents policies that are economically redistributive and generally speaking, something state governments are likely to get behind.

The 1970s saw many countries developing equal employment policies. However, when it was discovered that these cornerstone policies had done little to decrease the persistent sex-based wage differential, these policies were seen as both a success and a failure (Mazur, 2002, p. 82). Feminist mobilization for successful equal employment policies that would better address the gender wage gap and occupational segregation was central during the 70s and 80s. This led European Union member states to examine “more complex anti-discrimination measure” which
led to directive that “compelled countries to take active positions on equal employment policy (Mazur, 2002, p. 85). There are three general approaches to equal employment opportunity policy: anti-discrimination, positive action, and expanding opportunities. Anti-discrimination seeks to deter discrimination through litigation, while positive action incentivizes employers to train and employ women. The expanding opportunities approach generally links the policy to other barriers outside the labor market, such as increasing the ability of women to secure childcare. Most countries tend to adopt one primary approach and one secondary approach. Protestant Social Democratic countries tend to focus on the expanding opportunities approach with a lesser emphasis on positive action (Mazur, 2002). Sweden has actually expanded all three approaches to equal employment within the country; the expansion of childcare and family leave policies was done prior to the country’s equal employment opportunity policy (Dahlerup, 1987; Borchorst, 1999; Ruggie, 1984). Protestant Liberal countries tend to emphasize the anti-discrimination approach. The United States policy is a good example of this. The following two chapters present the case studies from the equal employment opportunity subsector in Sweden and the United States.
Chapter 6: Case 3—Sweden’s Equal Opportunity Act

Figure 7: Sweden's EO Act and Subsequent Reform Timeline

Case History (Pre-Adoption)

Considering that Sweden’s policy making has historically focused more on redistributive policies than policies for social change, one would think the state’s equal employment opportunity reform would have proceeded smoothly and without strong criticism. In fact, a “distinguishing character” of Swedish policymaking was “redistributive politics and consensual institutional arrangements” (Lindvert, 2007, p. 243). However, ingrained societal attitudes stemming from the 1930s centered on the concept of the “male breadwinner” model and traditional gender roles. In addition, there was a general belief at the societal level the state should not regulate employment law. These attitudes persisted for decades. By the early 1960s, employers began to demand more laborers, primarily due to previous economic, social and family policy and the expansion of the public sector (Taschke, n.d.). Intense discussions began
among political stakeholder regarding how to encourage married women to enter the labor market to meet these demands (Knocke, 2000). This substantial demand for labor created an opportunity for progress toward equality during the 60s and 70s.

Early political signals of the shift toward more inclusion of women in the labor market included new initiatives such as equal pay agreements and job training. Gender policies beginning in the late 1960s and into the 70s began to reflect an orientation toward equal employment rights and shared domestic care responsibilities (Bergqvist, 2001). The process was reinforced in the early 1970s by the establishment of an extensive public childcare system, beneficial work-related parental insurance, and individual income taxations (Lindvert, 2007). These measures were accompanied by a range of related legislative initiatives such as care allowances and the right to part time work for parents.

Within a few years, the principal political discourse regarding women in the workforce was altered from the traditional breadwinner/caretaker ideal (Lindvert, 2007). The shift occurred first as a focus on women’s right to choose to work either outside or inside the home, and then as a focus on equality between the sexes, based on the concept that both men and women should have the same responsibility for care taking and an equal right to work (Hirdman, 1998). Amendments to legislation to uphold economic independence of all adults—including women—helped transform attitudes about traditional gender roles and increased social demands for labor equality (Taschke, nd). Since 1970s the state began taking more steps to address growing employer and social demands for gender equality in the labor market (Szymoniak, 2011).

In addition to the shift in political discourse, shifts were seen in societal discourse as well. As early as the 1960s the impact of women having increased equality in the workforce was
starting to be seen relative to gender roles and attitudes in society. For instance, “traditional gender role models were questioned and perceived as roles imposed on men and women by the society (Furst, 1999, p.11).” Society “started to perceive that not only women but also men should be responsible for housework and childcare” (Furst, 1999, p.11).

The pre-adoption process for Sweden’s Equal Opportunity Act occurred in the midst of these shifts in political and social discourse. Sweden approached a gendered version of Marshall’s (1950) conceptualization of social rights, setting the stage for economic equality (Lindvert, 2007). Experts and interest group representatives worked together during pre-adoption and were deeply involved in the Swedish policy-making processes, especially those at the intersection of economic, labor market, and social issues. These collaborations created corporatist arrangements of a type, and constituted a long-term platform for coalitions among politicians, governmental officials, and central interest organizations (Lindvert, 2007; Rothstein, 1992). Although representatives of feminists and women’s groups were involved in the pre-adoption process, Sweden’s equal opportunity reform policy process represented an institutional approach to policy development, characterized by a gradual process of social learning and compromises among central political actors bringing about political change (Dobbin, 1993; Hall, 1993; Heclo, 1974). This approach “differs from the interest-group approach, where political developments are understood in terms of conflict or struggle for power, often exemplified with liberal welfare states” (Lindvert, 2007). This network of collaborative representatives included political actors from the Social Democrats, the Liberal Party, officials within the Ministry of Labour Market, the Social Ministry and the National Labour Market Board, as well as social scientists, women’s groups, and unions (Baude, 1992; Drangel, 1984; Florin & Nilsson, 1999).
Therefore, unlike Sweden’s violence against women policy, activists were involved in, but not instrumental in, the creation of this policy.

In the period leading up to the adoption of the 1980 policy, previous attempts—largely unsuccessful—were made to pass equal opportunity legislation. In 1978 a “half-law” was passed, allowing for a general prohibition of discrimination but did not include creation of the Equal Opportunity Ombudsman or phrasing that would require employers to carry out distinct measures to prevent discrimination. There still existed an attitude both politically and socially that the state should not be involved in regulating employment; an attitude that had existed for generations and was brought to the forefront in the pre-adoption process of the 1980 policy. The 1980 Equal Opportunity policy was:

To the highest degree a political compromise not based solely on the actual issue of equality for women but on the power of the Swedish model in society, as well as upcoming elections. This partially explains the skepticism that has persisted with respect to statutory regulation in this area. (Carlson, 2007, p. 8)

During the pre-adoption process of the 1980 policy, concessions were made to enact a policy that would make progress toward gender equality in work while still recognizing the social and political reticence to make ‘too much’ change.

The 1980 policy was chose as the baseline policy for this case because it was the first to make true legislative inroads toward gender equality at work. Sweden’s Equal Opportunity Act had two primary purposes relative to gender equality: 1) the prohibition of discrimination based on sex, and 2) the employer’s duty to be purposeful in furthering gender equality relative to employment (Schenk, 2001).
Figure 8: Sweden's EO Act Process Phases and Outcome Timeframe

*Evaluation reports were completed every year following the EO and subsequent policies’ adoption beginning in 1980. 1988 was selected as the first year for the evaluation phase because it is the year a 5-year action plan was created which formed a committee specifically to evaluate and recommend changes to the policy. Several multi-year evaluations occurred in the period from 1988 until a report in 2006 led to the last significant piece of legislation. Although annual reports continue, 2009 signifies the end of evaluations that led to significant change.

**The evaluation phase and Outcomes overlap to some degree. This is because some evaluation reports looked specifically at outcome variables relative to a decrease in occurrence of the problem. Specifically, several statistical reports considered outcomes variables in 2009.

Adoption

Although the Act at adoption was gender-neutral and opposed discrimination against both women and men, it did explicitly state that it was aimed primarily at improving conditions for women in working life. The legislation served as a model for other anti-discrimination acts, but was the most detailed by far. The wording of the legislation was not only gender neutral, but
also appealed to cooperation among labor parties as its mechanism for gender equality, rather than an explicit appeal to create gender equality through feminist-based concepts.

The 1980 act included three sections: 1) prohibitions against discrimination, 2) active measures to be taken by the employer, and 3) enforcement mechanisms and procedures, including the establishment an Equal Opportunities Ombudsman (JämO). The act’s objectives as written were to “promote equal rights between women and men in questions regarding employment, employment conditions and opportunities for development within work” (Szymoniak, 2011, p. 54). The act further prohibited employers from disfavoring an employee or person seeking employment on the basis of sex. Disfavoring is defined as “appointing a person of the opposite sex while overlooking a person with better qualifications” (EO Act, section 8). The act also established a requirement for active measures to promote equality, the burden of which was placed on the employer and an equal balance of women and men in employment. The act allowed for the award of damages, however damages were to be awarded as a group rebate—damages assessed for an individual person were to be shared by the group.

A significant output of the act at adoption was the establishment of an Equality Council to assist the equality ombudsman with employer compliance. Employers were required to provide information to the ombudsman when requested. Court action could also be initiated by the equality council or ombudsman on a victim’s behalf. The act set up a basic framework of criminalizing employment discrimination and created steps an employer must follow in order to maintain gender balance within the workforce. Although the legislation was groundbreaking in Sweden at the time and did set up a positive foundation for gender equality, it was not overtly feminist in nature. In fact, feminist organizations were only one of the many groups mobilizing
around the policy in the pre-adoption and adoption phases. It is generally believed that feminism helped trigger the process of societal reform by illuminating women’s subordinate position in society relative to men. Relative to the broader gender equality movement, feminists proposed and carried out changes to create more equality which in turn led to the state’s current gender equality policies (Szymoniak, 2011). However, there was no direct linkage of feminist ideals written into the EO act text. The act was simply created with wording that attempted to strengthen women’s position relative to the labor market.

There is evidence that Swedish policies have a ‘feminist spin’—seen in various government websites. For example, a Swedish government website states that “Sweden ranks as one of the world’s most gender-egalitarian countries, based on a firm belief that men and women should share power and influence equally” (Sweden.se). This phrasing directly correlates gender equality with the feminist concept of the gender power model. Therefore, while the policy itself was not feminist in nature, elements of feminism are at the very least co-existing with policies and evident at the political level. It can be argued that the policy was implicitly feminist in nature, but it was not written in feminist terms or linked explicitly to feminist ideals.

Research indicates the policy was seen as both a “huge leap toward achieving gender equality in Sweden…specifically equal rights in the labor market” (Szymoniak, 2011, p.61) and as “widely unpopular” (Carlson, 2007, p. 9). Critics of the legislation did not approve of the government ‘meddling’ in the labor market. The EO act did set the stage for future reforms, of which there were many. In some ways, the act was a predecessor for equal employment reform to come.
The act also spurred mobilization by various organizations to continue to work toward employment equality. The network of organizations that were involved in the pre-adoption phase continued to exist and work together during adoption. As previously mentioned, the policy did create significant outputs in the form of the equality ombudsman and the equality council. These outputs created action, which organizations mobilized around. As cases were brought to labor court, awareness of the issue also spread, giving groups something to use as public education and the focus of discourse.

However, it is important to note that organizations involved in mobilizing around the EO act did not include many non-government organizations or other women’s groups. For the most part, advocacy came from within the government and included government and political actors as well as labor market representatives. The act dealt with issues of empowerment in terms of giving women the ability to join the labor market, but the advocacy role remained weak; thus mobilization around feminist concepts really did not occur. From a feminist standpoint, anti-discrimination legislation should include an opposition to patriarchy and create interplay between the equality movement and overall societal behavioral changes. The EO policy was weak relative to these concepts during adoption.

**Implementation**

The EO act’s implementation phase was relatively short; almost immediately after the adoption of the act, plans were underway to replace it. Keeping with the Swedish tradition to make evaluation-based policy decisions, evaluations and assessments of the EO act began almost immediately after adoption. Additionally, the outputs created during adoption—namely the
equality ombudsman and committee—initiated implementation activities centered on 1) getting women into the labor market, 2) doing evaluations to monitor progress relative to increasing the number of women in the labor market and 2) suggesting changes for improving the policy. For these reasons, the implementation phase was focused almost solely on making sure employers were creating change that would encourage women to join the labor market. The main emphasis during implementation then was on facilitating women in the labor market and “not on discrimination per se” (Carlson, 2007, p. 3).

Similar to the adoption phase, the implementation process saw little linkage to feminist ideals, other than an implicit focus on creating a labor market meant to give women equal access to societal power through employment. Outputs during implementation focused on creating advisory bodies. The composition of these advisory bodies almost mirrored the networks and coalitions seen during the pre-adoption and adoption phases; they were mainly comprised of various government representatives, labor market representatives, political parties, and some representatives from women’s organizations. One example is the Council on Equality Issues (Jämställdhetsradet) created during implementation in 1981. It was comprised of around 40 people and served as an advisory body to the Minister for Integration and Gender Equality (Heinrich, 2012). NGOs did play a role during implementation aside from integration in advisory councils. The issue areas these groups mobilized around continued to be economic in nature, however, and did not have a strong feminist focus. For instance, NGOs focused on stronger economic integration for women, though rather than carry out their own initiatives they often took the role of monitoring government follow-through relative to the new policy
There was some mobilization by NGOs that focused on their own initiatives and platforms during implementation.

Two examples of this were Haro and KvinnorKan. Haro’s focus is largely on family policy and research surrounding issues related to children’s wellbeing. Haro encourages parents to consider their children’s need for both parents to be active in childrearing and cautions against over-emphasis on childcare centers as a unitary means for the government to encourage more families to enter the workforce (Haro.se). KvinnorKan (translated “women can”) was formed during the EO act’s implementation and its goal is to strengthen women in society by enhancing women’s skills and abilities in various fields. The foundation awards grants and organizes discussion events and trade fairs. The organization’s main focus is on helping women find jobs traditionally held by men and therefore fighting what it calls “value discrimination” (translated from the Swedish term “värdediskriminering”) and the gender wage gap (Kvinnorkan.se).

KvinnorKan is an example of an organization that was created as an indirect result of a policy’s adoption—it was created specifically to mobilize around women entering the workforce and to expand the horizon of what counts as ‘women’s work.’

Other than a few groups such as the ones mentioned here, the implementation phase saw limited involvement of platform mobilization by organizations outside of the networks formed during pre-adoption. Strong feminist mobilization and women’s group collaboration did not take place. The implementation phase saw relatively low linkage to feminist ideals.

However, the limited mobilization that did take place as a direct result of the equality ombudsman’s office created some institutional feedback. A report submitted by this office to the State Department of Labor Law in 1982 reviewed the law to date and highlighted six areas of
concern. Although it seems more like an evaluation, it is mentioned here because it occurred so quickly after the policy’s adoption and prior to major evaluation efforts. Additionally, it is indicative of the type of institutional feedback that occurred as a result of the networked collaborations being so heavily weighted with governmental and labor market representatives.

The areas of concern relative to the 1980 policy were:

1. The lack an applicant’s right to obtain information about other candidates during hiring or promotion
2. The need for an extension of the statute of limitations
3. The lack of a plaintiff’s right to receive the employment denied
4. The right for persons called to an investigation to receive compensation for associated costs
5. The need for protection against retaliation by employers
6. A change in the compositions of the courts so the person sitting on the tribunal is of the same sex as the plaintiff. (Carlson, 2007, p. 10)

These are the types of issue areas that were mobilized around during the implementation process. As evidenced by this list, issues of major concern were not feminist in nature aside from their implicit foundation in women’s right to work. Implementation efforts were largely focused on rights-based equal employment concepts.

The act was expanded in 1984, only four years after its adoption. The changes primarily focused on improving working conditions in the public sector and the inclusion of positive discrimination. Shortly after these amendments, the act was again amended in 1985. The right of an applicant to receive information about the qualifications of other applicants was finally
expressly included in the act in 1985. Certain other changes were also made in 1985, including an extension of the statute of limitations, compensation for the expenses of witnesses, and the revocation of the right to appeal fines (Carlson 2007). The latter change removed the possibility for employers to ‘buy themselves the ability to discriminate.’ Within five years of adoption, and prior to the intensive evaluation period, the EO act was already modified twice. This indicates that the implementation period was largely spent not on implementation and mobilization, but rather on making changes.

**Evaluation**

Keeping with the Swedish tradition to base policy decisions on assessments and evaluations, the evaluation period of the EO act produced prolific evaluations, reports, assessments, and studies relative to employment discrimination. The evaluation period began roughly in 1988, when the government drafted a five-year action plan to address “the politics of equality facing the 1990s” (Carlson, 2007, p. 14). The 1979/80 EO act was thoroughly reviewed and a committee was created that drafted proposed changes. A 500 page report was created which led to the 1991 act. The report discussed 7 key areas of changed needed relative to both substantive and procedural aspects of the Act:

1. A change in the definition of discrimination to include situations in which the candidates have comparable merits, but there is a discriminatory intent by the employer

2. Allowance of the use of information other than an agreed work evaluation to prove wage discrimination
3. Explicit inclusion of sexual harassment and retaliatory actions as part of the definition of discrimination
4. Explicit statement that discrimination included both direct and indirect discrimination so that the law could reach behavior disproportionately favoring one sex
5. The obligation for an employer to annually draft an equality plan
6. More concrete regulations for active measures even if they can be replaced by collective agreements; and
7. Expansion of the equality ombudsman’s authority to enforce the law.

(Carlson, 2007, p. 14-15)

This substantial evaluation led to the 1991 Equal Treatment Between Women and Men at Work Act. The new EO Act added the prohibition of sex discrimination aside from in situations of positive discrimination (Schenk, 2001, p. 26-27). The title of the 1991 Act specifically mentioned women, in contrast to the 1979/80 Act, which did not. The 1991 act kept the collective agreements aspect of the original policy; collective agreements could replace the provisions on equality measures if the agreements were approved by the social partners (trade unions). This allowed for an ‘opt out’ and limited the authority of the equality ombudsman. The burden of proof was still on the plaintiff to demonstrate she was more qualified. Additionally, the prohibition of sexual harassment was added.

Seven new paragraphs were added to the act; the additions were the result of evaluations and external pressure from the EU and international community to strengthen anti-discrimination law. Internationally, Sweden’s equality policy was seen as weak; something that persisted well into the 2000s, but the state was attempting to change this perception beginning in early
evaluation with the changes to the EO act. Likewise, social and political criticism of the policy that existed at adoption and into implementation had largely receded during the evaluation period: “The turbulence of the initial passing of the act seems to have quieted somewhat after this barrage of legislation and amendments” (Carlson, 2007, p.9-10). The view that the state should not be involved in regulation of employment had mostly dissipated.

Continued evaluation led to further amendments to the act. In 1994 the right to opt out through collective agreements was removed from the EO act. Employers were also tasked with the duty to analyze wages in 1994, and in 1998 the provisions regarding an employers’ responsibility for sexual harassment were increased, “mandating that the employer take those measures necessary to prevent sexual harassment, and also imposing a duty to investigate in situations coming to the knowledge of the employer” (Carlson, 2007, p. 16).

In 2000, additional amendments were made to the 1991 Act. These amendments were born from a government report issued in 1999 considering the effectiveness of the 1991 Act. The report suggested:

1. A definition of indirect discrimination be added
2. The sex discrimination rules be changed to conform to the European Commission directive
3. The group rebate be removed
4. The burden of proof for wage discrimination be changed
5. Requirement of the employers to analyze wage difference should be an express duty
6. The right to petition the Equality Council regarding compliance of a fine be extended to the labor unions. (Carlson, 2007, p.16)
Based on these suggestions, the policy was further amendment in 2000 to address many of these concerns. Employers were required to remedy wage inequalities within three years of their discovery, the burden of proof for qualifications was shifted from the plaintiff to the employer, and group rebates were removed. Consideration of the employer’s intent in wage discrimination was removed. The equality ombudsman and the labor unions were given more authority and more latitude for fines for an employer failing to provide requested information.

There is evidence that modifications made during this time period were heavily influenced by the European Union and international pressure. Although these changes made it easier for women to work without discrimination, it is clear that evaluation was focused on discrimination and rights elements, and not on feminist ideals behind the problem. The Swedish government was making changes to discrimination policy based on international pressure to provide equality (in keeping with Sweden’s equality image) and not pressure from feminist actors to address the issues behind the problem.

The cycle of evaluations followed by amendments continued well into the 2000s. In 2005, amendments were made again to strengthen the 1991 Act. Definitions of direct and indirect discrimination were amended and tightened, and also made to be consistent with other Swedish discrimination laws. Sexual harassment was further defined and expanded, and now included the phrasing “harassment violating a person’s dignity with a tie to sex or sexual harassment” (section 16a). Prohibitions were expanded for retaliatory actions by employers, and a list of situations considered to be unlawful discriminatory acts was added. Burden of proof was added based on the European Commission’s Burden of Proof Directive. Additionally, the plaintiff no longer has the burden of proof that she was treated unfairly; she must only
“demonstrate circumstances that give cause to assume that she has been discriminated against of the object of retaliatory measures” (section 45a).

These changes indicate two things that were occurring through the course of modifications and amendments to the policy: 1) The policy was becoming more in line with European Commission standards, and 2) although the phrasing of the act continued to be gender neutral, the addition of these sections were clearly written to focus on discrimination against women. The evaluation period saw increased influence by the European Union, probably a result of Sweden’s joining the Union in 1994—during the evaluation phase of the policy. Evaluation efforts were also mostly spearheaded by committees called for by the government, and although feminists and other women’s group representatives were usually included in the committees, the evaluation committees were a mix of representatives from various stakeholders. Therefore, research and evaluation, though copious, was not rooted in feminist ideals, nor did it take into consideration what was known about the problem from a feminist standpoint.

A 2006 government report proposed a radical restructuring of the various discrimination legislations and improved enforcement measures. All pieces of discrimination legislation were to be combined into one policy, similar in many ways to the United States’ 1964 Civil Rights Act. The new policy combined all types of discrimination, equal rights and opportunities into one act, applying to all facets of labor, education, organizations, housing, events, etc. A new Ombudsman was created to combine all areas of discrimination into one unified office (except the children’s ombudsmen). The new policy increased the measures employers must take to avoid discrimination, including preparing an annual equal treatment plan with active measures.
In 2009 the Discrimination Act (Swedish Code of Statutes, 2008) went into effect based on the recommendations from the 2006 report. The Act both prohibited discrimination and required employers to actively prevent discrimination. By creating measures that require employers to actively prevent discrimination, the act attempted to change the structures within organizations that lead to discrimination (Include Gender, n.d.).

This was the first change that attempted to modify institutional structures that lead to employment discrimination; something grounded in the feminist notion that gendered power structures lead to inequality. The DA replaced seven previous discrimination policies, including the Equal Opportunity Act. The new policy expanded the areas that discrimination was prohibited and also expanded the protections against discrimination to pre-employment and education/training. A penalty was included for discrimination compensation creating higher levels of compensation for victims and to create deterrence for employers. Also included in the new act was the right for non-profit organizations to bring action on behalf of an individual.

The previous four discrimination Ombudsmen, including the equality ombudsman, were combined into one, and a ‘Board against Discrimination’ agency was created to review penalties and appeals. Combined, the Ombudsman and the agency increased the ability of the policy to penalize employers for discrimination. As stated in a government fact sheet regarding the new Act, “The Equality Ombudsman will have access to better tools than the previous anti-discrimination ombudsmen to deal with actors that do not fulfil their obligations under the Discrimination Act” (Löfström, 2009).

The new policy basically took all types of discrimination and rolled them into one piece of legislation. This had several effects, some of them positive and some negative, relative to
equal employment for women. One positive effect is that the new act explicitly tackled multiple acts of discrimination: “The new Discrimination Act has also solved some problems with regard to multiple discrimination, by making the same prohibitions apply to all grounds and by having one Equality Ombudsman dealing with all grounds” (European Commission, 2014). It also limited the possibility for employers to present justification for discrimination; something the older policies allowed. However, the new policy did not allow for economic damages when a job seeker was denied employment but was clearly the most qualified applicant. It also did not give judges the ability to impose active measures and a follow-up by the court or Ombudsman in cases where a systemic problem is likely. The new act represented an ideological shift: anti-discrimination law is grounded in human rights and violations of human rights are wrong. Again, while this seems like a positive development, the change ran counter to feminist efforts because it was gender neutral.

Implementation issues with the 2008 Discrimination Act were brought to light in an inquiry report, highlighting the following flaws: Protection against discrimination does not cover the self-employed and discrimination/harassment from co-workers and third parties is not prohibited. Several additional inquiries were completed to investigate the effectiveness of the policy, every year following the adoption of the policy. In 2011, one of these reports found there was no right to economic compensation for lost pay. It also noted that “it seems to be easier to…win discrimination cases in the ordinary court system compared to the labor court” (Norberg, 2011). In reviewing case law filed under the anti-discrimination legislation, most seem to be ethnicity-related and not gender related, indicating the blanket legislation did not seem to address gender issues well.
The nearly continuous evaluation and cycle of adjustments to the equal opportunity legislation created a framework of rights covering all forms of discrimination. However, the adjustments managed to never include expressly feminist language, and other than an implicit adherence to the broad feminist goal of providing for women’s right to work, the policy remained gender neutral.

In 2014 a white paper to the government outlined proposed changes to the Discrimination Act, which included a model for employers to actively investigate if discrimination is occurring in their place of employment and outlined several monitoring and evaluation duties for employers. It also recommended a change in the documentation requirements for employers back to once per year, rather than the every three years it was changed to in the 2008 policy. This change was suggested to better combat wage discrimination. The white paper explicitly mentions wage discrimination between women and men (SOU 2014:41). Although the white paper is not policy, it is a step in the right direction to begin to gender future legislation.

Underlying Sweden’s equal opportunity legislation are implicit goals that are feminist in nature, despite its lack of explicit gendered language. By considering the changes created during the evaluation period it is evident the goal was to create forward-looking, active efforts to achieve equality. Included in this were efforts to change working life directed at eliminating gender-related differences and achieving an even gender distribution both at individual workplaces and within particular occupations. The prohibition of discrimination and sexual harassment were clearly aimed at eliminating gender discrimination.

The numerous outputs created by the oft-amended legislation included departments and committees with representatives from feminist organizations and that were tasked with ensuring
the reform aligned with gender mainstreaming and kept a gender perspective. For example, the "Equality Affairs Division" supports and initiates efforts to promote equality at the national and regional levels, and develops methods for integration and implementation of gender mainstreaming in all policy areas. Its aims are to ensure inclusion of a gender perspective and to achieve equal representation of women and men in various bodies in the State sector.

Similarly, the "Council on Equality Issues" is an advisory body to the Minister for Equality Affairs. The members represent political and private interests including women's organizations, political parties, and employer and employee organizations. They exchange information and discuss equality issues. Since 1995, there has been a regional expert on equality issues in each of the 21 counties. Their main task is to promote mainstreaming of a gender perspective into all policy fields and support efforts in their regions to achieve equality of the sexes (Heinrich, 2012).

A gender research office (Nationella sekretariatet för genusforskning) was established during the evaluation process through the Minister of Education and Research. The primary task of the office is to maintain an overview of gender research work being conducted in Sweden. Additional tasks were to disseminate research findings in science and practice, to raise awareness of the significance of the gender perspective, and to illustrate the status and means of development of the gender perspective in various fields of activity (Heinrich, 2012).

The Swedish Government has since 2007 tasked the Swedish Agency for Economic and Regional Growth with coordinating and implementing a number of initiatives throughout Sweden to promote women’s entrepreneurship. 880 women entrepreneurs throughout Sweden have been selected as Ambassadors for Women’s Entrepreneurship. They serve as role models
to raise awareness and create interest about entrepreneurship, in the hopes of increasing the number of women running businesses. These ambassadors are considered very important in making women’s entrepreneurship more visible. The entrepreneurship group has involved media and helped increase the public’s awareness of gender issues including equal opportunity in employment (Swedish Agency for Economic and Regional Growth, n.d.).

Although the government has been active in promoting broad gender equality goals, the international community has not been overly happy with Sweden’s equal opportunity policy. The CEDAW has expressed concern that the wage gap between women and men in both the public and private sectors did not narrow in the decade since the first EO act was adopted. In a CEDAW report paper, the Committee stated that the “disparity is linked to the persistence of gender segregation in the labor market” (Norberg, 2008, section 341). The Committee is focused on the elimination of the gender wage gap and has urged more active measures to accelerate the eradication of pay discrimination against women. These include job evaluations, collection of data, further study of the underlying causes for the wage gap and provision of increased assistance to social partners in collective wage bargaining—in particular for determining wage structures in sectors dominated by women.

By reviewing the recommendations put forth by the committee, it is clear CEDAW recognizes Sweden’s legislation has not fully tackled the elements contributing to the problem of gender inequality in employment. For instance, the Committee expressed concern with the existence of gender-based segregation at all levels of the educational system, including the choice by girls and boys of traditional disciplines and the attitudes of teachers that perpetuate and reinforce stereotypical gender roles (Norberg, 2008, section 343). The Committee recommended
strengthening efforts to eliminate gender stereotypes in educational curricula and consistently integrate awareness and understanding of gender equality in teacher training (UN Women, 2008).

Part of the reason these issues behind workforce gender equality have not been addressed is the continued lack of participation by organizations outside of employers and government-enacted committees. The CEDAW in its 2008 country report on Sweden actually noted this lack of engagement by organizations. The report states: “The role played by NGOs other than trade unions and employer organizations in Sweden has been known to be fairly weak, perhaps with the exception of the different organizations within the disabled movement” (Norberg, 2008, section 343).

Although Sweden has produced numerous reports and evaluations relative to its EO legislation, very little actual change has occurred as a result. And although the policy has been amended and modified many times, the policy is not drastically different than it was when originally proposed in 1979:

Many government reports have addressed issues under the legislation with respect to economic equality since the passage of the 1991 Act, but the results of all these investigations have been rather modest amendments to the legislation and procedural mechanisms originally instituted in the 1970s. (Carlson 2007, p. 15)

**Process Phase Variables**

**Linked to feminist ideals.** As previously discussed, in order for a policy to have strong linkage to feminist ideals it must 1) have feminist content written into the policy, 2) be responsive to
feminist demands, 3) be based on what is known about the problem, 4) be responsive to feminist demands, and 5) create outputs and accountability mechanisms that are linked to feminist ideals.

The Equal Opportunities Act was never written with feminist language. The original act was created with wording that worked to strengthen women’s position in the labor market, but did not explicitly include feminist ideals or gendered language. Feminist demands were not widely expressed during adoption, although there is some evidence that representatives of women’s groups were included in committees and boards that helped shape the policy. (Score=0/3)

Feminist demands were not widely expressed by organizations during implementation. This is partly because the government included representatives from feminist and other organizations in councils and committees that were meant to monitor and assess the legislation. However, inclusion in councils did not necessarily equate to their voices being heard. NGOs and feminist organizations have had a relatively weak role in the equal employment opportunity reform overall. Since the advocacy role of NGOs is highly important in equal opportunity reform, empowerment of NGOS is needed in Sweden. (Score=0/3)

Because reports, assessments and evaluations were completed by committees and networks that included representatives from various types of organizations with a stake in the reform, the policy and subsequent legislation was based on what is known about employment discrimination in general; not from a feminist perspective. In fact, very little has been done to add feminist aspects to the reform. The most recent iteration of the policy, the Discrimination Act, was purposely created gender neutral and does not directly combat the gender power structures in society. Additionally, it was meant to include all aspects of discrimination, thus the scope of the act became much broader than women’s equality in the workplace. Therefore, the
policy moved from strengthening women’s rights to a more general stance of protecting the rights of all populations from discrimination. Gender and inequality in the workforce is not directly addressed by the policy, and over time amendments and changes have actually diluted what little was there at adoption. (Score=0/3)

**Institutional feedback.** Organizations and groups did very little mobilizing around the Equal Opportunity Act. Institutional feedback did occur in that the policy process started over many times with amendments and policy replacements. But these were relatively minor adjustments, and did not make substantial change or counter the issues behind the problem. These adjustments were made based on committee-led choices, where representatives of organizations had a voice, but mobilization did not institute changes to the policy.

This was partly because Sweden’s approach to its Equal Employment Opportunity reform was institutional in nature, rather than an interest group approach to change. Change took place at the intersection of economic, labor and social issues instead of social change alone. The state sat up corporatist collaborations for input, which were not feminist in nature. Activists were not instrumental in creation of the policy.

In the pre-adoption phase, feminist organizations did propose and carry out changes that led to Sweden’s current gender equality policies, including the equal employment opportunity reform. But the key to successful integration of women in the workforce was seen to lie in cooperation among labor parties, not a basis in feminist ideals. At adoption mobilization was focused on making changes to labor law which allowed for women to enter the workforce without discrimination and improved the condition for women in the workforce. This focus,
although based broadly on feminist concepts, kept organizations from an explicit feminist focus regarding mobilization. (Score=1/3)

By the implementation phase, changes to the policy were already taking place which carried into evaluation. Some NGOs did begin to mobilize around the new elements of the reform, and by the end of the evaluation phase, mobilization began to expand to other issue areas such as sexual harassment and parenting issues.

However, mobilization was never truly feminist in nature. For one thing, the equal employment opportunity reform was tied up in the broader goal of creating more gender equality in the state. Therefore, instead of a singular focus on empowering women through engagement in the workforce, the focus was diluted by other gender equality issues and a desire for the state to appear it was “fixing” many issues at once. (Score=1/3)

Additionally, Sweden joined the European Union in 1994, during the evaluation phase of the policy. It is possible that Europeanization played a role, distracting the state’s focus. Sweden has a vested interest in maintaining its reputation as gender equal, and by joining the Union there was obvious pressure from the European Commission and international community to conform to their definition of gender equality. (Score=1/3)

Process summary. Prior to adoption of the Equal Opportunity Act attitudes about gender roles were already changing in the state. An increase in equality between men and women relative to their roles at work and at home was already occurring. The policy at adoption was up against social and political attitudes that were critical of federal regulation in the realm of employment and labor, which created a tumultuous beginning for the policy. The process phases of the Equal Opportunity Act and its subsequent policies saw an eventual shift in this attitude; federal
regulation of the employment sector relative to gender equality was accepted at the societal level and politically.

Despite Sweden’s adherence to a general concept of gender equality, the Equal Opportunity Act aligned more with employers and social partners than feminist organizations or other activists, missing the opportunity to develop a policy with a feminist foundation. Without a feminist foundation, real change is difficult to achieve.

**Policy Outcome (Indirect and Direct Impact)**

**Empowerment of women.** Empowerment counteracts discrimination. Although the first Acts dealt with issues of empowerment indirectly by working to empower women in the labor market, the more recent Act did not address gender or women’s inequality in the labor market at all; it remained gender neutral. The modifications the Equal Opportunity Act went through over time diluted the little bit of feminist foundation the policy had at adoption.

There are several subtle barriers to women’s success in the workforce that the policy reform does not address. These barriers are embedded in the gendered norms of society that restrict women’s empowerment. One of these is the issue of the choice to have a family and the gendered norms of seeing women as the primary caretaker. Although Sweden has gone far to address this concern at the societal level, barriers still exist in terms of employers choice in selecting employees for high-level positions or for promotions, etc. Employers may discriminate against women for hiring, promotion, or for ‘power positions’ such as boards or directorships because they may see women as being more committed to family responsibilities than work responsibilities (Wright, Baxter & Birkeland, 1995; Yeung & Glauber, 2007).
Employers may also see women as less appropriate for work travel than men for this reason as well, or assume women would rather not travel for work (Presser & Hermsen, 1996). Acker (1990) and Glauber (2008) explore theories about how cultural assumptions affect organizational rewards. These concepts support the idea that employers tend to believe having a family affects men and women differently because societal norms and assumptions influence career trajectories. Workers with obligations outside of work are not considered ‘ideal workers’ because they cannot put in more than 40 hours per week (Williams, 2000). Cultural assumptions and norms connect the ideal worker image with men. Acker (1992) states there are two types of workers: “those, mostly men, who, it is assumed, can adhere to organizational rules, arrangements and assumptions, and those, mostly women, who, it is assumed, cannot, because of their obligations to family and reproduction” (p.255). Magnusson (2010) posits: “This kind of reasoning could lead employers to invest more in male employees than in female employees” (p.102). It is these types of cultural norms that must be eradicated in order for women to reach true empowerment in the workforce. The Swedish Equal Opportunity reform does not explicitly counter these types of norms.

This being said, Bernhardt, Noack, and Lyngstad’s (2008) study of young adults relative to work-life balance found that in Sweden, young adults were more in favor of an egalitarian life than those in Norway. It is possible that gender policies such as the Equal Opportunity Act and other gender equality policies in Sweden actually are having a general effect on gender norms in society, mostly because gender equality policies have been in effect so long in the state. This study compares Sweden and Norway, where gender policies are similar but have not been in effect as long:
We interpret the differences in egalitarian work–family balance between Norway and Sweden as probably due to the stronger and longer history of institutionalized gender equality in Sweden compared to Norway, or in other words as evidence of path dependency. This underlines the importance of having policies favouring (sic) gender equality in place for some time in order to shape both prevailing ideals.” (Bernhardt et al, 2008, p.287)

Therefore it is possible that even general gender equality policies, with implicit rather than explicit grounding in feminist concepts can create change.

Feminists do not feel implicit foundations create lasting change because discourse does not shift enough to truly eliminate the problem. For instance, even though Swedish couples favor egalitarian lifestyles more than their counterparts in Norway, Swedish women are still primarily responsible for tasks in the home, something that is based in gendered cultural norms (Magnusson, 2005). Szymoniak (2011) finds “some attitudes have shifted regarding child care and housework, but traditional gender roles are still alive” (p. 67). Euingsåeter and Leira (2006) state Sweden’s state of gender equality should be considered "a situation of gender equality light" (p. 268). In spite of increased participation in the workforce, women retain the main responsibility for children and household. Therefore especially when women attempt to commit to work as strongly as men, they are likely to be exposed to more work-family conflict (Oün 2012, p. 167). This is especially the case for single women, who may not have someone to share home responsibilities with. Svensson and Gunnarsson (2012) have similarly argued:

The Swedish state has shown a lack of ambition to fully challenge the gendered segregation of the labour (sic) market, to change the uneven distribution of economic and
political power in many sectors of society, and to fulfil the political goal of shared parental responsibilities.” (p. 2)

They further state this derives from gender-biased discrimination “embedded in the Swedish model, particularly in the case of specific social groups such as single mothers and migrant women” (p. 2).

From a lack of feminist concepts in the written policy to a lack of explicit women’s empowerment built into the legislation, Sweden’s Equal Opportunity reform has failed to address gender-biased discrimination or the uneven distribution of power (resources) from a feminist perspective. Additionally, the most recent iteration of the reform, the Discrimination Act, replaces the previous policies which outlined each type of discrimination and the grounds of that discrimination. The new act generalizes all discrimination into one policy. Since there are different kinds of discrimination and different societal causes of each kind of discrimination, the societal causes of each form of discrimination are also no longer addressed. True empowerment of women requires a focus on the gendered norms and societal causes of discrimination. Therefore, women’s empowerment is not fully address through Sweden’s Equal Opportunity reform. (Score 1/3)

**Decrease in occurrence of the problem.** In consideration of whether or not there has been a decrease in an occurrence of gender discrimination in the workforce, several facets of discrimination have to be considered. From a feminist standpoint, decreasing gender discrimination is about more than just putting numbers of women in the workforce. Whether women are working in full or part time jobs, what types of gender gaps in occupations still exist, and wage differentials relative to gender must all be considered. In addition, relative to the
policy itself, consideration must be given to whether or the policy has created changes in the system that allow for discrimination cases to be tried and women to receive justice for gender discrimination.

Early on, case law indicated that the 1979/1980 policy was not overly effective. A similar evaluation later found that the 1990s changes to the policy addressed many issues raised in litigation (Carlson, 2007). These case law studies were conducted too early to be considered as outcomes, but they do indicate that changes over time have led to better outcomes. A more recent study conducted in consideration of measures to combat discrimination in the European Union member states examined discrimination in Sweden through January 2011. This report found very few cases of alleged discrimination have been won through the courts, although the number of out-of-court settlements was fairly high (Norberg, 2011). This suggests that employers are settling cases rather than using the system to dictate justice. This is still a way women can receive justice for discrimination, but it is much more difficult to ascertain whether or not the remuneration works as a deterrence for employers to reconsider future discrimination.

The number of women participating in the labor market in Sweden has definitely increased. Statistics indicate that only about 60 percent of women were employed in 1970. By 2009, this had increased to 81 percent (Statistics Sweden, 2010, p. 46). These statistics indicate that the number of women participating in the labor market in general has risen significantly since the Equal Opportunity Act. A different study found that in 2009 Sweden had the third highest female employment rate within the European Union (27) at 70.2 percent after Denmark (73.1 percent) and the Netherlands (71.5 percent) (Tomlinson, 2011). These two studies report
different percentages of women in the labor market in 2009, but both report high participant rates.

Sweden also has the second smallest gender gap in employment rates in the European Union (27). The male employment rate in 2009 was 74.2 percent, equating to a 4.0 percent gender gap. In the European Union (15), this gender gap is only smaller in Finland, where both employment rates are lower overall but closer relative to each other at 69.5 percent for men and 67.9 percent for women (Tomlinson, 2011).

But many women in Sweden’s labor market work part time. Since a moderately high proportion of women work part-time, the full time equivalent gender gap in employment increases when this is taken in consideration. Given part-time workers work comparatively long hours and full-time workers shorter, despite the large number of women working part-time, the employment gap increases to 10.2 percent (Tomlinson, 2011).

Sex segregation in the labor market is still ongoing. Women are still working predominately in the public sphere, while men are predominantly hired in the private sphere. In fact, the public sphere has expanded in Sweden since more women have joined the workforce (Mandel & Semyonov, 2005). This unequal distribution favors men, since most private work positions are better paid and more prestigious than public positions. Women are still over-represented in poorly paid professions, although there appears to be an upward trend of women in supervisory positions; these positions are more in the public sector than the private sector, however. Additionally, women are still spending more time than men participating in unpaid housework (Szymoniak, 2011).
Additionally, family-friendly elements of Sweden’s Equal Opportunity reform and other Swedish gender equality reform has made it easier for parents to combine family with working life by working part-time and taking long parental leaves. Because of this, it is more likely to be women who are disadvantaged in the upper ranks of the labor market. This is a result of the division of labor and care-taking duties in the household, with mothers rather than fathers making use of family-friendly benefits, leading employers to tend to discriminate against mothers (Magnusson, 2010).

Women also make less than men; likely this is partly a result of sex segregation. In 2009, a study showed that on average a women’s wage was 85 percent of a man’s salary. This analysis indicates there still is a significant gap between men’s and women’s wages in Sweden (Szymoniak, 2011). (Score=1/3)

**Outcome summary.** It should be noted that if this research had considered a policy successful if it fulfilled its stated goal at adoption, the Swedish equal employment opportunity policy would be considered a success. The policy goals were straightforward: increase the numbers of women in the labor market, and it succeeded. However, from a feminist standpoint, counting women in the workforce is not a proper measure of success. This is where having measures properly grounded in feminist research come into play.

A significant change in gender roles has been observed in Sweden relative to the roles of women and men in childcare and housework. Politics since the 1960s and the Equal Opportunity reform have “succeeded in changing attitudes and raising social awareness of the fact that both parents are responsible for childcare and maintaining family economically” (Szymoniak, 2011, p. 69). However, the shift has not been complete. Women are still participating in family care and
housework at a pace far greater than men, and men are still receiving better pay and more
prestigious positions than women in the workforce.

Szymoniak (2011) calls the assessment of the Swedish gender equality politics “ambivalent,”
stating that:

On one hand Sweden is one of the most equal countries in the world. The situation of
men and women has changed in comparison to 1960s as the equality between the sexes
on the labour (sic) market and in families has risen. On the other hand, not all of the
problems that women and men struggled with in 1960s have been completely solved. The
remaining problems are: sex segregation, wage differentials and sharing of childcare and
housework. (Szymoniak, 2011, p. 68)

Women’s wages are still generally lower than men’s and women tend to work in lower-paid
sectors. Women still take parental leave more often than men and tend to do the bigger share of
unpaid care work. Although there has been a significant change in the level of gender equality
since the 1970s, there is still much that needs to be done in order to achieve gender equality in
employment. (Score= 2/6)

Drivers. From a feminist point of view, Sweden’s EO Act has had very little feminist authority
in the social and political reality it exists. The policy has been able to add women to the labor
market, but it has not done so in a feminist manner. Institutional feedback and linkage to feminist
ideals are identified by literature as variables that lead to feminist policy success, and it is clear
that neither has occurred to a high degree in the case of this policy. Here a brief discussion is
given which outlines some of the elements preventing the policy from being more authoritative.
The policy was explicitly designed to restructure the workforce system and labor laws in Sweden; no attention was given to the social norms behind why the workforce was structured in a discriminatory way in the first place, however. The ‘male breadwinner’ model was not targeted by the policy in an explicit way, and any involvement by feminists was ‘watered down’ through the use of committees. However, the policy was able to rely heavily on the state’s gender equality framework, which led to rapid implementation. A reliance on frequent evaluations and assessments also led to mid-stream changes and adjustments to the policy. But since the policy was adopted with through a corporatist-institutional approach, interest groups were not very involved in the adoption process. Collaboration and mobilization by interest groups never really occurred, and actors involved with the policy tended to be labor union and corporation-centric rather than feminist. This impacted institutional feedback and linkage to feminist ideals; the variables remained constrained by these undercurrents which ultimately led to low policy authority.
Chapter 7: Case 4—The United States’ Equal Opportunity Reform

Civil Rights Act, Title VII

![Timeline of U.S. Title VII and Subsequent Reform](image)

**Figure 9: U.S. Title VII and Subsequent Reform Timeline**

**Case History (Pre-Adoption)**

Obvious forms of discrimination against women in the workplace existed in the United States into the 1950s. The ‘marriage ban’ in some states excluding married women from employment is an obvious example of this (Estevez-Abe 2012). The United States had a history of “deep rooted and pervasive discriminatory employment patterns” (Hill, 1977). For the two decades prior to Title VII, over 200 fair employment measures had been proposed in Congress, but very little progress had been made.

The roots of Title VII can be traced to the Unemployment Relief Act of 1933, which provided "[t]hat in employing citizens for the purpose of this Act no discrimination shall be made on account of race, color, or creed," (United States Securities and Exchange Commission, 48 Stat. 22). Most laws during this time affecting employment contained similar provisions, or
they were provided for in executive regulations (Freeman, 2008). However, there were no enforcement mechanisms; these laws were ineffective and exclusionary tactics continued unabated. Likewise, none of these laws specifically mentioned discrimination on the basis of sex.

By 1963, after decades of attempted legislation and failed laws, “pressure was mounting for broad national legislation to eliminate industry-wide discriminatory job practices within both public and private sectors of the economy” (Hill, 1977, p.2). Setting the stage for the 1964 Title VII adoption was the mobilization and lobbying that occurred around the Equal Rights Act. The National Women’s Party (NWP) lobbied extensively to equate sex and race discrimination. Similarly, the Kennedy Commission on the Status of Women was established in 1961 because of evident discrimination against working women. The Commission opened new channels for women to support each other and to organize against discrimination. It is generally thought that the establishment of the Commission was a way for the administration to avoid the Equal Rights Act issue (Kates, 1989). The Commission in 1963 reported that sex discrimination was different than discrimination based on other factors. But the NWP began lobbying to have sex discrimination added to the Civil Rights Act before the commission even released its report (Kates, 1989).

The Commission’s report documented discrimination against working women and from this report the Equal Pay Act was created and passed (1963). The recognition and legitimization of women fighting discrimination acted as a catalyst for women to organize around anti-discrimination. The Kennedy administration requested a convening of over 300 women’s organizations to “discuss those aspects of the nation’s civil right program in which women and
women’s organizations can play a special role” (Peterson 1983, p. 300). The National Women’s Committee on Civil Rights was organized from that meeting. Title VII and the Equal Pay Act were made possible “through an alliance of working class and middle class women united in pressing the feminist demand for equal economic opportunity for women” (Kates 1989, p. 28).

However, women’s organizations were unsure if their lobbying would be enough to persuade Congress, nor were all groups in agreement about the attempt to add sex discrimination to the policy. Leading up to the hearings for the Civil Rights Act, there seemed little hope the amendment would be included: “None of the national women’s organizations would help and Representative Catherine May could not find one among the 40 Congressional allies she queried who would support a sex amendment” (Freeman, 2008, p. 171). Although organizations were united in mobilizing around an equal opportunity policy for women, they were not in agreement about the vehicle; most organizations were pushing for the Equal Rights Act and preferred that vehicle over the addition of a title in the broad Civil Rights Act.

Title VII in some ways had to compete with lobbying that was occurring for the Civil Rights Act in general. There was some coalition-building and lobbying that occurred, although it was weak in comparison to that focused on the civil rights portion of the Act:

The lobbying efforts of the NWP were weak compared to those of the civil rights forces, but they weren't non-existent. The NWP solicited help from other women's organizations and sent letters to many Members of Congress. A member of BPW [Business and Professional Women’s Foundation] from Texas walked into the NWP headquarters to volunteer full time just when its campaign began. She distributed pamphlets prepared by a NWP attorney from statistics collected by the Women's Bureau on such topics as ‘the
discriminations against women workers are greater than those against negro and non-white men.’ (Freeman, 2004, p. 172)

The coalition-building that did occur was able to take advantage of the larger civil rights movement. Groups were able to avoid the normal lengthy process of major legislation by using the momentum already established. The addition was:

The product of a small but dedicated group of women, in and out of Congress, who knew how to take advantage of the momentum generated by a larger social movement to promote their own goals, and a larger group of Congressmen willing to make an affirmative statement in favor of women's rights. But it was casual. At a time when the division between "men's jobs" and "women's jobs" was still taken for granted, the implications of prohibiting discrimination in employment on the basis of sex had not been fully explored. If they had been, so revolutionary a proposal is unlikely to have passed.” (Freeman, 2004, p. 173)

Since this was really the beginning of the women’s rights movement, the actors involved in pushing for women’s rights were relatively few and not overly powerful; there was not yet a social movement behind them. Instead, they worked from the margins, building on the momentum of the civil rights movement (Brauer, 1983).

Additionally, actors pushing for the Equal Rights Act were angered over the President’s Commission refusing to endorse the Equal Rights Act. Because of the refusal, they pushed to get the sex amendment added to the civil rights bill instead. Opposition to the amendment added for sex discrimination primarily centered on the amendment being added at the last minute.

Kennedy from the beginning was wary of late amendments that historically had killed civil rights
bills in the past. His administration kept to his wishes to oppose last minute amendments, regardless of the administration’s previous track record of being a proponent of women’s equality.

![Figure 10: U.S. Title VII Process Phases and Outcome Timeframe](image)

*The adoption of Title VII took place over the course of two years; the federal government allowed for the long adoption period for staffing and enforcement preparation.

**Adoption**

In 1964 Congress passed Public Law 88-352 (Government Printing Office, 1964); the Civil Rights Act. The provisions of the act forbade discrimination on the basis of sex, race or religion in hiring, promoting, and firing. The word "sex" was added at the last moment.
According to the West Encyclopedia of American Law, Representative Howard W. Smith added the word. Some believed Smith, opposed to federal civil rights, did so to kill the entire bill. Smith, however, argued that he had amended the bill in keeping with his support of the NWP with whom he had been working. Martha W. Griffiths led the effort to keep the addition of "sex" in the bill (National Archives). In the final legislation, Section 703 (a) of the Civil Rights Act made it unlawful for an employer to "fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions or privileges or employment, because of such individual's race, color, religion, sex, or national origin” (United States Equal Employment Opportunity Commission, n.d.).

Title VII was not written in gendered language, although the addition of the word “sex” implicitly referred to women. There was relatively little planning that occurred to actually draft desired text; in fact, the addition of the wording happened quickly and at the last minute. Many scholars feel it was a healthy dose of good luck brought by fortuitous circumstance that passed Title VII. The civil rights movement prompted the Act and the addition of sex into the policy was not part of the original plan, nor was it something that probably would have passed on its own:

Given the amount of time necessary to pass the relatively innocuous Equal Pay Act, and the compromises involved, it is highly improbable that an Act prohibiting employment discrimination by sex alone would ever have passed Congress, let alone one creating a federal enforcement agency. (Freeman, 2008, p.175)

Although there was very little time for planning relative to Title VII, some work was done to attempt to ground the entire Civil Rights Act in feminist-leaning language that explicitly
pointed out structural issues behind discrimination. Original drafters of the Act wanted an explicit recognition written into the text of the “many impersonal institutional processes which nevertheless determine the availability of jobs” (Bagenstos, 2006, p.1). This refers to the structural forces at work which exclude some individuals and groups of individuals from employment by way of imbedded structural norms. This recognition did not make it into the policy, although academics and legal scholars have in recent years worked to revive this structural emphasis.

Some scholars argue the text of Title VII was implicitly grounded in feminist thought. These scholars cite that Title VII was meant to displace common and well-established social norms; in fact, it is referred to a ‘transformative law.’ Travis (2005) stated that the court system was aware of the implicit need to displace social norms:

The court recognized that eliminating employment discrimination on the basis of race, color, religion, sex and natural origin would require more than just preventing employers from prejudiced decision-making. Achieving workplace equality also would require employers to remove all ‘artificial, arbitrary, and unnecessary barriers,’ and to eliminate the ‘built-in headwinds’ of the conventional work environment. (p. 5)

Feminist organizations saw the addition of sex in the Act as a victory, and overall felt their demands had been met. But feminists and other collaborators could not rest after winning the battle in Congress. For one thing, the adoption process was long and slow, and enforcement was allowed to be delayed for one full year. It was argued that an interim period was necessary to establish the Equal Employment Opportunity Commission (EEOC), to organize new staff and formulate procedures (Hill, 1977). The delay was likely a response to the pushback against Title
VII during the Act’s adoption, since it was the “most bitterly contested section of the act” (Hill, 1977, p. 2). In other words, while Title VII was adopted quickly, bureaucracy slowed its progress once adopted.

Additionally, the newly created EEOC responsible for enforcing Title VII refused to take the sex discrimination provisions seriously. The EEOC in its initial phase did not have the power to litigate, however it did have the power to investigate and turn litigation over to the US Attorney General, which it did. Action did take place and litigation occurred, which challenged some large company’s seniority systems, creating some major institutional reform (Deitsch & Hegewisch, 2013, p. 677). However, these early actions were targeting discrimination against other minorities; not gender discrimination.

The first chair of the EEOC was "adamant that sex discrimination had been included in the Act to bring it into disrepute and was not a genuine part" of his responsibilities (Feminist Majority Foundation, nd). Congresswoman Martha Griffiths attacked the EEOC on the floor of the Congress, labeling its attitude toward the sex provision "specious, negative and arrogant" (Feminist Majority Foundation, nd). During the adoption period (spanning about two years) the EEOC was strictly symbolic relative to the sex discrimination portion of Title VII.

**Implementation**

The United States’ Equal Opportunity reform is somewhat unique; instead of intense organizing and coalition-building leading up to the passage of a policy, the US case is nearly the reverse. Although some organizing and coalition-building did occur in the pre-adoption phase, it was fairly weak and disparate. The catalyst for intense organization and crystallization of a
social movement occurred not in the pre-adoption phase but in the implementation phase of the policy. How Title VII reached adoption is somewhat shrouded in mystery and confusion; the process of its adoption has been the subject of many studies. At adoption Title VII was weak and symbolic. After adoption, however, women were not going to accept that it meant nothing. They used the policy to create coalitions, to organize new groups, and to create a social movement to combat discrimination. Kates (2001) states: “The event which crystallized the growing feminist currents within the labor movement and led directly to the formation of NOW [the National Organization of Women] was passage of the 1964 Civil Rights Act” (p. 40).

Early in implementation, organizations began to mobilize around the refusal of the EEOC to do its job. The EEOC was established, but it was largely symbolic and its members regarded the whole situation of women’s equality at work as a joke (Kates 1989). Although the EEOC viewed the sex amendment as a "fluke" that was "conceived out of wedlock," and tried to ignore its existence (Freeman, 1975, p. 54), fully one-third of the complaints filed in the first year charged discrimination on the basis of sex (EEOC, 1971, 30). After more than 150 complaints of sex discrimination the first year, the EEOC was forced to take things more seriously. The executive secretary of the Commission on the Status of Women presented census data showing the vast difference in median earnings between men and women to a member of the EEOC in 1965 (Kates, 2001). The member was convinced there was a problem but felt “Title VII would not be enforced to protect women unless a national women’s organization could put political pressure on the EEOC” (Kates 1989, p. 42). The National Organization for Women (NOW) was formed in 1966 to do just that. NOW’s initial goal was to pressure the agency to enforce the law. The organization picketed EEOC offices and also provided lawyers for women who wanted to
take their sex discrimination complaints to court (Freeman, 1990). While keeping pressure on the EEOC, feminists sued under Title VII in the federal courts relative to sex-segregated want ads and protective labor laws. After NOW drew attention to the refusal of the EEOC to operate as required, public hearings on sex segregation were called in 1967. The hearings created public awareness about the complacency of the EEOC, and awareness about the breadth and depth of workplace gender discrimination in general. After the hearings, the EEOC was instructed to create enforcement guidelines to abide by (Kates, 1989). In February 1968, NOW filed a lawsuit to force the EEOC to "comply with its own governmental rules" (National Archives, n.d.). The EEOC was finally forced to comply and real implementation efforts began.

After the formation of NOW, working class women began to organize against discrimination and a voice—as well as a movement—finally began to emerge. Women were fighting for something, and fighting together. These groups mobilized around equal pay for equal work, family leave, equality, fairness, and promotion (Kates, 1989). The increased mobilization and general awareness of employment discrimination forced the EEOC into action. However, Title VII restricted the commission’s ability to enforce the law. Title VII was adopted with inherent limitations imposed on the EEOC: it lacked the authority to initiate legal action or impose cease and desist orders—it could only recommend action to the Attorney General (Hill, 1977). Although women’s organizations were instrumental in forcing the EEOC to take its job seriously, in reality the commission, in its early stages, lacked true power:

The EEOC’s lack of enforcement powers, which limited the commission’s roles to investigation, persuasion and conciliation, was to remain a source of contention and
controversy in future sessions of Congress as well as the major reason it was unable to fulfill its mandate. (Hill, 1977, p.25)

Additionally, early policy implementation of Title VII was largely unmonitored until the complacency of the EEOC was recognized. After the purposeful failure of the EEOC to properly implement relative to sex discrimination, studies were regularly done to report on and monitor discrimination and the gender pay gap, as well to report on the actions of the EEOC and make recommendations. Implementation failures, then, led to the creation of checks-and-balances to monitor accountability mechanisms and outputs created in adoption.

As implementation progressed, feminist pressure continued to create change. It was largely “pressure from feminists on the federal government and the courts” that spurred the movement of American women into business executive ranks (National Archives, n.d.). Court cases were won and settlements reached in the millions of dollars within just a few years. Feminist groups continued to lobby to make the process easier for women to take discrimination to the courts. In addition, groups continued to focus efforts on transforming the EEOC into a commission with real power to affect change:

In view of the many limitations and inadequacies of Title VII, it is not surprising that efforts to improve the statute and to give direct enforcement powers to the EEOC were begun soon after adoption of the original Act. Debates began in early 1971 to extend coverage of Title VII and give the EEOC enforcement powers. (Hill, 1977, p.28)

Many saw the lack of enforcement power of the EEOC as an attempt to keep Title VII weak. But enforcement began to occur by the legal sector, regardless of the EEOC’s ineffectiveness. In fact, this transformation occurred because of the EEOC’s ineffectiveness.
Because the EEOC did not have enforcement powers for so long, the legal sector—feeling the pressure to address civil rights claims—stepped in and a “new body of equal employment law developed” (Hill, 1977, p. 28). Therefore, efforts to keep Title VII weak by not granting the EEOC power by litigation ironically “turned out to be a significant benefit” (Hill, 1977, p. 28). The basic law of Title VII was shaped by federal judges (appointed for life) instead of short-term officeholders at the commission, who were likely to be affected by political pressure and certainly budgetary requirements.

Debates surrounding the EEOC’s lack of legislative power continued through 1971 and into 1972. By 1972 the EEOC’s powers were extended to allow the commission to directly sue employers for violation of civil rights laws; the Equal Employment Opportunity Act of 1972 gave the EEOC the authority to sue in federal courts. Title VII was also extended to cover employment in educational institutions and government agencies, and the Equal Pay Act was extended to cover professional and executive jobs. Giving the EEOC litigation power created an accountability mechanism where it was easier to hold employers accountable for discrimination.

The EEOC finally began to serve as an agent of implementation, which divided political parties based on differing views about what the scope of government should be:

In general, the political liberals embraced the creation of the EEOC as the birth of a federal regulatory authority that could promote the goal of equality by designing policies to help the historically disadvantaged, including women and minorities. In contrast, political conservatives saw the EEOC as a violation of their belief in fewer government regulations and fewer federal policies. To them, creating a strong economy, free from
government intervention, would produce gains that would benefit the historically
disadvantaged. (National Archives, n.d.)

The EEOC became a working commission, more aligned to the policy frame by which it was created. Early in 1973 the commission expanded the number of litigation centers regionally, creating new centers in several areas. This increased the number of lawsuits that moved through the system. Instances of discrimination were heard and tried, and the policy became a better working mechanism against discrimination in the workplace.

But the commission was still not achieving its full potential, partly because of a backlog of cases and complaints. Also, the commission did not take full advantage of the opportunities granted it by the 1972 amendment. It did not reorganize or expand to the degree possible, and it did not add the number of staff needed to process cases. Hill (1977) found the EEOC lacked the leadership necessary to make it as effective as it could have been. By 1974, the EEOC’s shortcomings “became more serious and subject to public exposure” (p. 66). Once again, the commission went through several days of public hearings. A study by a private firm was also ordered to recommend ways the EEOC should use the new powers awarded it through the 1972 amendments.

This public scrutiny allowed women’s groups and feminist organizations to continue mobilization and use the attention to further coalesce groups into a movement. Mobilization continued to expand and new organizations were formed. For example, in 1974, the same year the EEOC once again began making headlines, the newly founded Coalition of Labor Union Women, began “actively promoting…feminist goals within the labor movement” to organize women and to fight to close the pay gap, among other things (Kates, 1989, p. 29).
an "evolving feminist awareness which eventually challenged the system" of discrimination against women at work (Kates, 1989, p. 39).

All branches of the federal government and most of the states had progressed to take at least some action to fulfill the promise of equal protection for women at work under the law by the late 1970s. Also by the late 1970s feminist mobilization had spread to other issue areas. In 1978 the Pregnancy Discrimination Act was passed to prohibit discrimination in employment on the basis of pregnancy, following an adverse Supreme Court decision two years earlier.

By the end of the 1970s, implementation efforts had scaled up and mobilization spread to other areas. Outputs created by the policy aided mobilization by appointing new task forces. For example, a federal Interagency Task Force on Women Business Owners was appointed in 1977, and began evaluation efforts. In 1978 the task force published its report "The Bottom Line: Unequal Enterprise in America" (United States Department of Commerce, 1978). Although this was technically an evaluation, it is discussed here because the task force was created as part of implementation efforts. The task force’s recommendations were largely heeded; an executive order (National Archives, EO 12138) was signed in 1979 to adjust implementation efforts to include affirmative action in federal contracting among other recommendations.

Further mobilization efforts began in the business sector. The National Association of Women Business Owners (NAWBO) pressured Congress in 1988 to research and understand obstacles faced by women entrepreneurs. As a result, the Women's Business Ownership Act was passed to correct long-standing discrimination against women in the business sector (Feminist Majority, nd). The Act created a National Women's Business Council to advocate for women and also addressed issues of women’s access to credit.
The implementation phase of Title VII saw a huge amount of mobilization by groups external to the policy. In addition, the policy created and implemented additional councils, task forces, and organizations to study, monitor, and make recommendations relative to the policy. These groups joined in mobilization and efforts also spread to other issue areas. In addition to putting strong pressure on the EEOC and other government agencies, feminists and women’s organizations sued, picketed, demonstrated, and organized to gain equal employment rights for women:

Women's rights groups, professional associations and women's caucuses in trade unions and religious organizations all pushed for more opportunities for women at every level of employment including management. Women's caucuses within the professions demanded the establishment of commissions to study the status of women. (Feminist Majority, n.d.). These groups increased public awareness about the issue and encouraged women at work to increase pressure on their employers to bring women into higher management positions and positions of power. As one executive recruiter at the time noted, "The pressure is on at big, highly visible companies to hire more women as vice presidents, project managers and staff attorneys" (Feminist Majority, n.d.).

The Equal Pay Act and Title VII were both brought to the table through an alliance of working class and middle class women who united under the cause of equal economic opportunities for women. What began as pressure from semi-organized women prior to policy adoption became much more organized in the implementation phase of the policy. It was during implementation that organization coalesced when it became clear that the EEOC was complacent and the policy was largely symbolic. This was really the catalyst for mobilization, but efforts did
not stop once the EEOC’s duties were enforced. In fact, mobilization spread to other
organizations and to other issue areas.

**Evaluation**

Although the policy did create commissions and councils which produced studies and
reports relative to the reform, the most evaluation-type activities that spurred policy change were
actually done through the court system. Case law, both at the state and federal levels, influenced
decisions relative to the policy reform to a high degree. Some amendments were made directly
to the policy, such as the Civil Rights Act of 1991 (Government Printing Office, 1991), which
amended several sections of Title VII. Other amendments were made through the addition of
other policies that added to equal employment reform but also directly amended Title VII. For
example, the Lily Ledbetter Fair Pay Act of 2009 (Government Printing Office, 2009) amended
several sections of Title VII. These and other laws were created from litigation and case law that
set precedents.

A unique benefit to equal employment reform in the United States was the establishment
of class action lawsuits. Revisions were made to the Federal Rules of Civil Procedure in 1966
which allowed explicit provisions for all class members, even those not present. Requirements
for class certification were also made explicit. Although this change was done very early in
implementation of the policy, it is mentioned here because it made the most impact during the
evaluation phase of the policy. Class action lawsuits literally created an ongoing evaluation of
the reform which created major change. Class action lawsuits are also costly for companies to
lose. Thus they present a deterrence to keep companies from discriminating against women, lest they be entangled in a costly court battle or forced into numerous settlements.

Since the United States has a generally litigious culture, it is not overly surprising that litigation influenced nearly all of the change decisions made relative to the reform. Especially since the EEOC, written into the policy as the implementation agency, was able to litigate on the behalf of women after the mid-1970s. Although it was slow to action, by the 1990s the EEOC was making a difference. In 1997, the EEOC collected $111 million dollars in financial benefits for people who filed claims of discrimination. It also reached settlements against large companies which forced corporate giants to restructure their personnel policies regarding hiring, promotion, sexual harassment, and the inclusion of women on boards and in positions of power. For example, the $34 million settlement against Mitsubishi Motor Manufacturing of America resulted in the company's adoption of changes to its sexual harassment prevention policy (National Archives, n.d.).

The Lilly Ledbetter Fair Pay Act, which was adopted in 2009, changed when the statute of limitations begins for workers and expanded the consideration of what constitutes pay discrimination. Other court cases led to drastic and important changes in the policy:

On January 26, 2009, the U.S. Supreme Court expanded the scope of Title VII’s anti-retaliation protections. Specifically, in Crawford v. Metropolitan Government of Nashville and Davidson County, Tenn., the Supreme Court held that Title VII’s anti-retaliation provision protects not only employees who report complaints of harassment/discrimination on their own initiative, but also employees who speak out
about harassment/discrimination while answering questions during an employer’s internal investigation of a harassment/discrimination complaint. (HR Hero, n.d.)

Changes such as these, created by court action, have been instrumental in shaping the policy.

Court actions may eventually lead to the elimination of Title VII completely. Chambers (2014) argues that Title VII may soon be replaced, since the Supreme Court has continued to interpret equality cases in a way that is near creating a legal ‘full equality’ eliminating the need for it. He also notes it has been interpreting the policy in ways that suggests it is “considering redefining employment discrimination and equality, narrowing its reach and creating roadblocks for claims” (p. 1163). He states it can be argued either way whether the Court’s interpretation and reinterpretation of Title VII “will likely reinvigorate or damage Title VII’s broad goal of workplace equality” (p. 1163). It is clear that litigation has a great influence on the policy reform.

Aside from changes to the text of the reform, litigation also created two things: continued public awareness, and something for organizations to mobilize around. The implementation phase of the policy reform created collaboration of multiple organizations and marked the beginning of the women’s movement in the United States. The evaluation phase and increased litigation allowed for continued mobilization, new mobilization around new issues, and gave organizations a platform for media attention, public awareness, and ultimately change.

Although none of the amendments and changes to the policy reform was written in explicit feminist text, they were firmly grounded in the concept of social change and the gendered norms of society. Linkages to feminist ideals were weak relative to the actual written text of the policy, but strong relative to the notions behind it. Feminist organizations were
instrumental in this, and committees and councils continued to produce evaluation and studies that rooted the problem in structural issues and gendered norms. Court actions have also repeatedly mentioned gendered norms and the need for social change.

**Process Phase Variables**

**Linked to feminist ideals.** Linkage to feminist ideals was relatively weak at adoption, both in terms of the written text of the policy and in terms of publicity surrounding its adoption. Title VII was added at the last minute and did not have a high level of attention paid to it. This is probably a good thing, since it may not have passed if media attention had focused on it; or if it were explicitly feminist in nature. Because the addition of the word sex came so late in the pre-adoption process of the Civil Rights Act, there was very little time to structure the wording or phrase it in a way that was based on what is known about the problem of gender inequality at work. Literally the only addition was the word sex—the rest of policy was phrased to be applied to discrimination in general. There were relatively few feminist demands at the policy’s adoption. The linkage to feminist ideals variable is operationalized by the following five measures: 1) feminist ideals or gendered language are written into the text of the policy, 2) the policy is based on feminist research, 3) the policy is responsive to feminist demands, 4) the policy creates outputs and accountability mechanisms that are encourage a feminist agenda, and 5) the policy creates public awareness linked to a feminist agenda. (Score=0/3)

Feminist demands began to occur during implementation—specifically after it was found the EEOC was purposely ineffective. Feminist demands have focused on expanding protections for women, increasing remuneration available, and creating better accountability mechanisms.
Feminist demands have consistently been met through the policy process, beginning in the implementation phase. (Score=1/3)

Amendments and additional policies have been added to expand protections and expand the populations served by the policy. For example, the Pregnancy Discrimination Act was adopted in 1978. During the evaluation phase, Supreme Court decisions such as the Lilly Ledbetter Act amended the policy further, adding elements feminists had been mobilizing around.

Feminists also demanded that attention be drawn to the societal norms that cause inequality for women at work. Although this was not written into the policy text, it was a concept that was recognized, specifically by the legal system. In an early discrimination case (Open Jurist.org, Weeks v. Southern Bell Telephone and Telegraph Co, 1969) the court found that discrimination was originating in the cultural norm that women should not perform ‘dirty’ or dangerous jobs:

Men have always had the right to determine whether the incremental increase in remuneration for strenuous, dangerous, obnoxious, boring or unromantic tasks is worth the candle. The promise of Title VII is that women are now to be on an equal footing.

(Open Jurist.org)

Feminist were attempting to use Title VII to change the structural causes of discrimination. To some degree this began to happen during the implementation phase, but was mostly evident during evaluation:

For a small number of high profile cases, some innovative approaches have been made to change the subtle and structural causes of organizational discrimination, resulting from
court cases and settlements. For the majority, however, these changes have not occurred.

(Deitch & Hegewisch, 2013, p. 428)

But one of the major roadblocks to achieving structural change has been the subtle forms of
discrimination that employers have created to appear to change while still discriminating. In
most cases, employers have pre-emptively adopted measures designed to look like practices are
changing, where in reality the measures are more to protect the employer against lawsuits than to
protect employees against discrimination (such examples include sexual harassment training)
(Deitch and Hegewisch, 2013). Feminists have continued to mobilize around this issue, creating
public awareness and encouraging litigation to expose these practices. (Score=2/3)

Institutional feedback. At adoption, only a few organizations were actively collaborating to
move forward equal employment reform. Groups were not united on Title VII; the Equal Rights
Act was the primary focus for some organizations and these groups felt efforts should focus there
and not on Title VII. At adoption, collaboration did take place between employment unions,
feminists, and some government representatives to place Title VII on the agenda. The adoption
occurred so quickly, however, very little organized collaboration occurred. (Score=1/3)

During implementation, this disparate and disorganized collaboration coalesced into a
full-blown social movement. The ineffectiveness of the EEOC spurred groups to organize and
galvanized action. The creation of NOW, to apply pressure to the EEOC, had far-reaching
effects. Women had a voice, and collaboration became widespread. Unions, feminists, the legal
community, and various other organizations built coalitions to mobilize around issues and further
social change. Institutional feedback was created in the form of public awareness campaigns,
outputs that pushed for studies and monitoring of the policy, and a legal atmosphere that upheld discrimination claims and set precedents. (Score=3/3)

Institutional feedback remained strong through evaluation. Discourse shifted due to strong coalition-building and the social movement behind it. Women joined the workforce in higher numbers, and gender equality at work began to be seen culturally as appropriate. The shift has not been complete, however. Organizations are more recently focusing mobilization efforts on the more subtle forms of discrimination for women at work, and to encourage reform to include an intersectional lens. (Score=3/3)

**Process summary.** The trajectory of Title VII has been surprising, to say the least. Barely discussed in political realms prior to adoption, pushed through quickly, and considered ‘a joke’ by the very agency created to enforce it, the policy managed to emerge from the implementation and evaluation phases as a real vehicle for change. Why? Two things have led to this: intense coalition-building and mobilization, and a legal system set up to effectively litigate discrimination. Although mobilization and institutional feedback have already been mentioned extensively, the ability of the legal system to enforce anti-discrimination lawsuits has also been instrumental in the success of Title VII. The policy removed barriers creating more of an incentive for women to join the workforce—a ‘carrot,’ but class action lawsuits have effectively created a ‘stick’ by punishing employers for discriminatory practices. Estevez-Abe (2012) finds that “carrot and stick policies together promote gender equality in the workforce” (p.82). The United States does not have ‘carrot’ policies as strong as other countries; in fact family-work reconciliation policies are lacking—but some progress has been made.
Policy Outcome (Indirect and Direct Impact)

**Empowerment of women.** Policies that are feminist in nature focus on eliminating the engendered nature of hierarchical structures that restrict women, they work to remove the embedded gendered power structure in organizations (and more largely, society), and they implicitly and explicitly empower women. Title VII was originally conceived of to counter and cease intentional discrimination. It has done this by toppling outright barriers to employment for women in certain types of workplaces, and formalized employment practices that benefit women. However, social science research reveals that discrimination is not always intentional, and rather can be subtle and structural.

Title VII was not necessarily developed to fight these forms of discrimination, although certainly interest groups and feminist organizations had all forms of discrimination in mind when the policy was formed (Deitch & Hegewisch, 2013). Given the fact the policy was not formed with feminist language and in no way contained provisions for structural discrimination, it is not surprising that the policy does not protect against these items. The intention of the mobilizing organizations, however, especially through the latter process phases, did focus on these types of structural discrimination.

It is likely this mobilization has made an impact. More recent iterations of employment discrimination policy are attempting to change “the structures, cultures, and practices of the workplace in ways that will reduce the operation of subtle, often unconscious, discriminatory bias in the decision making of individuals” (Deitch & Hegewisch, 2013, p. 661). The more modern versions of Title VII are targeting issues that go beyond intentional discrimination:
This interrelation between organizational structures, institutionalized practices, and individuals adds a layer of complexity that is not equally apparent in early Title VII institutional reforms, where efforts were aimed primarily at structural changes with immediate, easily observable rather than secondary or indefinite effect.” (Deitch & Hegewisch, 2013, p. 661)

More recent Title VII litigation aims to target this more subtle form of discrimination. Therefore, what we are seeing is the legal system shifting to target these imbedded structural forms of discrimination, and women’s organizations mobilizing around this legal action.

Although the policy is just beginning to shift to take on more subtle—and even unintentional—forms of discrimination, it has historically done a very good job keeping up with, and recognizing, various forms of intentional discrimination that occur at the workplace. The courts have continued to interpret Title VII in ways to find and distinguish discrimination. This has occurred not only at the level of the Supreme Court, but also various state and district courts:

Although sexual orientation and gender identity are still not protected classes under federal law, the swell of legislation passed at the state and local levels that protects gay, lesbian, bisexual, and transgender individuals from workplace discrimination indicates a sharper societal and professional awareness of discrimination against these classes.

(Stone, 2013, p. 193)

This recognition of policy infraction by the legal system has helped to reinforce at the societal level what should and should not be permitted. This is slowly changing what is socially acceptable: “This awareness has, to some extent, permeated corporate and workplace culture. It has thus influenced public discourse—the ever-increasing realm of that which is socially taboo to
say at work—and workplace employee trainings, among other things” (Stone, 2013, p. 193). As law shifts to preempt behavior, it also shapes what behavior is acceptable:

> Just as behavior shapes the law by precipitating and demonstrating a need for legislation, so, too, does the law shape behavior. By creating social norms and awareness and setting the parameters for how rules will operate, law renders certain behavior socially taboo and incentivizes people to find ways around the rules. So has been the case with Title VII. As each progressive decade passed, the notion that explicitly hateful or harassing behavior was forbidden further crystallized. With each new frontier of class-animal-based or class-exclusionary behavior came, albeit sometimes slowly, a concomitant announcement that the law would be interpreted to capture the behavior and render the perpetrator liable. (Stone, 2013, p. 190)

In the years that followed the adoption of Title VII, a shift occurred in the nature of litigation centered on Title VII. Preliminary litigation fought the blatant discrimination by employers to block certain kinds of employees (women and racial minorities) from certain jobs or from their employment altogether. As time has moved on, however, and society has become more progressive, such types of discrimination are no longer as predominant as they once were. Instead, the type of discrimination shifted from a blatant form to a more subtle form; one rooted in the structural nature of organizations—a discrimination less noticeable but still embedded in institutions and society as a whole. It is precisely this type of discrimination that feminism works to eliminate, as it is embedded in the nature of patriarchal societies, hierarchical institutions, and gendered power structures. As the kind of discrimination shifted relative to Title VII, so did litigation.
Aside from the courts, legal scholars have begun to realize Title VII falls short of addressing the structural, subtle forms of discrimination. Legal scholars have begun to formulate a new paradigm of regulation based on research that would obligate employers “to take structural measures to minimize discriminatory bias in workplace decision-making” (Green 2007, p. 850). Legal researchers in recent years (Bagenstos 2006; Bent 2009; Green, 2007) have started a dialogue about a structural approach to discrimination in anti-discrimination litigation. Since the adoption of Title VII, litigation has shifted from targeting blatant acts of discrimination to targeting the subtle, sometimes subconscious forms of discrimination that are rooted in the structure of organizations. Much of this legal research is also finding that litigation—and the criminal system behind it—is recognizing the structural nature of discrimination in organizations is stemming from a larger societal nature of stereotyping, discrimination, and gendered hierarchy. Dialogue is currently occurring among those in the legal system to not only continue to litigate in a manner to target and eliminate the structural nature of discrimination, but to perhaps lobby and influence lawmakers to amend or replace Title VII with a version more focused on this structural nature.

The most interesting part of this is that the actors working to shift Title VII—a policy which began with no feminist nature—to one with an inherently feminist ring to it, are not feminists. The legal sector has been the most involved in tracing the core of discrimination to its structural center, and they are the ones suggesting plans to fix it. Feminist organizations are not completely left out of this picture, as mobilization around Title VII by women’s groups and feminists have never stopped. But it could be that this policy would never truly become feminist in nature by the work of these groups only. The legal sector and feminist organizations are not
necessarily working together. This is evident by reading the works of both; there is hardly a mention of the other in any documents or articles released by either sector.

The one exception to this seems to be an intermittent mention in non-feminist publications of structures of gender equality relative to discrimination made by feminist-leaning scholars—a surprising finding in and of itself. For example, Green (2007) quotes Vicki Schultz, a professor of Law and Social Sciences who specializes in sex segregation, work-family issues and sexual harassment: “Instead of encouraging employers to deal with sex harassment by prohibiting sexual interaction, the law should encourage them to attend to the larger structures of gender inequality” (p. 861). Green ties this comment to the larger structures of inequality behind work discrimination, indicating that there is at least some effort being put forth by certain legal scholars to solve policy problems by building off work feminist in nature.

Although the two sets of actors do not appear to be working together, they are both working for the same thing—the recognition at the policy level that discrimination occurs at a structural level; an acknowledgment of the normative underpinnings of discrimination. Bagenstos (2006) states that more than legal change is necessary to eliminate discrimination, echoing a sentiment that feminist scholars share: “In the end, social and not legal change is necessary to eliminate structural workplace inequalities” (p. 4). And though the policy itself is not quite to that point, it has actually started down that road; cases centered on structural discrimination are being tried and won (an extensive list of cases is provided by Sturm, 2001, p. 487, footnote 92). The 1991 Civil Rights Act added the disparate impact claim, which touches on—albeit lightly—employment practices rooted in structures of bias. What began as a symbolic policy has gradually shifted over the years to one with more authority, and given the recent work...
by the legal sector, and ongoing mobilization efforts by strong coalitions, Title VII may actually begin to have a feminist nature.

There are still areas of workplace discrimination that have not been addressed by the legal system. One element of discrimination the legal system has not yet recognized is the act of workplace bullying (Stone, p. 193). Although the legal system is beginning to recognize this phenomenon in education and specifically between children, there is not yet a system of recognizing this in the workplace, indicating that there is more ground to cover for Title VII.

Future policy needs to better address feminist concepts of organizational gender structures and how these structures influence individuals. In order for employment reform to meaningfully address these issues, it “will require a sensitivity to and understanding of the ways in which individuals are influenced by larger organizational environments and structures” (Deitch & Hegewisch, 2013, p. 672). It must also include “questions about decision-making practices, cultures, and internal organization and structures that may continue to facilitate discrimination beyond a single, identifiable instance” (Deitch & Hegewisch 2013, p. 672). This kind of reform “requires an impetus for employer institutional reform that will alter the organizational dynamics of everyday decision making” and is not a blanket reform (Deitch & Hegewisch 2013, pg 675).

Although the need for further reform has been established, by considering the policy through it process phases one can see the trajectory of the United States’ equal employment reform. The legal system coupled with strong mobilization has increased the effectiveness of the policy and made subsequent reform even stronger over time. The policy began to ‘build steam’
as it moved forward, and eventually began instigating social change which empowers women.

(Score=2/3)

**Decrease in an occurrence of the problem.** There was initially much optimism that Title VII would restructure the workplace and be able to provide real access to groups previously left out, to displace established social norms, and to allow new employment opportunities for those previously discriminated against. There has been a decrease in an occurrence of the problem relative to outright, explicit, discrimination in the workplace. The policy still has further to go relative to structural, or more subtle, discrimination as earlier discussed.

Even though overall explicit discrimination is challenged through the courts, lawsuit results have been mixed; the Supreme Court in some instances has favored equality, pushing the bounds and challenging practices to err on the side of equality. At other times, however, the Court has decided cases in such a way that has led to alterations in the policy that seem to restrict its responsiveness. When the policy is interpreted narrowly, amendments are made or policies are created that can restrict the policy. The Supreme Court has been active with the equal opportunity policy, creating precedents that have shaped it throughout the years. In fact, the Court has been more effective at ‘evaluating’ the policy—and impacting it—than actual evaluations have. In recent years there has been a debate about what ‘equal opportunity’ means relative to Title VII; the Supreme Court has “hashed and re-hashed the doctrines outlined by the policy” (Chambers, 2014, p. 1161).

The EEOC, the commission responsible for implementing discrimination claims through Title VII, started as blatantly symbolic relative to sex discrimination. For this reason, and intense pressure by NOW and other women’s organizations, studies have been done over time to
assess whether or not the EEOC is affecting change. Studies have found that settlement agreements reached through the EEOC (other than class action suits) have not created organizational change (Deitch & Hegewisch, 2013, p. 437).

Studies are finding that employment discrimination has not gone away, but instead has shifted and changed to much more subtle forms since the enactment of Title VII. As Green (2003a) states, “A number of scholars have detailed various aspects of the shifting nature of discrimination from the overt to the more subtle” (p. 659). In fact, “discrimination in the workplace today is increasingly less a problem of overt employer policies or targeted discriminatory animus than it is a problem of subtle, often unconscious, bias creeping into everyday social interactions and judgments on the job” (p. 659). This is normalized discrimination, based on socially acceptable norms and biases that govern actions. It is this very type of discrimination that feminism fights and in instances where feminism influences policy at its adoption, this type of discrimination is overtly mentioned or at the very least implicit in the policy. Title VII is not one of those policies, and while the policy had done a good job at stopping the overt it has fallen short of targeting the subtle and structural forms of discrimination.

In fact, as overt discrimination is effectively targeted, especially by class action lawsuits, subtle discrimination is increasing. Over the past several years, “courts have seen an increase in the filing of private class action lawsuits under Title VII of the Civil Rights Act that allege widespread employment discrimination facilitated by organizational structures, workplace cultures, and institutionalized practices” (Deitsch & Hegewisch, 2013, p. 660). As previously discussed, Title VII is currently unable to explicitly address subtle forms of discrimination;
however, discourse among legal scholars has been shifting to encourage reformulation of the policy to explicitly tackle structural discrimination.

Things have changed as a result of the policy. Specifically, what is regarded as socially acceptable has shifted since the passage of Title VII:

Prior to the passage of Title VII, racial, gendered, and other epithets and stereotypes were often considered socially, culturally, and professionally acceptable. After its passage, however, society learned that such speech, once anchored to an adverse employment action, could serve as the “smoking gun”—evidence from which a trier of fact would conclude that the underlying motivation for an action was, in fact, unlawful discrimination. Inasmuch as certain speech about the presence of women in the workplace, such as labeling a job as one for a “lady receptionist” or insisting that a subordinate sleep with her supervisor was once taken for granted as funny, commonplace, and acceptable, Title VII has slowly sowed the seeds of awareness that such behavior is socially unacceptable and unlawful. (Stone, 2013, p. 191). (Score=2/3)

Outcome summary. As Title VII began to impact what was considered socially acceptable behavior in the workplace, workplaces became more sophisticated—and more subtle—in how discrimination occurred. Likewise, the system had to evolve and become more sophisticated in spotting discrimination. The Supreme Court began to recognize that even neutral policies could impact a protected class of citizen:

This sent a clear message to employers that even if they were able to disguise animus or intentional discrimination with a facially neutral policy or practice, the law would capture
the behavior, and its adverse effect would be deemed “because of” protected-class status. (Stone, 2013, p. 191)

The policy has been responsive to individual cases of direct discrimination; however it has not been overly effective at transforming the structure of the workplace which has excluded certain groups of women, especially women with high care responsibilities, from employment:

This bundle of related default organizational structures—referred to collectively as the “full-time face-time norm”—frequently excludes individuals from the workplace, particularly individuals with disabilities and women with significant caregiving responsibilities. Unfortunately, neither the ADA nor Title VII has done much to transform this exclusionary norm. (Travis, 2005, p. 6)

Although the policy has had more impact distributing feminist ideals than even feminists realize, there is concern that Title VII does not do enough to eliminate organizational structures that cause gender discrimination. Dietsch and Hegewisch, (2013) state that “organizations tend to be resistant to change because existing structures and culture, including cognitive biases and routine behaviors, exert a weight of inertia” (p. 429). They summarize that “Title VII, by itself, is not likely to overcome internal pressures and inertia in organizations” (p. 429). They concede that Title VII may have impact through case law and the EEOC, however:

To the extent employment discrimination lawsuits create an external threat, organizations may respond by copying the more widely accepted (normative) practices and behaviors of others in their field, or concede to the expectations of a regulatory agency like the EEOC to increase legitimacy.” (Deitsch & Hegewisch, 2013, p. 429)
Feminists agree that more work needs to be done in terms of tackling the structural issues behind workplace discrimination. However, progress recently has come from an unlikely sector. Legal scholars in recent years have recognized structural issues and case law has begun to target more subtle forms of discrimination. (Score=4/6)

**Drivers.** Title VII is such an interesting case study; the policy marked the beginning of the women’s movement in the United States and gave women a platform. But at the same time, the policy itself is not as authoritative as it could be. Why not? Through this case study it is clear that strong collaboration occurred, pushing up the score for institutional feedback and over time increasing the linkage of the policy to feminist ideals. A few things have constrained the policy, however, keeping it from exerting greater authority. One of these is the structure of the policy. The policy was written to target overt forms of discrimination, which it has done well. It was not, however, written to target subtle, or structural, forms of discrimination. The legal system in the state has begun to fill this gap by alerting—and punishing—structural discrimination, but the policy itself was not written to address it. The policy was also not written in explicit feminist terms. Given the rushed adoption of Title VII, very little was actually done other than the addition of the word ‘sex.’ The policy was symbolic at adoption, and likely would have stayed that way if not for the persistence and hard work of several women’s organizations. The interest-group approach used by organizations helped encourage groups to collaborate, and when the EEOC was seen to be ineffective, this spurred organizations into action. The intense collaboration led to a linkage of feminist ideals over time (implicitly). The existence of a class action legal system has allowed the policy to create real change over time as well. Class actions create a big ‘stick,’ deterring companies from discrimination. The Supreme Court has also been
involved in the policy’s evolution over time, interpreting the policy in various ways to change—and expand—its reach and authority. These elements have ‘driven’ institutional feedback and the linkage of feminist ideals to the policy, creating moderate policy authority in the reality in which it exists.
Chapter 8: Comparative Discussion

The overall purpose of this doctoral study was twofold: 1) to develop and test a comparative template to collect and analyze data with which to measure, score, and scale select literature-based variables in feminist policy across process phases and outcome, and 2) to identify what makes these variables—and the policy—more or less authoritative in the social and political reality in which the policy exists. The study’s overarching research question was: (Q1) How much societal change has occurred as a result of the policy? Sub-questions asked of each case were as follows: (Q1a) How authoritative is the policy relative to the social and political reality in which it exists? and (Q1b) What makes the policy more authoritative or less authoritative in this reality? Since the cases were specifically chosen to test the selected variables in various manners and were linked through these variables, the following discussion explores each of these variables in a number of ways.

First, case variables are discussed intra-subsector, first within the violence against women subsector, then within the equal employment opportunity subsector. This sectoral analysis of the cases and variables illuminates how these subsectors are similar and different within each country and case, and how the variables operate within the subsector under similar and different circumstances. Next, the variables are discussed intra-country and inter-subsector, first within Sweden and then within the United States. This presents a great ‘laboratory’ to highlight how differently two types of policies can operate within the same country, and how the same variables in the same country can behave quite differently in different policy types. Then, a composite score analysis of the process phases of each case is discussed. This allows for a
‘birds-eye’ view of the process phases within all four cases. Finally, a cross-case analysis is discussed, which considers each variable in each phase, across all four cases. After these discussions, which allow the variables to be seen from ‘all angles,’ the research questions will be discussed in detail.

Each case was tested with the developed interrogatory template, exploring each process phase and the policy’s outcome for the following variables: institutional feedback and linkage to feminist ideals. Each variable was broken down into five operational measures, and quantified to produce a metric that was subsequently scaled. Outcomes were measured by testing to what degree the policy created direct and indirect impact on the society in which it exits. Direct impact was measured by testing for a decrease in occurrence of the problem, while indirect impact was assessed by considering to what extent the policy empowered women. Outcome variables were also scored and scaled, allowing for direct comparison across all four cases.

As previously discussed, feminist literature finds when a policy is linked strongly to feminist ideals it can use political opportunity structures to shift gender attitudes (Chappell, 2006; Ferree, et al, 2003; Freidman, 1998, McCammon, et al, 2001; 2007; Meyer, 2004). Mobilization efforts that mirror these shifts in discourse and attitudes can lead to one or more policy responses that can lead to empowerment of women and a decrease in occurrence of the problem. Likewise, literature identifies strong institutional feedback as an important element in policy impact (Larsen, 2008; Lovenduski, 2011; Mazur 2002; McKay, Kenny & Chappell, 2010; Rothstein, 1998; Rothstein & Steinmo, 2002). Group participation leads to a collective identity, which improves mobilization and causes conscious-ness raising and lead to empowerment of women and a decrease in occurrence of the problem. Likewise, literature on women’s
empowerment tells us that in order for real social change to occur, patriarchal structures in society must be reduced and women must have equal access to power and resources (McCammon, et al 2001; Sardenburg, 2008). Considering the potential impact of these variables, the two violence against women cases are explored, followed by the two equal employment opportunity cases.

**Violence Against Women (Intra-Subsector Comparative Analysis)**

The problem of violence against women is grounded in societal structure and power relations; policies targeting the problem must address these in order to create change. Weldon (2002) states “responding to violence against women requires altering power relationships between social groups” (p. 32). Relative to violence against women policies, political opportunity structures that lead to adoption tend to be criminal justice in nature. This is not surprising, since violence and crime go hand-in-hand. Violence against women policies also usually institute changes to the penal code or existing legal structure in the state, therefore it makes sense political opportunity structures must exist for the changes to occur. In order to create a feminist policy through a non-feminist political opportunity structure, and ultimately alter societal power structures, it needs to be grounded in feminist conceptualizations of the problem and linked to feminist ideals. This can be done two ways: explicitly or implicitly.

True feminist policies have explicit feminist language written into the policy. For violence against women policies, this explicit language is not only gendered, but it acknowledges societal norms which make this violence a ‘private issue’ and patriarchal structures in society which create and re-create the problem. Policies that are written in explicit feminist terms have
an easier time moving from a criminal justice nature to a feminist nature. Policies that are
written in implicit terms and use criminal justice-centric political opportunity structures have
further to go in order to produce a feminist outcome and become highly authoritative in practice.

Institutional feedback in violence against women policies is successful not just when
strong coalitions form, but when organizations mobilize around outputs that combine feminist
actors and practitioners. For example, police officer training that is grounded in feminist ideals
such as focusing on the structural issues and societal norms behind the violence. Organizations
that mobilize to create campaigns for public education that attempt to change social norms
through feminist-grounded notions are also good examples of this type of institutional feedback.

Considering the scores of the two policy cases in the violence against women subsector,
it is evident that the Swedish policy experienced stronger linkage to feminist ideals (7/9 overall)
than the United States’ policy (4/9 overall), with the exception of during the implementation
phase where it scored the same (1/3). The United States’ policy, however, scored higher relative
to institutional feedback (9/9 overall), with the exception of the evaluation phase, where the
Swedish policy scored equally high (3/3). During implementation, the Swedish policy’s linkage
to feminist ideals and institutional feedback shifted from an overt feminist focus to a criminal
justice focus, which dropped its score for both variables during that phase. The U.S. policy
experienced high levels of mobilization and coalition building, which led to high institutional
feedback and also increased the policy’s linkage to feminist ideals slightly during the evaluation
phase (score increased by one point from 1/3 to 2/3). This is because public awareness and
accountability mechanisms started to be identified with feminist ideals, and collaborative training
programs were influenced by feminist conceptualizations of the problem to some degree.
Sweden’s policy scores highly authoritative in outcome (5/6); studies reveal there is still a fairly high occurrence of violence against women in the country, which keeps the policy from ranking a perfect score. Missing data prevented the ability to score the United States’ violence against women policy in terms of direct impact; therefore the policy’s outcome score is incomplete. I was able to score the policy relative to women’s empowerment, which scored moderately (2/3) since empowerment has not been complete relative to the U.S. policy (see table 5).

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Table 5: Comparative Scoring—U.S. and Sweden VAW Policies

Both the Swedish and American violence against women policies utilized criminal justice-centric political opportunity structures in order to get on the legislative agenda. Sweden’s policy also used feminist political opportunity structures; international pressure for Sweden to match its gender equality image along with the proclivity for government actors to describe themselves as ‘feminists’ allowed for the policy to identify with both criminal justice and feminist political actors. The Swedish policy contained explicit feminist language in its text and was written in gendered language specifically naming women as the focus of the policy. The
introduction to the policy explicitly stated it was designed to change the societal structures and norms that contribute to violence against women. The U.S. policy was based implicitly on feminist goals, but was written in gender-neutral terms. American feminists planned to use the criminal justice system to create social change; thus feminists never demanded the policy be written in feminist text and were happy with the criminal justice nature of the policy. Although both policies were aligned closely with the criminal justice system in the respective country, the Swedish policy’s structure was more comprehensive and led to a high impact. It considered cycles of violence, while the United States’ policy did not. This means while an individual act of violence can be punished, a repeat offender may not be punished as such in the United States.

The Swedish policy was overtly based on feminist research and recommendations; the U.S. policy was not based on feminist research. Both policies did encourage a feminist agenda, however, although the Swedish policy did so overtly through adoption and evaluation, during implementation it shifted to a criminal justice agenda for a short time. The U.S. policy maintained an implicit feminist agenda throughout adoption and implementation. Media began to recognize the policy as feminist during the evaluation phase, although feminists are not in agreement that the policy ever achieved a feminist nature.

Both policies created outputs linked to feminist ideals and plans for change encouraged a feminist agenda. Both policies created public awareness that resulted in decreased tolerance in violence against women. Strong collaboration among organizations occurred throughout Sweden’s entire policy process. Collaboration relative to the U.S. policy gained momentum over time. One reason for this is collaboration was literally written into the U.S. policy and amendments made this even stronger over time. Collaboration efforts made outputs from the
American policy even stronger; programs such as the STOP training were implemented with required collaboration between various organizations. Institutional feedback relative to Sweden’s policy shifted from a feminist nature to a criminal justice nature during implementation efforts. It did shift back later, but the implementation phase was relatively weaker regarding feminist conceptualizations.

Keeping with the Swedish tendency to base policy decisions on research and evaluations, numerous reports and assessments were completed which led to policy adjustments. The United States does not have the same tendency. Although organizations continued to call for increased evaluation, this has not occurred to the degree called for. Relative to policy outcome, it becomes difficult to determine a decrease in occurrence of the problem if statistics and studies regarding the problem are not available to the degree necessary. Evaluations that were done found the policy did create real change; awareness of the problem increased significantly and an overall decrease in men’s violence toward women was found. But because the amount of information available is not ideal, it was not possible to score the policy case relative to this variable.

Sweden’s statistical evaluations have found occurrences of violence toward women have decreased but still remain relatively high. Women’s empowerment was very high for the Swedish policy—violence against women was considered a problem rooted in the structure of society. This reflected reality, since Sweden had not dealt with the problem of violence against women previously. The U.S. policy has created women’s empowerment, but comparatively it is not as strong as the Swedish policy. However, at a national level the U.S. has dealt with the problem of violence against women for longer than Sweden has. The U.S. policy is implicitly linked to structural issues, but in many cases (especially intersectionally speaking) women are
still ‘blamed’ for the violence. As such, women are expected to remove themselves from the violence, which continues the social norm that blames the victim and holds the survivor responsible.

These two policies are foundationally similar; they both created extensive changes to the countries’ penal code, both required training of public service personnel, and both instituted public awareness campaigns instrumental in changing the way the general public views violence against women. Sweden’s policy was able to utilize feminist political opportunity structures in addition to criminal justice opportunity structures, which allowed for feminist wording in the policy and created immediate feminist action and collaboration around feminist goals. Not only did Sweden’s policy start with a feminist nature, but after a brief setback prompted a shift away from feminist ideals, the policy was able to bounce back and reorient to a feminist nature shortly thereafter.

Even though the U.S. policy did not have the benefit of utilizing feminist political opportunity structures, it did gain feminist momentum and experienced an increase in feminist nature. Implicit feminist goals and intense collaboration were responsible for this. Both countries still have prevalence of violence against women, although the policies have had positive impact. The U.S. policy has experienced less evaluation relative to the Swedish policy. Because of the lack of assessment, direct impact is difficult to measure for the U.S. policy. This represents a gap in available data that needs to be filled.
Equal Employment Opportunity (intra-subsector analysis)

Equal employment opportunity policies are redistributive polices; the policy is a mechanism for allowing women access to the same economic opportunities as men. These policies modify the labor market and employment sector in a country. Since they have to do with equal rights to resources, they are also policies with a civil rights nature. In order for an equal employment opportunity policy to be feminist in nature, it must include elements that address the social norms behind the problem. Social norms tend to identify certain jobs as ‘women’s work’ and other jobs—usually higher paying ones—as appropriate for men. These norms become embedded in the structures of institutions, and these institutions either overtly or subtly (or both) discriminate against women.

The political opportunity structures used to get equal employment opportunities adopted can vary, but since they directly impact the labor market, they are often associated with labor market needs. Since they also target discrimination against women, political opportunity structures can be civil rights in nature as well. In order for an equal opportunity policy to become feminist nature without utilizing feminist political opportunity structures, it must focus on the structural issues behind discrimination against women. This can be done either explicitly, by writing gendered text into the policy or creating outputs that specifically target subtle forms of discrimination in the workplace, or implicitly. An implicit focus relies on feminist mobilization and public awareness campaigns that occur outside of the policy’s written text to link feminist ideals to the problem.

Institutional feedback in equal employment opportunity policies is successful when strong coalitions form, especially across sectors. For example, feminists, unions, civil rights
groups, and government councils. Mobilization around outputs, such as educating legal system representatives to recognize subtle forms of discrimination, also create stronger—and more feminist—forms of institutional feedback.

Relative to policy outcome, a feminist equal employment opportunity policy does more than just add women to the labor market. While most policies start there, a truly feminist policy goes far beyond counting women in jobs to measure success. Consideration has to also include what type of jobs women are taking, whether they are full or part time, for public or private institutions, whether or not women have access to positions of power, and if a gender pay gap exists in society.

By considering the two case policies relative to the previously discussed scoring, it is evident that neither of the policies started with strong feminist linkage or institutional feedback. But while the Swedish policy remained weak, the U.S. policy gained momentum during implementation and into evaluation. The U.S. policy is more authoritative (4/6) than the Swedish policy (2/6) relative to outcome, but neither is highly authoritative in the social and political realities in which they exist. One reason the U.S. policy scored better was an increase in focus on feminist ideals and an increase in feminist institutional feedback. This is evident by the upward trajectory in scores of the process phase variables for the U.S. policy. Each policy is discussed in detail below, considering each measure of the process phase and outcome variables.
Table 6: Comparative Scoring—U.S. and Sweden EEO Policies

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Actors mobilizing around the Swedish policy utilized a labor-market centric political opportunity structure to ensure adoption. The country at the time needed an increase in the number of workers available, and—partly to avoid giving jobs to immigrants—women were brought into the labor market. Feminist language was not used in the text of the policy, but women were explicitly named as the beneficiaries of the new policy. Feminist conceptualizations of gender discrimination were not explicit in the policy, and most advocacies for the policy throughout the process phases came from government-initiated councils or committees. Although feminists and representatives from women’s groups were included in these, advocacy and mobilization was not feminist in nature. Outputs and mechanisms for change likewise were not feminist in nature nor did they encourage a feminist agenda beyond a basic desire to see women treated equally in employment. Feminist demands were not overtly discussed; likely because feminists were included in decision-making processes. But decisions were made based on the entire committee or council’s recommendations, therefore specific feminist demands were not heard more than others, nor was the policy responsive to them. Likewise, research conducted to analyze the problem was not feminist in nature.
Actors responsible for the adoption of the U.S. policy utilized civil rights-oriented political opportunity structures in order to get the legislation passed. Momentum likewise came from the larger civil rights movement, not a women’s movement. In fact, at the time the policy was adopted, there was no cohesive women’s movement present in the United States. Feminist women were responsible for bringing Title VII to the table, but had it not been part of the larger civil rights movement it likely would not have passed. The adoption of the bill was brought about by a loose coalition of women and representatives from the labor sector, using the momentum from the civil rights movement to secure adoption. At adoption, Title VII was symbolic and weak, and nothing about the policy was feminist in nature. During implementation, feminists began to coalesce around one of the policy’s outputs—the creation of the EEOC. This mobilization led to intense collaboration and the development of the women’s movement in the United States. Although the policy never explicitly feminist in nature, collaboration focused efforts on public awareness about feminist conceptualizations of the causes of discrimination, which eventually made inroads relative to social change.

Sweden’s Equal Opportunity Ombudsman, created through the policy, took instant action assessing and suggesting changes to improve the policy. Conversely, the office created through the U.S. policy was symbolic and ineffective relative to gender discrimination. Because Sweden’s policy was labor-market and economic in nature, and implementation took hold immediately, actors spent the early years of the policy’s life working in corporatist collaborations and focusing on employment and equal rights.

Implementation for the U.S. policy couldn’t have been more different. The EEOC was given a full year to prepare and staff the office, there was no sense of urgency, and bureaucratic
politics kept the office completely ineffective in terms of gender equality. This had an unexpected effect, however. Frustration over the slow and symbolic EEOC spurred mobilization and women came together with one voice. These organizations coalesced around a feminist agenda; something the Swedish actors did not do. For this reason, mobilization for the U.S. policy was grounded in feminist ideals, whereas the Swedish policy continued to be corporatist and economic in nature. This is likely a result of the difference in the way the two polices were brought to the table. The Swedish policy was born from government/institutional need, where the U.S. policy was interest-group driven. The Swedish policy never shifted from the economic discourse, where the U.S. policy was able to shift discourse through intense collaboration.

As a result, the U.S. policy’s stakeholders were able to use accountability mechanisms to encourage a feminist agenda, which in turn eventually started to increase awareness and decrease tolerance toward gender discrimination. Feminist mobilization in the U.S. remained ‘stuck’ on demanding more feminist-centric awareness of the problem; however, it is likely these efforts were more far-reaching than groups were aware. Feminist notions of the problem, such as the structural issues behind gender discrimination, were later evident—in fact, legal scholars, courts, and institutional actors have written and spoken about structural issues and social norms. Therefore, the policy has taken on a more feminist grounding over time.

Countries with both ‘carrot’ and ‘stick’ policies tend to produce higher gender equality in the workforce (Estevez-Abe, 2012). Sweden has very strong ‘carrot’ policies, with reconciliation policies, generous parental leave, and taxation policies that allow for women to work without penalty. The EO policy represents a ‘stick’ policy in Sweden, where employers are penalized for discrimination. But the underlying issues behind gender discrimination in the
workforce remain in Sweden; namely that women are considered the caregivers and responsible for unpaid work such as housework.

In the U.S., ‘carrot’ policies are not as strong. The U.S. does not have reconciliation policies, but the social security system in the U.S. allows for women to exit the labor market and re-enter later without penalties. Additionally, women who can afford to pay for housework and caregiving are able to work while still having children. Outsourcing of housework is far more prevalent in the U.S. than in Sweden, but this is stratified by economic class. The U.S. does have a strong ‘stick’ through Title VII—class action lawsuits make the policy even stronger. Since the U.S. policy was created to address explicit and overt forms of discrimination, it does not address structural, subtle discrimination as well. This has been slowly changing, however, as the legal sector has taken on the role of targeting structural discrimination.

Relative to outcome, both policies have gone far to increase the economic rights of women and empower women to join the workforce. But as previously mentioned, there is more to considering impact than just increasing the numbers of women in the workforce. In both countries, women are more prevalent in part-time jobs and in the public sector, where pay is less than the private sector. The gender pay gap has decreased over time in both countries, but still exists. Women are consistently payed less and are not considered for high-power positions, due to social norms which make employers select men for these positions over women. Assumptions such as those that men are more willing to travel, more willing to work long hours, and less tied to home responsibilities cause employers to select men over women for powerful positions. These are structural issues rooted in social norms. Neither policy addresses these issues well; hence the resulting outcomes for both policies are lower than they could be.
Sweden (intra-country, inter-subsector comparative analysis)

At the national level, Sweden has not done a good job historically in addressing violence against women as a problem. As discussed previously, the state tended to ignore the problem, believing that it was a non-issue, thus unnecessary to address. The state adhered to the notion that if social services did not exist, they simply weren’t necessary. As women came forward about their experiences of violence, groups began to mobilize around the issue, exposing it to national and international light. Without this, the issue likely would have continued to be ignored. The issue experienced a gradual emergence from the private to the public sphere. Although the issue took several decades to emerge on the policy books, it was ultimately brought to the forefront through three things: 1) strong feminist research which fueled debate about the issue and mobilization, 2) the work of the women’s shelter movement, and 3) pressure from both the Swedish public and the international sphere for the Swedish government to address the issue (Leander, 2006). Once the issue was brought to light, the country was forced to take action; its reputation as a gender-equal state was on the line. This may be one reason the state involved feminists in the creation of the policy; it wanted to appear it was doing all it could to address the problem.

The policy created significant change to the state’s penal code, created outputs and funding, and generated public awareness campaigns. Explicit feminist language was used in the text of the policy, and with the exception of a period of separation during the implementation phase, mobilization around the policy maintained strong feminist ‘flavor’ throughout. As previously mentioned, the Kvinnofrid policy scored high in outcome. Linkage to feminist ideals,
strong mobilization and collaboration, as well as intense public awareness campaigns have added to the strength of the process phase variables in creating strong policy authority.

Unlike the issue of violence against women, Sweden has poured a tremendous amount of policy action into redistributive policies over time. The country has strong ‘carrot’ policies to encourage women to join the workforce, including parental leave and childcare. The Equal Opportunity policy came at a time when Sweden needed to encourage more people to join the workforce, and women became the population of interest to the state, in part to avoid giving jobs to immigrants. Contrary to the state’s egalitarian reputation, historically there has been a strong ingrained culture of the ‘male breadwinner’ model in society. Leading up to the policy case considered in this study, there were gradual inroads made in equal employment opportunity within the state. There was resistance to state regulation of the workforce, however, which delayed adoption of the policy. Unlike Sweden’s violence against women policy, which used an interest group approach to policy adoption, the equal employment opportunity policy used an institutional approach to policy adoption. This led to a more corporatist model during the process phases, and a ‘job-centered’ focus, rather than a feminist focus.

Therefore, unlike Sweden’s violence against women policy, the equal employment opportunity policy did not include explicit feminist content, nor was it rooted in feminist conceptualizations of the problem—it did not address social norms which had perpetuated the problem. From a non-feminist point of view, the policy was extremely successful. Women entered the workforce, overt discrimination ended, and the state was able to uphold its “equality for all” image. But from a feminist standpoint, the policy was far less effective. Institutional
feedback occurred, but it was only implicitly feminist in nature, and the policy was never written in feminist text or linked to feminist ideals.

Although these two policies exist in the same state, their process phases and outcomes have taken extremely different trajectories. Part of this is a result of the differing ways the policies were brought to adoption; policies using the institutional approach rather than the interest group approach tend to rely on corporate structures and collaborations rather than women’s groups and feminist collaborations. It’s not surprising, then, that the equal employment opportunity policy did not contain linkage to feminist ideals. The institutional feedback that did occur did so without feminist collaboration.

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Table 7: Sweden Intra-subsector Comparative Analysis

United States (intra-country, inter-subsector comparative analysis)

Prior to the adoption of the Violence Against Women Act, much work had already been done in moving the issue from the private sphere to the public sphere. The state had addressed
the problem, eliminating the “women’s chastisement” law and acknowledging the issue. The policy was brought to the adoption table through an interest group approach, led by feminists, which encouraged continued mobilization after adoption. Collaboration was strong throughout the process phases, and although the policy was not initially linked strongly to feminist ideals, it did gain linkage to feminist ideals and conceptualizations of the problem over time. This created an upward trajectory in this variable, which inevitably helped increase the women’s empowerment outcome variable. Gaps in available data eliminated the ability to calculate a score for direct impact, however. Data gaps will be discussed in more detail in the conclusion chapter.

Title VII presented a policy issue that had long been the subject of legislative attempts. The United States has a history of deep-rooted employment discrimination and little progress had been made to eradicate overt discrimination prior to Title VII. Employment discrimination was an old issue that had not been dealt with at the federal level. Thus, this policy presents the opposite of the violence against women issue in the United States—while that issue had largely been dealt with by the state, equal employment opportunity had not. The policy likely would not have made it through the legislative process on its own, but by ‘riding’ with the Civil Rights Act, the issue made it to adoption. As table 8 (below) illustrates, the process phase variables experienced an upward trajectory as well, especially during implementation, when the burgeoning women’s movement coalesced and created one voice.

Both policies in the United States experienced increase in the process phase variables, but the violence against women policy was able to start stronger, since the policy issue had already been dealt with by the state. Although equal employment policy had hardly been dealt with by
the state, it lent an opportunity for women to mobilize strongly around the issue after Title VII was adopted. Similar to Sweden, women’s groups in the United States were spurred into action and used the policy to coalesce and mobilize.

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<td>Fem Ideals</td>
<td>Inst’l Feed</td>
<td>Fem Ideals</td>
<td>Inst’l Feed</td>
</tr>
<tr>
<td>US VAW</td>
<td>1</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>US EEO</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

Table 8: U.S. Intra-subsector Comparative Analysis

Composite Scores Analysis of Process Phases

Considering the process phases of each policy with composite scores of the two variables (combining the adoption, implementation, and evaluation scores) allows for a ‘birds eye’ view of the two variables through their process phases. The table below (table 9) ranks the cases according to their composite process phase scores. It is clear the violence against women policies scored higher than the equal employment opportunity policies. In addition, it is clear that in the United States institutional feedback can be high without a strong linkage to feminist ideals. This is not surprising, given that policies generally have to walk a fine political line for adoption. These two policies have relied on implicit links to feminist ideals rather than overt
linkages. Gradually over time the policy can become more feminist leaning, as did occur with Title VII in the United States, but generally speaking highly feminist policies linked strongly to feminist ideals are not likely to make it to adoption.

Sweden does not have the same issue since party officials can tend to identify as ‘feminists,’ but since the EEO policy ran counter to an established social norm—the ‘male breadwinner’ model—it went with a gender equality framework but did not link strongly to feminist ideals. Since the equal employment opportunity policy was already creating massive change by allowing state regulation of the workforce it stayed with an institutional/corporatist approach to try to appease employers as much as possible. Collaboration was strong, but was mostly among the trades/social partners and although it did involve women’s groups to some degree, their participation was diluted. The Swedish EEO policy scored the lowest out of the four policies, mostly because very little occurred relative to feminist conceptions of the policy process. Institutional feedback occurred to a degree, especially when funding and training programs prompted mobilization. Mobilization was mostly among corporate representatives and union partners, however.

With the exception of the Swedish violence against women policy (which scored highly in both variables), institutional feedback was higher than linkage to feminist ideals for all four policies. The institutional feedback variable includes elements such as coalition-building, the formation of allies, mobilization around funding and training programs, and mobilization around amendments/re-authorizations of the policy. All four policies were able to create significant institutional feedback, with the exception of Sweden’s equal employment policy, which had low institutional feedback throughout, but still higher institutional feedback than linkage to feminist
ideals. It is easier for groups and organizations to mobilize around policies and their outputs than it is to express feminist conceptualizations of the problem. In most cases, groups can utilize non-feminist opportunity structures much easier than feminist opportunity structures.

<table>
<thead>
<tr>
<th>Composite Scores of Process Phases</th>
</tr>
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<tbody>
<tr>
<td>Linkage to Feminist Ideals</td>
</tr>
<tr>
<td>-----------------------------</td>
</tr>
<tr>
<td>Sweden VAW</td>
</tr>
<tr>
<td>U.S. VAW</td>
</tr>
<tr>
<td>U.S. EEO</td>
</tr>
<tr>
<td>Sweden EEO</td>
</tr>
</tbody>
</table>

Table 9: Composite Scores of Process Phases

Cross-Case Comparative Analysis

To visualize the policy stages and outcome as a continuum, the process phase variable scores of institutional feedback and linkage to feminist ideals were combined for each phase; adoption, implementation, and evaluation. For example, Sweden’s violence against women policy scored a 2 for institutional feedback and a 3 for linkage to feminist ideals during its adoption phase. Its combined score for adoption, then, is a 5. Outcome scores were also combined. Scores for all were then plotted to demonstrate the policy’s trajectory through the process phases and outcome, relative to the combined measures.
By looking at the policy scores as a continuum (see figure 11), it is evident that the two violence against women policies did better throughout, while the U.S. equal employment opportunity policy scored higher during and after implementation than it did in its adoption phase. The element these three policies had in common was intense collaboration. For the U.S. equal employment opportunity policy, collaboration began during implementation and continued from there, which increased the linkage to feminist ideals and institutional feedback that occurred throughout the rest of the process phases and into policy outcome. The Swedish and U.S. violence against women policies both had intense collaboration throughout, especially the Swedish policy, which also included an explicit feminist nature. The Swedish equal employment opportunity policy, which scores the lowest of all four policies, did not have the level of feminist collaboration the other three policies had.

Another finding was how the policy was affected by the country it operated within. The gender equality culture of Sweden greatly impacted the authority of Sweden’s violence against
women policy, but did not seem to have the same impact on the equal employment opportunity policy. This is likely because the economic policy included virtually no feminist mobilization or linkage to feminist ideals. The policy did what it was intended to do—it increased the number of women in the workforce—but it never addressed the structural issues or norms behind the problem. Also, prior to the Kvinnofrid policy, violence against women had really not been dealt with in Sweden. The policy gave feminists the opportunity to address the problem and further gender equality within the state. Feminist political opportunity structures were used with the Swedish violence against women policy, but were not used with the Swedish equal employment opportunity policy. Thus, it can be said that gender equality cultural influence alone is not enough to implement feminist ideals without feminist collaboration and mobilization.

The United States’ litigious nature influenced both U.S. policies in a positive way, but this was especially clear with the equal employment opportunity policy. Class action lawsuits became the primary deterrence mechanism for discrimination. The legal system has been instrumental in shifting the discourse surrounding gender discrimination from a focus on overt discrimination to also targeting subtle discrimination.

The Swedish equal employment opportunity policy is a good example of what happens when feminist efforts are diluted and when a policy is not explicitly—or implicitly—based on feminist ideals. Although the policy met its intended goals (to add women to the labor market), it never addressed social norms that keep women relegated to certain sectors or jobs. The fact the public sector expanded after the adoption of the policy is proof of this. Women were added to the labor market, but how they were added—and the types of jobs they took—kept outcome scoring low relative to women’s empowerment (1/3) and direct impact (1/3).
By adding the process phase and outcome scores for each policy, an aggregate score is created which can help quantitatively ‘rank’ the cases. The Swedish violence against women case comes in with the highest score (19/24), followed by the United States’ violence against women policy (15/24). The United States’ equal employment opportunity policy comes in third (14/24), and the Swedish equal employment policy is last (5/24). Below (figure 12), the scores are combined for each process phase and outcome to clearly indicate how all four cases compared to each other throughout the process phases and outcome.

![Figure 12: Cross-Case Composite Scores Comparison](image)

The preceding discussions have illuminated the variables from multiple angles to highlight how the variables interact in each policy within the subsector, the country, and across all cases. Next, the research questions will be discussed, returning once again to the comparative subsector approach. The questions will first be answered relative to the violence against women subsector, and then the equal employment opportunity subsector.
Violence Against Women Subsector: Discussion of Research Questions

Q1: How much societal change has occurred as a result of the policy? Both violence against women policies created lasting change in their respective societies. Because of its explicit feminist nature, the Swedish policy has created more change relative to feminist ideals. For example, the U.S. policy still allows society to place some burden on the woman to remove herself from the violence; Sweden’s policy has shifted discourse to place the blame on societal norms instead of the victim. Since the state had not addressed the problem at all previously, this is significant.

Criminal codes in both states significantly changed to not only place violence against women squarely in the public sphere, but also allowed them to create real social change by criminalizing the act. Both states enacted training focused on the issue and (at least implicitly) on feminist conceptualizations of the issue, which not only increased mobilization efforts but also institutionalized how professionals identify and help women victims of violence. In Sweden especially, the battered women’s movement has benefitted from this. Feminist organizations, women’s groups, and shelters in both states are also largely responsible for outputs that encourage public awareness; something that has gone far to shift social norms. The Swedish policy has been more successful in this regard, partly due to the state’s tendency toward gender equality and social policies of this type. The U.S. policy has been less successful, but has changed societal attitudes to some degree.

Q1 (a): How authoritative is the policy relative to the social and political reality in which it exists? The Swedish policy is very authoritative, especially in the social reality it exists within. Women’s shelters have received more funding and a better funding structure, public awareness
campaigns have brought the problem to the forefront, hotlines have encourage women to come forward about violence, and most importantly, women are trusting the system enough to speak out about violence. The policy has also changed the way Sweden sees violence against women politically; the state went from ignoring the issue to addressing it directly. But violence against women is still a problem in Sweden, and although improvements have been suggested by CEDAW and other international organizations, not all of them have been implemented. Statistics regarding the problem still find an alarming trend of violence against women.

The U.S. policy is less authoritative relative to social change because although it has made lasting change relative to penal code changes, it still does not consider cycles of violence, nor is it responsive to cultural sensitivities. The policy also received negative media attention during the 2013 reauthorization debating whether or not it was too feminist-leaning. Though this is partly a political issue, it can also be indicative of a social debate. Politically, the policy walks a tightrope every reauthorization period. If it appears too feminist or adds amendments that include politically contentious issues, it is not reauthorized. For example, the policy failed reauthorization because of an amendment to extend rights to the LGBT community. The policy was eventually reauthorized with the amendment, but the issue was politically contentious and supporters and critics were divided along political lines.

Q1 (b): What makes the policy more authoritative or less authoritative in this reality?

Institutional feedback and linkage to feminist ideals were foundational for both policies in this subsector. Upon further analysis, it is clear that five elements either helped or hindered (respectively) these variables in creating an authoritative policy relative to these two policies: 1) whether or not the policy had an explicit feminist nature, 2) how the policy was structured, 3)
whether collaboration was strong or weak, 4) the country’s general approach to policies in this subsector and 5) what type of approach was used in policy adoption (interest group vs. institutional). These elements act as the drivers of the variables—what makes the policy more authoritative or less authoritative in its reality.

Sweden’s policy was written in feminist language and was explicitly based on feminist concepts. It also utilized feminist political opportunity structures and created feminist outputs. Strong collaboration mobilized organizations throughout the policy process. The feminist nature of the policy aided institutional feedback and explicitly linked feminist ideals to the problem. The policy also included structural components that later increased its authority. The policy was written to include multiple acts of violence, or cycles of violence. It also directly blamed norms and structures in society for the problem, not the victim. Shifting societal discourse was stressed as important in the policy relative to creating social change. Institutional feedback and linkage to feminist ideals were foundational to these structural components.

Sweden’s desire to live up to its reputation of being the leader in gender equality was also part of the motivation to create real change. Additionally, the state’s desire to satisfy international pressure was motivating, partly for the same reasons—Sweden wanted to maintain an international image of being gender equal. The country’s approach to social policies also helped the policy gain firmer ground. The Swedish government’s website illuminates the country’s stand on social policies and gender equality that has helped policies such as Kvinnofrid make progress within society:

Gender equality is one of the cornerstones of modern Swedish society. The aim of Sweden’s gender equality policies is to ensure that women and men enjoy the
same opportunities, rights and obligations in all areas of life. The overarching principle is that everyone, regardless of gender, has the right to work and support themselves, to balance career and family life, and to live without the fear of abuse or violence. (Sweden.se).

The U.S. policy was not written in feminist language and was only implicitly based on feminist ideals. It utilized political opportunity structures that were criminal justice in nature, not gendered opportunity structures. But strong collaboration and mobilization around the policy’s outputs were responsible for the authority the policy inevitably did produce.

The policy’s structural components were not nearly as strong as Sweden’s, which left the policy with low authority in the social and political reality which it exists. The policy did not address multiple acts/cycles of violence. It also did not place blame on societal structures. Additionally, the policy left the burden on the victim to remove herself from the violence, implicitly blaming the victim for ongoing violence. Shifting societal discourse was intended to occur through first changing the criminal justice system, but this was never addressed explicitly. Institutional feedback was a present driver relative to structural elements of the policy, but it remained implicitly linked to feminist ideals, which decreased its authority.

The interest group approach was used to move the issue onto the legislative agenda for both policies. For the Swedish policy, this was much stronger, whereas the United States’ policy used an interest group approach but the groups were smaller and less united. The small groups of women that did participate strongly in the pre-adoption phase had big impact, however, and worked as a coalition. Both policies used the interest group approach, but Sweden did so to
more of an extent than the United States. Sweden’s policy achieved greater outcome scores, and certainly its strong interest-group model approach to adoption helped achieve this.

Equal Employment Opportunity Subsector: Discussion of Research Questions

Q1: How much societal change has occurred as a result of the policy? Both equal employment opportunity policies have created lasting change in the workforce of their respective societies, especially in public sector employment, part-time, and lower-paying jobs. Neither policy included explicit feminist language, but the U.S. policy was able to later use feminist opportunity structures to shift to an implicit feminist nature. These feminist opportunity structures came about because of the ineffectiveness of the EEOC and intense collaboration. Public hearings increased the attention and women’s organizations were able to take advantage of this and create a social movement out of it. Considering this, the policy created much societal change. But directly related to gender discrimination, the U.S. policy was less effective relative to the Swedish policy. Sweden’s stronger ‘carrot’ policies and intense collaboration among employers, committees and the government brought women into the labor market quickly and has created lasting social change. Neither policy has done great relative to women’s empowerment overall, but both have increased women’s access to economic resources.

Q1 (a): How authoritative is the policy relative to the social and political reality in which it exists? The Swedish policy has not been very authoritative relative to the social reality it exists in. It has empowered women relative to entering the workforce, but the jobs women are employed in are generally part-time and in the public sector. Social norms such as women being primarily responsible for housework and caregiving have not drastically changed. The same is
true for the U.S. policy, although the U.S. system which allows for class action lawsuits has been a bigger ‘stick’ to deter employers. This has made the policy more authoritative than it would have been without the class action system and as a result has influenced social norms as to what is appropriate in the workplace. Gender discrimination in the U.S. has taken a turn to more subtle forms, very indicative of social norms and structures at work. Each time the policy tightens what is considered discrimination, what is considered socially acceptable relative to discrimination shifts as well. Because the policy does not address structural forms of discrimination, the policy itself is not authoritative relative to this social reality, but it has allowed for the legal system to interpret the policy in way to target structural discrimination and norms.

Politically speaking, the Swedish policy created change in the system because it allowed for government involvement in the labor market. The corporatist and institutional approach by policy stakeholders did significantly change the labor market. However, the policy did not change the political reality in the state relative to feminist ideals. Since the state already adheres to a notion of gender equality, the underlying political tone is already partly feminist in nature; the policy itself did not create real change.

The U.S. policy eventually became authoritative relative to the political world in which it lives. The policy itself probably never would have moved beyond its symbolic authority without the work of intense collaboration, but because of the newly evolved women’s movement behind it, the policy did create change. Specifically, the policy created the EEOC which eventually gained strength and power. The EEOC was able to use the class action legal system to decrease
occurrences of the problem, but most importantly this was because NOW and other women’s organizations sent the signal that bureaucratic stalling tactics would not be effective.

Q1 (b): What makes the policy more authoritative or less authoritative in this reality?

Although neither policy is highly authoritative, five things helped drive institutional feedback and linkage to feminist ideals to create differing levels of policy authority. These elements helped or hindered these variables in creating an authoritative policy in this subsector: 1) whether or not the policy has a feminist nature, 2) how the policy is structured, 3) the country’s general approach to policies in this subsector, 4) whether there was strong or weak collaboration, and 5) whether the policy used an interest-group approach or a corporatist approach to policy adoption.

Neither policy had an overtly feminist nature at adoption. The United States’ policy was able to become more feminist over time, albeit implicitly. Although Sweden’s policy did move women into the workforce, it did not do so in a feminist manner.

The structure of the U.S. policy relied heavily on eliminating explicit and overt forms of discrimination, which does nothing to target the normative issues behind the problem. The Swedish policy focused on equality in rights for women to join the workforce and restructuring labor law to encourage women to join the labor market. The focus on gender equality only extended as far as adding women to the workforce; it did not focus on the social norms behind the problem.

The Swedish policy relied heavily on the gender equality framework that already existed in society, and because of already entrenched notions of gender equality, the policy had no trouble changing the labor market to include women. Likewise, studies have found that Swedish
couples are more egalitarian in general than other Nordic couples, probably because gender equality policies have existed there longer and have changed attitudes in the general public toward gender equality. Even with this, however, inequality still exists in that women are still assumed to be the primary caregivers and responsible for housekeeping chores. These traditional gender norms are still alive. Sweden’s proclivity to produce numerous assessments led to immediate assessment and amendments to the policy. The Swedish policy enjoyed rapid implementation, also partly because the policy did not run counter to Sweden’s gender equality culture, and the redistributive nature of the policy fit well with the country’s tendency to focus on redistributive policies.

The U.S. policy has had some authority because it used the legal system to create societal change. Class action lawsuits gave the policy ‘teeth’ and deterred employers from using forms of overt discrimination. The Supreme Court continued to define and interpret the policy has created an ongoing evolution of the policy. The legal system has begun to use the policy to target structural discrimination; something the policy is unable to do on its own. Also, public hearings led to changes in the EEOC—first to force it into action, and later to expand its authority.

The U.S. policy saw intense collaboration and mobilization of women’s groups and feminist actors. The Swedish policy had strong collaboration of non-feminist organizations and corporatist organizations. This collaboration worked positively for the United States’ policy, gradually increasing feminist ideals associated with the policy over time, where collaboration relative to the Swedish policy affected it negatively in terms of linkage to feminist ideals. Since
collaboration stayed centered on non-feminist organizations, the policy stayed non-feminist in nature.

The Swedish policy used an institutional approach to bring the policy to adoption, while the United States’ policy used an interest-group approach. The Swedish policy was never able to develop a feminist nature, while the United States’ policy gradually achieved a stronger, albeit implicit, linkage to feminist ideals. Although feminists were involved to some degree in the Swedish policy, their voice was never clearly heard over corporate and union interests. Title VII, however, not only managed to incorporate feminist ideals over time, the policy also spurred a social movement—a testament to its interest-group nature.

Summary

This chapter has thoroughly considered the variables of question in the research study in a variety of ways. By considering each variable across subsectors, states, process phases and cases, the variables are seen from multiple angles, highlighting how they impact and interact within the policy cases. The primary research question and sub-questions were discussed relative to policy subsector. The next chapter, chapter 9, gives an overview of what the study has brought to light, possible implications of the study, and potential next steps.
Chapter 9: Conclusions and Future Research

This doctoral research study developed an approach for and completed a systematic and complex mapping of the policy process phases and outcomes of four feminist policies across two subsectors in two countries. Variables found to contribute to feminist policy success were derived from literature and then tested in each policy case. The policy cases were chosen to create natural ‘laboratories’ to see the variables in action. Cases were selected to analyze the variables across similar and different circumstances and were linked by the variables for comparison. This study adds value to the field of Feminist Comparative Politics by developing measures and scoring and scaling the cases to test the variables which contribute to feminist policy authority in the political and social reality the policy exists. It tests whether these policies matter, and why. In addition, the study has analyzed the variables at a micro-level, assessing the drivers which influence the variables to create more authority or less authority in the reality in which the policy exists. These new measures will help as other feminist scholars also consider feminist post-adoption research. As this cycle of research begins, understanding how feminist policies are linked comparatively is key.

The process used to score and scale the feminist policy cases involved a system of templates and worksheets designed to systematically test the variables in an objective, replicable, and empirical manner. Policies were analyzed across their process phases and outcome, testing for a total of two process phase variables and two outcome variables. Comparatively analyzing through the course of the policy gave a clear picture of policy trajectory over time, relative to the variables investigated. The template and worksheets helped break down incredibly complex
policies into pieces small enough to test for various variables. The pieces were not so small that the tests were ungeneralizable, however. In fact, once analysis was done for each process phase, a longitudinal picture was able to emerge that allowed for the policy to be considered in its parts or as an aggregate.

The overarching research question addressed in this study was (Q1) How much societal change has occurred as a result of the policy? Sub-questions asked of each case were as follows: (Q1a) How authoritative is the policy relative to the social and political reality in which it exists? and (Q1b) What makes the policy more authoritative or less authoritative in this reality? The issue underlying this study was how to approach studying policies ‘in practice,’ or, policies as they exist in their political and social realities. Because context matters, the policy cases in this study were chosen according to a sectoral approach—two feminist policy subsectors were chosen which highlight the policy cases in two different ways.

Gaps

This study used primary and secondary sources readily available through peer reviewed databases and web searches. This highlights the fact that a wealth of empirical literature on feminist policies already exists, and field work is not necessary for initial studies. Gaps do exist, however; areas where primary sources are not as readily available. For example, gaps were found in available data for the direct impact outcome variable in the United States’ violence against women policy case. An interesting dynamic was revealed relative to evaluation for this case; since the problem was largely addressed through the legal system in the state, case law was the primary source of information regarding how the policy impacted the problem. These types
of gaps are typical of some feminist policies—gaps exist in available data and need to be filled. Information likely exists, but is not readily available. Partly this is because the cycle of research is just beginning. The real gap is the lack of empirical, methodological, analytical research exploring the question of what happens after feminist policies are adopted.

Implications

Feminist comparative politics field. Since the research cycle is just beginning in this area of study, feminist scholars are just beginning to turn their attention to developing processes for post-adoption studies. For example, as earlier mentioned, the GEPP project is currently working on plans in parallel. By developing measures and a systematic method for data collection and comparative analysis, this study contributes to the exploration currently in progress. The crisp mixed-methods and replicable nature of this study allows this research to link up with other current research in progress.

Policy implications. The four policy cases analyzed in this study bring to light several elements that have led to varying levels of policy authority in the social and political realities in which these policies exist. These identify ‘promising practices’ for future policies addressing these issues. This section will first discuss promising practices identified through this study relative to violence against women policies, and then address equal employment opportunity promising practices.

This study found that policies that address the violence against women through feminist opportunity structures or have a strong implicit feminist nature coupled with intense and focused collaboration tend to be stronger—more authoritative—policies. In addition, violence against
women policies that address societal structures and power relations explicitly have an easier time moving from a criminal justice-centric nature to a feminist nature. Relative to outputs, policies that combine feminist actors and practitioners have stronger training programs that are able to identify and counter violence easier than those with strictly practitioner training programs. Strong collaboration (preferably written into the policy) creates stronger outputs, and encourages stronger mobilization by various groups around outputs. Mandatory and frequent research and evaluation are also key ingredients to creating strong violence against women policies which are able to monitor changes in the occurrence of the problem and adjust the policy accordingly throughout its process phases.

For equal employment opportunity policies, policies that use an interest-group approach rather than an institutional approach tend to be stronger. Policies using an institutional approach tend to dilute the voice of feminist actors and subsequently dilute the focus on structural issues behind the problem. Policies that focus simply on redistributing economic resources to include women target overt forms of discrimination but ignore structural—subtle—forms of discrimination. A focus on the structural issues behind employment discrimination increases the authority of the policy. Additionally, having both ‘carrot’ and ‘stick’ equal employment policies greatly increases the ability of women to enter the workforce—and remain employed.

The drivers mentioned in this study are also of interest relative to policy implications in both subsectors. The stronger the feminist nature of the policy, the more authoritative it is. How the policy reaches the adoption table also heavily influences its process phases and outcome; the interest-group approach encourages stronger mobilization and collaboration, while the institutional approach tends to dilute the voices of interest groups. The policy structure also
matters—the more the policy is structured to tackle all forms of the problem, the better it does in
the social reality in which it exists. The general approach the state takes to social policies also
matters. As seen in this study, Sweden’s positive approach to social policies and gender
equality—as well as its desire to uphold its reputation—helped create a stronger violence against
women policy. Likewise, the United States’ litigious nature helped its equal employment policy
gain strong ‘stick’ status through class action lawsuits. Strong collaboration and mobilization
written in to the policy—or applied by groups—help create stronger, more authoritative policies.
Although more work can be done to explore these drivers, their effects on the variables in
question are seen throughout this study.

Next Steps

**Further exploration of drivers.** To this point, this study has closely examined—and scaled—
societal change and policy authority relative to the four policies in question, thoroughly
investigating the variables that help contribute to policy authority. What still needs to be done is
to take a closer look at what has helped ‘drive’ these variables and impacted that authority (or
lack of authority). How important are these drivers to policy authority? This study used
literature to identity the two variables used in the study, and then operationalized the variables by
breaking down their elements. This process identified important elements such as collaboration,
mobilization, and overt feminist nature which build institutional feedback and linkage to feminist
ideals. Additionally, welfare state literature identifies the importance of how a state approaches
social policy formation and its general approach to gender equality are important relative to
policy success (and authority). All of these elements are pieces that drive the variables to create
a more authoritative or less authoritative policy in the social and political reality in which it exists.

In the course of this study, these drivers have been seen ‘in action,’ pushing and pulling at the four policies in different ways. Inferences have been made throughout the comparative discussion chapter about which drivers were impacting the variables at any given time, but more can be done to test these drivers in a comparative manner. Although it was outside the scope of this research study, the drivers invite a Qualitative Comparative Analysis (QCA). Although the drivers were not scored or scaled, they were quantified by coding them along a binary for each policy case; 0=does not exist, 1= exists. An example of what this could look like for QCA is below (table 10).

<table>
<thead>
<tr>
<th>Policy Drivers, Cross-Case Comparison</th>
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<tbody>
<tr>
<td>OFN</td>
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<tr>
<td>Sweden VAW</td>
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<tr>
<td>Sweden EEO</td>
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<tr>
<td>U.S. VAW</td>
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Table 10: Quantified Drivers

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**OFN=Overt feminist nature.** Policy contains overt or explicit feminist language or feminist nature.

**PS=Policy structure.** Policy is structured in a way to deal with the problem in a feminist manner. (ex: violence against women policies that are structured to deal with cycles of violence and do not rely upon the woman to ‘simply leave’ her attacker address the problem in a feminist manner).

**C=Collaboration.** Feminist collaboration occurs during the policy cycle.

**INST=Institutional approach to policy adoption.** An institutional approach was used to bring the policy to the table.

**IG=Interest-group approach to policy adoption.** An interest-group approach was used to bring the policy to the table.

**GE=General gender equality approach by the country in policy application.** The country has a general gender equality, or egalitarian, approach to social policies.

**LIT=Litigious nature.** The country has a strong litigation sector which impacts some social policies.

**D/W=Dealt with the problem.** The state had dealt with the policy issue prior to the policy’s adoption.

**Additional variables.** A limited number of literature-based variables were explored for this study. These variables were selected because they have been recognized to be instrumental in feminist policy success. This being said, other variables could be tested using the same systematic process. Testing more variables may also illuminate more drivers, which would add breadth to a QCA study and present other avenues for future exploration.

**Additional subsectors/ Policy cases.** Likewise, other policy subsectors and other countries could be explored to further test the measures developed here on other feminist policy subsectors and other policy cases. Because context is so important, it would be interesting to test the variables among other subsector ‘laboratories’. Theoretically, the policy subsectors and cases
could be linked using the same variables and measures, scored and scaled in the same replicable way, and added to the research completed here, to expand the scope of the study.

**GEPP.** A logical next step would be to link up with the GEPP project, as the collaborative effort is working on a similar project in parallel. The measures developed in this project are a contribution to the new cycle of research. The GEPP project is likely to have—or uncover—additional primary sources which will add data and potentially expand the scope of this study. GEPP is currently working with primary sources, collecting and cataloging them—the work I have done here is development of measures. The two complement each other; they have sources, I have measures. Having previously worked with this group as an associate, it would make sense to work with them again as this new area of research is explored.

**Field research.** Another potential next step is to do field research to collect further data. This would also allow for triangulation of the data to a higher degree. Interviews in both Sweden and the United States would add rich, contextual data to the study, adding more depth and potentially revealing undiscovered data. Also, by conducting interviews as well as meeting with feminist policy experts in both countries, new primary source data may be revealed.

**Summary**

This chapter summarized what this doctoral research study did, but also synthesized the study’s results by highlighting gaps in available data. It also suggested implications for the field of feminist comparative politics as well as policy implications for future development of policies in these subsectors. This chapter also discussed potential next steps for this research, including further analysis of the drivers behind the variables studied here, the addition of subsectors, policy
cases, or variables, linking up with the GEPP project to combine research efforts, and possible field research. Since the research cycle of feminist policies ‘in practice’ is just beginning, this area of study is an open and exciting realm for discovery. This study has opened the door for potential next steps and created a replicable method for measuring, scoring and scaling feminist policies in the realities in which they exist. It is a critical step toward an empirical and analytical method of policy ‘in practice’ analysis.
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http://www.un.org/womenwatch/daw/cedaw/reports.htm#s


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Appendices

Appendix 1: Definition of Terms

**Policy authority.** The standard definitions of authority (Webster’s, etc.) define it as power or a right to control actions, to influence or persuade, and to determine issues or otherwise settle them. I chose to use the phrase ‘policy authority’ over ‘policy success’ for several reasons. A policy’s goal is to determine, or settle, issues, and has the formal ability to control and influence issues—in the case of feminist policies, of social concern. Authority seems more conducive to a scale or partial allocation of influence; for instance a policy can have ‘high,’ ‘moderate,’ or ‘low’ authority in practice, over an issue it is attempting to control. Success can also be conceptualized on a scale, however, to consider partial success is generally to consider full success in some areas and no success in other areas. Authority can be considered as a policy having high, moderate, or low influence on a given policy area. Authority in this construct relates to success in that an authoritative policy leads to real change—or real success.

**Coalitions.** Coalitions advocate for and promote change, negotiate conflicts, and promote consciousness-raising (Stromquist, 2002, p. 32).

**Feminist policy.** Mazur (2002) lays out a framework for measuring if a policy is feminist in nature. Her conceptualization of a feminist policy is that the policy includes at least three of five tenets:

1. It improves women’s rights, status, and culturally-based situation in order to be in line with men’s,

2. It reduced or eliminates gender-based hierarchies or patriarchy,

3. It focuses on both the public and private sphere,
4. It focuses on both men and women,

5. Its concepts are in line with feminist groups. (p. 30-31).

**Evaluation.** Evaluation as used in this study refers to two things: 1) evaluation as a process phase after the adoption and implementation of a policy, or 2) evaluation as a form of understanding if the policy is doing or has done what it was meant to do.

Evaluation as a process phase is used in this study to refer to the period of time after implementation efforts have largely subsided, and before the policy is considered mature enough to be assessed for outcome. Each policy case in this study has a different evaluation time period; however each case is bounded in the same systematic manner. The study of the evaluation phase for all four cases included considering how the policy was discussed during this timeframe, in what ways assessments of policy effectiveness were used, and the identification of ways discourse shifted or changed during this period.

The second type of evaluation has two different forms. The first is formative evaluation and the second is summative evaluation (Scriven, 1967). Formative evaluations may take place at any time during the policy process after adoption, as they are intended to identify and guide necessary improvements as the policy’s implementation process unfolds. Summative evaluations are conducted after a program or perhaps the entire policy has been fully implemented. Summative evaluations look at whether or not a policy is meeting its specified objectives (Scriven, 1967). Evaluation documents analyzed for the four policy cases in this study included: government documents and reports, government-sanctioned documents and reports, stakeholders’ documents and reports, surveys, public opinion information, and discussion of the
policy in the press or on the blogs/websites or interviews of feminist organization or women’s
groups representatives.

**Women’s Empowerment.** A discussion of the various definitions for women’s empowerment
is given in chapter 2. For the purpose of this study, women’s empowerment is defined as the
process by which women attain autonomy and self-determination as well as a means to eliminate
patriarchal power structures (Sardenberg, 2008).
Appendix 2: Menu of Options

Mazur’s (forthcoming) ‘menu of options’ framework for mapping post-adoption of policies

**Figure 1.** Mapping “Post-Adoption” in the Policy Formation Process in Post Industrial Democracies

<table>
<thead>
<tr>
<th>Implementation</th>
<th>Evaluation</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Outputs</strong></td>
<td><strong>Outputs</strong></td>
<td><strong>Direct</strong></td>
</tr>
<tr>
<td>Instruments</td>
<td>Formal and Informal Evaluation (E/o)</td>
<td>Impact/Results</td>
</tr>
<tr>
<td>Structures</td>
<td>Summative &amp; Formative</td>
<td>Was the Problem Solved?</td>
</tr>
<tr>
<td>Programs</td>
<td>Practice</td>
<td>(May be determined in the evaluation process)</td>
</tr>
<tr>
<td>Funding</td>
<td>Assessment of Instruments, Structures,</td>
<td>Were group</td>
</tr>
<tr>
<td>Court Cases</td>
<td>Programs, funding, court cases and outcomes</td>
<td>interests/demands/discourse reflected?</td>
</tr>
<tr>
<td><strong>Practice</strong></td>
<td>Institutional Feedback (DR)</td>
<td>(SR)</td>
</tr>
<tr>
<td>Follow through activities</td>
<td>Stakeholders/actors/groups in state and society mobilizing around/participating in process.</td>
<td></td>
</tr>
<tr>
<td><strong>Institutional Feedback (DR)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stakeholders/actors/groups in state and society mobilizing around/participating in process.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Accountability</strong></td>
<td>Accountability</td>
<td><strong>Indirect</strong></td>
</tr>
<tr>
<td>Actors/outputs need to be accountable to publics and constituencies through process and mechanisms.</td>
<td>Actors/outputs need to be accountable to publics and constituencies through process and mechanisms.</td>
<td>Attitude/Values/Norms Change</td>
</tr>
<tr>
<td><strong>Responsiveness (SR)</strong></td>
<td>Responsiveness (SR)</td>
<td>Public Opinion Change</td>
</tr>
<tr>
<td>Were group interests/demands/discourse reflected?</td>
<td>Were group interests/demands/discourse reflected?</td>
<td>Enhanced Participation (DR)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Representation and Democracy</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Policy Change</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Notes:** SR = Substantive representation; DR = Descriptive Representation.
Appendix 3: Terms/Keywords Searched

Violence Against Women Subsector

**Sweden:** Kvinnofrid; violence against women; women’s honour violence; battery; battered women’s shelters; women’s shelters; battered women; gender equality and violence; domestic violence; families and violence; men’s violence against women; women’s oppression; human rights and women; VAW; violent men; criminalization of violence against women; domestic violence as a crime; women victims; love and violence; heterosexual violence; couple violence; police and violence against women; women’s shelter movement; feminist policy and violence against women in (country); organizations and violence against women

*(each term search was also augmented with the addition of “Sweden” and then “Nordic” to narrow the search to the state as well as capture Sweden in general Nordic studies. I also added the word ‘policy’ (or specifically the policy name—ex: ‘Kvinnofrid’) to narrow broad searches)*

**United States:** VAWA; violence against women; battery; battered women’s shelters; battered women; women’s shelters; gender equality and violence; domestic violence; families and violence; men’s violence against women; women’s oppression; human rights and women; VAW; violent men; criminalization of violence against women; domestic violence as a crime; women victims; love and violence; heterosexual violence; couple violence; police and violence against women; identifying violence against women; feminist policy and violence against women in (country); organizations and violence against women

*(each term search was also augmented with the addition of “United States” “U.S” and “America” to narrow the search to the state as well as to capture other publications using similar state names. I also added the word ‘policy’ (or specifically the policy name—ex: ‘Violence Against Women Act’) to narrow broad searches)*
Terms/Keywords Searched

**Equal Employment Opportunity Policy**

**Sweden:** Equal Opportunity Act; Equal employment Ombudsman; equal employment policy; women and employment; gender equality and employment; discrimination against women; work discrimination; employment discrimination; women and public sector employment; women and care work; unpaid work; women and paid work; women and part-time work; social partners and equal employment; equal employment; women and private sector employment; work and family; work-family balance; children and women’s employment; children and men’s employment; family leave and employment; corporations and work equality; unions and employment; family leave; structural discrimination; overt discrimination; subtle discrimination; case law and equal employment; discrimination penalties

*(each term search was also augmented with the addition of “Sweden” and then “Nordic” to narrow the search to the state as well as capture Sweden in general Nordic studies. I also added the word ‘policy’ (or specifically the policy name—ex: ‘Equal Opportunities Act’) to narrow broad searches)*

**United States:** Title VII; equal employment policy; Civil Rights Act; sex and employment; sex and civil rights act; sex and title VII; equal employment opportunities commission; women’s groups and title VII; women’s movement and title VII; women’s movement and employment; equal employment policy; women and employment; gender equality and employment; discrimination against women; work discrimination; employment discrimination; women and public sector employment; women and care work; unpaid work; women and paid work; women and part-time work; equal employment; women and private sector employment; work and family; work-family balance; children and women’s employment; children and men’s employment; family leave and employment; corporations and work equality; unions and employment; family leave; structural discrimination; overt discrimination; subtle discrimination; legal sector and equal employment; equal employment law; litigation and equal employment; case law and equal employment; discrimination penalties

*(each term search was also augmented with the addition of “United States” “U.S” and “America” to narrow the search to the state as well as to capture other publications using similar state names. I also added the word ‘policy’ (or specifically the policy name—ex: ‘Civil Rights Act Title VII’) to narrow broad searches)*
Appendix 4: Case Study Interrogatory Template

Policy at Adoption

Includes pre-adoption phase to some degree in order to consider and operationalize feminist goals and demands leading to policy adoption; sets a baseline for analysis of policy authority in the phases after policy adoption

- What were interest group demands leading up to adoption?
- What coalition-building was present in the pre-adoption process?
- What socio-economic and other pressures were present? (identify pressures)
- What was the written text of the policy at adoption relative to feminist policy goals?
- How feminist in nature was the policy at adoption?

Implementation Phase

Outputs

- Were instruments, structures, programs and/or funding created during the implementation phase?
- What were they?

Accountability Processes

- Do demands for change have a mechanism for action?
- Are processes actually in place to hold actors accountable? What are they? How are they used?
- Do representatives have mechanisms in place for reaching out to constituents to report on progress? What are they? (Find and identify processes, such as the creation of groups to monitor the implementation of the policy or the creation of mechanisms—reporting documents, etc—to measure progress of policy implementation.

Practices

- If output measures are in place, are they being used in practice?
- Were programs called for actually created?
- Was the funding created and will it be used?

Institutional Feedback
During implementation, what are stakeholder activities? (evaluate websites, reports, feedback mechanisms, etc)
Are stakeholders mobilizing around the policy?
Are there mixed feelings about the intent of the policy vs. what is actually being implemented?
What are stakeholders’ response to the policy implementation process?
Are stakeholders positive, negative, or neutral about progress?

Responsiveness
Were group interests reflected through the implementation process? If so, how well?
What are secondary sources saying about how responsive the policy has been to group interests?
What is the discourse that frames the implementation process in terms of feminist ideals? (Analysis of research sources, existing interviews, newspaper articles, etc)

Evaluation Phase

Outputs
Are evaluation mechanisms there? (formal and informal evaluation practices)
Is there a process in place for punishing non-compliance?

Accountability
Is meaningful accountability occurring?
Is the policy deliberative and accountable in practice? Are the policy actors being deliberative and accountable?
Are evaluation mechanisms being used?
Is the process for non-compliance being used?

Practice
Are practices that were outlined in the implementation phases being fully utilized and is forward progress being made? For instance, if funding was mandated and funds were deposited in the implementation phase, how the funding was used will be analyzed in this section.

Institutional Feedback
Has there been follow-through on formal outputs?
Has the policy, in the evaluation phase, created more than symbolic reform?
✓ Is mobilization still occurring around the policy? What groups are mobilizing—the same groups or different groups? Has mobilization spread? (if so, consider why—positivity over policy change, or a response to lack of change or negative change?)

Responsiveness
✓ Has there been responsiveness to feminist organizations demands and impetus for the policy creation?
✓ How well, if at all, were interest groups’ demands met?
✓ How does the policy “stack up” in evaluation in terms of what interest groups wanted at adoption?
✓ How responsive has the policy been in the evaluation phase?
✓ Have lawsuits/court documents/case law indicated the policy was not responsive?

Outcomes Phase

Impact:
✓ How have interest groups been signaling, in the post-adoption phases, that the policy has done?
✓ Has there been a decrease in activity surrounding the specific demand this policy was supposed to meet?
✓ Or have interest groups continued to fight for and demand the same outcome because no or little progress has been made?

Direct Impact will be operationalized by assessing reports, evaluations, discourse analysis, etc to determine if the problem was solved/if interest group demands were met, etc.

Indirect Impact will be operationalized by analyzing public opinion polls where available, changes in societal norms, etc.

Institutional Feedback
✓ Has the policy process started over?
✓ Have amendments been added to the policy to make it more effective?

Thick description elements to add to prose:
## Appendix 5: Completed Scoring Worksheets for Sweden VAW Policy

**Case: Sweden’s Kvinnofrid Policy (VAW)**

### Process Phase Variable Scoring

<table>
<thead>
<tr>
<th>Linkage to Feminist Ideals/Responsive to Feminist Discourse (SR)</th>
<th>Adoption Operationalization</th>
<th>Implementation Operationalization</th>
<th>Evaluation Operationalization</th>
<th>Present?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feminist ideals/gender language included in policy text</td>
<td>X</td>
<td></td>
<td>Feminist content is acknowledged throughout evaluation and included in any subsequent policy amendments or reauthorizations</td>
<td>X</td>
</tr>
<tr>
<td>Policy is based on what is known about the subject (feminist research)</td>
<td>X</td>
<td>Implementation is based on feminist concepts and feminist research</td>
<td>Evaluations include or are carried out by feminist researchers/address feminist conceptualizations of the problem</td>
<td>X</td>
</tr>
<tr>
<td>Policy is responsive to women’s groups/organizations/feminist demands</td>
<td>X</td>
<td>Instruments, programs, funding, etc. are being used</td>
<td>Funding, training, programs, etc. are evaluated and increased/improved if necessary; continue to be linked to feminist ideals/encourage feminist agenda</td>
<td>X</td>
</tr>
<tr>
<td>Outputs (instruments, programs, funding, etc.), accountability mechanisms created are linked to feminist ideals or encourage feminist agenda</td>
<td>X</td>
<td>Accountability mechanisms/outputs/measures are being used that encourage feminist agenda</td>
<td>Accountability relative to feminist ideals is occurring</td>
<td>X</td>
</tr>
<tr>
<td>Measures and structures created to promote public awareness are linked to feminist agenda</td>
<td>X</td>
<td>Awareness of the problem is linked to feminist ideals</td>
<td>Awareness continues to be linked to feminist ideals</td>
<td>X</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------------------------</td>
<td>----------</td>
<td>----------------------------------------------------------------</td>
<td>----------</td>
<td>----------------------------------------------------</td>
</tr>
<tr>
<td>Stakeholders/actors/organizations in state and society mobilizing around and participating in the policy adoption process</td>
<td>X</td>
<td>Mobilization of actors/organizations continue</td>
<td>X</td>
<td>Mobilization of actors/organizations continues</td>
</tr>
<tr>
<td>Coalition-building is present</td>
<td>X</td>
<td>Mobilization shifts/expands/ includes other issues or groups</td>
<td>X</td>
<td>Mobilization continues to shift/expand</td>
</tr>
<tr>
<td>Allies are formed</td>
<td>X</td>
<td>Allies and coalitions continue to build</td>
<td>X</td>
<td>Coalitions and allies continue to build</td>
</tr>
<tr>
<td>Funding/training programs are created that generate mobilization</td>
<td>X</td>
<td>Funding/training programs are being used to encourage continued mobilization</td>
<td>X</td>
<td>Funding/training programs are evaluated and increased/improved if necessary</td>
</tr>
<tr>
<td>Accountability mechanisms/measures are created that encourage mobilization</td>
<td></td>
<td>Accountability mechanisms/measures are being used to encourage continued mobilization</td>
<td></td>
<td>Mobilization occurs around any amendments/policy changes or reauthorizations; or mobilization continues/increases around accountability measures</td>
</tr>
</tbody>
</table>
### Case: Sweden’s Kvinnofrid Policy (VAW)

#### Outcome Scoring

<table>
<thead>
<tr>
<th>Women’s Empowerment (Indirect Impact)</th>
<th>Present?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elimination of institutionalized patriarchy in society</td>
<td>Partially</td>
</tr>
<tr>
<td>Protection and enhancement of the social rights of women</td>
<td>X</td>
</tr>
<tr>
<td>Facilitation of equal access to decision-making roles</td>
<td>X</td>
</tr>
<tr>
<td>Increase in public awareness about the issue</td>
<td>X</td>
</tr>
<tr>
<td>Decrease in public tolerance of the issue</td>
<td>X</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Operationalization</th>
<th>Present?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No change in the problem</td>
<td></td>
</tr>
<tr>
<td>Problem still exists but has decreased a small amount</td>
<td>X</td>
</tr>
<tr>
<td>Problem still exists but has significantly decreased</td>
<td></td>
</tr>
<tr>
<td>Problem no longer exists</td>
<td></td>
</tr>
</tbody>
</table>

#### Decrease in the occurrence of the problem (Direct Impact)
## Appendix 6: Completed Scoring Worksheets for U.S. VAW Policy

### Case: U.S. VAWA

#### Process Phase Variable Scoring

<table>
<thead>
<tr>
<th>Adoption Operationalization</th>
<th>Implementation Operationalization</th>
<th>Evaluation Operationalization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feminist ideals/gender language included in policy text</td>
<td>Implementation process continues to respond to women’s groups/feminist demands</td>
<td>Feminist content is acknowledged throughout evaluation and included in any subsequent policy amendments or reauthorizations</td>
</tr>
<tr>
<td>Policy is based on what is known about the subject (feminist research)</td>
<td>X</td>
<td>Implementations is based on feminist concepts and feminist research</td>
</tr>
<tr>
<td>Policy is responsive to women’s groups/organizations/feminist demands</td>
<td>Instruments, programs, funding, etc. are being used</td>
<td>X</td>
</tr>
<tr>
<td>Outputs (instruments, programs, funding, etc.), accountability mechanisms created are linked to feminist ideals or encourage feminist agenda</td>
<td>Accountability mechanisms/outputs/measures are being used that encourage feminist agenda</td>
<td>Accountability relative to feminist ideals is occurring</td>
</tr>
<tr>
<td>Measures and structures created to promote public awareness are linked to feminist agenda</td>
<td>Awareness of the problem is linked to feminist ideals</td>
<td>Awareness continues to be linked to feminist ideals</td>
</tr>
</tbody>
</table>

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333
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Stakeholders/actors/organizations in state and society mobilizing around and participating in the policy adoption process</td>
<td>X</td>
<td>Mobilization of actors/organizations continue</td>
<td>X</td>
<td>Mobilization of actors/organizations continues</td>
<td>X</td>
</tr>
<tr>
<td>Coalition-building is present</td>
<td>X</td>
<td>Mobilization shifts/expands/ includes other issues or groups</td>
<td>X</td>
<td>Mobilization continues to shift/expand</td>
<td>X</td>
</tr>
<tr>
<td>Allies are formed</td>
<td>X</td>
<td>Allies and coalitions continue to build</td>
<td>X</td>
<td>Coalitions and allies continue to build</td>
<td>X</td>
</tr>
<tr>
<td>Funding/training programs are created that generate mobilization</td>
<td>X</td>
<td>Funding/training programs are being used to encourage continued mobilization</td>
<td>X</td>
<td>Funding/training programs are evaluated and increased/improved if necessary</td>
<td>X</td>
</tr>
<tr>
<td>Accountability mechanisms/measures are created that encourage mobilization</td>
<td>X</td>
<td>Accountability mechanisms/ measures are being used to encourage continued mobilization</td>
<td>X</td>
<td>Mobilization occurs around any amendments/policy changes or reauthorizations; or mobilization continues/increases around accountability measures</td>
<td>X</td>
</tr>
<tr>
<td>Operationalization</td>
<td>Present?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>----------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elimination of institutionalized patriarchy in society</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Protection and enhancement of the social rights of women</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilitation of equal access to decision-making roles</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in public awareness about the issue</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decrease in public tolerance of the issue</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Operationalization</th>
<th>Present?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No change in the problem</td>
<td>--</td>
</tr>
<tr>
<td>Problem still exists but has decreased a small amount</td>
<td>--</td>
</tr>
<tr>
<td>Problem still exists but has significantly decreased</td>
<td>--</td>
</tr>
<tr>
<td>Problem no longer exists</td>
<td>--</td>
</tr>
</tbody>
</table>
### Appendix 7: Completed Scoring Worksheets for Sweden’s EEO Policy

#### Case: Sweden’s EO Act

<table>
<thead>
<tr>
<th>Process Phase</th>
<th>Variable Scoring</th>
<th>Linkage to Feminist Ideals/Responsive to Feminist Discourse (SR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feminist ideals/gender language included in policy text</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy is based on what is known about the subject (feminist research)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy is responsive to women’s groups/organizations/feminist demands</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outputs (instruments, programs, funding, etc.), accountability mechanisms created are linked to feminist ideals or encourage feminist agenda</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Measures and structures created to promote public awareness are linked to feminist agenda</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Case: Sweden EO Act

#### Process Phase Variable Scoring

<table>
<thead>
<tr>
<th>Institutional Feedback (DR)</th>
<th>Adoption Operationalization</th>
<th>Implementation Operationalization</th>
<th>Evaluation Operationalization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Present?</td>
<td></td>
<td>Present?</td>
<td>Present?</td>
</tr>
<tr>
<td>Stakeholders/actors/ organizations in state and society mobilizing around and participating in the policy adoption process</td>
<td></td>
<td>Mobilization of actors/organization s continue</td>
<td>Mobilization of actors/organization s continues</td>
</tr>
<tr>
<td>Coalition-building is present</td>
<td></td>
<td>Mobilization shifts/expands/ includes other issues or groups</td>
<td>Mobilization continues to shift/expand</td>
</tr>
<tr>
<td>Allies are formed</td>
<td></td>
<td>Allies and coalitions continue to build</td>
<td>Coalitions and allies continue to build</td>
</tr>
<tr>
<td>Funding/training programs are created that generate mobilization</td>
<td>X</td>
<td>Funding/training programs are being used to encourage continued mobilization</td>
<td>Funding/training programs are evaluated and increased/improved if necessary</td>
</tr>
<tr>
<td>Accountability mechanisms/measures are created that encourage mobilization</td>
<td></td>
<td>Accountability mechanisms/ measures are being used to encourage continued mobilization</td>
<td>Mobilization occurs around any amendments/policy changes or reauthorizations; or mobilization continues/increases around accountability measures</td>
</tr>
</tbody>
</table>
Case: Sweden’s EO Act

Outcome Scoring

Women’s Empowerment (Indirect Impact)

<table>
<thead>
<tr>
<th>Operationalization</th>
<th>Present?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elimination of institutionalized patriarchy in society</td>
<td></td>
</tr>
<tr>
<td>Protection and enhancement of the economic rights of women</td>
<td>X</td>
</tr>
<tr>
<td>Facilitation of equal access to decision-making roles</td>
<td>X</td>
</tr>
<tr>
<td>Increase in public awareness about the issue</td>
<td></td>
</tr>
<tr>
<td>Decrease in public tolerance of the issue</td>
<td></td>
</tr>
</tbody>
</table>

Case: Sweden’s EO Act

Outcome Scoring

Decrease in the occurrence of the problem (Direct Impact)

<table>
<thead>
<tr>
<th>Operationalization</th>
<th>Present?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No change in the problem</td>
<td></td>
</tr>
<tr>
<td>Problem still exists but has decreased a small amount</td>
<td>X</td>
</tr>
<tr>
<td>Problem still exists but has significantly decreased</td>
<td></td>
</tr>
<tr>
<td>Problem no longer exists</td>
<td></td>
</tr>
</tbody>
</table>
### Appendix 8: Completed Scoring Worksheets for U.S.EEO Policy

#### Case: U.S. EEO—Title VII

**Process Phase Variable Scoring**

**Linkage to Feminist Ideals/Responsive to Feminist Discourse (SR)**

<table>
<thead>
<tr>
<th>Adoption Operationalization</th>
<th>Implementation Operationalization Present?</th>
<th>Present?</th>
<th>Evaluation Operationalization Present?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feminist ideals/gender language included in policy text</td>
<td>Implementation process continues to respond to women’s groups/feminist demands</td>
<td>X</td>
<td>Feminist content/demands are acknowledged throughout evaluation and included in any subsequent policy amendments or reauthorizations</td>
</tr>
<tr>
<td>Policy is based on what is known about the subject (feminist research)</td>
<td>Implementation is based on feminist concepts and feminist research</td>
<td></td>
<td>Evaluations include or are carried out by feminist researchers/address feminist conceptualizations of the problem</td>
</tr>
<tr>
<td>Policy is responsive to women’s groups/organizations/feminist demands</td>
<td>Instruments, programs, funding, etc. are being used</td>
<td>X</td>
<td>Funding, training, programs, etc. are evaluated and increased/improved if necessary; continue to be linked to feminist ideals/encourage feminist agenda</td>
</tr>
<tr>
<td>Outputs (instruments, programs, funding, etc.), accountability mechanisms created are linked to feminist ideals or encourage feminist agenda</td>
<td>Accountability mechanisms/outputs/measures are being used that encourage feminist agenda</td>
<td></td>
<td>Accountability relative to feminist ideals is occurring</td>
</tr>
<tr>
<td>Measures and structures created to promote public awareness are linked to feminist agenda</td>
<td>Awareness of the problem is linked to feminist ideals</td>
<td></td>
<td>Awareness continues to be linked to feminist ideals</td>
</tr>
</tbody>
</table>

339
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Stakeholders/actors/organizations in state and society mobilizing around and participating in the policy adoption process</td>
<td>X</td>
<td>Mobilization of actors/organization s continue</td>
<td>X</td>
</tr>
<tr>
<td>Coalition-building is present</td>
<td></td>
<td>Mobilization shifts/expands/ includes other issues or groups</td>
<td>X</td>
</tr>
<tr>
<td>Allies are formed</td>
<td></td>
<td>Allies and coalitions continue to build</td>
<td>X</td>
</tr>
<tr>
<td>Funding/training programs are created that generate mobilization</td>
<td></td>
<td>Funding/training programs are being used to encourage continued mobilization</td>
<td>X</td>
</tr>
<tr>
<td>Accountability mechanisms/measures are created that encourage mobilization</td>
<td></td>
<td>Accountability mechanisms/ measures are being used to encourage continued mobilization</td>
<td>X</td>
</tr>
</tbody>
</table>

Case: U.S. EEO—Title VII
Process Phase Variable Scoring
Institutional Feedback (DR)
### Case: U.S. EEO—Title VII

#### Outcome Scoring

#### Women’s Empowerment (Indirect Impact)

<table>
<thead>
<tr>
<th>Operationalization</th>
<th>Present?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elimination of institutionalized patriarchy in society</td>
<td></td>
</tr>
<tr>
<td>Protection and enhancement of the economic rights of women</td>
<td>X</td>
</tr>
<tr>
<td>Facilitation of equal access to decision-making roles</td>
<td></td>
</tr>
<tr>
<td>Increase in public awareness about the issue</td>
<td>X</td>
</tr>
<tr>
<td>Decrease in public tolerance of the issue</td>
<td>X</td>
</tr>
</tbody>
</table>

### Case: U.S. EEP—Title VII

#### Outcome Scoring

#### Decrease in the occurrence of the problem (Direct Impact)

<table>
<thead>
<tr>
<th>Operationalization</th>
<th>Present?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No change in the problem</td>
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<tr>
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