

Spring 2013

Price 20 Dollars

# WOMEN'S POLICY

## JOURNAL OF HARVARD

### **On Having it All:**

An Interview with Anne-Marie Slaughter

### **Leading Androgynously**

### **Sexual Trauma in the Military Workplace:**

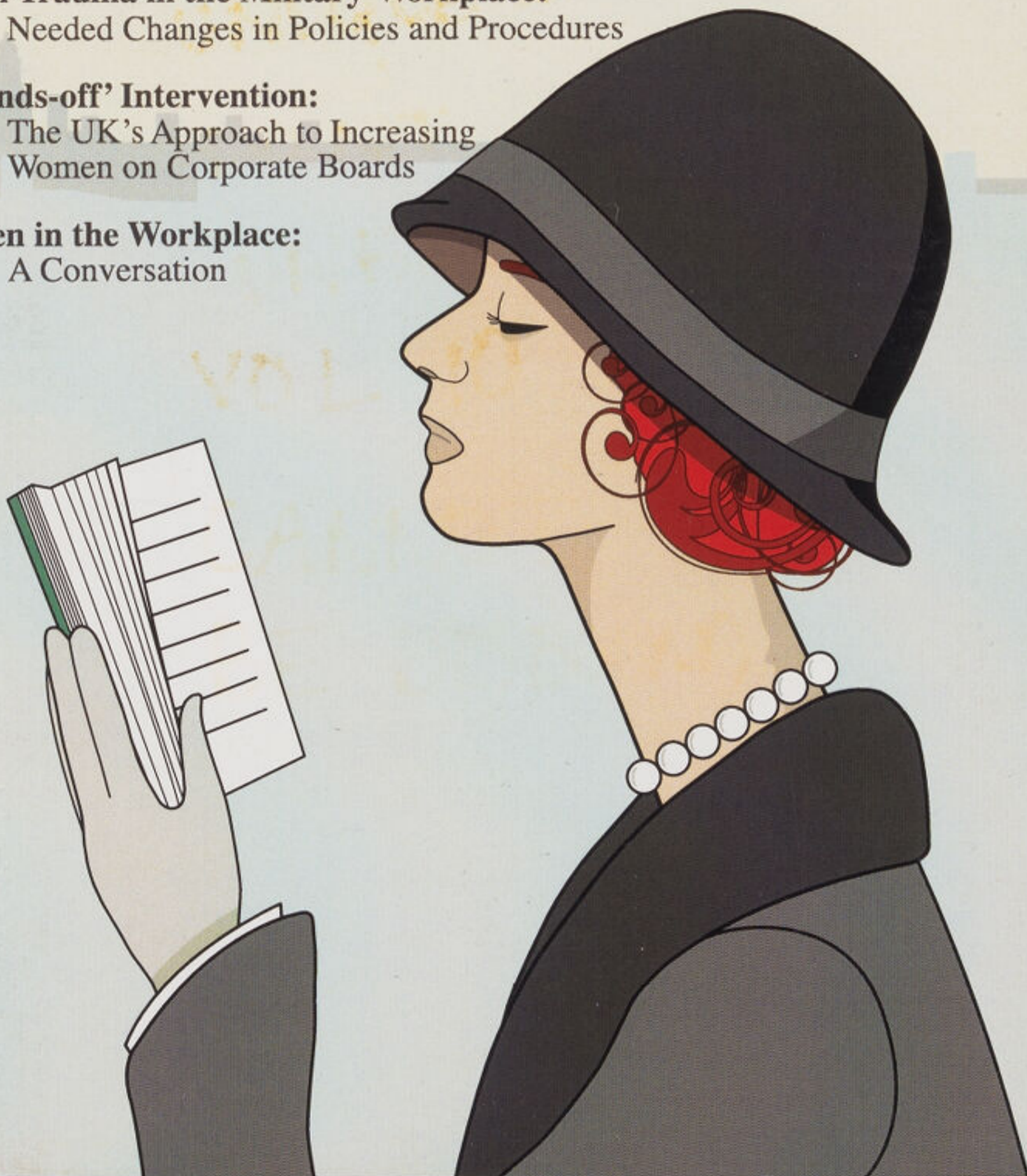
Needed Changes in Policies and Procedures

### **A 'Hands-off' Intervention:**

The UK's Approach to Increasing  
Women on Corporate Boards

### **Women in the Workplace:**

A Conversation





**HARVARD Kennedy School**

## **MOSSAVAR-RAHMANI CENTER for Business and Government**

ADVANCING KNOWLEDGE AND POLICY ANALYSIS  
CONCERNING SOCIETY'S MOST CHALLENGING  
PROBLEMS AT THE INTERFACE OF THE PUBLIC  
AND PRIVATE SECTORS

M-RCBG awards grants and other support to students and student organizations. Working closely with student leaders, it offers events where students gain insights from private and public sector leaders and design careers at the intersection of business and government.

### RESEARCH PROGRAMS:

Electricity Policy \* Energy Policy \* Environmental Economics \* Sustainability Science \* Corporate Social Responsibility \* Business and Human Rights \* Collaborative Governance \* Regulatory Policy \* Education Policy \* Financial Sector \* Trade and Negotiations \* Kansai Keizei Doyukai

### RECENT SEMINARS :

- \* HKS Professor Carmen Reinhart: "A Decade of Debt"
- \* HLS Professor Cass Sunstein: "Deciding by Default"
- \* Nancy Nord, Commissioner, US Consumer Product Safety Commission: "Mandatory Regulatory Review at Independent Agencies"



Prof. Jeffrey Liebman and students share perspectives on the promise and limitations of social impact bonds at an M-RCBG seminar



Prof. Linda Bilmes and students brief Boston Mayor Thomas Menino on results from students' applied budgeting projects



Students share findings from a collaboration with the US Department of Energy to devise an infrastructure for charging electric vehicles

VISIT US AT [HTTP://WWW.HKS.HARVARD.EDU/CENTERS/MRCBG](http://www.hks.harvard.edu/centers/mrcbg)

# WOMEN'S POLICY JOURNAL OF HARVARD

Spring 2013

Volume 10



**HARVARD Kennedy School**  
JOHN F. KENNEDY SCHOOL OF GOVERNMENT

The articles, commentaries, interviews, book reviews and additional editorial content appearing in the *Women's Policy Journal of Harvard, John F. Kennedy School of Government* do not necessarily reflect the views of the editors, the sponsoring university, or the board members of the advisory boards.

© 2013 by the President and Fellows of Harvard College. All rights reserved. Except as otherwise specified, no article or portion herein is to be reproduced or adapted to other works without the expressed written consent of the editors of the *Women's Policy Journal of Harvard, John F. Kennedy School of Government*.

ISSN# 1062-1830

# Contents

Spring 2013

- 1 Editor's Note
- Special Features**
- Courtney Walsh 3 On Having it All: An Interview with Anne-Marie Slaughter
- Barbara Kellerman 5 Leading Androgynously
- Paula Caplan 10 Sexual Trauma in the Military Workplace: Needed Changes in Policies and Procedures
- Ruth Sealy 22 A "Hands-off" Intervention: The UK's Approach to Increasing Women on Corporate Boards
- Sarah Ellis, Michelle Monsegur, Divya Varma, Ishani Mehta 37 Women in the Workplace: A Conversation
- Photo Journal**
- Eve L. Ewing 40 Tuesday
- Research**
- William Simmons 45 An Examination of Women's Educational Access in the Global South
- Allison Ivie 52 Asset Theory and Prostitution: The Implications of U.S. Prostitution Policy and Ideology on Asset Building Strategies
- Nura Sediqe 60 Unity in Diversity
- Neharika Mahajan 81 The Invisible Care Givers: Domestic Workers in Mumbai and their Struggle for Unionizations
- Commentary**
- Anya Malkov 95 Winning Without the "War on Women"
- Denisse Rodriguez Olivari 97 Why is it So Hard to Increase Women's Representation in Political Institutions? The Case of Latin America
- James Walsh 104 The Case for Quotas
- Rhoda Asikia Ige 109 Beyond Rhetoric: In Search of Political Equity for Women in Nigeria

**WOMEN'S POLICY**  
JOURNAL OF HARVARD

Spring 2013

EDITOR IN CHIEF Courtney Walsh

MANAGING EDITOR AND FINANCE CHAIR Catherine Leland

MANAGING EDITOR Pragya Lohani

BOARD RELATIONS CHAIR Thao Nguyen

COMMUNICATIONS CO-CHAIRS Sarah Ellis, Ashley Freeland

EDITORS Divya Varma, Ishani Mehta, Michelle Monsegur, Valerie Kane

COVER DESIGN Mario Gonzalez LAYOUT AND DESIGN Monique Z. Osius

---

*Advisory Board*

**Hannah Riley Bowles**

Senior Lecturer in Public Policy  
Center for Public Leadership  
Harvard Kennedy School

**Martha Chen**

Lecturer in Public Policy  
Hauser Center for Nonprofit Organizations  
Harvard Kennedy School

**Barbara Kellerman**

James McGregor Burns Lecturer in Leadership  
Center for Public Leadership  
Harvard Kennedy School

**Nathalie Laidler-Kylander**

Adjunct Lecturer in Public Policy  
Harvard Kennedy School

**Christine Letts**

Rita E. Hauser Senior Lecturer in the Practice of Philanthropy and Nonprofit Leadership  
Interim Director, Hauser Center for Nonprofit Organizations  
Harvard Kennedy School

**Tim McCarthy**

Adjunct Lecturer in Public Policy  
Program Director, Carr Center for Human Rights Policy  
Harvard Kennedy School

**Julie Boatright Wilson**

Harry Kahn Senior Lecturer in Social Policy  
Malcolm Wiener Center for Social Policy  
Harvard Kennedy School

## Editor's Remarks

What a year this has been in bringing the trials and successes of working women to the forefront! Slowly but surely policies and mindsets are positively evolving in the gender equality sphere.

This year's Journal is themed "Women in the Workplace" and spans the public, private, and civil society sectors. In addition to the U.S., the Journal showcases experiences of women in Africa, Latin America, Asia, and Europe.

Last summer's *Atlantic* article, "Why Women Still Can't Have it All", by Anne-Marie Slaughter, rekindled and sparked popular discourse about women's experiences at home, in the workplace, and everywhere in between. The Journal staff sat down with Anne-Marie Slaughter last fall to discuss her article and its implications. Her interview is included in our Special Features section, which also contains pieces by other renowned scholars and professionals. Barbara Kellerman writes cleverly on leading androgynously. Paula Caplan exposes sexual trauma in the military. Ruth Sealy considers ways to increase the presence of women on corporate boards in the UK. We are proud that this year's Journal also features an interview project showcasing high-level scholars and professional women and their experiences in the workplace.

An incredible Journal support staff and team of advisors made this year's edition possible and successful; our board of advisors and Journal office staff were a tremendous source of support and positively steered the Journal. My greatest amount of gratitude is to my executive team and editorial staff. I am indebted to them for their months of long hours of administrative and editorial work and for their remarkable drive and vision. My remarks are from all of my team members, as they are the bread and butter of the Journal.

We hope this 10th edition of the Journal moves you to reconsider the notions of working women -- and also to move to action. The issues and stories presented are embedded in the tapestry of all of us, as the experiences of women are a barometer to our social progress.

Sincerely,  
Courtney Walsh  
Editor in Chief, *Women's Policy Journal of Harvard*



# Women

## and Public Policy Program

HARVARD KENNEDY SCHOOL

The Women and Public Policy Program of Harvard Kennedy School closes gender gaps in economic opportunity, political participation, health and education by creating knowledge, training leaders and informing public policy and organizational practices.

Our research provides evidence-based insights on the role of gender in shaping economic, political and social opportunities available to individuals. We identify successful interventions and measure their impact on women, men, and society, then share recommendations on what policies, organizational practices and leadership techniques help close involuntary gaps.

We train today's leaders and prepare future leaders to create a more gender equal world, while providing women with skills and tools to successfully navigate existing systems. We draw on Harvard University's unparalleled faculty expertise and its global reach to impact the thinking of those who make decisions across sectors.



**HARVARD Kennedy School**

**WOMEN AND PUBLIC POLICY PROGRAM**



## On Having it All: An Interview with Anne-Marie Slaughter

BY COURTNEY WALSH

Last fall, a few lead editors from the student-run *Women's Policy Journal of Harvard* waited anxiously in the student lounge at the John F. Kennedy School of Government. We were about to interview a woman who, in summer 2012, had succeeded in bringing the women in the workplace discussion back into popular discourse. Anne-Marie Slaughter, a professor, mother, and policymaker, wrote the *Atlantic* article "Why Women Still Can't Have it All." Below is what unfolded when the engaging, humble, and tenacious Anne-Marie joined us to talk about her article.

Were you surprised by the response to your *Atlantic* article?

[Chuckles] "Everybody asks me that question!" More seriously, Slaughter noted, "I knew that among your generation it would have a big impact." She wrote the article because she knew it would strike a chord, but she did not expect the social media response that it received or the "cross-generational conversation" that it sparked. Slaughter "didn't expect [that] many women would send [the article] to their mothers" as part of a conversation about how they "want a different set of choices" than the ones that were available to their mothers. However, Slaughter noted, many women from older generations who have managed to juggle work and family without substantial career compromise reacted critically to her piece. On the other hand,

some men have reported that the article sparked difficult conversations at home about the choices that their careers have imposed on their wives. Other men have pointed out that trying to juggle work and family when they actually are equal caregivers is equally hard on their careers. Slaughter commented on how the article struck a nerve about how out of control our lives are: "Many people want to adjust the balance between work and something."

In the *Atlantic* article, you stated, "I was increasingly aware that the feminist beliefs on which I had built my entire career were shifting under my feet. ... " Could you explain more what you meant by that statement?

Slaughter noted that many people interpreted this sentence as rejecting feminism,

but she insisted, "I am a card carrying, proud feminist. ... I would not exist but for feminism ... nothing I have been able to do in my life other than have children would have been possible but for feminism." However, when reflecting on the tug she felt to be with her family while working at the State Department, Slaughter noted, "[It] never dawned on me that I would make the choice I made." Thus, she realized that assumptions about herself had changed, not feminism's assumptions about women. Many of the women who took issue with her article were nervous that the article implicitly gave women permission to leave the workplace; however, Slaughter insisted that she envisions a society in which women and men can "be the professionals and parents [they] want to be." In the end, she noted, "I want [women] to have an equal voice about shaping society's choices."

**What role do you think women like you can play in bringing about change in the workplace?**

While a dean at Princeton, Slaughter always promoted the motto, "Family comes first." In terms of Slaughter's staunch commitment to her career and simultaneous prioritization of her family, she noted, "It is important for successful women to be role models in demonstrating how they can create genuinely family friendly workplaces with no professional costs for parents." Additionally, Slaughter stated, "The workplace is structured for breadwinners only [not caregivers]." One possibility for changing this is to design workplaces that recognize that workers are both breadwinners and caregivers, by providing much more flexibility with regard to when and where people work and allowing parents to accommodate school schedules and vacations.

**What do you think "having it all" means for our generation? Is it different than what it means for your generation?**

"No and yes." No, since in many fields women have not yet reached the point where they can have the same careers as men while also having a family. Slaughter noted that for her generation, "having it all meant you could go into the workforce and still have a family just like a man can." Yes, as "your generation does have better values ... you are able ... to think about having it all in terms of having meaning and purpose in your lives, rather than just thinking career and family. You are more comfortable defining what that means for yourselves than having it completely defined for you. At the same time, however, I hope that those of you who want to make it to the top have an equal shot at getting there." In the end, Slaughter noted, "I hope you define it for yourselves in a way that is much more equal for men and women."

---

Anne-Marie Slaughter is the Bert G. Kerstetter '66 University Professor of Politics and International Affairs at Princeton University. She was director of Policy Planning for the United States Department of State from 2009–2011. She is currently writing a book due to be out in spring 2014 on reframing issues around and creating tools for change for women in the workplace.

## Leading Androgynously

BY BARBARA KELLERMAN

*Barbara Kellerman is the James MacGregor Burns Lecturer in public leadership at the Harvard Kennedy School. She is author and editor of many books and articles on leadership and followership, most recently, *The End of Leadership* (HarperCollins, 2012)*

Here is what we do know. American women still have far less access to leadership roles than do American men. Notwithstanding the cheers elicited in some quarters by the results of the 2012 elections—“Record Number of Women Will Serve in Congress” and “New Hampshire Elects Women to All Top Posts”—to those eager for equity, the results were disheartening, though not surprising.

Yes, the largest number of women ever will serve in the 113th Congress—there will be twenty in the Senate and seventy-four in the House. But the overall tally is unimpressive. Only a measly 18 percent of members of Congress will be women, a number scarcely better than the norm in recent years. Moreover, in 2013 the number of women governors will actually drop, from the current six, to five. That’s five out of fifty—a pathetic 10 percent of the total.

But, then, that’s not half bad. Well, it is not half bad when compared with the

number of women at the top in the private sector. Some 16 percent of board seats of American companies are now held by women. But the number of women CEOs remains in the low single digits. Even worse is our mindset. So accustomed are women to being excluded from leadership roles, that they are, we are, expected to celebrate even the most meager of victories. Here is a quote from Linda Lowen, who laments the small number of women business leaders, while applauding the ever-so-slightly larger number of women political leaders: “These [20 women CEOs] represent only 4% of the Fortune 500. That number is discouraging when compared to Congress where 16% of its members are women” (2012).

Here is what we do not know. We do not know exactly why the number of female leaders remains so stubbornly small. To be sure, there are historical reasons—not much more than 150 years ago Elizabeth Cady Stanton was still railing

against men for withholding from women “rights which are given to the most ignorant and degraded men” (1848). And there are cultural, political, economic, social, and maybe even psychological and physiological reasons as well—I could go on. Moreover, there are a slew of other explanations, such as gender bias and stereotypes; the nature and structure of the workplace; and domestic responsibilities, including child-care, which, despite a bit of a shift, still fall significantly more heavily on women than men.

Among the many explanations for why so few women make it to the top is one especially elusive—style, leadership style. It has come to be widely believed that women do have and maybe even should have a different leadership style than do men. Of course what exactly constitutes leadership style is not completely clear. Moreover, the evidence for difference remains scanty even now. Still, this has not stopped the maturation of a conventional wisdom—when it comes to the exercise of power, authority, and influence, women and men are different.

A trailblazer in this general regard was Sally Helgesen, who in 1990 published a book that she titled, *The Female Advantage: Women’s Ways of Leadership*. The implications were clear. Women led differently than men. And they did so in ways that advantaged everyone involved. Based on close study of a small sample (four women), Helgesen reached the following conclusions. First, women “have certain advantages in their ability to communicate, to prioritize, and to see the broad picture” (p. 29). Second, women were better at sharing information and maintaining complex networks of relationships. Third, women were “better managers” overall, in part because of the “experiences and expectations they bring to the workplace” (p. 31). And finally, most significantly, the differences in leadership style should put women

in a strong position because “what business needs now is exactly what women are able to provide” (p. 39).

Five years later another book came out, similarly well-known and similarly disposed, Judith Rosener’s *America’s Competitive Secret: Utilizing Women as a Management Strategy*. Again, the title told the tale, the same tale that Helgesen told—women lead differently than men and in ways that should advantage the former over the latter. Rosener (1995) argued that “leveraging the talents of professional women will lead to more innovative, productive, and profitable organizations.” Why? Because women have “special abilities” that “constitute an underutilized economic resource” (p. 3). What precisely were these special abilities? They centered on leadership style, with women more interactive than were men. “I found,” wrote Rosener, “that women, on average, exhibited and preferred the interactive leadership style and men the command-and-control leadership style, and that the interactive style is particularly effective in flexible, nonhierarchical organizations of the kind that perform best in a climate of rapid change” (1995, 11).

Arguably these two books set the stage for where we are now: most of us working on the assumption that men and women lead differently, and that women leaders bring to their groups and organizations assets that are uniquely theirs. Without getting deep into the “perils of positive stereotypes,” which pertain every bit as much as do the perils of negative ones, suffice it to say here that female leaders are generally presumed to be more caring, communal, and collaborative (Pitinsky et al. 2008, 93–125). This assumption has an obvious opposite—male leaders are generally presumed to be more agentic. As noted by Linda Carli and Alice Eagly (2008), they (men) are thought to have in greater abundance traits “such as ambition,

confidence, self-sufficiency, dominance, and assertiveness" (pp. 127–48).

Associated with these stereotypes are several problems for women in particular, arguably two at the top of the list. First, stereotypes of male leaders more closely match stereotypes of leaders generally. Even in this day and age of flattened hierarchies and teams and everyone empowered, we still see in our mind's eye leaders who can and ideally do take charge, who can and ideally do fix what's broke in ways that reflect their "confidence" and "dominance." Second, women who violate the stereotype—of female leaders as caring and communal—tend to run into trouble. Studies confirm that female leaders who are highly agentic are usually disliked, evoking in others, in their ostensible followers, feelings of anger, irritation, and even hostility. Put directly, "people expect women to be more communal than men and penalize women who don't seem communal enough" (Carli and Eagly 2008, 131).

Still, for all the sound and fury associated with the widespread belief that women do, and ought to, lead differently than men, in truth the evidence for this is sparse. In fact, one of the late twentieth century's preeminent leadership scholars, Bernard Bass, ultimately concluded that "the preponderance of available evidence is that no consistently clear pattern of differences can be discerned in the supervisory style of female as compared to male leaders" (p. 121). Moreover, as the above-mentioned Eagly and Carli conclude in their own excellent book on the subject, *Through the Labyrinth* (2007), such differences as have been found to exist are merely average differences, "which tend to be small and do not necessarily appear in different types of leadership roles or in different situations" (p. 134). Whether such small differences should matter and if so how much is, obviously, open to discussion.

For at least the last few decades, men have received some of the same messages. That is, while women leaders were being praised for whatever their differences from male leaders, male leaders were being urged to emulate female leaders, to be more caring and communal. Men were advised to be more nurturing and to abandon the command and control leadership style with which historically they have been associated. Virtually every single leadership book that has appeared in recent years has testified to how leadership styles have changed, with all leaders now encouraged to be inclusive rather than exclusive, to be team-members rather than top-down leaders. Words and terms such as team, network, engagement, empowerment, cooperation, collaboration, participation, and flattened hierarchy have become mantras in a time when, among their many other challenges, leaders are experiencing palpable declines in their power and authority.<sup>1</sup>

This brings me to the primary point of this essay, which is to shine a light on an idea that has been hiding in plain sight. The idea centers on the various virtues—to both genders—of leading androgynously. As I suggested above, leaders of all stripes, everywhere, are weaker than before, while followers are stronger. Since leaders' reserves of power and authority are, relative to what they were in the past, depleted, they are more dependent on influence than they were in the past. Put directly, in the second decade of the twenty-first century, the capacity to exercise influence is a more important leadership skill than it ever was before. Therefore, leading androgynously—leading by being ingratiating, by exercising influence as opposed to power or authority—has become the coin of the realm.

Tellingly, the literature on women and leadership sometimes suggests as much. Women are urged to be neither too masculine (they will be ineffective because they are perceived as unlikeable), nor too

feminine (they will be ineffective because they are perceived as incompetent). Eagly and Carli (2007) write that “Women generally split the difference between the masculine and feminine demands that they face. Successful female leaders generally find a middle way that is neither unacceptably masculine nor unacceptably feminine” (p. 134).<sup>2</sup> Elsewhere they actually use the word “androgynous” and imply, as do I, that the point applies as much to men as to women. “Successful leaders most often have an androgynous balance of traits. . . . In fact, people who have extremely masculine or extremely feminine personalities are likely to be at a disadvantage for leadership in most contemporary settings” (p. 48).

Anecdotal evidence supports the research. Emily White, one of Sheryl Sandberg’s young protégés at Facebook, discovered that she had to learn to curb her natural, too “masculine” impulses. “I am a really aggressive person,” White is quoted as saying. “I have really strong views and I am very competitive, and I expect people around me to be the same way. But I’ve definitely tried to change my style and hold my tongue a lot more. I always actively ask for other people’s opinions even when I don’t care about their opinions. And I hedge a lot more and use softer language” (Rosin 2012, 215).

Even more revealing is the testimony of Nannerl Keohane. Keohane is a social scientist and leadership expert—who has walked the talk. She has been president of both Wellesley College and Duke University. “In the end,” she has observed, “There must be a balance in leadership between nurturing and toughness.” And then she asks a question in line with the argument I make here: “Is androgyny, then, the answer?” Keohane provides her own reply: “I am not sure what that would mean; but I do think that all of us would be well-served by an awareness that strengths often ascribed to the other sex can be valu-

able to both men and women in complex human activities like holding power” (2008, 87–88).

The main message is gender neutral: The question of male/female leadership style will diminish in importance. For it will become increasingly clear that whatever the natural differences between women and men, they will blur as effective male leaders become somewhat softer and effective female leaders somewhat harder.

This brings us full circle, to the question of why the number of women at the top is now and will for many years to come remain relatively small. Here is one consolation: Whatever the explanations for the situation, style—leadership style—will not be among them. For in this one way at least the future is clear. Androgyny will rule.

## REFERENCES

- Cady Stanton, Elizabeth. "Declaration of Sentiments." Document presented at the Seneca Falls Convention, Seneca Falls, NY, 1848.
- Carli, Linda, and Alice Eagly. 2008. "Overcoming resistance to women leaders: The importance of leadership style." In *Women and leadership*, edited by Barbara Kellerman and Deborah Rhode, 127-148. Hoboken: Jossey-Bass Press.
- Eagly, Alice, and Linda Carli. 2007. *Through the labyrinth*. Boston: Harvard Business School Press.
- Helgesen, Sally. 1990. *The female advantage: Women's ways of leadership*. New York: Doubleday Currency.
- Keohane, Nannerl. 2008. "Crossing the bridge: Reflections on women and leadership." In *Women and leadership*, edited by Barbara Kellerman and Deborah Rhode, 65-91. Hoboken: Jossey-Bass Press.
- Lowen, Linda. "Fortune 500's record number of female CEOs." July 31, 2012. <http://womensissues.about.com/od/FemaleLeadership/a/Fortune-500s-Record-Number-Of-Female-Ceos.htm>
- Pittinsky, Todd, Laura M. Bacon, and Brian Welle. 2008. "The great women theory of leadership: Perils of positive stereotypes and precarious pedestals." In *Women and leadership*, edited by Barbara Kellerman and Deborah Rhode, 93-125. Hoboken: Jossey-Bass Press.
- Rosener, Judy. 1995. *America's competitive secret: Utilizing women as a management strategy*. New York: Oxford University Press.
- Rosin, Hanna. 2012. *The end of men and the rise of women*. New York: Riverhead Books.

## ENDNOTES

- <sup>1</sup> For more on this, see my book, *The End of Leadership* (New York: HarperCollins, 2012).
- <sup>2</sup> Note: In Kellerman and Rhode (Hoboken: Jossey-Bass, 2008).

# Sexual Trauma in the Military: Needed Changes in Policies and Procedures

BY PAULA J. CAPLAN, PHD

Paula J. Caplan, PhD, is a clinical and research psychologist, policy specialist, and activist. She is an associate at the DuBois Institute at Harvard University and a past fellow in the Women and Public Policy Program of Harvard's Kennedy School. She is the author of eleven books, including *When Johnny and Jane Come Marching Home: How All of Us Can Help Veterans* (MIT Press, 2011), which won three national awards, including best psychology book of 2011 in the Association of American Publishers' PROSE Awards Competition; and *They Say You're Crazy: How the World's Most Powerful Psychiatrists Decide Who's Normal* (Perseus, 1995). She is first editor of *Bias in Psychiatric Diagnosis* (Jason Aronson, 2004). Caplan is also a member of the advisory board of Protect Our Defenders.

---

## ABSTRACT

Being sexually harassed or sexually assaulted in the workplace is one of the most devastating experiences one can have there. The very high rates of reported sexual assault in the military, the stakes for the victims, and the seriously deficient and even damaging ways in which the military too often deals with these cases warrant major policy changes both within the military and elsewhere.

## INTRODUCTION

It is devastating to be serving in the military and be sexually assaulted by another servicemember. According to a U.S. Department of Defense (DoD) report, 90 percent of the targets of such assaults are women (U.S. Department of

Defense 2011). The authors of that report call those committing the assaults not perpetrators but "subjects," 89 percent of whom are men, 2 percent women, the rest "unknown" (U.S. Department of Defense 2011). Female victims are the focus in this paper, although much of the content also applies to male victims. I will use the term military sexual trauma (MST), defined by the U.S. Department of Veterans Affairs (VA) as "experiences of sexual assault or repeated, threatening acts of sexual harassment" that, according to U.S. Code (1720D of Title 38), involves "psychological trauma, which in the judgment of a VA mental health professional, resulted from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while the Veteran was serving on active duty or active duty for training." Sexual harassment is further defined as



“repeated, unsolicited verbal or physical contact of a sexual nature which is threatening in character” (U.S. Department of Veterans Affairs 2010).

Some consequences of MST come from the assaults themselves, and others come from the further anguish, even trauma, that results from the way reports of the assaults are—and are not—handled. They include, but are not limited to, the increased likelihood that survivors will become substance abusers and have trouble finding post-military employment (Skinner et al. 2000). Furthermore, 53 percent of homeless female veterans have experienced MST, compared to one in five female veterans in general (Washington et al. 2010).

The award-winning documentary *Invisible War* (2012) shows attorney Susan Burke—who filed suit on behalf of MST survivors against, among others, former Secretaries of Defense Donald Rumsfeld and Robert Gates and current Secretary of Defense Leon Panetta—saying that for MST victims, “the professional retaliation in their chosen career” is even worse than the assault. In the film, one female victim describes feeling “too humiliated to come to work” after being raped while working at the high-status Marine barracks in the Washington, D.C., area. Members of her unit told her that she deserved the assault because, like the men, she had worn regulation shorts to play volleyball.

In 2011 alone, 3,192 military sexual assaults were reported. That figure reveals only the tip of the iceberg; the DoD estimates that only 13.5 percent of such assaults within the military are reported (U.S. Department of Defense 2011). According to attorney and MST expert Wendy Murphy, major reasons for not reporting are fears of retaliation, harsh judgments, and reprisals from the chain of command (Murphy 2011). “The military legal system is dysfunctional,” Murphy points out (Murphy 2011). As noted in a Service

Women’s Action Network (2011) document, “Reporting assaults anonymously is almost impossible for victims of MST.” Until recently, the victim had to report to her commanding officer. Although now the report goes higher up the chain of command, many officers ignore, divert, or dismiss the charge; they fear giving their unit a bad name or being blamed for failing to create an environment where MST does not happen, or they are the perpetrator or are friends with the perpetrator (Burke 2012). They may fear that the team spirit of the unit will break down and interfere with military readiness. Whatever the reason, the effect of their (in)action is to blame and punish the victim. According to the Manual for Courts-Martial, “Each commander has discretion to dispose of offenses by members of that command” (U.S. Department of Defense 2012a). Protect Our Defenders (POD) notes, “Unit commanders—whose promotions are dependent on the conduct and performance of the troops they supervise—have an incentive to see that allegations are few and convictions are fewer” (POD 2012).<sup>1</sup> POD says that in the military, “Judges won’t and can’t hear cases until the commander refers them. If the commander decides to go the non-judicial route, a judge has no role in the case. And service members have only limited access to civilian courts to address their grievances” (POD 2012).

Some women may be aware that if they do report, the probability that the perpetrator will even be charged with the crime is low, and the probability that any perpetrator will be convicted and severely punished is miniscule. DoD statistics show that of the 3,158 MSTs reported in 2010, only 1,614 were even investigated, and in only 187 of those cases were courts-martial initiated (U.S. Department of Defense 2011). Outcomes of those courts-martial appear not yet available, but the prosecution rate of just under 6 percent contrasts

starkly with the 40 percent prosecution rate in the civilian world (Mulhall 2009). Furthermore, one-third of convicted military sex offenders remain in the military (U.S. Department of the Navy 2009); according to the Service Women's Action Network, currently, the Navy is the only military branch that discharges all convicted sex offenders (Service Women's Action Network 2012).

### The Special Circumstances, the Effects, and the Aftermath

Military training focuses on creating powerful bonds among unit members. In some ways, to be sexually assaulted by a member of one's service unit is similar to being sexually assaulted by a family member: in both cases, the victim fears that disclosing the attack will create trouble and feels that she would be betraying or accused of betraying someone close to her—often someone with power over her, who was supposed to care for and help to protect her. Since many women join the military in part because they expect, as servicemembers, they will be regarded with respect, it is painful to be blamed and mocked. MST carries particular stakes, since military service often involves great danger and thus intense reliance on those with whom, in the words of one veteran, one has “breathed for months” (Caplan 2011b). The prospect of losing the closeness of those relationships in retribution for being a “traitor” can be devastating; and for one who can no longer count on those people for help and protection, the stakes in combat zones can literally be life or death.

These are some reasons it is hard for victims to report being assaulted, whether by seeking help from a military therapist or by making a formal report. If they do take either route, still more dangers lie in wait.

### Blaming the Victim Through Pathologizing Her

When victims go to military therapists, distraught about the assault, they often suffer further harm, which survivors can also experience with non-military therapists. Military culture includes tremendous pressure on military therapists to suppress the facts of MST. Instead of listening to the victim's story, assuring her that her reactions to the trauma are normal, and providing care and support, many military therapists instead do tremendous damage by classifying her as mentally ill. Documentation about which psychiatric diagnoses are most commonly used in such cases is not available, but based on what women have told me in my work with veterans, the ones that seem most frequent are Bipolar Disorder (BD: a mood disorder) and Borderline Personality Disorder (BPD).<sup>2</sup>

Surprising though it may seem, it is well-documented that psychiatric diagnoses overall are not scientifically grounded and that assigning these labels does not improve outcomes (i.e., does not reduce suffering) but does carry enormous risks of harm. (Some kinds of harm specific to the military are discussed here.) Women, whether a victim of sexual assault or in the general population, are more likely than men to be labeled with BD and BPD (American Psychiatric Association 2000). For BPD, the female-to-male ratio is three to one. BD is subdivided into Bipolar I and Bipolar II. According to the American Psychiatric Association, Bipolar II is more commonly diagnosed in women, and Bipolar I's depressive form is more commonly diagnosed in women, a particularly relevant statistic given the despair and sense of helplessness rape victims experience (2000). But having such feelings after being assaulted is deeply human, not “sick.”

Another relevant psychiatric diag-

nosis is Post-traumatic Stress Disorder (PTSD), often referred to as one of the two “signature injuries” of the Afghanistan and Iraq wars (American Psychiatric Association 2000). When the category for that label was created, the aim was admirable: to call attention to the largely ignored suffering of Vietnam veterans (Caplan 2011b). The title conveys the notion that the suffering has been caused by trauma, and when it first appeared in the psychiatric manual, it was described as a normal reaction to trauma. From subsequent editions, the sentence that contained that statement was removed. Before its removal, its presence created the bizarre circumstance that something explicitly called “normal” appeared in a manual of mental disorders. Presumably, the category’s creators felt that getting it into the manual was a way to communicate that Vietnam veterans needed help. Unfortunately, its presence there conveyed the inaccurate notions that being devastated by war was a mental disorder and that psychotherapy and, increasingly, psychotropic drugs were the best or only way to reduce that suffering.<sup>3</sup> In many cultures, the default assumption is that when someone is traumatized, including by war or sexual assault, the community provides help; listens to the troubled person’s story; offers support and understanding; and helps them find ways to come back into the community, to connect, create, and begin to heal. Advantages of community approaches and other similar approaches, including the arts, meditation, physical exercise, and service animals,<sup>4</sup> include that they are low-risk, unlike psychiatric drugs, and do not add to the sufferers’ burdens by making them feel that because they are not yet “over it,” they are therefore mentally ill.

The use of “PTSD” as a consequence of MST—especially now that there is no note in the diagnostic manual that the characteristics listed therein for PTSD (such as hypervigilance, nightmares, flash-

backs, and emotional numbing) are normal responses to trauma—causes harm in three ways. First, like the labels BD and BPD, labeling someone with PTSD labels her mentally ill, with all the harm that can follow from that. Such harmful consequences include loss of custody of a child, loss of health insurance or skyrocketing premiums if a pre-existing condition affects insurability, loss of the right to make decisions about one’s medical and legal affairs, and the tendency for real physical problems to be overlooked or dismissed as figments of the imagination (Caplan 1995, 2012b). Second, the term “post-traumatic” is vague and masks the fact that the source of the trauma in the cases in question was sexual assault. Third, the word “stress” in the label minimizes the effects of sexual assault; stress is more appropriate to worry about being late for a meeting; here words such as terror, grief, and shame, and feelings of loss of innocence and a sense of powerlessness and helplessness are more appropriate.

Getting help ought not to be contingent on getting a psychiatric label. The consequences of receiving a psychiatric diagnosis for a victim of MST are numerous and profound, affecting both her personal life and her life in the workplace. Pathologizing her takes the focus off the fact that the assault caused the suffering and that the suffering should not be considered a symptom of a mental disorder. It thereby takes the focus off what is most likely to help the victim, because the increasingly common prescription for anyone classified as mentally ill is psychiatric drugs. The woman’s need for understanding, support, and validation is in consequence too often overlooked. Furthermore, being diagnosed as mentally ill often causes the woman to feel ashamed for allegedly coping badly, a danger intensified by military culture’s expectation for servicemembers to stay tough, no matter what (Caplan 2011b). So she often falls silent, afraid to speak openly

to friends, lest she “reveal” she is mentally ill. Furthermore, the frequently negative effects of psychiatric drugs—including but not limited to suicidal thoughts, panic attacks, confusion, and hallucinations—are often used as further “proof” that the woman is mentally ill (Caplan 2011b; Whitaker 2010).

Once given any psychiatric diagnosis, a servicewoman is at substantial risk of having her advancement in the workplace impeded or stopped and of having a decreased or eliminated opportunity to obtain or retain security clearance. For anyone in or out of the military, being diagnosed also carries the risks described earlier. People diagnosed with BD are automatically considered severely ill with unexplained problems of mood—either deep depression, serious mania, or both—that label easily causes harm. So does BPD, since any personality disorder is by definition a maladaptive organization of the entire personality. As for PTSD, for many veterans, getting that diagnosis is better than the more alarming sounding ones and potentially (though often not in reality) qualifies them for veterans’ disability benefits, which many need because the assault and its aftermath have left them unable to work full time or at all. However, the mental health services received are too often unhelpful<sup>5</sup> (Caplan 2011b).

Psychiatrically labeling a woman who has been sexually assaulted in the military constitutes a rewriting of history—if she had a serious mood disorder or a personality disorder, why did the military admit her to begin with? If a woman is said to have a mental illness not caused by MST, one might wonder why no one would have picked it up when she enlisted or noticed during basic training or soon afterward. Why would it only become obvious when she reported the assault?

### Harm to the Victim Through the Aftermath of Reporting

The deck is stacked against the MST victim who reports the assault, because even to get a hearing, she must persuade the officer(s) in her chain of command to proceed with the case, and the prosecution rate reflects that officers are rarely open to such persuasion. In 2011, fewer than 8 percent of reported cases went to trial (recall that only 13.5 percent of MST incidents are even reported). Of those that went to trial, 191 of the accused were convicted, and an estimated 10 percent of perpetrators resigned in lieu of courts-martial, which effectively means the military allowed rapists to quit their jobs to avoid facing charges (U.S. Department of Defense 2012b; Burke 2012).

The very act of reporting, especially if the woman has been given a psychiatric diagnosis, carries the risk that not only will the perpetrator go unpunished and the victim be treated badly by her peers and work superiors informally, but that she may be discharged, honorably or not, from the military. Attorney Susan Burke has said:

We have seen cases in which the military tries to push someone out on a dishonorable [discharge] for “disciplinary” issues, but once you dig into the facts, you realize it is not disciplinary issues but rather coping with the after-effects of both the rape and the lack of justice. It is a significant problem, though very hard to quantify.<sup>6</sup>

Once out of the military, the MST survivors encounters more problems in the VA system. In 2008–2010, the VA rejected two-thirds of claims for services for MST, and those female rape, sexual assault, and sexual harassment survivors who have used Veterans Health Administration (VHA) services reported a lower quality of

care and more dissatisfaction with VHA services than did women using outside care (Service Women's Action Network 2012). Furthermore, among MST survivors, women are more likely to receive VA compensation ratings of 10–30 percent, while men are more likely to receive 70–100 percent ratings, which means that men are more likely than women to get more VA benefits of various kinds (Service Women's Action Network 2012).

The problems related to psychiatric diagnosis dog the woman through all phases—reporting, investigation, court-martial, and navigation through the VA system—because being psychiatrically labeled makes it easy for one's credibility to be called into question (Caplan 1995, 2005, 115–26). This is why Patricia Lee Stotter, co-producer of the film "SERVICE: When Women Come Marching Home" and moderator of the Facebook page of that same name, uses the term "weaponized diagnosis."<sup>7</sup>

## ESSENTIAL REFORMS

Attorney Wendy Murphy has said:

If there are reports made, and the response is respectful, that tends to provide a better future and a safer path to healing for the victim. All it takes for most victims is to be believed and to be respected. And you can't get that if you don't report. And you can't report if you believe the response is going to be harmful. (Murphy 2011)

Four changes in policies and procedures would go far to rectify the problems that Murphy discusses.

1. **Move reporting of MST outside victims' chain of command and directly into the military judicial system.**

Procedural changes within the military are essential. Due to recent changes in DoD procedures, MST reports are made to someone higher in the chain of command than was formerly the case, but attorney Susan Burke says this modification is not really an improvement. Comments from two military commanders after a screening of "SERVICE: When Women Come Marching Home" at Harvard Kennedy School in September 2012, reflect ongoing problems. A male Army commander said that "[They] are mandatory reporters in the chain of command," that MST is brought to their attention, and that they do not have the option of ignoring it. Although that particular individual might act responsibly, the statistics show that many do not. During the same discussion, a female Marine who has been a commander said she prefers that the report not go outside the chain of command, speculating that perhaps she feels this way because she is a woman, and she talks to the victims who come to her.<sup>8</sup> Talking with her can be helpful and healing for female victims, but the history of dismissive treatment (and worse) interpersonally/socially and frequent dismissal of reports is a systemic problem. One cannot rely on commanders to be compassionate and just, any more than one can rely on bosses in extra-military workplaces to be that way. Barriers to MST reports going forward in the military legal system must be removed.

According to Burke:

Why do you need a commander to open the door to justice? There is a functioning military judicial system. Why can't everybody just access it directly? In the civil system if you are raped, you go straight to that system rather than going through your supervisor at work. ... A commander can say, "I've got this person saying 'He raped me,'

but he's a damned good soldier, and she's so-so," so the perpetrator is not prosecuted. It's the military readiness argument. (Burke 2012)

Burke has said "In order to eradicate rape and sexual assault, we have to go back to the basics of an operational judicial system that is fair to both the perpetrator and the victim" (Burke 2012). Because the military has not wanted "to cede any power that traditionally resides in the chain of command," she points out,

currently the commander has the power to open the spigot and let your allegation proceed into the military's judicial system or stop it. From our view, that's an inherent conflict of interest, because that person in the chain of command, usually they know the perpetrator and the victim, they've already formed views. ... Let's create a functioning judicial system that doesn't have that conflict of interest. That's not a radical notion. It's modernizing military justice. The United Kingdom, Canada has done it, Australia has done it. (Burke 2012)<sup>9</sup>

For cases that get into the military judicial system, the Service Women's Action Network advocates a DoD policy of discharging all convicted military sex offenders (Service Women's Action Network 2012).

**2. Pass the equivalent of Title VII legislation for the military and create oversight.**

Attorney Wendy Murphy has proposed requiring the military to meet the equivalent of Title VII, which in the civilian world prohibits sex discrimination in employment. She argues that the military's internal procedures for redress are unlikely

to be successful, because "independent oversight is sorely lacking" (Murphy 2011). She continues:

Some of the protective laws in the real world just don't apply in the military. ... We're talking about a highly gendered—in terms of disparity of power—environment in the military. Shouldn't there be an extra thumb on the scale, some version of ... Title VII in place in the military so that there is an institutionalized mechanism for redress that is uniquely designed to deal with what is truly a systemic and debilitating problem? The mere existence of such a system, of such a rule, of such a process, would help prevent sexual trauma by making it clear that sexual violence not only undermines good order, discipline, and combat readiness; it interferes with the fundamental civil rights of soldiers, especially women, to serve their country free from violations of personal autonomy, bodily integrity, and human dignity. (Murphy 2011)

Such change is increasingly important as women enter the military in far greater numbers than ever.

Protect Our Defenders advocates instead giving jurisdiction to "an impartial office staffed by military and civilian experts" (Protect Our Defenders 2012). Related to this idea, Murphy proposed a step involving less change: creating "a small degree of oversight and accountability" by ensuring enforcement of the military's existing rules about MST. She suggests that the military "submit themselves to an oversight entity roughly akin to a federal Office of Civil Rights (OCR) or the Equal Employment Opportunity Commission" (Murphy 2011). The panel would consist both of military and, at least a minority, of nonmilitary members, provide some over-

sight, and be a reporting entity with which complaints could be filed. This panel “at least would allow for the gathering of data in a central location.” It “could have some enforcement authority but would likely function in the way OCR does, with power to coerce changes rather than punish bad behavior” (Murphy 2011).

No doubt some in the military would resist having to meet external standards and be held accountable if such standards are not met, but radical action is essential when basic civil rights are violated, especially on a scale as grand as this one. As Murphy suggests, it is possible that this change would lead to a healthier kind of bonding among servicemembers, once they know MST will not be tolerated and the harassing dynamics that have no place in any work environment will be targeted for elimination. Such change is all the more important for work environments in which life itself is often at stake. During the second wave of the women’s movement, as women in large numbers spoke publicly about being abused, it became clear that simply hoping, or asking, men to cease being violent would not work. Steps such as charging and punishing perpetrators and implementing no-tolerance policies were essential to make clear that society would not tolerate or help cover up violence, no longer classify it as a family matter about which those (with the most power) could decide.

Given the record of military courts’ handling of MST cases, a Title VII equivalent, or transferring cases out of the military system altogether or creating an OCR-equivalent seem especially important, because the suggestion to initiate reports directly to the military judicial system might prove insufficient. As Rachel Natelson shows, the 1950 decision in *Feres v. United States* affirming intramilitary immunity “where the injuries arise out of or are in the course of activity incident to ser-

vice” has held sway for far too long (2009). It is imperative for this trend to end.

### **3. Make major changes in the way the VA deals with MST victims.**

If measures 1 and 2 were well enough executed, that would pave the way for changes within the VA system, because victims’ stories would be validated and perpetrators held accountable far more often. Reducing or eliminating the sexist tendency to diagnose women who report MST as mentally ill is crucial. When women reach the VA, they would be less likely to be burdened with labels of mental illness, and the physical consequences of having been assaulted would be harder to explain away as the imaginings of a psychiatrically ill person.

The VA should in any case move immediately to address MST survivors’ needs, including to reduce its own psychopathologizing of them and, accordingly, treatments based on assumptions of pathology; hire people trained to deal sensitively with victims; and both within the VA and in close partnership with the wider local community, help MST survivors heal in non-pathologizing, low-risk ways such as those described earlier. That the VA has resisted demands for major change, as when it appealed the Ninth Circuit Court’s ruling that its mental health system needed a complete overhaul (the ruling was reversed on appeal), is no reason to refrain from recognizing the importance of doing what is needed (Caplan 2011a).

### **4. Implement the regulation and oversight of creation and use of psychiatric diagnosis.**

Currently, the creation (often, invention) of psychiatric categories and labels is completely unregulated. The two major handbooks used for applying psychiatric diagnoses are the Diagnostic

and Statistical Manual of Mental Disorders-IV-TR (DSM), published by the American Psychiatric Association (APA 2000), and the 2011 International Classification of Diseases (ICD), published by the World Health Organization (WHO) (American Psychiatric Association 2000; World Health Organization 2011). The APA, a lobby group, portrays its manual as scientifically grounded and clinically helpful and fails to warn adequately of the risks that receiving a psychiatric diagnosis can carry. The APA has earned more than \$100 million in profit from the manual's current edition, and the next is slated for publication this year. No requirements are imposed externally on how the APA's money is spent, but there is no evidence that any has been spent to warn of harm or to redress harm that DSM labels have caused. There is no evidence that the APA has made any attempt even to gather information about the kinds or extent of harm. In fact, some of its most prominent leaders have publicly claimed that it does not cause harm (Caplan 1995). Nine ethics complaints to the APA's Ethics Department, including one by veteran Jenny McCleendon, about harm from DSM labels were summarily dismissed without attention to their merits (Caplan 2012a).

The ICD includes diagnoses for both psychiatric and physical problems (cancer, broken bones, etc.), but both its creators and the APA have repeatedly made clear that they ensure that the ICD's psychiatric section hews closely to the DSM or vice versa.

Absence of oversight or regulation of psychiatric diagnosis (even less than the minimal regulation of major U.S. financial institutions) allows psychiatric labels to be applied as though they are scientific, helpful, and not harmful. Within the enterprise of scientific diagnosis, the absence of high-quality science leaves a void into which every conceivable kind of bias and

subjectivity can rush, and that includes sex bias, which characterizes not only the labels discussed earlier but also many other diagnoses in the manuals (Caplan and Cosgrove 2004). As discussed, psychiatric diagnosis is regularly and powerfully used to silence and pathologize victims of MST, casting them as the problem and helping perpetrators escape punishment, even accountability.

A variety of steps to reveal the truth about and reduce the harm from psychiatric diagnosis are essential. It is insufficient that people harmed by diagnosis can file complaints with state licensing boards about individual practitioners who assigned specific psychiatric labels to them. The APA and WHO are the "first cause" of harm, similar to an automobile manufacturer who knowingly sends out dangerous vehicles and claims they are safe. Useful steps could include:<sup>10</sup>

- Requiring the military and VA to stop using psychiatric labels or at least to disclose fully to everyone whom they label the facts that the label is not scientifically grounded, is unlikely to reduce survivors' suffering, and carries risks of harm, and to take measures to reduce the chances of harm;<sup>11</sup>
- Congressional hearings about psychiatric diagnoses;
- Legislation requiring black-box warnings on the DSM, an American-produced book sold globally, to alert people to the lack of scientific grounding, failure to improve outcome, and risks of harm. The manual's use in interstate commerce makes this a federal matter in the United States;
- Legislation requiring the APA and any organization that or individual



who might market a psychiatric diagnostic system to seek, collect, and rapidly publish data on harm it causes (as the FDA requires of drug companies);

- Requiring the Office of Civil Rights of the U.S. Department of Health and Human Services to make known findings of discrimination on the basis of disability and sex and action on the part of the Federal Trade Commission to make known violation of trade regulations in marketing the manual;
- Assigning oversight of the creation and use of psychiatric diagnoses to the U.S. Department of Health and Human Services;
- Bringing lawsuits against the producers of the manuals for false advertising and failure to warn of harm; and
- Appealing to national and international organizations that support the Convention on the Rights of Persons with Disabilities, since discrimination occurs when people who are not (mentally) disabled have been treated as though they are (as with MST victims).<sup>12</sup>

It appears useless, in the absence of all the above, to try to convince the APA to take steps to prevent or redress harm, especially in light of its dismissal of the nine complaints from and refusal to meet with survivor Jenny McClendon (Caplan 2012a).

Implementing any of these changes would make a significant difference to women in the military, but all should be implemented. As Wendy Murphy said, this is nothing less than a matter of human rights.

## ADDENDUM

As this article was going to press, the U.S. Congress passed the National Defense Authorization Act, which included:

1. Mandatory separation from the military of convicted sex offenders from military service;
2. Special Victims Units created to investigate, prosecute, and provide support to the victim;
3. An independent review panel with both civilian and military members to monitor the investigation, prosecution, and adjudication of MST; and
4. Some language to allow better oversight and tracking of how past sexual assault provisions have been implemented.

On behalf of Protect Our Defenders, President Nancy Parrish says that the new legislation contains a number of promising steps but warns that implementing them properly is essential. She points out, for instance, that requiring mandatory separation of convicted sex offenders from the military is important but that plea bargains resulting in charges with lesser offenses are common. She adds that what will make all the difference will be the ways in which Special Victims Units and the independent review panel actually operate, and how “better oversight and tracking” are actually carried out. “What is needed to end the crisis of unpunished rape and sexual assault within our military,” she says, “is transformational reform to fix the broken military justice system. This would require the standing up of an independent special victims unit completely outside the unit chain of command, under civilian oversight.”<sup>13</sup>

## REFERENCES

- American Psychiatric Association (APA). 2000. *Diagnostic and Statistical Manual of Mental Disorders-IV-TR*. Washington, DC: APA.
- Burke, Susan. 2012. "SERVICE: When Women Come Marching Home." Panel discussion, John F. Kennedy School of Government, Harvard University. September 19, 2012. Accessed Feb. 14, 2013, <http://www.youtube.com/watch?v=Exln7oQfI5Q&feature=youtu.be>
- Caplan, Paula J. 1995. *They say you're crazy: How the world's most powerful psychiatrists decide who's normal*. Reading, MA: Addison-Wesley.
- Caplan, Paula J. 2005. Sex bias in psychiatric diagnosis and the courts. In *Women, madness, and the law: A feminist reader*, edited by Wendy Chan, Dorothy Chunn, and Robert Menzies, 115-126. London: Cavendish.
- Caplan, Paula J. 2011a. Americans fail to take sexism seriously: The Supreme Court's Wal-Mart ruling. *Psychology Today*, June 28.
- Caplan, Paula J. 2011b. *When Johnny and Jane come marching home: How all of us can help veterans*. Cambridge, MA: MIT Press. Accessed Feb. 14, 2013, <http://www.psychologytoday.com/blog/science-isnt-golden/201106/americans-fail-take-sexism-seriously-the-supreme-courts-wal-mart-rul>.
- Caplan, Paula J. 2012a. APA does not care about weaponized diagnosis. Accessed Feb. 14, 2013, <http://www.psychologytoday.com/blog/science-isnt-golden/201211/apa-does-not-care-about-weaponized-diagnosis>.
- Caplan, Paula J. 2012b. Psychiatry's Bible, the DSM, is doing more harm than good. *Washington Post*, April 27. Accessed Feb. 14, 2013, [http://www.washingtonpost.com/opinions/psychiatrys-bible-the-dsm-is-doing-more-harm-than-good/2012/04/27/gIQAqy0WIT\\_story.html](http://www.washingtonpost.com/opinions/psychiatrys-bible-the-dsm-is-doing-more-harm-than-good/2012/04/27/gIQAqy0WIT_story.html)
- Caplan, Paula J., and Lisa Cosgrove. 2004. *Bias in psychiatric diagnosis*. Lanham, MD: Rowman and Littlefield.
- Counseling and treatment for sexual trauma. U.S. Code 38 (2011), § 1720D. Accessed Feb. 14, 2013, <http://www.gpo.gov/fdsys/pkg/USCODE-2011-title38/pdf/USCODE-2011-title38-partII-chap17-subchapII-sec1720D.pdf>.
- Invisible War. 2012. DVD. Directed by Kirby Dick. New York: Cinedigm Entertainment Group and Docurama Films. Accessed Feb. 14, 2013, <http://invisiblewarmovie.com/>.
- Mulhall, Erin. 2009. *Women warriors: Supporting she 'who has borne the battle'*. New York: Iraq and Afghanistan Veterans of America. Accessed Feb. 14, 2013, [http://media.iava.org/IAVA\\_WomensReport\\_2009.pdf](http://media.iava.org/IAVA_WomensReport_2009.pdf)
- Murphy, Wendy. 2011. "Military sexual assault." Presentation at A Better Welcome Home conference, Ash Center for Democratic Governance and Innovation, John F. Kennedy School of Government, Harvard University. November 2, 2011. Accessed Feb. 14, 2013, [http://www.youtube.com/watch?v=vTgM5nQK-cc&list=SP51E99E866B9D735E&index=9&feature=plpp\\_video](http://www.youtube.com/watch?v=vTgM5nQK-cc&list=SP51E99E866B9D735E&index=9&feature=plpp_video)
- Natelson, Rachel. 2009. "A case for federal oversight of military sexual harassment." *Journal of Poverty Law and Policy* 43 (5/6): 277-81.
- Protect Our Defenders (POD). 2012. "The facts." Accessed Feb. 14, 2013, <http://www.protectourdefenders.com/the-facts/>
- Service Women's Action Network. 2011. "Military sexual trauma: The facts." Accessed Feb. 14, 2013, <http://servicewomen.org/wp-content/uploads/2011/01/SWAN-MST-fact-sheet1.pdf>
- Service Women's Action Network. 2012. "Rape, sexual assault, and sexual harassment in the military." Accessed Feb. 14, 2013, <http://servicewomen.org/wp-content/uploads/2012/10/Final-RSASH-10.8.2012.pdf>
- Skinner, Katherine M., Nancy Kressin, Susan Frayne, Tara J. Tripp, Cheryl S. Hankin, Donald R. Miller, and Lisa M. Sullivan. 2000. "The prevalence of military sexual assault among female Veterans' Administration outpatients." *Journal of Interpersonal Violence* 15 (3): 291-310.
- U.S. Department of Defense. 2011. *Department of Defense annual report on sexual assault in the military: Fiscal year 2010*. Accessed Feb. 14, 2013, [http://www.sapr.mil/media/pdf/reports/DoD\\_Fiscal\\_Year\\_2010\\_Annual\\_Report\\_on\\_Sexual\\_Assault\\_in\\_the\\_Military.pdf](http://www.sapr.mil/media/pdf/reports/DoD_Fiscal_Year_2010_Annual_Report_on_Sexual_Assault_in_the_Military.pdf)
- U.S. Department of Defense. 2012a. *Manual for courts-martial 2012*. Accessed Feb. 14, 2013, [http://www.loc.gov/rr/frd/Military\\_Law/pdf/MCM-2012.pdf](http://www.loc.gov/rr/frd/Military_Law/pdf/MCM-2012.pdf)
- U.S. Department of Defense. 2012b. *Department of Defense annual report on sexual assault in the military: Fiscal year 2011*. Accessed Feb. 14, 2013, [http://www.sapr.mil/media/pdf/reports/Department\\_of\\_Defense\\_Fiscal\\_Year\\_2011\\_Annual\\_Report](http://www.sapr.mil/media/pdf/reports/Department_of_Defense_Fiscal_Year_2011_Annual_Report)

port\_on\_Sexual\_Assault\_in\_the\_Military.pdf

U.S. Department of the Navy. 2009. Policy 1752.3: Policy for sex offender tracking, assignment and access restrictions within the Navy. Accessed Feb. 14, 2013, [http://doni.daps.dla.mil/Directives/01000 Military Personnel Support/01-700 Morale, Community and Religious Services/1752.3.pdf](http://doni.daps.dla.mil/Directives/01000%20Military%20Personnel%20Support/01-700%20Morale,%20Community%20and%20Religious%20Services/1752.3.pdf)

U.S. Department of Veterans Affairs. 2010. "Military sexual trauma." Accessed Feb. 14, 2013, <http://www.mentalhealth.va.gov/docs/MilitarySexualTrauma-Oct2010.pdf>

Washington, Donna L., Elizabeth M. Yano, James McGuire, Vivian Hines, Martin Lee, and Lillian Gelberg. 2010. "Risk factors for homelessness among women veterans." *Journal of Health Care Risk factors for homelessness among women veterans for the Poor and Underserved* 21 (1): 82-91.

Whitaker, Robert. 2010. *Anatomy of an epidemic*. New York: Crown.

World Health Organization. 2011. 2011 International classification of diseases. St. Louis, MO: Elsevier.

#### ENDNOTES

<sup>1</sup> POD is a human rights organization that supports MST survivors and fixes military training, investigation, and adjudication systems to prevent re-victimization of survivors and achieve prosecution of perpetrators. See <http://www.protectourdefenders.com/> for more information.

<sup>2</sup> See Caplan (2012a) for the story of Jenny McClendon and see the video of her telling her story at <http://www.youtube.com/watch?v=6vj4JzOBb88>.

<sup>3</sup> The inaccuracy of these notions is addressed at length by Caplan (2011b) and Whitaker (2010).

<sup>4</sup> See <http://www.youtube.com/playlist?list=PL51E99E866B9D735E> for twenty-eight brief videos of different non-pathologizing, low-risk approaches to healing, from "A Better Welcome Home" conference at the Ash Center for Democratic Governance and Innovation, John F. Kennedy School of Government at Harvard University.

<sup>5</sup> See Caplan 2011b, especially chapter 3, for a detailed description of the limitations of psychotherapy and drugs for veterans.

<sup>6</sup> Burke, Susan. Personal communication to author. November 29, 2012.

<sup>7</sup> Stotter, Patricia Lee. Personal communication to author. 2012.8 For full discussion, see <http://www>.

[youtube.com/watch?v=Exln7oQfl5Q&feature=youtu.be](http://www.youtube.com/watch?v=Exln7oQfl5Q&feature=youtu.be).

<sup>9</sup> See also <http://www.protectourdefenders.com/the-facts/>.

<sup>10</sup> The ICD is not addressed in this list because so far it has not been possible to determine the inner workings of ICD production and marketing, what is done with the profits from its sales, or whether there is a procedure for filing ethics complaints against the WHO. In light of the WHO's international status, it is possible that human rights complaints could be brought to the United Nations.

<sup>11</sup> See the introduction in Caplan and Cosgrove (2004) for some such measures.

<sup>12</sup> Attorney and human rights activist Tina Minkowitz's October 23, 2012, letter to the National Council on Disability in the U.S. included discussion of the harm from psychiatric diagnosis and the fact that this is a matter of human rights. Personal communication to the author.

<sup>13</sup> Parrish, Nancy. Personal communication to author. January 8, 2013.

## **A “Hands-off” Intervention: The UK’s Approach to Increase the Number of Women on Corporate Boards**

BY DR. RUTH SEALY

Ruth Sealy BSc, MSc, PhD, MCIPD is a Senior Research Fellow and Deputy Director of the International Centre for Women Leaders at Cranfield School of Management, in the UK. With expertise on women on corporate boards, Ruth has been the lead researcher of the UK’s annual Female FTSE Report since 2007. She has advised corporations and government in the UK and abroad and contributed to the EU’s discussion on boardroom quotas. Ruth’s research interests cover many aspects of women in leadership; she speaks regularly at academic and practitioner conferences, teaches post-graduate and doctoral courses, and has written a number of book chapters and journal articles. Prior to becoming an academic, Ruth was the managing director of a specialist holiday company, which she sold to a large UK tour operator. She then worked as a management psychologist before joining Cranfield in 2004.

---

### **ABSTRACT<sup>1</sup>**

In many countries across the globe and in particular within Europe, there is a strong sense of the need to address the lack of women at the highest levels of our corporations. This impetus has grown since the massive corporate and governance failures of the global financial crisis. Within the EU the Commissioner for Justice is threatening quotas for women on boards. The UK government has taken a non-interventionist “business-led” multiple-stakeholder approach to increasing gender diversity on corporate boards, to avert the need for EU legislation. The paper assesses the effects of this approach so far.

### **BACKGROUND AND GENERAL POLICY CONTEXT OF THE UK**

The UK takes a voluntary regulatory, rather than a mandatory legal, framework approach to boardroom governance and behaviors, aiming “to set a global standard for good practice in corporate governance” (Heidrick and Struggles 2009, 44). This regulation is overseen by the Financial Reporting Council (FRC) and has been guided by a code of conduct that has undergone a number of reviews over the past twenty years. The FRC is the UK’s independent regulator responsible for promoting high quality corporate governance

and reporting. The UK Corporate Governance Code (referred to as "the Code") is a set of principles of good corporate governance aimed at FTSE-listed (Financial Times Stock Exchange) companies. These FTSE-listed companies, or public limited companies (PLCs), are required to disclose how they have complied with the Code and explain where they have not applied the Code—in what the Code refers to as "comply or explain" (FRC 2012, 4). The Code adopts a principles-based approach in the sense that it provides general guidelines of best practice. This contrasts with a rules-based approach, which rigidly defines exact provisions that must be adhered to. The Code is essentially a consolidation and refinement of a number of different reports and codes concerning good corporate governance produced in the UK over the past twenty years.

Investigations by Derek Higgs (2003) and Laura Tyson (2003) into UK corporate governance called for more independent directors and greater variety of experience, and recommended the use of external search consultants for board appointments. Changes to the Code were made accordingly. In May 2010, a principle was introduced, which, for the first time, recognized the value of gender diversity in the boardroom, stating that "the search for board candidates should be conducted and appointments made on merit, against objective criteria and with due regard for the benefits of diversity on the board, including gender" (FRC 2010, 13).

## MONITORING THE BOARDROOM

In 1999, Cranfield School of Management's International Centre for Women Leaders (CICWL) created its first index of FTSE-100 companies ranked in terms of their percentage of female board directors, similar to the Catalyst Board Census in the United States. Each year the project grew,

and it now reports annually on the board and executive committee composition for up to 1,400 FTSE-listed companies in the UK. The report has been backed by government at the highest ministerial level and sponsored by several major businesses, and receives much media coverage.

By 2010, after a decade of reporting, the headline percentage of women on boards in the UK had risen just 5 percentage points from 7 percent to 12 percent. The sense of growing frustration felt by government and women in business was reflected in the media. Following Norway's 2008 adoption of a 40 percent quota for either gender on boards and Spain's move to recommended targets, discussion among other European countries about possible action increased. Parts of the then-UK government were keen to become more actively engaged with this issue.

In 2010, the Australian Stock Exchange Securities Council (SESC) introduced gender metric reporting as part of its governance code. The aim was to significantly increase the proportion of female board directors and avoid any requirement for (threatened) government intervention in the form of legislation. The SESC figures show that the percentage of new appointments going to women has risen from 5 percent in 2009 to 27 percent in the first half of 2010, demonstrating what could be achieved once individual stakeholders are motivated (Australian Institute of Company Directors 2012).

Australia has similar board structures and corporate governance rules to the UK and so CICWL recommended a similar approach to the UK government. In 2010 a new coalition government took office and, concerned about the lack of progress on the issue of women on boards in the UK, asked Lord Mervyn Davies to set up a review. The choice of individual was important (a male, ex-trade minister and ex-chairman of Standard Chartered Bank),

and it was backed by both the Government Equalities Office (GEO) and the Department for Business, Innovation and Skills (BIS), signaling that the government saw this as a business issue, not a gender equality issue. Building on a decade of CICWL statistics and two reports produced for GEO in 2009 (Sealy et al. 2009a, 2009b), the remit was “to identify barriers preventing more women reaching the boardroom and to make recommendations regarding what government and business could do to increase the proportion of women on corporate boards” (Davies 2011, 6).

A consultation period ensued with a wide range of stakeholders—senior male and female business figures, entrepreneurs, academics, executive search firms, investors, and women’s networks. In addition, an online call for evidence produced over 2,600 responses. Lord Davies was supported by a steering board of experts from the business world and academia. In February 2011 they produced their initial report (Davies 2011, 6).

### The goals and target groups of the Davies Report

What was crucial and different about the Davies Report was the lack of recommendations and actions aimed at women themselves. This report was not about “fixing the women.” This sent a clear signal to business that the government’s approach to this issue was squarely aimed at other stakeholders. The report’s main recommendations are:

- All FTSE-350 Chairmen should set aspirational targets for the percentage of women they aim to have on their corporate boards by 2013 and 2015. FTSE-100 companies should aim for a minimum of 25 percent.
- Quoted companies should disclose proportions of women in their

workforce and in senior executive positions. Chief executives should review the percentage of women they aim to have on their executive committee.

- The FRC should amend the UK Corporate Governance Code to require companies to establish a policy on boardroom diversity, including measurable objectives and disclosure of progress annually.
- Chairmen will be encouraged to sign a charter supporting the recommendations.
- Chairmen should disclose meaningful information about board appointment processes.
- Investors should pay close attention to recommendations when considering companies.
- Companies are encouraged to advertise NED (Non-executive directorship) positions.
- Executive search firms (ESFs) should draw up a voluntary code of conduct addressing best practice for creating gender diversity on boards.
- The pool from which potential female directors are drawn should be widened. Women from the current corporate mainstream; female academics, entrepreneurs, and civil servants; and women with professional services backgrounds should also be considered.
- The steering board should meet every six months to review and report progress.

Although, up to this point, regulatory attempts had not led to mandatory leg-

islation in the UK, pressure was mounting for visible progress to be achieved through non-mandatory solutions. Lord Davies (2011, 2) reminded the report's audience that: "Government must reserve the right to introduce more prescriptive alternatives if the recommended business-led approach does not achieve significant change."

### Institutional backing to implement recommendations

Over summer 2011, FTSE-350 companies received letters from the home secretary and the business secretary, Lord Davies, the Institute of Chartered Secretaries and Administrators, and the Cranfield School of Management reminding them of the Davies Report's recommendations.

Six months after the initial report, another report was launched in October 2011 with a highly publicized prime ministerial event at Downing Street. It monitored and stated which and how companies had responded to the Davies' recommendations. Those companies that had not responded in any way received a personal letter from the prime minister, encouraging them to do so. One year on, the annual Female FTSE Report was launched; it continued the focus on the number of women on boards and how companies were responding. The Equality and Human Rights Commission (EHRC) funded research into how the executive search firms were responding to the Davies Report. Eighteen months after the initial Davies Report, a report was conducted with FRC funding to investigate corporate reporting changes.

The steering board engaged various stakeholders and Lord Davies made more than 130 public speeches to relevant audiences in the year following the report launch.

## IMPACT OF THE DAVIES REPORT: KEY RESULTS EIGHTEEN MONTHS ON

### Headline Improvements

Between 1999 and 2010 the percentage of women on the UK top 100 boards increased from 7 percent to 12 percent. At that pace of change, it would have taken the UK several decades to reach any degree of gender parity. Based on turnover figures from previous Female FTSE Reports (an average, over six years, of 14 percent), the Davies Report speculated that if one-third of all new FTSE-100 board appointments were given to women between 2011 and 2015, women would hold 23.5 percent of appointments across the FTSE-100 companies by 2020. However, ensuring that only two-thirds of all new appointments go to men would signify a significant change, since the annual percentage of new appointments going to women between 2001 and 2010 was, on average, only 14.2 percent. Therefore, it is very encouraging that in the eighteen months after the Davies Report, the percentage of new appointments going to women had risen steadily, and by October 2012 it had reached 34 percent- see Table 1 below.

This has brought the headline figure of FTSE-100 directorships held by women from 12.5 percent to 17.5 percent (Sealy and Vinnicombe 2012b). This 5 percent increase, achieved over an eighteen-month period, is the same increase achieved in the previous decade.

Trajectories are hard to predict, but they are useful to project the level of activity required to reach particular goals. The lower line of Figure 1 shows the outcome if 25 percent of appointments were to go to women each year. If this were to happen, by 2015, the total percentage of women on boards would be 22.2 percent and by 2020, 27.5 percent (Sealy and Vinnicombe 2012a).

FTSE 100	12 mth to Oct 2010	Sept 2011 (6 mth)	12 mth to Mar 2012	12 mth to May 2012	12 mth to Oct 2012
New Female Appts	18	21	45	44	47
New Male Appts	117	72	123	108	87
Total New Appts	135	93	168	156	138
% Female of New Appts	13.3%	22.5%	26.7%	28.2%	34.1%

Table 1: The Increasing Percentage of Directorships Going to Women

SOURCES: Vinnicombe et al. (2010); Sealy et al. (2011); Sealy and Vinnicombe (2012b).

NOTE: The figures for March and May 2012 are not published. But we monitor the figures on a fairly regular basis.

### Future & of Women On Boards

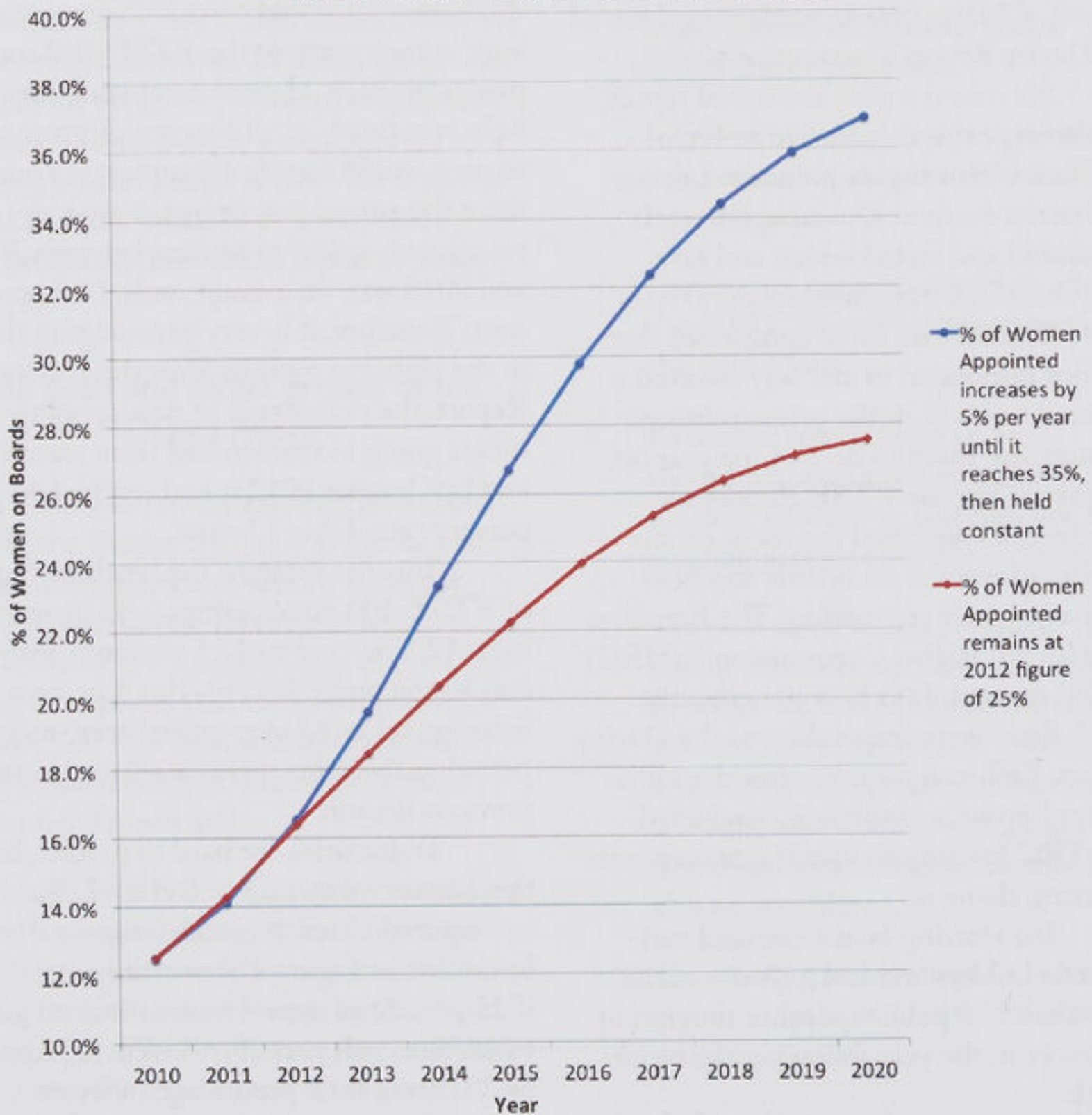


Figure 1: Trajectory for Percent Increase of Women on UK Corporate Boards 2011–2020

SOURCE: Sealy and Vinnicombe (2012a)



There is noticeable momentum in the UK at present in terms of addressing the issue of appointing more women to corporate boards. Several times every week there are articles in the popular, business, and practitioner presses. Thanks to the Davies Report, there are multiple stakeholders trying to solve the gender disparity problem, and many believed that increasing the percentage of new appointments going to women would create a "wave effect." Such an effect began in the second half of 2012. In the second trajectory above, this gathering of momentum is demonstrated with a higher percentage of appointments going to women, increasing at a rate of 2.5 percent every six months until it reaches 35 percent at the end of 2014 and is then held constant until 2020. The "wave effect" is clear. This predicts a total percentage of women on boards of 26.7 percent by 2015 and 36.9 percent by 2020. After a decade of incremental increases, these trajectories are pleasantly optimistic.

As can be seen from Table 2, ninety-two of the one hundred companies now have at least one woman on their board (thirteen more companies than in 2010), sixty-one have more than one woman—

thirty-four companies have two women, nineteen others have three women, seven companies have four women, and one company has five women on its board. The percentage of female executive directors has increased from just 5.5 percent to 6.7 percent. This figure is clearly still very low and needs to be addressed.

In the FTSE-250 companies (companies numbered 101-350 by market capitalization), we have also seen some significant improvements. Within the boardrooms of these companies, women hold 12 percent (241) of the directorships. This is an increase from the 7.8 percent (154) recorded in the 2010 Female FTSE Report. Historically, the number of women on the boards of the FTSE-250 companies has been much lower than that of the FTSE-100 companies; some commentators suggest that this is because they are not in the media spotlight as much as are their FTSE-100 counterparts. Nevertheless, it appears that FTSE-250 chairmen are beginning to realize the benefits of boardroom diversity and understand that ignoring this issue is no longer acceptable from a governance perspective. The FRC's changes to the Code regarding gender

<b>Female FTSE 100</b>	<b>2009</b>	<b>2010</b>	<b>2012</b>
Female Directorships	131 (12.2%)	135 (12.5%)	190 (17.5%)
Female Executive Directorships	17 (5.2%)	18 (5.5%)	21 (6.7%)
Women Holding FTSE Directorships	113	116	166
Companies With Female Executive Directors	15	16	21
Companies With at Least One Female Director	75	79	92
Companies With Multiple Female Directors	37	39	61
Companies With No Female Directors	25	21	8

Table 2: Female Board Directors in FTSE-100 Companies, 2009–2012

SOURCES: Vinnicombe et al. (2010); Sealy and Vinnicombe (2012b).

NOTE: \*This figure is calculated as the number of female executive directors over the total number of executive directors

diversity apply to all listed companies.

One hundred seventy (68 percent) FTSE-250 companies now have women in their boardrooms, finally making all-male boards a minority. This figure was 119 in 2010, and, interestingly, the number of companies with two or three female directors has also increased substantially from twenty-five to sixty-one. This suggests that the change is more than companies placing a 'token' woman as a box-ticking exercise, but that an increasing number of companies are actually understanding the benefits of genuine gender diversity on their boards. The percentage of new appointments going to women has also risen substantially: in the six months leading up to October 2012, it reached 34 percent.

### Targets and Disclosure

The Davies Report required that chairmen "announce their aspirational targets" for female representation (Davis 2011, 4). A suggested target of 20 percent by 2015 was given. The Davies Report never intended 20 percent to be the ultimate goal, merely an achievable stepping-stone toward a more realistic balance. There was a mixed response from chairmen. A year later, of the FTSE-100 companies, 40 percent had publicly stated targets (most targets were around 20 to 25 percent, dependent on their starting point). Several other companies declined to set targets, as women already held a quarter or more of their directorships. But the response of about a third of the chairmen was that while they were generally supportive of the aim, they did not like the idea of targets. There appeared to be a conflation of the concept of target with quotas. Interestingly, though, many of those who stated resistance to targets have nevertheless gone forward and increased their female representation.

In January 2012 CICWL wrote to

the company secretaries of the FTSE-100 companies requesting information on the percentage of women at all levels of each organization. Of the sixty-eight responses we received, thirty-three provided information on their pipeline for females. It was interesting to note that while some companies could easily pull this data from various reporting tools, several organizations clearly did not routinely track this information. In addition to those companies that did provide information, a further seven stated that the requested information would be reported in their annual report later in the year. Companies should be greatly encouraged to monitor this information going forward, and a review of 2012 annual reports suggests that this is an area being developed. It is critical for companies to be aware of diversity at all levels to optimize their talent management.

In accordance with the governance code, the Davies Report recommended that companies give detailed information about the work of their nomination committee, including the process used to search and appoint directors. Given the 2010 amendment to the Code, the recommendation requested information on how the committee specifically addressed diversity and whether gender is explicitly considered.

The six month monitoring report (Sealy et al. 2011) revealed that almost all of the FTSE-100 companies had a section in their annual reports that gave details of the work of the nomination committee (see Table 3 below). Almost three-quarters gave reasonable detail regarding the transparency of their process. In line with best practice recommended since 2003, 73 percent stated that they engaged an external executive search firm in the appointment process. Given the amendment about diversity to the Code in 2010, it was disappointing that only 43 percent addressed diversity and only 20 percent specifically mentioned gender diversity in

regard to their appointment process. However, following a further amendment to the Code in October 2011 (see below), it was expected that many more companies would report in more detail and refer to gender diversity in their 2011/12 annual reports.

FTSE-100 Companies Reporting On:	Percentage
Nomination Committee Section	96%
Detail On Appointment Process	73%
Use of Executive Search Firms	73%
Is Diversity Addressed?	43%
Is Gender Specified?	20%

Table 3: Disclosure on Appointments Process\*

### FRC 2011 Change of Code

Responding to the Davies Report, in October 2011 the FRC announced that it was introducing further changes to the Code.

Following public consultation, the Financial Reporting Council announced in October [2011] that it intends to amend the UK Corporate Governance Code to require companies to report on the board's policy on boardroom diversity, including gender, on any measurable objectives that the board has set for implementing the policy, and on the progress it had made in achieving the objectives. In addition, the FRC will amend the Code to identify the diversity of the board as one of the factors to be considered when evaluating its effectiveness. These amendments will formally apply to financial years beginning on or after 1 October 2012, at the same time as other proposed changes to the Code in which the FRC will consult in early 2012, but the FRC has encouraged companies voluntarily to apply the amendments with immediate effect. (FRC 2011)

In October 2012, the FRC asked CICWL to provide a count of how many FTSE-100 companies had voluntarily applied the amendments. Ninety-two of the FTSE-100 companies had published their annual reports within the timeframe considered and, encouragingly, 60 percent of them had clearly stated diversity policies for their board, all specifically mentioning gender. In addition, 42 percent of the ninety-two had set measurable objectives for gender diversity with clear examples of the processes intended to achieve these aims (Sealy and Vinnicombe 2012b).

### Charters and Advertisements

In March 2011, EU Justice Commissioner Reding launched a "Women on the board pledge for Europe," calling for EU-listed companies to sign up before March 2012 (Europa 2011). The Davies steering board decided that a separate UK pledge would be counterproductive, so this has not been pursued.

The other recommendation that has not yet been pursued is the public advertising of non-executive positions. This has become standard procedure within the public sector and is believed to have made these positions accessible to a wider pool of individuals. However, there is currently little or no appetite for this within the private sector.

### Investor Involvement

Historically, it has been challenging to engage investors on diversity issues. However, since the Davies Report the investor community has been very proactive. Recommendation six of the report stated that investors "should pay close attention" to the behaviors of companies

in terms of the Davies recommendations, including company transparency around targets, reporting on proportions of women at various levels, the appointment process, boardroom diversity policies and measurable objectives (Davies 2011, 5). Twelve of the UK's largest institutional investors have joined together in the "30% Investors Club," to help coordinate the investment community's approach to increasing female representation on boards. The group has been working toward broadcasting the case for more diverse boards, encouraging all investment firms to engage on the issue of board diversity with chairmen and management teams and to consider the issue when voting on the appointment and reelection of board members. Investors need companies to report diversity information and increasingly the sense is that those companies that do not are at best ignorant (and therefore inactive) and at worse obstructive. Among the twelve investors, they hold £1.8 trillion to invest or divest accordingly.

#### Executive Search Firms New Code of Conduct

As a result of the Davies recommendations, in an unprecedented move in July 2011, leading, historically competitive executive search firms (ESFs) came together to develop a voluntary code of conduct (PRNewsWire 2011). To date (2012) there have been twenty-six signatories and the code is championed by the Association of Executive Search Companies and the Association of Executive Recruiters. A number of FTSE companies have stated that they will only use ESFs that are signatories to the code. The Equality and Human Rights Commission commissioned research into the role of ESFs in the board appointment process. A particular emphasis was placed on what was being done to make boards gender balanced, with an aim

to identify good practice in the executive search sector. While the board appointment process remains opaque and typically driven by a small group of elite chairmen, there is much opportunity for subjectivity around the notion of "fit." Prior research reported collusion between chairmen and ESFs that resulted in a lack of diverse candidates (Vinnicombe et al. 2010). However, in 2012, ESFs reported a heightened awareness of the need to address the issue at board level, both within their firms and among their clients. A number of good practices were found, although the extent to which they are embraced varied from search firm to search firm. While some ESFs appeared to be paying lip service, a number were rapidly altering the diversity of the largest boards, the results of which are borne out in the figures (Doldor et al. 2012).

#### Expanding the Talent Pool

In the twelve months leading up to January 2012, forty-seven women took up new roles on FTSE-100 boards (25 percent of all new appointments). Of these forty-seven, twenty-nine women (62 percent) had no prior FTSE-350 board experience. However, most of these new women did have experience on a range of other boards, including public and charitable sector boards. This is encouraging and shows a change from past trends, when previous Female FTSE Reports have reported a relative recycling of female directors (Sealy et al. 2008). This represents a good addition to the talent pool, suggesting that the appointment process is beginning to open up to new women, and chairmen and ESFs are being a little more creative with their directorship brief.

Despite the economic climate, a large number of private, public, and corporate initiatives continue to be advanced, specifically with the intention of develop-

ing the female talent pipeline. The home secretary established a Women's Business Council to consider how this work could be brought together to achieve a compounded impact. Company secretaries were asked for examples of work that their company was undertaking specifically to address talent pipeline issues. Several told of new programs, such as annual diversity reviews, that incorporated many of the Davies recommendations, in terms of monitoring and company-specific policies, to address the challenges faced by women in their particular environment.

### Continuous Monitoring

The steering board is commissioning updates every six months to measure the progress on recommendations concerning targets, policies, and reporting measures (Sealy et al. 2011; Sealy and Vinnicombe 2012b). The media coverage of these issues ensures that they remain the focus of FTSE board chairmen.

## ASSESSMENT OF THE UK'S APPROACH

### The Compliance Approach

“Good practice” as discussed in this paper is meant to improve the representation of women on the UK's corporate boards. The main argument given for this requisite change in the UK is not based on fairness, but on the “business case” for diversity and better talent management. The driver, according to the prime minister, David Cameron, is to support economic growth. The aim is therefore to remove obstacles, allowing more women to lead the UK's largest public limited companies.

This “equal opportunities” approach is often more acceptable for government and business, as it requires

only behavioral changes at the margin of mainstream employment practices and proposes incremental change. This is based on a liberal feminist approach of integration into the current system, rather than a radical feminist approach that challenges the mainstream paradigms and may bring more immediate and dramatic changes to women's representation.

The majority of PLCs in the UK are not in favor of any quota legislation and have said that this should be an issue for business to sort out itself. The Davies Report set out how it believed business and other stakeholders could act to ensure a sufficient, timely, and sustainable increase in the proportion of women in leadership positions.

As previously mentioned, the UK takes a voluntary regulatory, rather than a mandatory legal, framework approach to boardroom governance and behaviors. The governance code adopts a principles-based approach, providing general guidelines of best practice, as opposed to a rules-based approach, which rigidly defines exact provisions that must be adhered to. And while companies are expected to “comply or Explain,” there is no compulsion or immediate sanction for non-compliance. Following Australia's example, this is the route that the UK government and business have taken to make changes to female representation on corporate boards.

In the current economic climate, it is an easy to say that diversity initiatives need, along with many other things, to be cut. However, those companies that understand that diversity, and particularly gender diversity, is not a “nice-to-have” but an economic necessity, given the demographics of our society, the make-up of employees and customers, and the need for better corporate governance post-financial crisis, are doubling their efforts to ensure that their initiatives work.

The approach of a government-

backed steering board relies entirely on the voluntary actions of those involved, and is labor intensive. The steering board, its supporters and, and various government ministers have needed to use their persuasion and influence without having any real power. There has been mention of a "quota threat," both from the government and at an EU level, but much of British business simply believes this to be empty words.

A number of the eight FTSE-100 companies with all-male boards are predominantly based overseas and listed on the UK stock exchange for strategic reasons. They do not have a real presence in the UK and do not therefore feel subject to the media scrutiny that others perhaps do. It is interesting to note that there are other aspects of the governance code recommendations that they do not comply with; for example, three of the four FTSE-100 companies that have an executive chairman (something that the code strongly disapproves) are among those eight. At a recent meeting of the Davies steering board, it was proposed that the London Stock Exchange exert pressure for those companies to adhere to more of the code's recommendations or consider delisting from the UK.

Media pressure and peer pressure to conform have played a significant part in the recent past. There are a handful of the most respected, very senior chairmen who, for the past two or three years, have been quite vocal on the topic. In "Conversations with Chairmen" in the 2010 Female FTSE Report, it was suggested that these senior FTSE-100 chairmen had a significant role to play in influencing the FTSE-250 chairs.

FTSE-100 companies are continually in the business and popular presses and are, therefore, very aware of the media. There is less substantial press coverage of FTSE-250 firms and therefore they can, and believe they can, get away with less compliance on such issues. However, this

appears to be changing, particularly in the investor community and the FRC.

### Innovativeness

The Davies review was not designed or intended to be particularly innovative; it had an open government consultation period and round-table discussions with various stakeholder groups. However, the number of respondents to the online call was a great surprise to the government and is another indicator of how seriously this issue needed to be addressed. Interestingly, in the corporate world, activity surrounding women's career issues tends to be organized through company or sector networks.

While it would not be unexpected for such a review to produce a report, the recommendation of this report for regular monitoring at stated intervals could be considered innovative. This could have led to members of the steering board losing interest and a lack of a long-term commitment, but the group is a small and tight one and has determined to stay with their project.

The emphasis on gender metric reporting was entirely borrowed from Australia. In 2010, two members of CICWL visited Sydney to learn about their new approach (Branson 2012, 793–814). Australian and UK businesses are similar in their governance structures (with their regulation based on the rather more pithy "If not, why not?") and sociocultural challenges concerning women as leaders. Australian business appeared to be responding to a very real quota threat, but significant output could be achieved when the motivation was there. Being able to base the argument for gender metrics on very visible and instantaneous results in a similar business environment made the idea of "evidence based" more attractive to both UK government and business.

Certainly in comparison to most

other previous reports on gender diversity the Davies Report was innovative in its scope of recommendations and its lack of suggestions for women to change or adapt their behaviors. The 2010 Female FTSE Report had started this process, with recommendations of actions for chairmen, CEOs, and ESFs. It had also proposed advertising of NED positions and strengthening the 2010 principle on diversity in the Code. The engagement with the investor community is new. Although FTSE reports are well known, and their headlines are always widely cited in the press, they had not always been read by chairmen. The Davies Report, which chairmen may consider to be produced by "one of them" (Lord Davies is ex-chairman of Standard Chartered and another member is a very senior FTSE-100 chairman), has been welcomed as refreshing in its outlook. This outlook has been particularly welcomed by women, who are often jaded by yet more advice on the "mistakes" they are making and how they should adapt.

### Effectiveness

Thus far, the evidence shown above suggests that the impact of the Davies Report, eighteen months later, has been incredibly positive. The headline figure for women on boards is increasing at a much faster pace than ever before; the women appear to be taken from a wider pool; the FRC, investors, and ESFs have engaged; and the majority of chairmen—whether voluntarily or not—are taking some action to address the issue.

The efficacy so far of this initiative could in part be put down to the number of stakeholders involved—the problem is being attacked simultaneously from many angles. In addition, the dogged determination and effort of one man, Lord Davies, should not be underestimated. He is, undoubtedly, a major part of the success of

this initiative. Davies' involvement could become the report's weakness, should his energy wane.

### Partnership Approach

The benefits of the multi-stakeholder approach have already been mentioned. But the importance of the individual relationships in the partnership approach should also not be underestimated. CICWL has always been very cognizant of the importance of partnering with three other stakeholders and has developed these partnerships over a decade. The focus has been on:

- Business (particularly the chairmen, heads of diversity, and senior-most women of the largest corporations). This has sometimes involved sponsorship money, but more often has been about access for research—whether quantitative data on the organization or qualitative information gathered through interviews. The relationship is often two-way, with information also flowing from Cranfield to the organization to inform at a policy level.
- Government, regardless of politics, touching different individuals and departments (e.g., GEO, BIS [formerly DTI and BURR], minister for women, minister for equality, deputy prime minister, home secretary, business secretary, prime minister). Again, this has been about both small amounts of sponsorship and access. The information flows two-ways and policy decisions have been based on CICWL's research findings.
- Media (particularly the broadsheet business editors and

freelancers). CICWL has always been generous with both time and information with the media. Frequent and often lengthy conversations with a core group of mainstream journalists over a number of years have altered the way this issue is reported. And how the media reports this issue significantly influences the conversations had. The media has played a substantial part in moving forward the debate about women in leadership and on boards in the UK.

### Transferability

It is difficult to comment on the transferability of the approach currently adopted by the UK. On one hand, as previously mentioned, many aspects of the approach have been “borrowed” successfully from Australian business. With knowledge of women on boards in other Western economies, the natural instinct is to suggest that sociopolitical, historical and cultural factors are all incredibly important; for example, in some cultures the concept of government intervention is more acceptable (e.g., Norway) than in others (e.g., U.S.A.). Some societies are perhaps more individualistically focused (e.g. U.S.A. and possibly the UK) than communally focused.

The sociopolitical factors, and the governance and ownership structures of organizations can be very different across countries. For example, in the UK (as in the U.S.A.), we have a unitary board system, whereas in many European countries there is a two-tier system. We have alluded to the different challenges for increasing the number of female executive and non-executive directors. Boards in other countries may have directors who are either employee representatives or shareholder representatives but having these individu-

als on boards as the “token female” may be quite different than having a female executive or non-executive director. In addition, in some countries (e.g., Norway) there is still a considerable amount of state ownership of the largest corporations. If the government is a major shareholder in these companies, it may make it easier for them to influence conduct around these issues. Other countries may be more legislatively driven in their corporate governance, whereas the UK, as discussed above, has a long history of self-managed governance on the basis of “comply or explain.”

Australia and the UK do have a lot of similarities in terms of corporate governance and ownership structures, and there is some overlap on sociopolitical factors. However, it would appear that one of the main factors in the apparent success of the approach, both in Australia and the UK, is the drive and motivation of individuals behind the project. The importance of this should not be underestimated in the transferability of a similar project.

### Sustainability

As mentioned above, one of the innovative aspects of the report is its focus on on-going monitoring. The CICWL has been charged with monitoring various aspects of the recommendations every six months until 2015. It is believed that this will sustain momentum, as the spotlight will remain firmly on the listed companies. The threat, veiled or otherwise, of some kind of Europe-wide legislation is currently still an issue, which helps to maintain urgency. At the time of this writing, it was not clear whether Ms. Reding would announce recommendations (voluntary) or directives (mandatory) on the issue. The report’s focus on multiple stakeholders, all in some way responsible for changing the status quo, may well help to sustain the report and its momentum, as there may be



isomorphic pressures to comply, and one party would not want to be seen to be the first to drop out.

However, it should not be forgotten that overall responsibility to ensure the sustainable supply of qualified women rests with the company chairmen and chief executives who have a responsibility to identify and develop the next level of senior women within their company. All the other partners working together toward the same goal should sustain both the momentum for demand and the increased supply.

Let us hope that in ten years' time we look back on this exciting era as a great period of change. For now, only time will tell.

## REFERENCES

- Australian Institute of Company Directors. 2012. Statistics: Appointments to AXS 200 boards. <http://www.companydirectors.com.au/Director-Resource-Centre/Governance-and-Director-Issues/Board-Diversity/Statistics>.
- Branson, Douglas. 2012. "Initiatives to place women on corporate boards of directors: A global snapshot." *The Journal of Corporation Law* 37 (4): 793-814.
- Department for Business, Innovation and Skills. 2012. Women on boards. London: Department for Business, Innovation and Skills. <http://www.bis.gov.uk/assets/biscore/business-law/docs/w/12-p135-women-on-boards-2012.pdf>.
- Doldor, Elena, Susan Vinnicombe, Mary Gaughan, and Ruth Sealy. 2012. Gender diversity on boards: The appointment process and the role of executive search firms. Equality and Human Rights Commission, Research Report 85. London. Equality and Human Rights Commission. [http://www.equalityhumanrights.com/uploaded\\_files/research/rr85\\_final.pdf](http://www.equalityhumanrights.com/uploaded_files/research/rr85_final.pdf)
- Europa. "EU Justice Commissioner Reding challenges business leaders to increase women's presence on corporate boards with 'Women on the Board Pledge for Europe.'" Europa press release, March 1, 2012. [http://europa.eu/rapid/press\\_ReleasesAction.do?reference=MEMO/11/124](http://europa.eu/rapid/press_ReleasesAction.do?reference=MEMO/11/124)
- Financial Reporting Council. 2010. The UK corporate governance code. London: Financial Reporting Council. <http://www.frc.org.uk/getattachment/b0832de2-5c94-48c0-b771-ebb249fe1fec/The-UK-Corporate-Governance-Code.aspx>.
- Financial Reporting Council. 2011. Feedback statement: Gender diversity on boards. London: Financial Reporting Council. <http://www.frc.org.uk/FRC-Documents/FRC/Feedback-Statement-Gender-Diversity-on-Boards.aspx>.
- Financial Reporting Council. 2012. The UK corporate governance code. London: The Financial Reporting Council. <http://www.frc.org.uk/getattachment/a7f0aa3a-57dd-4341-b3e8-ffa99899e154/UK-Corporate-Governance-Code-September-2012.aspx>.
- Heidrick, Gardner, and John Struggles. 2009. Boards in turbulent times: Corporate Governance Report 2009. Chicago: Heidrick and Struggles International, Inc.
- Higgs, Derek. 2003. Review of the role and effectiveness of non-executive directors. London: Department of Trade and Industry. <http://www.ecgi.org/codes/>

documents/higgsreport.pdf

Davies, Lord Mervyn. 2011. *Women on boards*. London: Department for Business, Innovation and Skills. <http://www.bis.gov.uk/assets/biscore/business-law/docs/w/11-745-women-on-boards>.

PRNewsWire. 2011. "Executive search firms launch voluntary code of conduct in response to the Davies review of women on boards." July 22. <http://www.prnewswire.co.uk/news-releases/executive-search-firms-launch-voluntary-code-of-conduct-in-response-to-the-davies-review-of-women-on-boards-145049045.html>.

Sealy, Ruth, and Susan Vinnicombe. 2012a. *The female FTSE board report 2012: Milestone or millstone?* Cranfield, UK: Cranfield School of Management. <http://www.som.cranfield.ac.uk/som/p3012/Research/Research-Centres/Cranfield-International-Centre-for-Women-Leaders/Reports>.

Sealy, Ruth, and Susan Vinnicombe. 2012b. *Monitoring new changes to the governance code*. Cranfield, UK: Cranfield School of Management. [http://www.som.cranfield.ac.uk/som/som\\_applications/somapps/oecontent.aspx?pageid=14249&apptype=newsrelease&id=4661](http://www.som.cranfield.ac.uk/som/som_applications/somapps/oecontent.aspx?pageid=14249&apptype=newsrelease&id=4661).

Sealy, Ruth, Vinnicombe, Susan and Singh, Val 2008. *The female FTSE report 2008: A decade of delay*. Cranfield, UK: Cranfield School of Management. <http://www.som.cranfield.ac.uk/som/p3012/Research/Research-Centres/Cranfield-International-Centre-for-Women-Leaders/Reports>

Sealy, Ruth, Doldor, Elena and Vinnicombe, Susan 2009a. *Increasing diversity on public and private sector Boards. Part 1: How diverse are boards and why?* London: Government Equalities Office. <http://www.som.cranfield.ac.uk/som/media/images/research/wbl/geo1.pdf>

Sealy, Ruth Doldor, Elena and Vinnicombe, Susan 2009b. *Increasing diversity on public and private sector Boards. Part 2: What is being done to improve diversity on boards and how effective is this?* London: Government Equalities Office. [https://dspace.lib.cranfield.ac.uk/bitstream/1826/5267/1/299150-2\\_CranfieldReportPt2\\_acc.pdf](https://dspace.lib.cranfield.ac.uk/bitstream/1826/5267/1/299150-2_CranfieldReportPt2_acc.pdf)

Sealy, Ruth, Doldor, Elena, Singh, Val and Vinnicombe, Susan 2011. *Women on boards: 6 month monitoring report*. Cranfield, UK: Cranfield School of Management, 2011.

Tyson, D'Andrea L. 2003. *The Tyson report on the recruitment and development of non-executive directors*. London, UK: London Business School and

Department of Trade and Industry. [http://www.london.edu/facultyand\\_research/research/docs/Tyson-Report.pdf](http://www.london.edu/facultyand_research/research/docs/Tyson-Report.pdf).

Vinnicombe, Susan, Sealy, Ruth, Graham, Jacey and Doldor, Elena 2010. *The female FTSE board report 2010: Opening up the appointment process*. Cranfield, UK: Cranfield School of Management. <http://www.som.cranfield.ac.uk/som/p3012/Research/Research-Centres/Cranfield-International-Centre-for-Women-Leaders/Reports>.

#### ENDNOTES

1 This paper was originally written as a case study of the UK's current policy approach to increasing gender diversity on corporate boards. It was presented at an EU forum on "Women in Economic Decision-Making" in Oslo, May 2012. The forum was an exchange of good practice between nineteen countries with one government representative and one academic from each. The UK, Norway and Denmark were given as case studies.

## Women in the Workplace: A Conversation

BY SARAH ELLIS, MICHELLE MONSEGUR, DIVYA VARMA, ISHANI MEHTA

Inspired by Anne-Marie Slaughter's piece on contemporary women and work in this issue, the Women's Policy Journal sat down with women from a range of fields to get their perspectives on the opportunities and challenges facing professional women today. Though each woman spoke to her unique experiences, we heard common threads that included challenges integrating career with family and other life priorities, and common strategies for career advancement.

**Laura Bakun** is a conference coordinator for John Hancock in the Sponsorship and Event Marketing group. She previously worked for over five years with the Boston Celtics in the Corporate Partnership Activation group, where she managed twenty-plus sponsorship accounts and the different items of contract fulfillment for each.

**Martha Chen** is a lecturer in public policy at the Harvard Kennedy School and international coordinator of the global research-policy-action network Women in Informal Employment: Globalizing and Organizing. An experienced development practitioner and scholar, she specializes in employment, gender, and poverty with a focus on the working poor in the informal economy.

**Caitlin Moore** is the contracts manager at P3 Partners, LLC, a small consulting company in Virginia. An experienced consultant, she specializes in delivering IT acquisition and program management solutions to federal clients.

**Christine Freyermuth** is a partner at PricewaterhouseCoopers in the Health Industries/Higher Education practice. She has more than seventeen years of experience serving clients across the entire health care continuum and education institutions. Christine is the PwC liaison to the Bentley University Center for Women in Business; she has four children and a working spouse.

---

What do you believe are the top 1–2 critical issues facing women in America today?

**Freyermuth:** Maintaining an integrated life is hard for everybody—if you look at the way the world is moving in terms of family structure, we're moving toward a world that has a lot more dual-working households. Even for the most progressive organizations in work/life initiatives, it's still a challenge, because life is pretty complicated: work, kids, elderly parents, and everything else on one plate at the same time.

**Moore:** Equal pay and getting more women into senior leadership positions. These are not just feminist issues; these are economic issues that impact a woman's ability to provide for herself and her family. I don't think many of my male peers need to worry about parenthood in the same way. The fact that women still risk being overlooked for management opportunities if they have young children, and face overall lower lifetime earnings as compared to their male peers, is simply unacceptable.

**Are advancement opportunities widely available for women in your sector/industry?**

**Bakun:** Advancement opportunities are available; it's just a matter of the choices women make. I wouldn't have stayed in sports had I wanted to start a family. I realize that we were brought up being told we could have it all (career, family, friends). While I respect this view, I wouldn't want to be a mother who sees her husband or kids one day a week and is exhausted in that process, and that's what I would have had to do in the sports industry.

**Chen:** In the grassroots [development] practice, there have been entire areas that women have carved out—e.g., reproductive rights and microfinance. When they felt that their views weren't being adequately represented in the mainstream NGO practice, they got out and created parallel worlds of development practice.

**Freyermuth:** PwC recognizes that not everyone has a career that progresses at the same pace. For many women, there are life events that impact career ambitions differently than they do for men. It is such an important part of PwC's business model to be flexible for working women and mothers, because women are an integral part of the fabric of our culture and the culture

of many of our clients. It is good business to have initiatives that attract, retain, and develop qualified women.

**Moore:** Yes. I am in the IT consulting industry, which is still dominated by men. However, I have never personally felt my gender impacted my advancement opportunities. There have been a few instances in which older men have ignored responding to me in favor of my male colleagues, even when I was the senior person or the leader of a specific project, or made inappropriate comments. However, those instances have been few and far between, and are completely overshadowed by my positive experiences in this industry.

**Have mentors served an important role in your professional and personal development?**

**Bakun:** My sister has been a huge role model and mentor for me since I started working. She taught me that you can never be too professional: you'd rather be the person in a suit in a room full of jeans, as opposed to the person in jeans in a room full of suits. She also taught me that you can never know too much.

**Freyermuth:** "If you ask anyone what it takes to be successful in the world, people almost always point to someone who helped them along the way. PwC goes a step beyond coaching and focuses on sponsorship, by putting female executives in contact with women earlier in their career in smaller groups to help make an impact on their professional experiences. PwC recognizes that there is so much to learn from mentors and sponsors in terms of career, and if you can't find them in your organization, you'll seek them elsewhere.

**Moore:** I have been lucky to work for several great managers, both male and female, who have served as mentors for me.

To effectively manage people, you have to invest time to teach them new skills and give them opportunities to grow. I was able to advance quickly in this field due to the people who invested their time in me, which I am incredibly grateful for.

**What is your assessment of the modern women's movement? Is there a modern women's movement?**

**Bakun:** I think women will always be held back slightly by the fact that at some point in a lot of women's lives, they take off a few months after just having had a child. There was such outrage when the CEO of Yahoo was female and she said she wasn't going to take maternity leave. One side said she was a bad mother, the other side said she was doing what she had to do to be a good CEO. There has to be some balance.

**Chen:** There are other global issues like energy, terrorism, [and] war. With all these things going on, the women's movement needs to factor in more pressing concerns and talk about women's problems within the ambit of these issues. That will be critical in making it more relevant to the times.

**Moore:** Yes, I believe there is a modern women's movement, but it has faltered in picking up the standard defined by the generations before us. Feminism is by definition about establishing and maintaining political and social equality for women. It is nothing more and nothing less. It is not about promoting women as superior to men, attacking a woman's right to be a stay-at-home-parent, or portraying women as victims. The movement needs to re-take control of the definition and more women and men need to re-engage with the broader movement.

**What advice would you offer a woman starting, or reentering, her career in your sector?**

**Bakun:** Don't worry too far in advance in both your life and your career. This applies to everyone, but even more so [to] women. We tend to stress about the future: when we're going to get married, have kids, retire, etc. Instead, ask yourself if you would be able to advance in two years time in your given position/organization. If not, you've hit a roadblock and it may be time to change.

**Chen:** Follow your passion. ... Once you have identified the issue you resonate with, just follow that drive. The best way is to make your career grow organically and create your own opportunities; to go ahead and travel to the fields where you want to work in, even if you have no job, rather than applying to the UN or such organizations and waiting to get deployed in the region through that job.

**Freyermuth:** It is never too early to build internal and external networks—it'll change over time, as your needs change, but there will be many points in your career where you need a mentor or a sponsor, and it's never too soon to start. It's also never too early to work on your own "self assessment" skills—taking stock of all the good things that you do, and mentally keeping them close. It's important. We don't all have a sponsor or a mentor, and if we don't, it's not always easy for us to be our loudest cheerleader.

**Moore:** Stand up for yourself and don't be afraid to speak out. Sometimes women seem more focused on consensus-building, but other times we fail to stand up for ourselves and our ideas when we should.

## Tuesday

(silkscreened acrylic, latex chalkboard paint, cardstock, wood)

BY EVE L. EWING

Eve Ewing is a doctoral candidate at the Harvard Graduate School of Education, in the field of Culture, Communities, and Education, as well as a writer and artist. Her work focuses on the evolution of race, class, and gender identities in adolescents; her current research explores the lives of youths who are engaged in community organizing around issues of environmental racism. She also works on community-based youth writing initiatives, including spoken word and poetry slam. Prior to her work at Harvard, Ewing was a public school teacher in her native Chicago.

In Tuesday, I hope to foreground the tension between the anger and outrage that some teachers feel and the forbidden nature of its expression. To reflect the ubiquity and timelessness of the indignation expressed in the piece, I have inscribed a daily schedule on the right side of the blackboard of the kind one would see posted in classrooms across the United States. I chose to write using the cursive form of D'Nealian penmanship, which since 1978 has been a widely used method for teaching handwriting to elementary school children and stands as a symbol of the archetype (blessed or cursed, deserved or faulty as it may be) of the American teacher: restrained, demure, inoffensive, and occasionally pretty. Although the handwriting is palatable, the text presents a series of angry, defiant challenges; the text reads as a sort of silent shouting. The

dissonance in this juxtaposition is meant to prompt the viewer to consider the origin and merits of the fury expressed by the invisible writer.

I was educated in the Chicago Public Schools, where I later became a middle-school teacher. During the Chicago Teachers Union strike in September 2012, I noted that when picketing, teachers expressed strong voices of dissent via textual display—dissent that teachers often feel compelled to conceal. In my personal experience, private dialogue among teachers—in break rooms, staff meetings, or casual conversations outside of work—tends to reflect frustration at systematic disempowerment. Teacher talk is often characterized by outrage at the latest administrative exercise of arbitrary and misguided power, a sense of having been grievously wronged and a general sense of being undervalued

it can be accomplished

only piecemeal consciousness

intent upon the world

Dismissal slips  
Lecture

Tuesday

- 8:30 - Good morning circle
- 9:00 - I'm raising the children you have forgotten.
- 10:15 - And you have no goddamned clue.
- 11:05 - Lunch
- 12:10 - Just Pay Me. Pay me.
- 12:55 - I refuse to fold my hands.
- 1:40 - Would you love them as your own? As I do?
- 2:30 - Dismissal

and misunderstood. However, such expressions of dissent are not considered publicly acceptable.

The historically diminutive stature of the teaching profession contributes to this silence. Teachers, sensing that their profession and their views are often regarded with condescension at best and outright disdain at worst, feel compelled to appear amenable and uncontroversial in the public eye to galvanize public support from parents and community members. The fact that the majority of the U.S. teaching corps is female exacerbates this issue. Our society expresses greater antipathy and disapproval toward women when they express affects such as anger or frustration. For teachers, whose chosen path lies in one of the "caring professions," such expressions are considered particularly taboo. For instance, while being interviewed by a researcher for a dissertation about schools of education, the interviewer said offhandedly to me, "I have a lot of friends who are teachers and all they do is complain. I'm like, 'Why don't you get another job if you hate it so much?'" This question reflects the belief that teachers ought to be happy with their lot, whatever it is, and that undertaking their work without complaint reflects an inward moral call to serve.

Above the blackboard are two phrases from central figures in educational philosophy: John Dewey and Paulo Freire. One of the phrases comes from Paulo Freire's seminal text *Pedagogy of the Oppressed*: "Those truly committed to liberation must reject the banking concept in its entirety, adopting instead a concept of women and men as conscious beings, and consciousness as consciousness intent upon the world. They must abandon the educational goal of deposit-making and replace it with the posing of the problems of human beings in their relations with the world" (Freire 1970, 79). The phrase "banking" system is Freire's descriptive metaphor

for a unidirectional, uncritical form of schooling, in which teachers are presented as the sole keepers of knowledge, which they simply "deposit" into students' heads. This dehumanizing mode of "education" has prevailed across boundaries of geography and generation. I consider Freire's notion of "consciousness intent upon the world" to be a generative counterpoint, enabling us to envision a pedagogy that seeks to direct the student's gaze at once inward (in recognition and development of a personal consciousness) and outward (with intent as an active agent within and upon the world).

In *Democracy and Education*, John Dewey challenges the reader to envision an educational system in which students learn through authentic, meaningful experiences with real-world relevance. He acknowledges the difficulty in transforming an entire educational system, but posits that it can be done through individual choices:

To oscillate between drill exercises that strive to attain efficiency in outward doing without the use of intelligence, and an accumulation of knowledge that is supposed to be an ultimate end in itself, means that education accepts the present social conditions as final, and thereby takes upon itself the responsibility for perpetuating them. A reorganization of education so that learning takes place in connection with the intelligent carrying forward of purposeful activities is a slow work. It can only be accomplished piecemeal, a step at a time. (Dewey 1944/1966, 161)

The implication of Dewey's statement is that no single sweeping change can catalyze an education revolution; rather, the endeavor of radical change must manifest itself in the quotidian choices of all who are involved in the project of schooling—each teacher, each student, each principal, and each parent, each day. We choose to engage in "purposeful activities," or not. We choose to adhere to the "banking sys-



tem," or not. In the face of disrespect and disapproval, the choice each teacher makes regarding whether to use her voice and when carries enormous weight. It is, after all, a small step in a slow work, but if it is one made with consciousness of intent it may well carry the day.

## REFERENCES:

Dewey, John. 1944/1966. *Democracy and Education*. New York: The Free Press.

Freire, Paulo. 1970. *Pedagogy of the Oppressed*. New York: Herder and Herder.

# An Examination of Women's Educational Access in the Global South

BY WILLIAM SIMMONS

William Simmons is a junior at Harvard University, concentrating in History of Art and Architecture and Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Studies. As a Mellon Mays Undergraduate Fellow, he is researching the life and art of Jimmy DeSana, a central figure in the New York punk scene in the late 1970s and 1980s. He is also the recipient of a Carol K. Pforzheimer Student Fellowship from the Radcliffe Institute for Advanced Study.

---

## ABSTRACT

Education for women is central to employment opportunities and self-efficacy across cultures. Access to education, as mandated by international bodies such as the United Nations (UN) and the World Bank, has become a worldwide priority. However, this mission is misguided and ultimately neglects the cultural nuances that govern the relationships among and within nations. Utilizing the learning sciences and transnational feminist theory, this paper argues that current hegemonic policies are ineffective in addressing educational advancement for women and girls in the Global South.

## INTRODUCTION

Access to education is widely accepted as a central factor for entry into the workforce and the acquisition of some measure of stability and personal efficacy.

This rhetoric is the same in the United States and the rest of the world; global access to education has become a top priority of the World Bank and the United Nations (UN). Even so, the surge toward globalized educational models lacks the essential theoretical support needed to avoid the promulgation of Western hegemonic ideologies that neglect the conceptual implications of operating in a multinational mode. To address the disparity between the educational needs of women internationally and the problematic attempts to secure educational access for all, this paper takes a dual approach, utilizing both feminist theory and the emerging field of constructionist learning sciences. With the entry of post-structural critique, the paper ultimately asks unanswerable questions about the nature of women's rights in a transnational context. By no means is this an exhaustive study; it is at its core an appeal for further dialogue within and among cultures across the world.

## GLOBAL MISSTEPS

Women are taking the lead and making a huge contribution to defining the international agenda in terms of human rights, macroeconomics, conflict/peace, and sustainable development. We have a valuable and unique perspective on these issues as women and as human beings. We recognize that feminism in one country is not sustainable—we need feminism on a global scale. (Women in Development Europe 1995 quoted in Moghadam 2005, 1)

The quote above illustrates a fundamental disparity in discussions of women and education in a non-Western context, since the particular brand of feminism that has emerged in the United States and in Western Europe does not take into account the contributions and ideals of women in the Global South. In this way, the totalizing Western narrative of feminism could be seen as a silencing force that imposes irrelevant ideals on other populations without accounting for local needs and resources, an unfortunate fact that also applies to education reform. Access to education is severely limited for many women and girls in the Global South, which is compounded by incidents of violence and abuse that preclude them from taking part in their schooling. The international community has certainly taken notice. International bodies', such as the World Bank and the UN, prioritization of education points to an urgency to achieve education for all on a global scale, as well as to a realization of its benefits for countries in both the North and the South (International Bank for Reconstruction and Development/The World Bank 2012; United Nations 2012). The rhetoric of global education is decidedly gendered, or, more precisely, sexed,

as its divisions are based on biological sex in UN and World Bank proclamations, thereby tying women to a myth of unity through oppression. This resounding focus is certainly necessary inasmuch as women face gendered walls that prevent schooling, something that the UN has attempted to contend with, albeit in a manner that is ultimately problematic:

Gender inequality persists and women continue to face discrimination in access to education, work and economic assets, and participation in government. Violence against women continues to undermine efforts to reach all goals. Further progress to 2015 and beyond will largely depend on success on these interrelated challenges. (UN 2012, 5)

Despite the thought and good intentions that have gone into the Millennium Development Goals, the UN 2012 report lacks nuance; it notes with great aplomb that there is finally gender parity in primary school enrollment, despite the setbacks outlined above. The UN report states that "the ratio between the enrolment rate of girls and that of boys grew from 91 percent in 1999 to 97 percent in 2010 for all developing regions. The gender parity index value of 97 percent falls within the plus-or-minus three-point margin of 100 percent, the accepted measure for parity" (UN 2012, 4). What exactly defines "gender parity," and is it the same in every context and in every non-Western culture?

Before one even arrives at gender issues, there is firstly a substantial difference between access and quality, especially when local resources and needs are incompatible with Western educational interventions, which must be further scrutinized (Colclough, Kingdon, and Patrinos 2009, 1–5). The problem of intellectual and educational imperialism is especially apparent in the lack of concern for education

in the vernacular by Western educators, an impenetrable detriment to both female and male students. The central oversight of local needs at a very basic level is compounded by the inability of globalized reforms to maintain and attract qualified teachers to sustain any improvements in educational access. The best intentions, therefore, are not ultimately useful in many contexts. It follows that there is an underdeveloped understanding of the cultural specificity of education on the part of international bodies that seek to graft Western systems of knowledge onto the Global South. One such cultural factor that has yet to be fully discussed is Western constructions of gender that do not acknowledge transnational feminist principles and display a concomitant lack of awareness of tensions that exist in feminist discourse generally. An examination of transnational feminism is central to any discussion of education for women and girls in the Global South since reforms based on totalizing notions of patriarchy and femininity are problematic and limited in scope. Nonetheless, it is true that women in many parts of the world have limited options based on their gender, and violence remains an important factor that cannot be overlooked for the sake of cultural relativism. Women's education can be discussed using two lenses provided by the learning sciences and feminism—though in very different ways—which create a conceptual rupture; and it is from this conceptual rupture that essential questions arise. I begin my investigation with an overview of a multifaceted view of gender-cognizant education that connects theories of individuals with theories of cultures. I then discuss what gender theory has to offer as well as its limitations, to better understand the discourses that shape a Western understanding of patriarchy and its relationship to the world.

## THE ROLE OF THE LEARNING SCIENCES

How do we address educational inequities without resorting to the extremes of cultural imperialism or cultural relativism? Of course, the line that must be walked is a thin one. I contend that a transnational feminist approach can be effective in forming collaborations in local contexts based on the fundamental agency of women, rather than prescribing Western reforms that adhere to monolithic understandings of both education and gender relations. The ways in which research is conducted with respect to individuals and societies is integrally important to the pursuit of productive partnerships across the world. The research methods that one uses, whether for psychological, sociological, or critical theory, carry both positive and negative implications that must be examined before implementation, especially when working with a global mindset. Psychology and the learning sciences have a tendency to fall into essentialism, though their contribution is necessary in understanding educational outcomes at a quantitative level. Similarly, sociology and critical theory fall short in their reliance on highly subjective concepts and a refusal to acknowledge the biological factors in human development. In both cases, there is a neglect of non-Western perspectives with regard to educational access and reform. The strengths of both camps can be harnessed to raise productive questions that clarify necessary steps to increase the quality and availability of education for women around the world.

The learning sciences offer an important way forward in understanding the uncertainties and multiplicities inherent in any discussion of identity and education. It is necessary to note that a social constructionist view of education works hand-in-hand with sociological

understandings of education. To be sure, "a sociocultural approach advances understanding of the ecological niche of human development by attending to the contributions of social and cultural experiences to psychological growth" (Gauvain 2005, 11–12). In this way, psychological and sociological perspectives work together to offer a wide-ranging, though perhaps not comprehensive, view of youth development. It is this understanding of education that begets the constructionist view of knowledge; "constructionism focuses on the connected nature of knowledge with its personal and social dimensions. This combination of individual and social aspects in learning is at the heart of many discussions in the learning sciences" (Kafai 2006, 36). More specifically, a constructionist approach necessitates an acknowledgement of education's position within the public sphere, a view that bridges the individual self and the environment that shapes it. Indeed, "because learning is viewed as a social activity, the centrality and responsibilities of different participants in the activities, as well as how they are viewed and treated by others, affects what and how they learn" (Collins and Bielaczyc 1999, 131). This becomes especially important when working with different cultures that have historically mediated contexts of their own with respect to education and issues of gender and sexuality.

These themes are especially strong in the literature on literacy, which holds that the emergence of reading skills is based on a wide range of interdependent factors at the cognitive level. In the most basic visual encounters with the written word, "sentence comprehension requires both an orthographic processor to recognize letter strings and a meaning processor to access word meanings," a process that is surely subjective in its multiple foundations and sources (Byrnes 2008, 165–66). It is this subjectivity, the interplay be-

tween learning and environmental factors, which forms the basis of a constructionist educational model. Moreover, "there is only one memory system, which stores episodic traces, and that abstract knowledge as such does not have to be stored but can be derived from the pool of traces of specific experiences at the time of retrieval," meaning that the significance given to words is contingent on individual experiences that involve complicated and multidirectional processes (Hintzman 1986, 411; this fact is echoed in Byrnes 2008, 166). At their core, the acquisition, processing, and articulation of language are based on the mingling of objective and subjective factors that are reliant on a mutual recognition of the presence, both physically and psychologically, of another person; without the recognition of one's relationship to another, the transfer of meaning and education is incomplete (O'Connell and Kowal 2008, 189–92). Therefore, literacy, as a single example, can be seen as a product of psychological bases and psychosocial shaping that are highly contingent on individual circumstances and their interaction with outside forces.

One such circumstance is gender in youth development. The connection between literacy and biological sex and the concomitant stereotypes are certainly debatable from a learning sciences standpoint, as well as from the perspective of gender studies, a concept elaborated on as I move into feminist theory (Hyde and Linn 1988, 64; Halpern and Tan 2001, 392–97). Indeed, the interaction of gender and education cannot be assessed from a purely biological or social perspective as if the two variables could be considered independently (Halpern and Tan 2001, 395). It is here that the argument transitions from a cognitive one to a sociocultural one; the combination of these two perspectives, as well as the uncertainties inherent in the categorization of knowledge in purely one camp or the other, calls for a re-evaluation

of the lens through which educators assess gender differences, especially in a global context in which “sex,” “gender,” and “education” may have radically different meanings and contexts.

### SEX, GENDER, AND SOCIETY

As researchers focus on strictly biological differences in an effort to produce prescriptions for educating women and girls, Western feminists, anthropologists, and philosophers have attempted to problematize reforms based on gender by calling into question contemporary notions of sex and sexuality. Judith Butler’s critique is perhaps the most vehement; in her analysis, gender and sex both can be considered with a social lens. Butler states, “If we accept the body as a cultural situation, then the notion of a natural body, and, indeed, a natural ‘sex,’ seem increasingly suspect,” meaning that the body is so forcefully inscribed within societal norms that it is a “material reality that has already been located and defined within a social context” (Butler 1987, 133, 143). Butler argues that the sexed body is a constructed marker or bearer of social codes; indeed, even as the body comes into existence, it is shaped by a variety of discourses that govern its operations. Some have made the point that the evolution of culture itself has precluded the very articulation of femininity at its most basic level, leading ultimately to the viability of one gender, the masculine, which emerges as the dominant cultural force in the tradition of Western post-structural critique. What, exactly, is the nature of this “cultural situation” of which Butler speaks? There is little doubt that it stems from a deeply Western understanding of gender relations that is meant to apply equally in different cultures, though non-Western cultures are implicated in the production of Eurocentric, especially French, feminist discourse. For example, the work of an-

thropologist Claude Levi-Strauss and the analyses that follow it concretize the conceptual subjugation of women in the form of kinship systems and incest taboos that exist in both capitalist and pre-capitalist societies; however, this sentiment, though foundational, falls into the trap of assuming that patriarchy is the pre-condition of culture and is thus pre-cultural and universal. A focus on the structures of society that create gender imbalances is central to feminist theory, but it follows that this process can only be carried out within and among the bounds of specific cultures. As transnational critics point out, there is no universal patriarchy and, by extension, no international fixes for education.

It is clear that modern feminist theory takes on a universalizing tone without acknowledging its Western-centric roots. The literary theorist and philosopher Gayatri Spivak argues that the primacy of French and American intellectuals in the production of knowledge points to an urge to position Europe as the Subject and the condescending construction of the “Third World” as an unknowable Other that serves as a reinforcement of the Western subject (Spivak 1988). Similarly, Chandra Mohanty points out the difficulty in finding a solution, as “there are no simple ways of representing these diverse struggles and histories,” a fact that stems from the “intersecting progressive discourses (e.g., white feminist, third world nationalist, socialist) ... [and] politically regressive racist, imperialist, sexual discourses of slavery, colonialism and contemporary capitalism” that inhabit a postcolonial world (Mohanty 1991, 4). It is in the creation of a universal patriarchy or feminine oppression that Western scholarship assumes to know and take on the multifaceted struggles and successes of women in the Global South (Mohanty 2003, 20–21). This tendency is manifest in several interlocking ways, beginning with the assumption of the “Third

World Woman," a product of the Western cultural consciousness, being always in opposition to the Western woman, inasmuch as the former's exclusion from modernity has disallowed her freedom over her body and sexual practices (Mohanty 2003, 22). This produces a feeling of separateness between Western and Global feminism. The former is purportedly based on self-directed reforms and a Western illusion of "correct" gender cognizance, while the latter appears to be in need of outside intervention from the "enlightened" bearers of sexual and educational knowledge.

Western-centric reasoning is apparent in international policy. The United Nations Educational, Scientific and Cultural Organization (UNESCO) points out that educational access has improved with the implementation of Western educational reforms, though they are not explicitly named as such (UNESCO 2003, 17). What are the standards by which these gains are measured, and who decides when these prescriptions have been successfully implemented? What is more important is the lack of understanding of gender relations with respect to education in non-Western settings, which leads policymakers to look for ways to target the specific educational needs of non-Western women and girls without direct consultation and collaboration with local micro cultures (UNESCO 2003, 18). This task has yet to be properly undertaken, which leads to an imposition of foreign understandings of gender and sex in pursuit of a curricular model that is specific to female-bodied individuals, such as the inclusion of a gender-cognizant curriculum or the recruitment of female teachers, two reforms proposed by UNESCO that do not necessarily translate into equality (UNESCO 2003, 19).

It is important to point out that "texts do not simply represent dominant beliefs in some straightforward way, and if dominant cultures contain contradictions,

fissures, and even elements of the culture of popular groups, then our readings of what knowledge is 'in' texts cannot be done by the application of a single formula" (Apple and Christian-Smith 1991, 13). It follows that curricular reforms and changes in the teaching environment are not sufficient for gender equality, especially when imposed from the outside, as the factors that mediate youth development are too numerous to adhere to simple formulas. From a conceptual standpoint, essentialist statements about gender issues across the world do not acknowledge the absence of a universal patriarchy or set of gender relations. This is not to say that women in both the Global North and the Global South do not face challenges, nor does it mean that policymakers should adopt a relativist standpoint that overlooks the gendered atrocities that take place every day in every part of the world. The central dilemma is how to reconcile reform movements with an understanding of both transnational feminism and an awareness of the biases inherent in the Western construction of gender relations, all while keeping in mind the cognitive and psychological foundations of learning.

### A CALL TO ACTION

Preparatory research for UNESCO's Education for All Global Monitoring Report 2012 takes a different approach to address gender disparities in education, though it is only briefly mentioned. Arvil Adams argues in this report for skills development and vocational training, noting specifically that, although women face discrimination in many markets, "there are exceptions to this ... [rule] in newer occupational specializations such as information technology where employment has not yet had time to form gender-specific patterns. Here access to technical and vocational skills for young women can make a differ-

ence to their employment opportunities” (Adams 2011, 7). This shifts the focus from developing an ambiguous set of skills as dictated by a Western educational model to an active preparation of students to enter the public sphere in their own culture. Still, this mindset might be tainted with capitalist ideals, especially considering the legacy of colonialism (Mohanty 1991, 3). Unfortunately, there is no stable vision for an equitable solution.

An essential starting point is to recognize both the complexity of the problem and the West’s inscription within it, rather than naively seeing only a well-meaning cry for educational change. Indeed, Martha Kumsa sums up the central tenets of a global task: “I see Self and Other as inseparably intertwined relational processes. ... I can understand why some feminists could not see any other form of oppression but gender. I see why human rights activists so fiercely point away from themselves towards Others when it comes to human rights violations” (Kumsa 2012, 319). It is in the realization of this relational process that true reforms can be made, reforms that are set in motion by local communities in an effort to provide people what they want for themselves and their families. In understanding the West’s particular notions of gender and education reform, policymakers can mediate the conceptual problems that accompany identity-based research and activism.

The author would like to thank Dr. Michelle Ellefson, University Lecturer in Psychology and Education at University of Cambridge and Dr. Nidhi Singhal, University Lecturer in Inclusive Education at University of Cambridge, for their thoughtful and stimulating comments, as well as Professor Afsaneh Najmabadi, Francis Lee Higginson Professor of History and professor of Studies of Women, Gender, and Sexuality at Harvard University.



## REFERENCES

- Adams, Arvil V. 2011. The role of skills development in overcoming social disadvantage. Background paper prepared for the Education for all global monitoring report 2012. New York, UNESCO. <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/pdf/gmr2012-ED-EFA-MRT-PI-04.pdf>.
- Apple, Michael W., and Linda K. Christian-Smith. 1991. "The politics of the textbook." In *The politics of the textbook*, edited by Michael W. Apple and Linda K. Christian-Smith, 1-21. New York: Routledge.
- Butler, Judith. 1987. "Variations on sex and gender: Beauvoir, Wittig, and Foucault." In *Feminism as critique: Essays on the politics of gender in late-capitalist societies*, edited by Seyla Benhabib and Drucilla Cornell, 128-142. Cambridge: Polity Press/Basil Blackwell.
- Byrnes, James P. 2008. *Cognitive development and learning in instructional contexts*. Boston: Pearson Education.
- Colclough, Christopher, Geeta Kingdon, and Harry Anthony Patrinos. 2009. "The pattern of returns to education and its implication." Policy Brief No. 4. Cambridge, UK: Research Consortium on Educational Outcomes and Poverty. <http://recoup.educ.cam.ac.uk/publications/pb4.pdf>.
- Collins, Allan, and Katerine Bielaczyc. 1999. "The enculturation of educational thinking." *Journal of the Learning Sciences* 8 (1): 129-38.
- Gauvain, Mary. 2005. "Sociocultural contexts of learning." In *Learning in cultural context: Family, peers, and school*, edited by Ashley E. Maynard and Mary I. Martini, 11-40. New York: Kluwer Academic/Plenum Publishers.
- Halpern, Diane F., and Uner Tan. 2001. "Stereotypes and steroids: Using a psychobiosocial model to understand cognitive sex differences." *Brain and Cognition* 45 (3): 392-414.
- Hintzman, Douglas L. 1986. "Schema abstraction' in a multiple-trace memory model." *Psychological Review* 93 (4): 411-428.
- Hyde, Janet S., and Marcia C. Linn. 1988. "Gender differences in verbal ability: A meta-analysis." *Psychological Bulletin* 104 (1): 53-69.
- International Bank for Reconstruction and Development/The World Bank. 2012. *World development report 2012: Gender equality and development*. Washington, DC: The World Bank. <http://sitersources.worldbank.org/INTWDR2012/Resource/7778105-1299699968583/7786210-1315936222006/Complete-Report.pdf>.
- Kafai, Yasmin B. 2006. "Constructionism." In *The Cambridge handbook of the learning sciences*, edited by R. Keith Sawyer, 35-47. New York: Cambridge University Press.
- Kumsa, Martha Kuwee. 2012. "When woman-at-risk meets youth-at-risk: Engaging the discursive practices of the nation-state." In *Social construction and social work practice: Interpretations and innovations*, edited by Stanley L. Witkin, 308-335. New York: Columbia University Press.
- Moghadam, Valentine M. 2005. *Globalizing women: Transnational feminist networks*. Baltimore, MD: Johns Hopkins University Press.
- Mohanty, Chandra Talpade. 1991. "Cartographies of struggle: Third world women and the politics of feminism." In *Third world women and the politics of feminism*, edited by Chandra Talpade Mohanty, Ann Russo, and Lourdes Torres, 1-48. Bloomington: Indiana University Press.
- . 2003. *Feminism without borders: Decolonizing theory, practicing solidarity*. Durham, NC: Duke University Press.
- O'Connell, Daniel C., and Sabine Kowal. 2008. *Communicating with one another: Toward a psychology of spontaneous spoken discourse*. New York: Springer.
- Spivak, Gayatri Chakravorty. 1988. "Can the subaltern speak?" In *Marxism and the interpretation of culture*, edited by Cary Nelson and Lawrence Grossberg, 271-314. Urbana: University of Illinois Press.
- UNESCO. 2003. *EFA global monitoring report 2003/4: Gender and education for all—the leap to equality*. Paris: UNESCO. <http://unesdoc.unesco.org/images/0013/001325/132513e.pdf>.
- United Nations. 2012. *The millennium development goals report*. New York: United Nations. <http://mdgs.un.org/unsd/mdg/Resources/Static/Products/Progress2012/English2012.pdf>.

# Asset Theory and Prostitution

## The Implications of U.S. Prostitution Policy and Ideology on Asset Building Strategies

BY ALLISON IVIE

Allison Ivie graduated from California State University, Chico with a Bachelor of Arts in General English and Multicultural Gender Studies with an emphasis in Women's Studies. Her research focuses on policies and strategies that contribute to gender parity and the eradication of violence against women. She is currently completing her final year at Brandeis University at the Heller School for Social Policy and Management. She will earn a dual master's degree in Public Policy and Women's and Gender Studies in May 2013.

### ABSTRACT

The United States' current method of criminalizing sex workers has not eradicated the violence women face in this profession or enabled them to utilize resources that are needed to start a new life. This paper encourages society to approach prostitution through the Asset Vulnerability Framework, which focuses on economic growth, basic health care, and education, and providing social safety nets for vulnerable populations. Through my research, I have found that for the full benefits of asset theory to take shape in the case of prostitution, legalization of prostitution is critical.

### INTRODUCTION

"Our 'society' ... if it's not deflected from its present course ... will hump itself to death." —Valerie Solanas<sup>1</sup>

Subordination of women is not new, as violence against and inequality of

women have remained constants across the world. A type of subordination comes in the form of prostitution and combines sexism, classism, discrimination, workplace inequality, violence, dominance, dependency, and commodification all in one package. In her article "The Asset Vulnerability Framework: Reassessing Urban Poverty Reduction Strategies," Caroline Moser discusses specific interventions to promote opportunities and acquire assets for the disenfranchised. This poverty reduction strategy focuses on "three internally consistent components; first, economic growth, intensively using the poor's labor as their most important asset; second, investments in basic health and education (human capital) to enable the poor to use their labor productively; and third, the provision of social safety nets to protect vulnerable groups and the very poor" (Moser 1998, 2).

An individual's assets can include those that are tangible and intangible. Some examples of intangible assets include

human capital (work experience and educational background), cultural capital (socialization skills), informal social capital (family, friends, networks), and political capital (participation and power within local and state government) (Sherraden 1991, 102–04). Using this framework to analyze the inequalities and complexities of sex workers provides a practical lens through which to understand how best to serve women in prostitution. In Michael Sherraden's groundbreaking book, *Assets and the Poor: A New American Welfare Policy*, he furthers Moser's statement, positing that

poor people, because they have no choice, make decisions for short-term income that are not in long-term career interests. Many people forgo opportunities for specialized education and training because they have to feed their families. In economic terms, specialization yields a division of labor and comparative advantage, but asset-poor households do not have much opportunity to develop a comparative advantage. (1991, 159)

Irrespective of an individual's position on sex work, there is little argument that prostitution has been a contentious issue for the United States that has fueled extensive criminalization policies against sex workers and, at the same time, strengthened coalitions for its legalization. This paper explores different strategies that utilize assets to confront the issue of prostitution, by reviewing the history of prostitution, finding out who these women are, discussing the current issues and dialogue taking place, exploring the brothel system in Nevada, and, finally, uncovering how assets in the form of women's movements and policy strategies can help alleviate the stigma attached to sex work and fully protect women in the business. The

terms sex worker/sex work and prostitute/prostitution are used interchangeably in this paper.

## HISTORY OF PROSTITUTION

During the Victorian era, a discourse began about the insidious nature of prostitution and the women engaged in it. Women were either viewed as a "ruined victim" or a "victimizer" who destroyed the public. These two characterizations portrayed the prostitute as a "mere paradigm and metaphor; she ceased to be a person and became a disembodied stereotype" (Kuo 2002, 58). The Progressive Era elaborated on the Victorian ideology, asserting that the female prostitute could be reformed and integrated back into society. She could still recover and "become an honorable wife and mother" (Kuo 2002, 59). By the twentieth century, the dichotomy of women in prostitution still existed and consisted of the words such as "forced" or "voluntary." The misogynistic view of prostitutes provides them with little protection in situations of sexual violence because of the idea that "[the] woman ... was asking for it" (Kuo 2002, 61).

The U.S. military has had a huge influence on the globalization of prostitution, which is sardonic given that a majority of Americans are so opposed to it. The Vietnam War promoted "rest and relaxation" (R&R) activities for military men, which, in turn, promoted sex work. In 1957, Thailand had 20,000 prostitutes; by 1964 that number had reached 400,000, and the U.S. had increased its presence with seven military bases (Kuo 2002). It is impossible to rationalize the contradictory behaviors and opinions of the United States government regarding sex work. Yet these conflicting views are helpful in understanding why the policies and tactics in place today are not progressive and do not protect women. The R&R ideology also proves whom the U.S.

values and prioritizes, which illuminates the inequities women face in the States and abroad. Kuo (2002) makes a valid point, stating that “governmental interference with bodily autonomy has historically been harmful to women and other subordinated groups ... the ‘right to bodily autonomy’ speaks to the question of who should decide the fate of individual bodies” (p. 122). Bodily autonomy is extremely important for these women because their body is an asset and the only tool with which to perform their labor. If women do not have control over their own bodies, they will continue to be disenfranchised.

### WHO ARE THESE WOMEN?

The negative stereotypes and stigma plaguing sex workers today have not changed, increasing the burden on women who are trying to make ends meet. It is difficult to find precise statistics on the number of women in prostitution because of its illegality and stigma. However, the percentage of women involved in prostitution in the United States ranges from one percent to twelve percent (Kuo 2002, 67). Numerous studies have been conducted to find out why women engage in prostitution, and they all reveal the same answer: money. It is unsurprising that “about 70 percent of prostitute women are mothers, mostly single mothers struggling to support families” (Ditmore 2011, 159). Prostitutes in San Francisco were asked “what would enable them to get out of prostitution [and] they almost unanimously answered: affordable housing and childcare” (Ditmore 2011, 159). These same answers have been given for years, but government agencies have refused to provide enough of these resources for women. Women are left with very little options and turn to an asset that has a high value in society: erotic capital.

Catherine Hakim is the author of

*Erotic Capital: The Power of Attraction in the Boardroom and the Bedroom* (2011), which discusses the power this capital has on a global scale. Hakim explains erotic capital as “a combination of aesthetic, visual, physical, social, and sexual attractiveness to other members of ... society, and especially to members of the opposite sex, in all social contexts. ... Women generally have more of it than men” (p. 15). The value of erotic capital in the United States is high and “earnings for sex workers are anywhere between two to forty times higher than a woman could otherwise get in alternative jobs open to her, at her educational level” (Hakim 2011, 158). So what are the long-term ramifications for women in or outside of this market? There is no denying that “patriarchy and male domination have been instrumental in the social construction of women’s choices” (Brison 2006, 195). The ideology surrounding sex work has been constructed through governmental policies that have kept women from achieving bodily autonomy and financial stability.

Restrictive government policies have led to “class differences among sex workers ... [that] divide those within the trade, but also to create significantly different experiences in performing erotic labor” (Chapkis 1997, 102). Prostitutes who roam the streets are usually considered to be the lowest rung in the sex industry, with more arrests and history of abuse by clients. However, the hierarchy within the world of prostitution is not solely determined by the money a woman makes, because “status in the sex trade is assigned according to the fee the client pays to be in the company of the sex worker, not the amount of money she actually receives. Secondly, those who are most visibly and obviously selling sexual services carry the heaviest burden of the ‘whore stigma’” (Chapkis 1997, 103).

All this evidence does not suggest that all women within the business are extremely unhappy. Many women do enjoy

the work and find it liberating. However, even sex workers who have been in the business for years find that it takes a toll. One woman “described the emotional labor involved in ‘leaving my private me at home so that I can go to work.’ She added that she knew it was time to think about getting out of the business when the labor involved in her psychic transformation began to take up more and more time, as a twenty-minute process eventually came to occupy all afternoon and most of the evening” (Bernstein 2007, 50). The complexities of prostitution are not to be dismissed. The numerous facets of the sex worker and the sex work make equitable solutions harder to create and implement.

### CRIMINALIZATION OF PROSTITUTION TODAY

The criminalization of sex workers has done nothing to eradicate the market or protect women, as police abuse, including “sexual and physical violence ... rape, sexual assault, and battery,” has been documented (Ditmore 2011, xxv). In the 1980s, several of the United States’ largest cities spent more money “on enforcing prostitution laws than on education, public welfare, health care, and hospitals” (Chapkis 1997, 132). However, increased arrests and law enforcement are not efficient ways to spend taxpayers’ money since “eighty percent of those arrested for prostitution in large U.S. cities are not held for prosecution, and only half brought to trial are found guilty” (Chapkis 1997, 132).

The criminalization of prostitution has created a tenuous relationship between sex workers and police officers. It is distressing to know that some police criminalize the people they are supposed to protect. This unfortunate arrangement forces women to rely more on pimps, because pimps “will post bail, arrange child care, and obtain legal counsel when they do get

arrested” (Kuo 2002, 125–26). Moreover, the FBI is aware of the dangers to women working in prostitution; it states:

Many trafficked women and girls suffer major health and psychological problems. Still others die prematurely of AIDS, venereal disease, other infectious diseases, drug overdoses, suicide, and homicide. In the United States, [it is] estimate[d] that trafficking victims survive seven years after they enter prostitution. (Bergoffen et al. 2011, 39)

Criminalizing these women places them in further danger and dependency, rather than giving them the opportunity to become financially independent and self-sufficient.

Similarly, the prohibition of prostitution eliminates other avenues for women to make a living. The effects of making sex work illegal can place women in a “double bind,” for “without greater redistribution of income, wealth, and opportunities ... [society] deprive[s] poor women of one way—in some circumstances the only way—of improving their condition” (Zack, Shrage, and Sartwell 1998, 295). Federal, state, and local governments need to critically examine the gender inequalities within society to fully understand the impact patriarchy has on the lives of women.

### THE STRUGGLE TODAY: SEX WORKERS VS. FEMINISTS

In 1978, Carol Leigh introduced the term “sex work” at an organizational meeting for Women against Violence in Pornography and Media. Leigh and other sex workers had become increasingly aware of the stigma attached to the words “prostitution” and “prostitute.” “Sex work” was chosen in an effort to “emphasize that prostitution is work ... [and] women [as] sellers of sex

rather than men as buyers of sex" (Ditmore 2011, 111). This new term was of great importance for women, because it attempted to give them agency in their work and defined it on their own terms.

By legitimizing the "labor" of prostitution, pro-sex-work advocates aim[ed] to restore dignity to those decisions that enable women to survive within the constraints of the ... global economy. ... [R]ecognition of this choice as a form of labor is essential to the goal of securing health and safety standards for women in an industry that otherwise remains unregulated and unprotected. (Miriam 2005, 4)

Today, criminalization is still considered to be the best tactic to handle prostitution. Although feminists disagree with this, many are concerned about the approach sex workers have taken to redefine their role in the labor market. Many feminists would suggest that "the pro-sex-work theory ... points to prostitutes' ability to negotiate over aspects of their work conditions as evidence that prostitutes have agency. ... But from this same theoretical vantage point, one aspect of the sexual order remains nonnegotiable ... men's right to be sexually serviced" (Miriam 2005, 13–14).

Feminists posit that there is little room for women to navigate their way through the sex industry on their own terms. Women are merely commodities within the prostitution business, treated in de-humanizing ways. Conversely, some prostitutes find the work a way to show women an alternative to liberating oneself. Yet even these women concern feminists, because "expanding women's options through legalized sex work ... may end up constraining women more, not less ... [through] the use of terms derogatory to women, the visual imagery of pornography,

and the buying and selling of women's bodies" (Brison 2006, 195). It is important that sex workers and feminists work together to address women's participation in prostitution, how it may limit "the autonomy of other women," and how this conflict can be resolved (Brison 2006, 197). These two groups need to build their social capital to fully take advantage of and assert their collective powers.

### THE CASE OF NEVADA: AN ASSET-BUILDING OPPORTUNITY FAILS

In 1971, Nevada legalized state-licensed brothels, and today it remains the only state in the United States where prostitution is legal. In 1997, there were thirty-two brothels across Nevada, and to work, prostitutes had to be employed at one of these locations. Working independently, outside of a brothel is considered illegal. Ironically, inside the brothel, each prostitute is labeled as an "independent contractor" "with no claim to health benefits, vacation pay, or retirement benefits. Brothel prostitutes are required to register with police and, once hired, they are required to live on the premises while working" (Chapkis 1997, 163). The upside to this system is that clients are screened prior to admittance, and every employee is routinely tested for sexually transmitted diseases and HIV/AIDS. The brothels create an environment safe from violence and provide better preventative health care for the women.

However, the legalization of prostitution within the brothel system does not create asset-building opportunities. Women work twelve to fourteen-hour shifts and "fifty percent of every transaction goes to brothel management ... [I]ncomes are often further reduced through brothel fees for room, board, and supplies (including condoms), as well as through mandatory tipping to house employees" (Chapkis 1997, 163). In this system, women are

essentially working for a pimp—only now the pimp is state-licensed. Most of a woman's income goes to a third party to pay for the protection she ought to be receiving in the first place. In the Nevada brothels, "if a prostitute decides to refuse a customer, management must be provided with what it deems an acceptable reason" (Chapkis 1997, 163). The legalization of prostitution in Nevada has created a model in which men still call the shots and women are still left without options.

To continuously garner the support of the counties in Nevada in which the brothels operate, "charitable contributions" are made to various community organizations and services, while licensing fees are used to support county funds and hospitals (Chapkis 1997, 164). The president of the Nevada Brothel Association is proud of the success of the brothels and of how the businesses control for safe sex and minimize risks. However, "this is protection and control from the perspective of the community, the owner, and the client but, once again, not from that of the worker" (Chapkis 1997, 164). Legalization alone will not make prostitution safer or opportunistic for the women involved. How legalization will be implemented and who is in charge of that implementation can make all the difference in how much agency a woman possesses.

### WORKING TOWARD CHANGE: ASSET-BUILDING STRATEGIES FOR THE FUTURE

**W**hat can be done to help the women in prostitution build sustainable, safe, and successful lives? Although utilizing an asset framework for prostitution and women within the industry has not been widely addressed, there are numerous strategies that can bolster the various tangible and intangible assets women need. Some of the approaches mentioned

below will take hold only if prostitution is legalized; however, some of these methods can be implemented if the laws remain unchanged.

The largest obstacle to providing equitable resources for prostitutes is creating a unified mobilization of independent women's groups. These movements incorporate the idea of informal social capital "in the form of family, friends, contacts and connections" (Sherraden 1991, 104). Women's autonomy starts with other women because "in order for women to develop their distinct perspective, they must have the room to focus on their priorities as women. . . . When women's organizations are independent, they can devote their resources to drawing public attention to women's issues" (Weldon 2002, 84–85). Forming a coalition that brings together various women's advocacy groups, with efforts made to "include substantial representation of women from marginalized subgroups", is a great opportunity to build social capital (Weldon 2002, 200). The establishment of bureaus or governance boards in the sex industry would provide a valuable resource for women in the business. A governance board could include past and present sex workers with a wide range of races, ethnicities, sexual orientations, mental health, and socioeconomic statuses, along with pro-sex work advocacy organizations. Governance board responsibilities could include: "determining acceptable size, form, and content of advertising directed at both selling prostitute services and seeking prostitute employees . . . [and] act as a mediator between conflicting groups, for example, neighborhood associations and streetwalkers" (Kuo 2002, 154). These boards would help increase the political capital for women "in the form of participation, power, and influence" at the local and state levels (Sherraden 1991, 104).

Second, transitional services need

to be offered for women who wish to leave the business to start a new life. The government needs to provide funding for "emergency shelters, counseling, medical care, and reeducation for alternative employment. ... Drug treatment programs for pregnant women must also be established" because few treatment centers will serve pregnant women (Kuo 2002, 155). Government support and funding are vital components to building strong and united women's organizations.

Peer education within sex work is hugely important for women to dismantle the belief that sex work is independent in nature. Prostitutes of New York (PONY) holds professional seminars for women in sex work that provide information "on relevant laws and taxes, on health and safety, and on computer and entrepreneurial skills ... job placement for those ready to make a transition out of the industry ... [and] classes on suing clients who write bad checks, finding a good doctor, choosing bail bondsman ... and determining if a potential client poses a risk" (Chapkis 1997, 187). However, the severe criminalization of prostitution makes peer education a difficult asset-building strategy, because "sharing of information and resources between prostitutes is technically a criminal offense of conspiracy and pandering. For this reason, outreach must remain relatively inconspicuous and underground" (Chapkis 1997, 187). At the very least, the law should decriminalize PONY's peer education efforts because human capital, as part of an asset-building strategy, is an important resource for women.

Educating the public is another avenue for asset building; it can destigmatize women and create "a climate of respect for workers" (Chapkis 1997, 188). Clients who are arrested for soliciting prostitutes should be educated about proper etiquette with sex workers. Sensitivity and support training for police is incredibly impor-

tant in rebuilding a relationship of trust between sex workers and police officers.

To improve the brothel system and make it more equitable, women should be given the same benefits as would any other individual in the labor market; this would be a great tool for acquiring assets. These benefits would include: health benefits, retirement benefits, and paid vacation. Moreover, women should be allowed to keep "60 percent of the income they generate (as opposed to, for example, the 20 percent they currently receive in Nevada)" (Kuo 2002, 163). Alternatively, the governance board could determine the percentage of income that goes to the woman and the brothel management. Women have absolute body autonomy over whom they will or will not agree to service, and women should be allowed to freely leave the brothel if they choose to do so.

The importance of delineating between prostitution and pornography is crucial to reconstructing how women are viewed and treated sexually. Kuo suggests "restrictive zoning of pornographic bookstores, live sex shows, and the like. ... Because pornographic imagery is often misogynistic and violent, it is important to discourage conjoining such images with prostitute activity" (2002, 160). Keeping these two arenas separate will hopefully stigmatize engaging in pornographic behavior with prostitutes and make men more cognizant of the difference.

The idea of using asset theory in tandem with feminist theory reveals "the potential assets have to increase a woman's sense of self-efficacy, social and political participation, and her ability to plan for the future, [and] will be related to an increased sense of stability" (Christy-McMullin 2003, 30). A strong and collaborative women's movement will only go so far; it is up to society and the government to work together with these women's organizations to create a safe and stable environment for



women. Sherraden succinctly states the positive effects assets can have on individuals and collectively as a nation as follows:

Assets (1) improve household stability; (2) psychologically connect people with a viable, hopeful future; (3) stimulate development of other assets, including human capital; (4) enable people to focus and specialize; (5) provide a foundation for risk taking; (6) increase personal efficacy; (7) increase social influence; (8) increase political participation; and (9) enhance the welfare of offspring. (1991, 295)

Criminalizing prostitution has failed to eradicate the sex work industry. Utilizing an asset framework is a practical approach to making this industry safer for all women involved.

## REFERENCES

- Bergoffen, Debra, Paula Ruth Gilbert, Tamara Harvey, and Connie L. McNeely. 2011. *Confronting global gender justice: Women's lives, human rights*. New York: Routledge.
- Bernstein, Elizabeth. 2007. *Temporarily yours: Intimacy, authenticity, and the commerce of sex*. Chicago: The University of Chicago Press.
- Brison, Susan. 2006. "Contentious freedom: Sex work and social construction." *Hypatia* 21 (4): 192-200.
- Chapkis, Wendy. 1997. *Live sex acts: Women performing erotic labor*. New York: Routledge.
- Christy-McMullin, Kameri. 2003. "Asset-building policies and safety for women: Stretching social work's conceptual framework." *Social Policy Journal* 2 (4): 19-37.
- Ditmore, Melissa. 2011. *Prostitution and sex work (historical guides to controversial issues in America)*. Santa Barbara: ABC-CLIO, LLC.
- Hakim, Catherine. 2011. *Erotic capital: The power of attraction in the boardroom and the bedroom*. New York: Basic Books.
- Kuo, Lenore. 2002. *Prostitution policy: Revolutionizing practice through a gendered perspective*. New York: New York University Press.
- Miriam, Kathy. 2005. "Stopping the traffic in women: Power, agency and abolition in feminist debates over sex-trafficking." *Journal of Social Philosophy* 36 (1): 1-17.
- Moser, Caroline O. N. 1998. "The asset vulnerability framework: Reassessing urban poverty reduction strategies." *World Development* (26) 1: 1-16.
- Sherraden, Michael. 1991. *Assets and the poor: A new American welfare policy*. New York: M.E. Sharpe, Inc.
- Weldon, S. Laurel. 2002. *Protest, policy, and the problem of violence against women: A Cross-national comparison*. Pittsburg: University of Pittsburgh Press.
- Zack, Naomi, Laurie Shrage, and Crispin Sartwell. 1998. *Race, class, gender and sexuality: The big questions*. Oxford: Blackwell Publishers.

## ENDNOTES

<sup>1</sup>In Kuo (2002).

# Unity in Diversity

BY NURA SEDIQE

2012 Master in Public Policy graduate of the Harvard Kennedy School

---

## ABSTRACT

In an effort to help European Union member states realize their goal of “unity in diversity,” this article examines the employment challenges that second-generation immigrants face, particularly focusing on gendered barriers that affect second-generation Muslim men and women. First, the article demonstrates that employment disparities persist for second-generation immigrants, especially second-generation Muslims. Second, the article examines the gendered effects of discrimination that present distinct challenges for second-generation Muslim men and women. Qualitative interviews provide a nuanced layer to the article. The analysis and comparison of immigration integration policies in France, Germany, and Sweden demonstrate the challenges of integration but also show that best practices exist that merit further consideration.

## INTRODUCTION

“Unity in Diversity”—this key theme for the European Union (EU) greets newcomers on the large multimedia display above the European Parliament’s visitor’s center in Brussels. The words are joined by an image of three people, two of whom fit the profile of a traditional Caucasian European and one of African descent. The display highlights the EU’s increasing racial and ethnic diversity.

The decade following September 11, 2001, has brought increasing concern in Europe around the incorporation of immigrants with non-native European backgrounds, particularly those who self-identify as Muslim. In 2011, German Chancellor Angela Merkel declared that “Multikulti (multi-culture) is dead,” in reference to public conversation about the challenges of integrating Turkish youth, who are mainly second generation, Muslim immigrants (BBC News 2010). During France’s 2012

presidential campaign, then-president Nicholas Sarkozy painted a pessimistic future for second-generation immigrants, noting that "integration is working more and more badly" (BBC News 2012). Such sentiments reflect the reality of ineffective integration of second-generation immigrants within member states' societies. Among other things, ineffective incorporation has led to social and economic exclusion of immigrant populations. Many academics have noted that this exclusion has played a role in the observed social discord and domestic unrest in European nations over the past decade.

This article examines the gendered stereotypes that serve as obstacles for second-generation immigrants, particularly Muslims, to integrate within European countries. This paper focuses specifically on the labor market indicator of unemployment to measure integration and discrimination.

The first section of the paper highlights existing data that suggest disparities persist for second-generation immigrants, and how this is a particularly pronounced problem for immigrants who self-identify as Muslim. The second section explores the gendered effect of discrimination and how this results in different barriers for Muslim men and women. The third section explores the nuances and divergence of policy and approaches toward integrating Muslim men and women.

To better understand the nuances and divergence of policy and approaches toward second-generation immigrants, the paper focuses largely on the second-generation immigrant populations and integration policies of France, Germany, and Sweden. These three countries were selected as points of comparison since they were among the first of the EU member states to welcome non-European immigrants into their population and now have some of the largest populations of second-

generation, non-native European immigrants in the EU. In particular, the majority of immigrants from all three countries come from Muslim backgrounds, and each country has a different policy approach to facilitate the integration of their immigrant populations. These different policy approaches provide a good means to compare the effectiveness of integration policies.

This paper concludes with an analysis of France's, Germany's, and Sweden's success in integrating their second-generation immigrant populations. This analysis demonstrates that second-generation immigrants in Sweden face discrimination to a lesser extent than in France and Germany. Sweden's rigorous national policies and cultural sensitivity play a role in its success. Conversely, the continued challenges faced by second-generation immigrants in France and Germany highlight the need for more robust policies across the EU. Sweden can serve as a model in this regard. Ultimately, a comparison of the effectiveness of integration policies furthers the discussions on best practices and assists all EU member countries in better addressing the discrimination faced by second-generation immigrants.

This paper utilizes data from EuroStat, the Fundamental Rights Agency, the International Labour Organization (ILO), the Organisation of Economic Cooperation and Development (OECD), and the Migration Integration Policy Index. Qualitative interviews with employees within the Parliament, advocates and leaders in civil society, and daily citizens who identify as second-generation immigrants complement the data.

## SECOND-GENERATION IMMIGRANTS

The population of second-generation immigrants varies among the twenty-seven member states. This paper high-

lights the second-generation immigrant populations within France, Germany, and Sweden. All three countries have larger second-generation populations than the EU average of five percent (see Figure 2.1). In France, 13.5 percent of the population are second-generation immigrants, in Sweden 9.6 percent, and in Germany 4.3 percent. France's population of second-generation immigrants is actually larger than their first-generation population, unlike the trends in Sweden, Germany, and the EU as a whole (see Appendix 1).

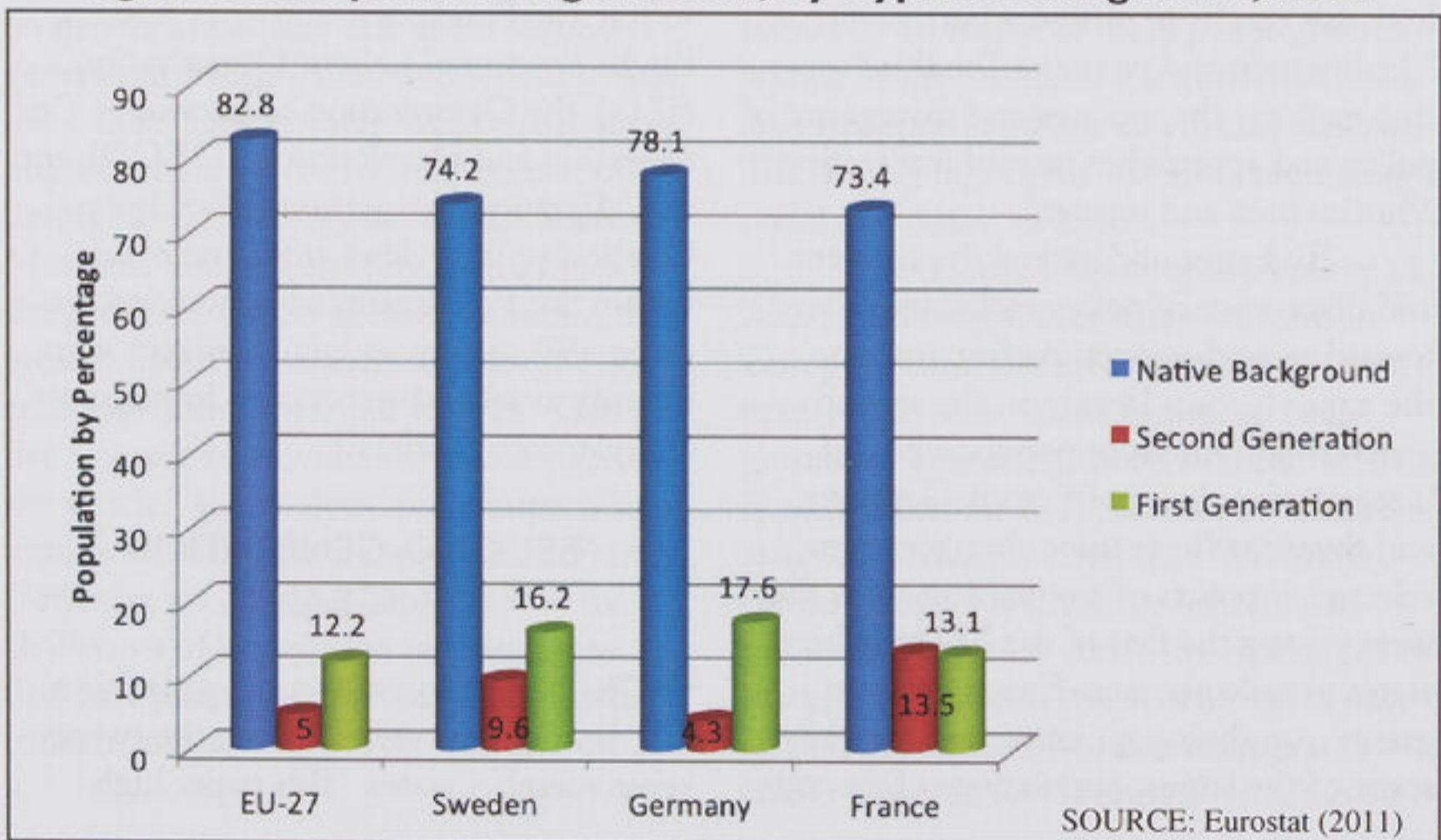
France, Germany, and Sweden, like most of their counterpart Western EU nations, are "old migrant receiving" countries, where immigration patterns occurred earlier than is the case for Central European countries. New immigrants, who came in the 1960s and 1970s primarily, changed the composition of the population, as they were predominantly born outside of Europe (Laurence 2012, 3).

In Sweden, immigrants originated mainly from Iraq, Serbia and Montenegro, and Turkey. Many of Sweden's immigrants came as refugees, or as family members of refugees. In Germany, immigrants came

predominantly from Turkey through a guest worker program established between the German and Turkish government in 1961. This program brought workers from eastern parts of Turkey to work in West Germany due to a labor shortage. While the agreement ended in 1973, fewer workers returned home than Germany expected. Instead, workers brought their families to Germany, making them a permanent and sizable part of the German population (Castles 1985, 517). In France, immigrants came predominately from Morocco and Algeria (Laurence 2012, 3). France shares a more complicated history with its immigrant population than do Germany and Sweden, as Morocco and Algeria were both former colonies of the nation. Emigration from these countries to France is related to colonial history, in addition to the Algerian war and subsequent family reunification (Hargreaves 2007, 13).

In all these countries, this first wave of immigrants generally stayed and expanded their families within the European nations. Their offspring now compose a sizable second-generation immigrant population in each country.

**Figure 2.1: Population Aged 25–54, by Type of Background, 2008**



### Existing Challenges

There are key indicators to measure whether the incorporation of a population is effective. According to the ILO (2005), “The most important cause of marginalization and exclusion is the lack of work and of the ability to support oneself.” Thus, economic indicators, and especially employment rates, are one of the key indicators to measure the effectiveness of a second-generation immigrant population’s incorporation within a nation. The data can suggest areas where disparities persist (Luciak 2004, 3).

the restricted data availability due to the combination of a small sample size and specificity of our target group (unemployed second-generation migrants aged 25–54), it is difficult to fully analyse the results at national level and with a gender breakdown. However, some general conclusions can be drawn from the comparison of the results at European Union level”<sup>1</sup> (2011,136).

Table 2.1 presents these findings.

OECD studies comparing the labor market outcomes for second-generation immigrants in European OECD countries (e.g., France, Germany, and Sweden) and

**Table 2.1: Unemployment Rate for Individuals Aged 25–54 from EU-27, 2008 (Percent)**

	Native Background	Second-Generation Immigrants		First-Generation Migrants
		Mixed Background (One parent with foreign background, one native)	Foreign Background	
EU-27	5	6	9	10
Men	5	6	9	10
Women	6	6	8	11

SOURCE: EuroStat (2011)

Utilizing data from EuroStat, which provide a representative sample of second-generation immigrants from across the twenty-seven member states, it is possible to compare unemployment rates between natives and second-generation immigrants. At the EU level, second-generation immigrants whose parents both have a foreign background have an unemployment rate of nine percent, four percentage points higher than for individuals with a native background, and only one percentage point lower than first-generation immigrants. According to EuroStat, “Given

non-European OECD countries (e.g., United States and Australia) confirm these findings. The OECD report notes, “In contrast, the children of immigrants are in a much less favorable situation in most European OECD countries” (Liebig and Widmaier 2009, 29). Their data found a statistically significant disparity in labor market success of second-generation immigrants in France, Germany, and Sweden compared to native Europeans.

OECD findings indicate that second-generation immigrants have an unemployment rate that is about 1.6 times

higher than that of the children of natives, for both genders.<sup>2</sup> They found that “the situation is particularly worrisome in Belgium, Germany, Spain and France, where more than one out of four offspring of immigrants in the labor force is unemployed” (OECD 2010, 32).

To examine each country’s specific employment rates, data from the OECD’s “Labour Market Integration” study series were utilized (Liebig 2007; Liebig and Widmaier 2009; OECD 2010). As Table 2.2 illustrates, Germany faces the largest disparity in employment rates and level of employment between native and non-native populations, controlling for educational qualifications and age, with a .12-point difference. In France and Germany, major disadvantages persisted, even for minorities who have obtained work. The difference in both cases was found to be statistically significant. The disparity in employment rates was smallest in Sweden compared to the other countries. This trend (with Germany having the largest disparity and Sweden the smallest) is in line with the policy examination in the third section of this article, which looks at the differences in national anti-discrimination policies in France, Germany, and Sweden and surmises that these policy differences may help to explain labor-market disparities.

**Table 2.2: Employment Rates in 2004 of Native-Born and Second-Generation Immigrants, 25–34 years old**

Country	Native-Born	Second-Generation Immigrants
France	.79	.71
Germany	.78	.66
Sweden	.88	.83

SOURCE: Liebig (2007).

**Examining Different Determinants to Explain Employment Rate Disparities**

Unemployment rate disparity is related to many factors, including education, language acquisition skills, and discrimination. For example, in Germany, structural barriers to education for second-generation immigrants may result in challenges to attaining employment later in life. Thomas Liebig’s examination of Germany’s labor market disparities for the second-generation explains part of the unemployment rate disparity: “Structural characteristics in the German education system, such as the early streaming, may put migrants’ children in a lower educational track. Another feature that plays a role is that exposure to the German language does not occur until a later age, given the relatively late starting age for kindergarten” (Liebig 2007, 4).

A key factor that may better explain the gap is discrimination faced by second-generation immigrants who are trying to access the labor market (Liebig 2007, 132). According to the OECD’s examination of labor outcomes for second-generation immigrants, while employment rates of the second generation increase with education level, they do not do so to the same extent as for children of natives (Liebig and Widmaier 2009, 30). Therefore, even

when education levels are comparable between natives and second-generation immigrants, disparities still exist.<sup>3</sup> These results have had experts such as Thomas Liebig of the OECD point to “statistically significant” discrimination as explaining a portion of this disparity (2008).

This article focuses mainly on the relationship between discrimination and anti-discrimination policy as a means to mitigate the employment rate disparity. It is important to bear

in mind, however, that structural characteristics, such as disparities within the education system, also need further examination to help explain this disparity.

### Discrimination

#### *Field Experiments in France, Germany, and Sweden*

The most effective studies that capture the occurrence of discrimination are field experiments that test the actual behavior of employers seeking to fill job vacancies. Experiments generally involve fictitious job seekers with names signaling that they belong to a minority group. Those job seekers are then paired with job seekers with equivalent formal qualifications, who have names signaling that they belong to the majority group.

The ILO has conducted these types of field studies across EU member states. These studies suggest that significant levels of discrimination persist in access to employment for second-generation immigrants. ILO data found that such discrimination would occur simply on the basis of appearance or name.

ILO studies include France, Germany, and Sweden. In all three countries, discrimination occurred toward the job seekers from the minority group.<sup>4</sup> For example, it was found that job seekers whose names mark them as being of “foreign origin” have to write more than twice as many applications as a person with the same credentials who has a native-sounding name. Moreover, the minority testers usually have to make three to five times more tries as majority testers to obtain a positive response in the employment application process. They note:

One common trait is that the greatest hurdle is in the first stages, i.e. the minority testers are being

screened out at the first phone call or receive no response to the CVs they have sent. For example, in the experiments, the minority tester frequently is told that the job is filled, while the majority tester is welcomed to send his or her CV or invited to an interview for the same job. (ILO 2006)

### Second-Generation Immigrants: Muslims

One characteristic that France, Germany, and Sweden have in common is that a large portion of their non-native European immigrant population is Muslim. As statistics on the religious backgrounds of immigrants are not collected in Europe, the exact proportion of Muslims within the immigrant population is not known. One can infer, however, that a sizable proportion of the immigrant population is Muslim given that many of the immigrants come from predominantly Muslim countries (Bleich 2012). In France and Germany, both the North African and Turkish populations have predominantly Muslim backgrounds, as do the Iraqi and Turkish populations of Sweden. This is important, as disparities according to religious affiliation have been found to be an added problem, wherein Muslims minorities currently face additional challenges in accessing employment, given the rise in Islamophobia that has persisted since 9/11 (Esposito and Kalm 2011, viii). (Islamophobia is a “new form of racism” that describes prejudice against, or hatred or irrational fear of Islam or Muslims.)

Stanford political scientist David Laitin has isolated the effect that religion may have on a family’s labor market opportunities. The results of his study confirm that in the French labor market, anti-Muslim discrimination in accessing employment persists. One small Senegalese

community (10,000 individuals) living in France was examined in 2009. This community had sufficiently large Christian and Muslim populations within it, permitting an isolation of the effect that religious identification may have with regard to discrimination. Laitin and colleagues' study shows dramatic differences in the labor market access of Christians and Muslims, with a Muslim candidate being two-and-a-half times less likely to receive a job interview callback than his or her Christian counterpart (Adida, Laitin, and Valfort 2010, 22384). This field experiment provides strong evidence for a "Muslim effect" in unemployment disparities (Adida, Laitin, and Valfort 2010, 22384).<sup>5</sup>

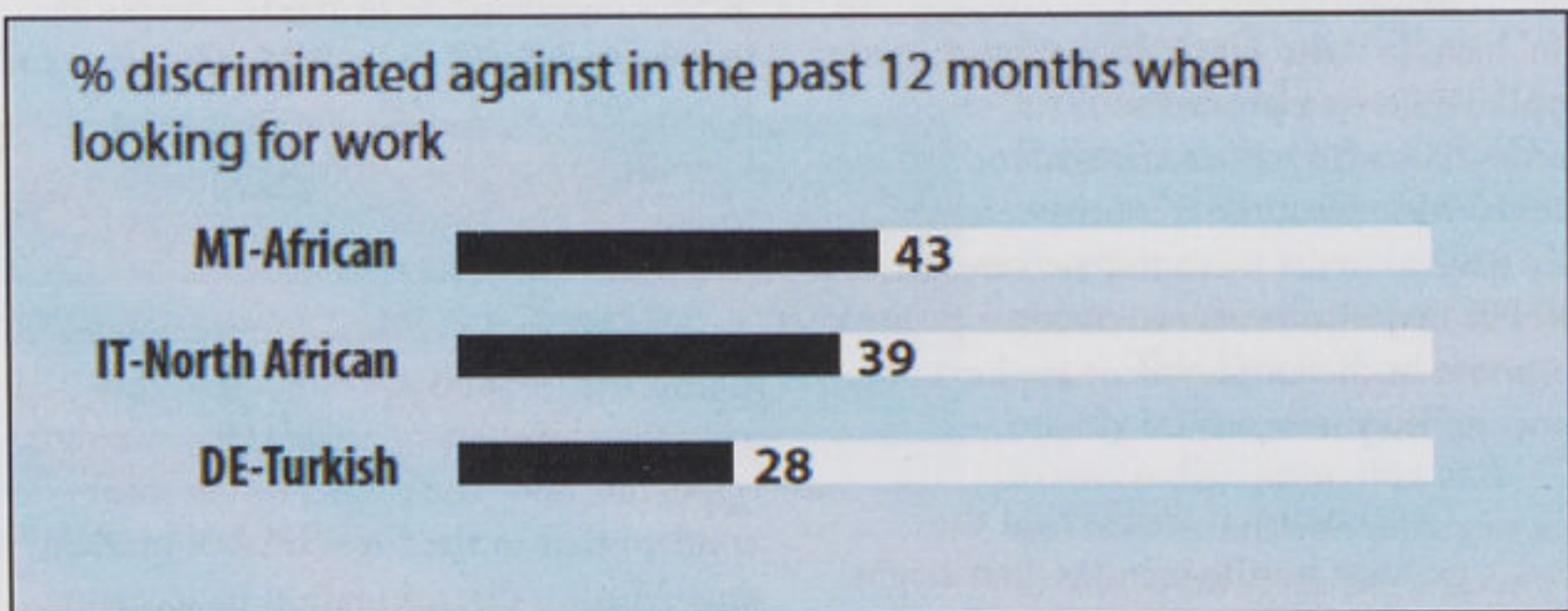
Additionally, the EU Fundamental Rights Agency's (FRA) 2011 survey of Muslims in Europe illustrates new findings that support challenges with employment discrimination.<sup>6</sup> They find that in all of the fourteen member states where Muslim respondents were interviewed, the issue of "discrimination in employment" dominated people's experiences of everyday discrimination (EU FRA 2011). Employment discrimination (defined in this survey as discrimination when seeking work and experiences of discrimination at work) presents persistent challenges for Muslim respondents, particularly when looking for

work. Of these fourteen countries, Germany (DE) was among the top three with the highest rates of experienced discrimination when looking for work, as Figure 2.2 illustrates.

## GENDER

As the previous discussion indicates, second-generation immigrant Muslims face similar barriers to employment in France, Germany, and Sweden. Discrimination was found in field experiments in all three countries. Studies by the Pew Global Attitudes Project further suggest that access to employment remains a key concern for Muslims across these three countries (2006). The discrimination that Muslims face in accessing employment is impacted by their gender, as well. Men and women both face challenges, but in different manners. This section details those challenges and also incorporates findings from qualitative interviews conducted in 2012. These interviews, detailed in Appendix 2, highlight discussions with practitioners as well as average citizens in Belgium, France, Germany, and Sweden. Interviews add personal dimensions that may offer the most meaningful contribution to this wider discussion (see Appendix 2).<sup>8</sup> Interviews were conducted in Belgium, in addition to

**Figure 2.2: Discrimination Rate**



SOURCE: EU FRA (2011).<sup>7</sup>



our case study nations of France, Germany, and Sweden, as many EU-wide advocacy groups and activists reside there due to the presence of key EU institutions, namely the European Parliament.

### Men

The OECD's examination of the second-generation immigrants finds differences related to gender:

For women, one observes much better results for the native children of immigrants [second-generation]. ... However, this is not observed for men, where the native-born children of immigrants do not seem to fare better than the young immigrants, particularly after accounting for the lower educational attainment of the latter group. (Liebig and Widmaier 2009, 7)

The study continues, "... the integration process over time seems to differ between men and women" (Liebig and Widmaier 2009, 29).

Stockholme University confirmed the OECD's findings in a series of studies performed in Sweden. These studies demonstrate that discrimination is more pronounced for second-generation male job applicants than for females within Sweden (Arai, Bursell, and Nekby 2008, 1). In Sweden, one specific study performed three correspondence tests, with minority testers using a name indicating a background from the Middle East or Africa.

These studies' findings show discrimination toward the minority group in almost all tested professions (Liebig and Widmaier 2009, 6). What is most relevant is that discrimination against men was more prevalent than that against women (Liebig and Widmaier 2009, 7).

Stereotypes toward Muslims have explicitly gendered notions that have negatively affected both men and women in different manners. Stereotypes affecting Muslim men include perceived association with terrorism, violence, and sexism (Esposito and Kalin 2011, 191). Of the men interviewed, all referenced gendered stereotypes as a barrier to their entry into employment.

**"My parents pushed me to shave [my beard] off before my [job] interviews, they were afraid that people may label me as an extremist and it may hurt my chances of getting a good job."**

In particular, high profile national security-related issues have increased discrimination toward Muslim men. The September 11, 2001, attacks on the World Trade Center in New York City exacerbated widespread stereotypes of Muslim men as inherently radical and prone to violent tendencies.

These were further exacerbated by bombings in Madrid in 2004 and bombings in London in 2005, all associated with Al Qaeda factions (Esposito and Kalin 2011, viii). In a report from the Brookings Institution, young Muslim men were perceived by their broader societal counterparts as being prone to "failure in school, violence, and religious conservatism" (Laurence and Vaisse 2006, 5). Moreover, physical markers, particularly the beard, have been part of cartoon caricatures of Muslim men and are seen as connotations of being "radical" (Esposito and Kalin 2011, 191).

Citizens interviewed are conscious

of these perceptions. One person interviewed in conjunction with this study, who is of Moroccan descent and a recent college graduate in Paris, mentioned that he makes every effort to appear clean shaven to avoid associations with a "fundamentalist" form of Islam. "I receive very different reactions when I grow my beard out. ... My parents pushed me to shave [my beard] off before my [job] interviews, they were afraid that people may label me as an extremist and it may hurt my chances of getting a good job." (Appendix 2)

Advocates interviewed in France and Brussels were asked whether stereotypes of young men have affected their ability to attain a job. The response was unanimously yes.

A medical student from Berlin said, "I will never forget the comments that were made and joked off during my first job interview, about how they were impressed with me, because he thought most men from my community (Kruezberg) were angry and undisciplined ... the comment was full of prejudice ... but I did not speak up ... if I wanted the job, I had to keep quiet, so I kept quiet" (Appendix 2).

Respondents pointed to the propagation of gendered stereotypes in the media as part of the problem. Another interviewee in Paris said, "It is strange, when there is a terrorist attack, the media are the first to point out they are Muslim, and this pushes people to continue thinking that the youth here are violent. [World Cup star] Zinedine Zidane is also Muslim, but we are not acknowledged when good images and actions appear in headlines" (Appendix 2).

A young professional from Munich, Germany, said, "When I think about the situation, it is hard not to get depressed, it was hard for me to get a good job, and I have to continue to worry, I have three more brothers who will graduate in a few years ... I am not sure if the problems will

be any easier for them..." (Appendix 2).

Moreover, young men have been shown in a negative light for their purported treatment of women. Anthropologist John Bowen states, "Muslim men are often accused of oppressing girls and women in general" (Bowen 2007, 65). This notion comes out particularly in the public conversation about headscarves. Men interviewed in Berlin, Munich, and Paris all referenced this challenge in their conversations (Appendix 2).

## Women

While studies show that Muslim women who are second-generation immigrants face lesser discrimination in attaining a job than Muslim men who are second-generation immigrants, second-generation Muslim women face more challenges than men upon being employed. For women, their problems lie in their earnings ratio relative to men and experiences of discrimination and harassment at the workplace.

### *Earning Differences*

In 2005, women in the EU were on average earning 15 percent less than men per working hour (European Women's Lobby 2007). This average includes both women of native and non-native European (migrant) backgrounds. The OECD and the ILO both found that women from migrant backgrounds are at the margins of these ratios (ILO 2005 and OECD 2010). Measures examining the disparity between earnings of immigrant females (first- and second-generation) and their native European counterparts do not exist, suggesting an area that requires further research and more effective data collection on the member-state level. While experiences with discrimination may vary, understanding earning differences can help

open up conversations and build stronger relationships between non-native European women and native-born women.

### *Discrimination in the Workplace*

Reports from France, Germany, and Sweden found that second-generation Muslim women are more often victims of harassment within the work environment than their male counterparts (European Commission and Directorate-General for Employment, Social Affairs, and Inclusion 2008). A 2008 report the European Commission and Directorate-General for Employment, Social Affairs, and Inclusion notes that negative comments and prejudice toward Muslim women are largely related to wearing a headscarf. The report highlights cases of covered women who are denied specific jobs, such as those that involve customer contact (2008).

### *Reporting Discrimination*

Men lodge complaints of discrimination more frequently and pursue discrimination cases further than women. Advocates interviewed noted that this indicates a “clear lack of empowerment amongst the most vulnerable” and that, often, women are the most vulnerable targets of discrimination (Appendix 2). Generally, advocates interviewed expressed concern about underreporting of discrimination among all immigrants, but especially among immigrant women.

### *The Role of the Headscarf*

The headscarf has made some Muslim women more susceptible to discrimination. Fundamental rights (civil rights) advocates in the countries where qualitative interviews were performed cited that the headscarf debate has placed women at the forefront of the conversation about

discrimination toward second-generation immigrants.<sup>9</sup> According to one woman in Paris, “Public discourse throughout the hijab controversy reflected and perpetuated bias against Muslim gender relations” (Bouzar and Kada 2003). Wearing the headscarf has made women explicitly visible minorities and one of the strongest “symbols” for Muslims. Many see the national bans on the headscarf as indirect discrimination based on gender and religion, as the bans impact one gender and affect women in a specific group (Scott 2007, 21).

Gendered stereotypes play a large role in the rhetoric surrounding the headscarf. One author notes, “Opponents of the hijab ... insisted that [outlawing the headscarf] would save girls from the domination and the authority of males in their families”

**“My big wish is that girls with the scarf are accepted at work.”**

(Esposito and Kalin 2011, 5). But women interviewed asserted their own autonomy in making the choice. One woman from Stockholm, Sweden, said, “We were not asked our opinion and many do not realize that I made this choice by myself, for myself” (Appendix 2). Women shared this sentiment across various countries.

Among respondents, when asked where their voices were in the headscarf discourse, there was a general sense that Muslim women’s voices were marginalized. One female student from Cologne, Germany, noted, “It is ironic that Muslim women who wear the scarf, their voices are not included in this debate, aren’t these the very women that they are trying to save?” (Appendix 2).

More specifically, women recall the challenges and compromises they have to

make within the workplace. In a qualitative interview performed by Sara Silvestri in 2008, one woman in Belgium said:

I used to work as a nurse in a university hospital. At that point I did not use to wear the veil (headscarf) and then when I wanted to wear it, it bothered me to take it off before the door. I did not feel well at the level of my faith. When I became pregnant, I decided to stop working temporarily. Since I stopped working, I have felt better with my faith because I can go out freely with my veil and be myself. ... With my veil I had become for the others a submitted woman, which is not the case. ... My big wish is that girls with the scarf are accepted at work... (p. 49)

Some women noted that the focus on the headscarf has restricted their choice and pushed them to make compromises they otherwise would not have had to make. An advocate from a Belgian women's association said, "Most women look for another job rather than taking off the veil [and renouncing the right of religious freedom]. Some do take off their veil but it really hurts. There is a feeling [among Muslim women] that they are accepting the situation, that they do not have any choice" (Silvestri 2008, 49).

Other women echoed the restriction on freedom of choice, as well. One woman noted:

On paper, Belgian law speaks of equal chances but the reality is different; Muslim women more and more are studying and working twice [as hard], in order to be accepted. ... There are so few places where you can wear the veil [though] it's a practice, not a law. Employers are choosing not to allow

women to work with the veil. They are the oppressors. The biggest need for Muslim women is to have the same opportunities and free choice. [So the] message behind [the law] is "I do not have freedom of choice." (Silvestri 2008, 49)

A young woman from Stockholm recalls, "I remember the shock in my supervisor's face when we had lunch one day, and she asked me about my headscarf and I told her it was my choice. I told her my mother did not wear the headscarf and she became even more confused. She could not believe it was not forced on me by my family [laughs]. I am not sure if she will really believe me unless she meets my parents!" Anthropologists, such as John Richard Bowen, who have developed more rigorous qualitative assessments of these trends found similar nuances than ones found in these interviews (2007).

France is the country where headscarf debates are the strongest. In 2004, France banned the headscarf for teachers and pupils in educational establishments and for public sector employees (Bowen 2007, 65). The French Parliament passed this law on the grounds that permitting the headscarf was allowing a religious symbol into the classroom, which worked against their principles of *laïcité* (secularity) and the separation of church and state. Critics of the legislation have noted that the French government's intervention is ironic given that it results in government intervention into a woman's personal choice. One advocate, interviewed in Paris, expressed concern that such a law would prevent women wearing the headscarf from working in public sector jobs. She said, "This sends a message to French Muslims that you are not accepted. ... I am worried this will hurt the younger generation of French Muslims the most..." (Appendix 2).

Similar debates have occurred in Germany. While there is no national policy or ban on the headscarf in Germany, federal states have developed their own policies in this regard. In 2000 a decision by the Land (province) of Baden-Württemberg prohibited a female Muslim teacher from wearing a headscarf. In 2003, the Federal Constitutional Court ruled against the Land Baden-Württemberg case, deciding in favor of the teacher (Scott 2007, 28). But it also ruled that it was up to the Länder to legislate and define which religious symbols were permitted in which circumstances. Since that ruling, eight Länder—Baden-Württemberg, Bavaria, Berlin, Bremen, Hesse, Lower Saxony, North-Rhine-Westphalia, and Saarland—have passed laws that explicitly prohibit the wearing of headscarves in schools (Scott 2007, 28). Most notably, the Land of Hesse has banned all civil servants from wearing headscarves.

In both France and Germany, the chances of finding employment may be threatened by the choice to wear a headscarf. According to the ILO, “Muslim women moreover report that it has also become increasingly difficult to find employment in the private sector since these laws were passed, as they have sent the message that it is reasonable to reject an applicant solely because she wears a headscarf” (2005, 2).

### Best Practices

Sweden has approached the headscarf debate in a different way than have France and Germany. In 2010, Swedish prime minister Fredrik Reinfeldt declared himself to be against a headscarf ban. He noted, “Legislation shouldn’t lead to certain

women being isolated even more from Swedish society” (The Local 2011). He specifically referenced second-generation women, stating, “Most of all it’s important that young girls who move here or are born to parents who come from another country, hear from leading opinion makers that we believe in our own concept of freedom and that it also includes them” (The Local 2011). The prime minister’s coalition partner Centre Party and even the opposition leader, Mona Sahlin, rejected the idea of such a law in Sweden. Centre Party integration spokesperson, Annika Qarls-son, said, “We don’t support creating a law to regulate it [the headscarf], it should be a free choice” (The Local 2011).

In 2011, Donna Eljammal made

headlines in Sweden as the first woman to wear the headscarf and join the police academy. She said in a recent newspaper interview, “If anything it is a reflection of the multicultural Sweden we live in today. ... And it shows the public another side of women choosing to wear the veil, that we

are not oppressed but can be strong and independent women” (The Local 2011). In response to her enrollment, Kalle Wallin of Sweden’s National Police Board said, “We’re living in a modern and multicultural society and it goes without saying that we must recognize the fundamental rights that exists therein. And freedom of religion is one of them” (The Local 2011).

Eljammal cites Sweden’s open policies as having made this a possibility for her. Sweden presents a policy approach to the headscarf and integration of immigrants generally that can help inform how other member states approach these issues.

European-wide institutions, such as the European Parliament, have remained



Donna Eljammal, first veiled Swedish woman in police force. (The Local 2011).

removed from the headscarf discussion. While some have suggested that the Parliament examine the issue, many have pushed against it. For example, Dutch Liberal MEP Sophie in't Veld explains why she is against a headscarf ban, "By banning something you don't actually change people's mentality. You can ban headscarves but you can't ban the ideas behind it. So we need to fight this fight with ideas, and on the whole, I don't like the idea of telling people how they can or cannot dress" (EuroNews 2008).

### *Beyond the Headscarf*

There are many Muslim women who do not wear the headscarf but still find their religious identity affects their lives. Simply having a Muslim name can serve as a barrier for these women, as shown in the aforementioned field studies (Adida, Laitin, and Valfort 2010, 22384). This is a challenge that respondents were conscious of as well. "My sister is having a girl and we are thinking of what to name her. And we're trying to think of a name that is more European, just because of the trouble we faced with our names growing up" (Appendix 2). This participant did not wear a headscarf but still felt she faced barriers because her name identified her as a Muslim. One French respondent of Christian Lebanese origin stated, "Because my parents are Arab, and I look Arab, people often assume I am Muslim." When discussing challenges with discrimination, she said, "My experiences at school and now working have made me build stronger ties and empathy with Muslim women, even though I am not one" (Appendix 2).

### **Multiple/Intersecting Discrimination**

As issues of race, religion, and gender are often intertwined, an important concept to bear in mind is "multiple dis-

crimination." This concept recognizes that a person can be discriminated against on more than one ground. An individual may experience discrimination not only because he/she has a minority background, but in combination with other factors, namely gender, age, and other social characters, he/she may experience increased vulnerability to discrimination.

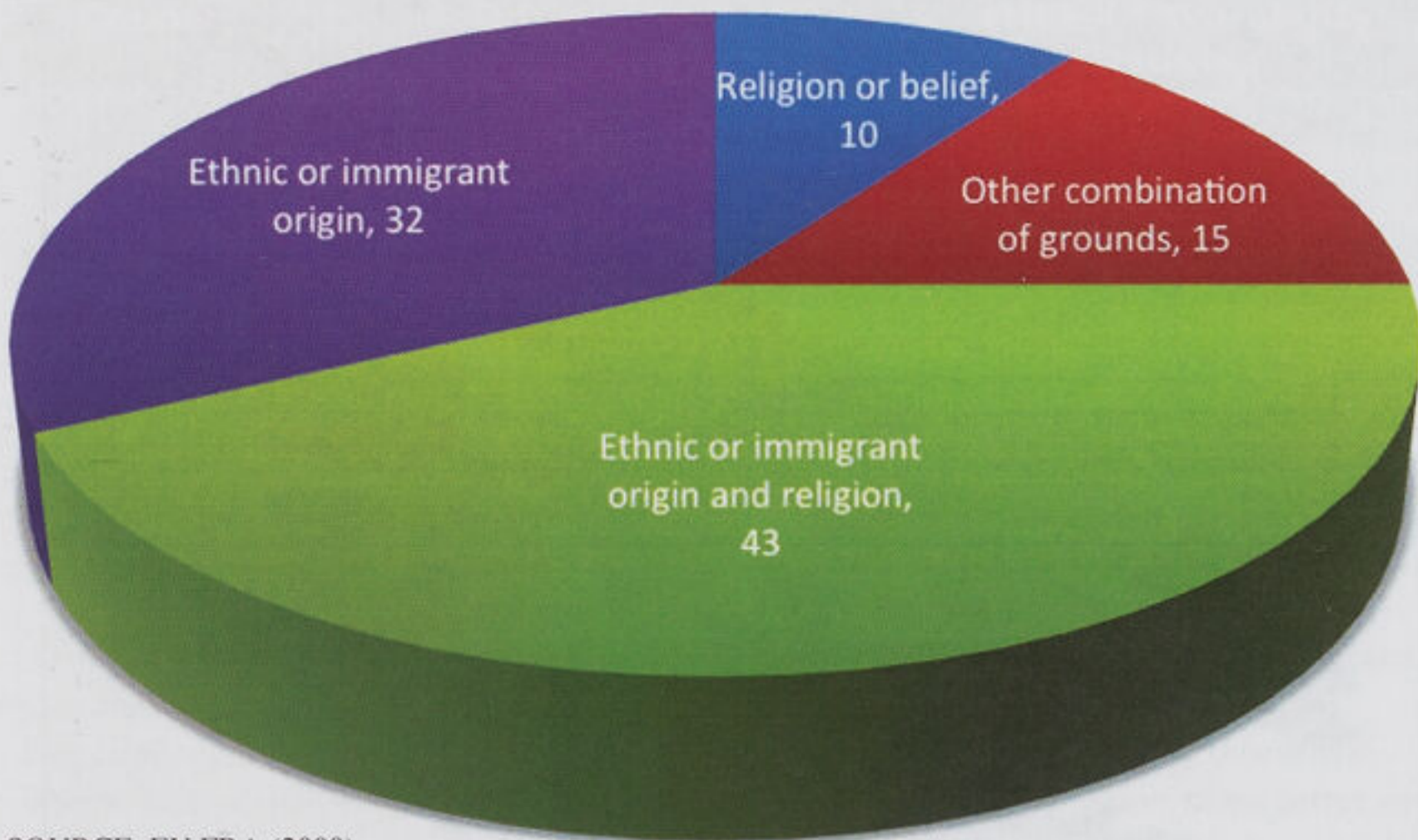
As the 2010 EU GendeRace report found:

Many interviewees, both men and women, have difficulty in articulating the nature of their experience as discrimination and this is even more so in cases of multiple discrimination. Victims rarely identify multiple discrimination as such. ... It is usually the advisor who suggests that multiple discrimination took place. However, race as [a] ground for discrimination seems generally to be more easily articulated than gender. Also, groups become habituated to daily discrimination and internalize the stigma. Both men and women in these groups have little expectation that they will be able to change anything about this situation." (Carles and Jubany-Baucells 2010, 145)

Employment is purported to be the arena where this form of discriminatory behavior is most pervasive (EU FRA 2009). "This lack of enforceability is therefore one of the major weaknesses of European Union policy in the area of the prevention and combating of racism prior to the Lisbon Treaty" (Carles and Jubany-Baucells 2010).

The FRA's examination of multiple discrimination found that religion and ethnic origin together was the most pervasive type of multiple discrimination. Figure 3.3 illustrates these results. The EU GendeRace project examined six countries, including France, Germany, and

**Figure 3.3: Perception of Cause of Discrimination in the EU, by Those Who Have Been Discriminated against in the Past 12 Months**



SOURCE: EU FRA (2009).

Sweden to explore the intersection of race and gender.<sup>10</sup> Generally, they found that women appear more conscious of experiencing racial discrimination than gender discrimination, even when confronted with multiple layers of discrimination.

As shown in Figure 3.3, the overwhelming majority, 43 percent of respondents, felt they were discriminated against due to their immigrant origin and religion. This result demonstrates that their ethnic origins and religious affiliation is something that many respondents find to be related. As one interviewee noted, it is not only because she is Algerian but because she is Algerian and Muslim in France that she perceived she was more susceptible to discrimination than other French citizens (Appendix 2).

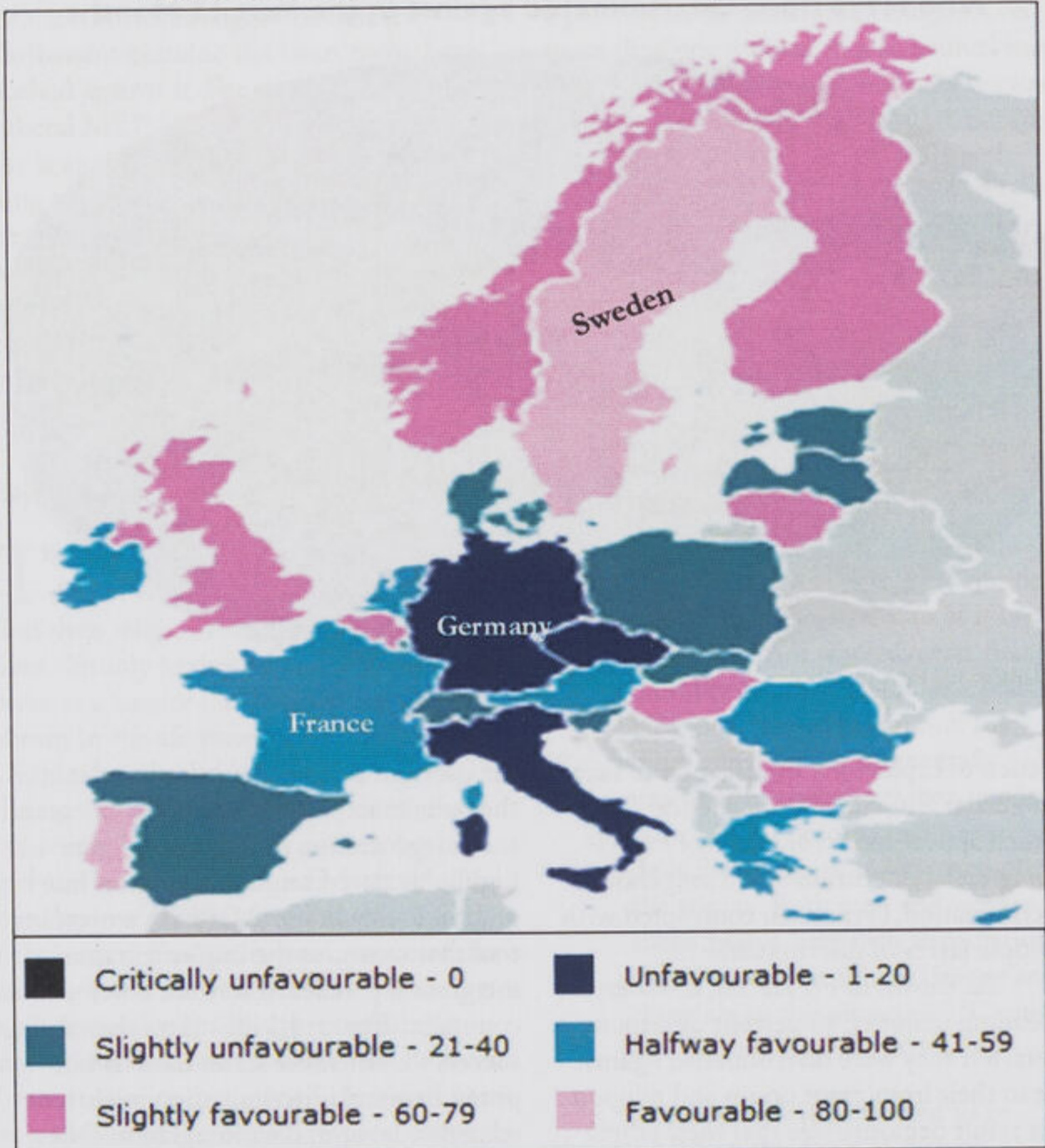
#### MEMBER-STATE POLICY DIFFERENCES

The variance in employment rates between each nation, as illustrated in

the previous section, may also be related to the policies in place to effectively integrate second-generation immigrants. Figure 4.1 highlights data from the Migration Integration Policy Index (MIPEX), a mapping tool that measures the implementation of integration policies in western developed countries. Figure 4.1 illustrates the varying success that member states have had in promoting anti-discrimination initiatives related to labor market integration (Niesen et al. 2010). Specifically, this figure displays measures of how well member states are implementing policies that ensure equality of access to employment opportunities and the degree of success they have with informing individuals of their rights. Sweden is ranked highest, whereas France is considered “unfavorable” and Germany “critically unfavorable” in promoting anti-discrimination initiatives.

The unemployment rates highlighted in Table 2.1 draw similar conclusions as does Figure 4.1 when taking MIPEX rankings into consideration. Table 4.1

**Figure 4.1: Migration Integration Policy Index 2010**



SOURCE: Niessen et al. (2010).

juxtaposes the MIPEX ranking with the unemployment rates shown for France, Germany, and Sweden. With this juxtaposition, one can see that Sweden has both the most progressive integration policies, as shown by its MIPEX ranking, and the smallest employment gap between their second-generation and native-born populations. France is ranked in the middle of both the MIPEX index (slightly unfavorable) and employment gap metric. Ger-

many is ranked last in both measures, with a “critically unfavorable” MIPEX ranking and markedly higher employment gap than France and Sweden. This juxtaposition also shows variance, or disharmony, among member nations’ equality policies and the effects of this variance in differing employment gaps.

An EU-wide policy could bridge the gap among the countries ranked “critically unfavorable” in the MIPEX index



**Table 4.1 Employment Rates of Native-Born and Second-Generation Immigrants, Compared with MIPLEX Ranking**

Country	Difference in Employment Rate	MIPLEX Favorability Ranking
Germany	.12	Critically unfavorable
France	.08	Slightly unfavorable
Sweden	.05	.83

SOURCE: Neissen et al. (2010); Leibig (2007).

and those ranked “favorable” to help all member nations achieve a “favorable” ranking. If best practices from Sweden were utilized as a model for EU member states, this may assist in decreasing the employment rate gap that is so pronounced within Germany, France, and other member states. Therefore, the notion of “harmonization,” where one policy is implemented across the EU member states, essentially seeks to bring member states that are struggling in one policy area to a level comparable to member states that have been successful in implementing a specific policy. In the case of immigration integration policy, it would mean developing strategies that could bring countries, such as France and Germany, to the same level of success as Sweden.

## CONCLUSION

What lies ahead for second-generation immigrants, namely second-generation Muslims in the European labor market? Recently, the EU’s economic crisis has been a topic of significant global attention. The effects of the economic crisis on the EU’s second-generation population have received lesser attention, however. As the EU economy fluctuates, it is critical that sufficient attention be paid to the effects of this crisis on the EU’s second-generation population, especially its gendered effects. Second-generation immigrants in the EU, especially second-generation Muslims, face exacerbated marginalization as unemploy-

ment rates for the general population increase and stereotypes pervade.

Institutions within the EU and organizations such as the ILO and OECD have noted the need to remedy employment gaps. This remains the key concern for Muslims in Europe (Pew Global Attitudes Project 2006). As this article highlights, discrimination helps better explain the persistence of existing unemployment disparities. The discrimination that second-generation Muslims face is distinct from other second-generation immigrants. Moreover, this discrimination affects men and women differently.

APPENDIX I: SECOND-GENERATION IMMIGRANTS IN THE EU-27  
**Population aged 25–54 by type of background**  
 (in absolute numbers and as a share of the total population aged 25–54), 2008

	Native Background		Second-Generation Migrants		First-Generation Migrants			
			Mixed Background	Foreign Background				
	(1000)	%	(1000)	%	(1000)	%		
<b>European Union 27</b>	173 288.6	82.8	5 982.2	2.9	4 411.2	2.1	25478.6	12.2
<b>Luxembourg</b>	83.1	38.1	16.0	7.3	14.5	6.6	104.9	48.0
<b>Switzerland</b>	1 779.4	53.6	320.0	9.6	187.6	5.7	1 032.2	31.1
<b>Estonia</b>	356.1	64.4	49.2	8.9	72.5	13.1	75.3	13.6
<b>Latvia</b>	677.9	70.8	97.2	10.2	62.4	6.5	119.8	12.5
<b>France</b>	17 752.6	73.4	1 857.1	7.7	1 404.9	5.8	3 175.2	13.1
<b>Sweden</b>	2 647.6	74.2	240.0	6.7	103.1	2.9	576.3	16.2
<b>Ireland</b>	1 461.5	74.6	44.0	2.2	14.0	0.7	439.8	22.4
<b>Austria</b>	2 731.0	74.7	181.2	5.0	70.1	1.9	672.0	18.4
<b>United Kingdom</b>	18 851.6	75.6	1 253.8	5.0	944.2	3.8	3 892.5	15.6
<b>Cyprus</b>	259.8	75.6	4.4	1.3	:	:	79.6	23.2
<b>Netherlands</b>	5 270.8	76.5	398.3	5.8	189.3	2.7	1 035.6	15.0
<b>Belgium</b>	3 409.8	77.1	182.5	4.1	177.7	4.0	650.6	14.7

	Native Background		Second-Generation Migrants		First-Generation Migrants			
			Mixed Background	Foreign Background				
	(1000)	%	(1000)	%	(1000)	%		
<b>Germany</b>	16 962.3	78.1	494.9	1.4	987.7	2.9	6 081.4	17.6
<b>Spain</b>	17 015.0	79.8	200.4	0.9	43.3	0.2	4 075.8	19.1
<b>Slovenia</b>	758.5	83.3	46.3	5.1	23.5	2.6	82.1	9.0
<b>Portugal</b>	4 114.2	88.2	38.6	0.8	20.2	0.4	491.6	10.5
<b>Greece</b>	4 170.3	88.3	33.2	0.7	26.1	0.6	492.1	10.4
<b>Italy</b>	22 866.3	88.4	237.8	0.9	16.5	0.1	2 752.6	10.6
<b>Denmark</b>	1 942.3	91.1	:	:	:	:	183.1	8.6
<b>Lithuania</b>	1 312.2	92.0	36.2	2.5	:	:	54.2	3.8
<b>Czech Republic</b>	4 272.6	92.8	151.5	3.3	42.8	0.9	136.8	3.0
<b>Malta</b>	158.4	93.6	:	:	:	:	10.9	6.4
<b>Poland</b>	15 634.8	96.8	330.8	2.1	134.6	0.8	55.7	0.3
<b>Hungary</b>	4 176.9	96.9	27.8	0.6	11.9	0.3	94.3	2.2
<b>Slovakia</b>	2 383.0	97.1	40.0	1.6	9.1	0.4	22.6	0.9
<b>Bulgaria</b>	3 1723.3	99.7	:	:	:	:	:	:
<b>Romania</b>	8 980.9	99.8	:	:	:	:	17.5	0.2

## APPENDIX 2: INTERVIEW LIST (JANUARY–MARCH 2012)

## Berlin, Germany: (phone)

- 2 interviews with Muslim young professionals

## Brussels, Belgium: (in-person)

- 1 interview with Belgian Member of Parliament
- 2 interviews with Members of European Parliament
- 3 interviews with European Parliament political advisors
- 4 interviews with secretariat staff
- 3 interviews with think-tanks
- 3 interviews with civil society organizations
- 4 interviews with Belgian citizens

## Paris, France: (in-person)

- 2 interviews at Institut d'Études Politiques de Paris
- 4 interviews at Grand Mosque of Paris
- 3 interviews with civil society organizations

## Cologne, Germany: (in-person)

- 6 interviews with German citizens
- 1 interview with civil society organization

## Munich, Germany: (phone)

- 2 interviews with Muslim young professionals

## Rotterdam, Netherlands: (phone)

- 3 interviews with Muslim young professionals

## Stockholm, Sweden: (phone)

- 3 interviews with Muslim young professionals

## Boston, MA: (in-person)

- 4 interviews with professors
- 2 interviews with European citizens

## REFERENCES

Adida, Claire L., David Laitin, and Marie-Anne Valfort. 2010. "Identifying barriers to Muslim integration in France." *Proceedings of the National Academy of Sciences*. doi: 10.1073/pnas.1015550107.

Arai, Mahmood, Moa Bursell, and Lena Nekby. 2008. "Between meritocracy and ethnic discrimination: The gender difference." IZA Discussion Paper 3467. Bonn, Germany: IZA. <ftp.iza.org/dp3467.pdf>.

BBC News. October 17, 2010. "Merkel says German multicultural society has failed." <http://www.bbc.co.uk/news/world-europe-11559451>.

BBC News. March 7, 2012. "Nicolas Sarkozy says France has too many foreigners." <http://www.bbc.co.uk/news/world-europe-17280647>.

Bleich, Eric. May 1, 2012. "Race policy in France." U.S.-France Analysis, Brookings Institution. <http://www.brookings.edu/research/articles/2001/05/france-bleich>.

Bouzar, Dounia, and Saida Kada. 2003. *L'une voilée, l'autre pas* [One wearing the hijab, the other not]. Paris: Albin Michel.

Bowen, John Richard. 2007. *Why the French don't like headscarves: Islam, the state, and public space*. Princeton: Princeton University Press.

Carles, Isabelle, and Olga Jubany-Baucells, eds. 2010. *The use of racial antidiscrimination laws, gender and citizenship in a multicultural context*. Brussels: EU Gender-Race Project. [http://www.academia.edu/566969/Genderace\\_the\\_use\\_of\\_racial\\_antidiscrimination\\_laws\\_Gender\\_and\\_citizenship\\_in\\_a](http://www.academia.edu/566969/Genderace_the_use_of_racial_antidiscrimination_laws_Gender_and_citizenship_in_a)

multicultural\_context.

Castles, Stephen. 1985. "The guests who stayed - The debate on 'foreigners policy' in the German Federal Republic." *International Migration Review* 19 (3): 517-34.

Cedicy, E. and F. Foroni. 2007. *Discrimination in access to employment on grounds of foreign origin in France: A national survey of discrimination based on the testing methodology of the ILO*. Geneva: International Labour Organization. <http://www.ilo.org/public/english/protection/migrant/download/imp/imp85e.pdf>.

Esposito, John L., and Ibrahim Kalin. 2011. *Islamophobia: The challenge of pluralism in the 21st century*. Oxford: Oxford University Press.

EuroNews. January 16, 2008. "MEPs reject Muslim headscarf ban in schools." <http://www.euronews.com/2008/01/16/meps-reject-muslim-headscarf-ban-in-primary-schools/>.

European Union Agency for Fundamental Rights [EU FRA]. 2009. *Data in focus report: Muslims*. Luxembourg, EU. [http://fra.europa.eu/sites/default/files/fra\\_uploads/448-EU-MIDIS\\_MUSLIMS\\_EN.pdf](http://fra.europa.eu/sites/default/files/fra_uploads/448-EU-MIDIS_MUSLIMS_EN.pdf).

EU FRA. 2011. *Migrants, minorities and employment - Exclusion and discrimination in the 27 member states of the European Union*. Luxembourg: EU. <http://fra.europa.eu/en/publication/2011/migrants-minorities-and-employment-exclusion-and-discrimination-27-member-states>.

EuroStat. 2011. *A statistical portrait of the first and second generation*. Brussels: EuroStat. [http://epp.eurostat.ec.europa.eu/cache/ITY\\_OFFPUB/KS-31-10-539/EN/KS-31-10-539-EN.PDF](http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-31-10-539/EN/KS-31-10-539-EN.PDF).

European Commission and Directorate-General for Employment, Social Affairs, and Inclusion. 2008. *The fight against discrimination and the promotion of equality*. Luxembourg: European Union. [ec.europa.eu/social/BlobServlet?docId=770&langId=en](http://ec.europa.eu/social/BlobServlet?docId=770&langId=en).

European Women's Lobby [EWL]. 2007. *Equal rights, equal voices: Migrant women in the European Union*. Brussels: EWL. <http://www.epim.info/wp-content/uploads/2011/02/Equal-Rights-Equal-Voices-Migrant-Women-in-the-EU-EWL-2007.pdf>.

Hargreaves, Alec G. 2007. *Multi-ethnic France*. New York: Routledge.

ILO. 2005. *Discrimination at work in Europe*. Geneva: ILO. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publi-](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publi-)

[cation/wcms\\_decl\\_fs\\_90\\_en.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publi-cation/wcms_decl_fs_90_en.pdf).

International Labour Organization [ILO]. 2006. *Discrimination practice testing studies: France and Sweden*. Geneva: ILO. <http://www.ilo.org/public/english/protection/migrant/equality/discrimination/evidence.htm>

Laurence, Jonathan. 2012. *The emancipation of Europe's Muslims: The state's role in minority integration*. Princeton, NJ: Princeton University Press.

Laurence, Jonathan, and Justin Vaïsse. 2006. *Integrating Islam: Political and religious challenges in contemporary France*. Washington, DC: Brookings Institution Press.

Liebig, Thomas. 2007. *The labour market integration of immigrants in Germany*. Paris: OECD. <http://www.oecd.org/dataoecd/28/5/38163889.pdf>.

Liebig, Thomas. October 2008. "Labour market integration of immigrants and their children: Education-related findings from OECD country studies...and open issues." Presentation at OECD Conference, Paris, France.

Liebig, Thomas, and Sarah Widmaier. 2009. *Children of immigrants in the labour markets of EU and OECD countries: An Overview*. Paris: OECD. [http://www.oecd-ilibrary.org/social-issues-migration-health/children-of-immigrants-in-the-labour-markets-of-eu-and-oecd-countries\\_220823724345](http://www.oecd-ilibrary.org/social-issues-migration-health/children-of-immigrants-in-the-labour-markets-of-eu-and-oecd-countries_220823724345).

The Local. December 6, 2011. "Donna, 26, Sweden's first police recruit in hijab." <http://www.thelocal.se/37772/20111206/>.

Luciak, Mikael. 2004. *Migrants, minorities and education: Document discrimination and integration in 15 member states of the European Union*. Luxembourg: European Commission. [http://fra.europa.eu/sites/default/files/fra\\_uploads/186-CS-Education-en.pdf](http://fra.europa.eu/sites/default/files/fra_uploads/186-CS-Education-en.pdf).

Niessen, Jan, Thomas Huddleston, Laura Citron, Andrew Geddes, and Dirk Jacobs. 2010. *Migrant Integration Policy Index*. Brussels: British Council and Migration Policy Group.

OECD. 2010. *Equal opportunities? The labour market integration of the children of immigrants*. Paris: OECD. [http://www.oecd-ilibrary.org/social-issues-migration-health/equal-opportunities\\_9789264086395-en](http://www.oecd-ilibrary.org/social-issues-migration-health/equal-opportunities_9789264086395-en).

Pew Global Attitudes Project. 2006. *Muslims in Europe: Economic worries top concerns about religious and cultural identity*. Washington, DC: Pew Research Center. <http://www.pewglobal.org/2006/07/06/>

muslims-in-europe-economic-worries-top-concerns-about-religious-and-cultural-identity/.

Scott, Joan Wallach. 2007. *The politics of the veil (the public square)*. Princeton: Princeton University Press.

Silvestri, Sara. 2008. *Unveiled issues: Europe's Muslim women's potential, problems, and aspirations*. Brussels: King Badouin Foundation, <http://www.euro-muslims.eu/europemuslimwomen.pdf>.

#### ENDNOTES

1 According to EuroStat, "Given the restricted data availability due to the combination of a small sample size and specificity of our target group (unemployed second-generation migrants aged 25–54), it is difficult to fully analyse the results at [the] national level and with a gender breakdown. However, some general conclusions can be drawn from the comparison of the results at [the] European Union level" (EuroStat 2011,123).

2 Countries included in this OECD study were Austria, Belgium, Denmark, France, Germany, Luxembourg, Netherlands, Norway, Spain, Sweden, Switzerland, and the United Kingdom.

3 OECD reports find that children of immigrants born and educated in their country of residence continue to face difficulties, even when they have good qualifications (OECD 2010). Good qualifications refers to the notion that they have the sufficient educational background needed to attain the position, which in most cases refers to the specific university degree necessary to attain a position.

4 The ILO methodology notes, "The testers are to be as similar as possible, both in terms of their fictional qualifications and in terms of their actual appearance, body language, attitude, personality, etc. The testers are usually young professional actors or students. The testing is performed throughout the three stages of the recruitment process, i.e. inquiry by phone about the job vacancy, written application and job interview. The difference in outcomes between the two testers in each of the three stages is then calculated and used as a measure of manifest discrimination." (Cediey and Foroni 2007,8).

5 Similar studies have not been replicated in Germany or Sweden yet, so we cannot assess whether we would find similar patterns within these countries.

6 A total of 23,500 immigrant and ethnic minorities were surveyed in face-to-face interviews in all 27 member states of the EU during 2008. A further 5,000 people from the majority population living in the same areas as were the minorities were inter-

viewed in 10 member states to allow for comparisons of results concerning key questions. Each interview lasted between 20 minutes and one hour and asked people a series of detailed questions.

7 Germany's (DE) discrimination rate is highest, followed by Malta (MT) and Italy (IT).

8 Appendix 2 has the list of interviews and countries in which they were performed. The interviews were done face-to-face in Boston, Brussels, Paris, Strasbourg, and Washington D.C., and via phone for the other locations.

9 Most recently, there has been debate around the burqa. One academic notes, "The issue of the headscarf and burqa have been tied together as the same issue, and they are not. They should be treated as two separate items and the attempt of certain politicians to associate the two has brought greater personal harm to Muslim women in Europe. The burqa is not required and only worn by a fringe group." This section focuses solely on the headscarf, as it represents issues within the "mainstream" (Appendix 2).

10 The GendeRace project is funded by the European Commission's Seventh Framework program. The Université Libré de Bruxelles and the Universitat de Barcelona coordinate the program. The research began in February 2008 and ended in July 2010; six teams in France, Bulgaria, Germany, Spain, Sweden, and the UK conducted the research..

# The Invisible Care Givers: Domestic Workers in Mumbai and their Struggle for Unionizations

BY NEHARIKA MAHAJAN

Neharika Mahajan is currently pursuing her M.Phil in Sociology at Delhi School of Economics. She finished her Masters in Women's Studies in May, 2012 from Tata Institute of Social Sciences, Mumbai. Prior to that, she was at Lady Shri Ram College for Women, Delhi, doing her Bachelors in Journalism. The author has an interest in feminist theories of body and sexuality, feminist film studies, popular culture, street theatre, literary studies, sociology of Punjab and post-modern philosophy. Apart from that she also enjoys reading revolutionary poetry and feminist fiction, baking cakes and shopping for shoes and bags. Her dream is to pursue her Ph.D at University of California, Berkeley under the guidance of Judith Butler and work towards developing a feminist pedagogy in Indian Classrooms. Her favorite authors include Judith Butler, Audre Lorde, Luce Irigaray, Amrita Pritam, Toni Morrison, Avtaar Singh "Paash", Faiz Ahmed Faiz, Sadat Hasan Manto and Anais Nin.

## ABSTRACT

This paper, as a part of masters in Women's Studies, is the result of my short placement with the All India Democratic Women's Association, Mumbai in 2011, in the months of January, February and March. I worked with its Domestic Workers' Union called "Mumbai-Navi Mumbai Ghar Kaamgaar Sangantana" (Mumbai-Navi Mumbai Paid Domestic Workers' Union). This paper is an attempt to understand the specificity of domestic work resulting from the historical sexual division of labor. I have highlighted the problems of paid domestic work through the narratives of paid domestic workers

who are the members of the Union. I present unionization and solidarity action as a possible solution for the recognition of the work of paid domestic workers and I have also highlighted the challenges towards unionization. More importantly, this paper is also an attempt to fill the gap between the academia and the field in regard to paid domestic work.

## INTRODUCTION

Although they make up one of the world's most long-standing and widespread workforce, paid domestic workers are frequently overworked, underpaid, and unprotected. Even when the labor move-

ment was at its peak in the different parts of the world and in India, they were left out of virtually all labor legislations and policy concerns. Once a workforce fed entirely by the unpaid work of women in the home, paid domestic workers today are primarily women and children who occupy the lowest rungs of the social hierarchy in which they live and work, supporting entire families on their meager incomes (Claire Hobden 2010, 1). The majority are also migrants, whether internal, regional or international, placing them in a situation of even greater vulnerability (Claire Hobden 2010, 1).

Kiran Moghe (2006) says:

According to 1991 census, as per the NIC-87 classification, there were 5.75 lakh enumerated as women engaged in domestic services industry, making up 58% of the total workers employed in that sector... The absence of any comparable data from the 2001 census makes it impossible to ascertain the change post LPG policies. However, the 1999-2000 rounds of the NSS estimates the total no. (number) of domestic servants as 12.19 lakhs of which 86% (10.50 lakhs) are women. (p. 21)

This data tells us that a large part of women's workforce in India and abroad is comprised of paid domestic workers and yet there is a continued ignorance of their needs and their problems. The lack of scholarly, feminist work on paid domestic work in India worsens the situation. Therefore, this paper is aimed at understanding the problems of domestic work, the need for unionization and the challenges towards successful unionization. I will start by attempting to define domestic work. While, I highlight the specificities and the problems of this work, I shall also delineate the need for unionizing, collectivizing and organizing the domestic work-

ers. The unionizing and organizing efforts have been mainly geared towards enacting an appropriate state legislation that will address the concerns and the problems of paid domestic workers. Through the various narratives of women working as paid domestic workers, I shall try to chart out their motivations for unionization and their demands from the state. I shall also outline the challenges to unionization that the fragmented nature of this workforce poses.

This paper is my attempt to fill the gap between theory and praxis. I worked with the All India Democratic Women's Association (AIDWA), Mumbai for three months between January, 2011 and March, 2011. As a student of Women's Studies, I frequently grapple with the theories of feminism, structures of oppression, problems faced by women workers and the sexual division of labor. The lack of discussion on the problems of paid domestic workers within feminist academic circles has bothered me all this while. Moreover, post the economic reforms of the 90's, the conditions of paid domestic work have changed considerably. A lot has been talked about the casualization and the informalization of the women's work, but not much has been said or done about how the neo-liberal economic regimes have affected and pulled a lot of women into paid domestic work. The lack of feminist literature on the unionization of paid domestic workers in India has motivated me to write a paper on the struggles of Mumbai Domestic Workers. It is my attempt to make the voices of paid domestic workers a part of academic circles and their problem a concrete and essential feminist problem.



## *Mumbai-Navi Mumbai Ghar Kaamgaar Sangantana, Unionizing the Domestic Workers*

AIDWA is the women's collective arm of the Communist Party of India, Marxist (CPM). It started in 1981 and now has a presence in 24 states of India with its headquarters in New Delhi. The motto of AIDWA is democracy, equality and emancipation of women. Due to its clear Communist leanings, the organization believes that achieving the goal of women's emancipation will necessitate not only a struggle for rights but also a transformation of the socio economic structures of the system.

My interface with AIDWA happened through the Mumbai-Navi Mumbai Ghar Kaamgaar Sangantana (Mumbai-Navi Mumbai Paid Domestic Workers' Union), which aims to unionize the paid domestic workers in the city of Mumbai. It is an organization of paid domestic workers, housekeepers, and elderly caregivers in Mumbai, organizing for power, respect, fair labor standards and to help build a movement to end exploitation and oppression for all. The effort has been extended to other parts of the state of Maharashtra post the implementation of the Maharashtra Domestic Workers Welfare Board Act in 2008. The Union is an AIDWA initiative but has been affiliated to the Centre of Indian Trade Unions (CITU), the trade Union front of Communist Party of India (Marxist). This was done in order to give it the recognition of a trade union.

The union was started in 2005 and has been demanding a legislation that includes the following provisions:

- To provide all the paid Domestic Workers with a minimum salary, provident fund<sup>1</sup>, pension, bonus and insurance.
- To provide all the paid Domestic

Workers with a Below Poverty Line (BPL) card<sup>2</sup> so that they are entitled to minimum price ration.

- To provide all the Informal sector workers with social security.

As in many countries and states in India (with the exception of Andhra Pradesh and Kerala which have made provisions for the paid domestic workers in their minimum wages Act), the paid domestic workers in Mumbai have been historically excluded from the protection of labor laws at both the state and the federal levels. Also paid domestic work is not included in the much spoken about Unorganized Workers Social Security Act, 2008. The state continues to show apathy towards the paid domestic workers and their problems. The Mumbai-Navi Mumbai Ghar Kaamgaar Sangantana is an effort, through the mobilization of paid domestic workers to correct this exclusion through effective policy and cultural change at the state level. Using a grassroots organizing model that emphasizes coalition and movement building and worker leadership, the union is endeavoring towards the introduction of a labor legislation which will protect paid domestic workers in Mumbai and the state of Maharashtra from exploitation.

The working of the union is community based. It is a membership-based organization in which paid domestic workers are in leadership positions at all levels. The organization includes a general membership body that is led by a steering committee composed entirely of paid domestic workers. The union has district level offices which are presided over by a union member of the district. These divisions organize mobilization campaigns in their respective areas so that there is adequate representation of paid domestic workers from each part of Mumbai. Engaging the membership at this level increases the level of ownership of the members, which in

turn increases the quantity and quality of time they spend working with the union.

All members are given a membership card which has their name, address and contact information. The cards are updated every year and a minimum membership fee is charged. This has helped immensely in boosting the member's sense of belonging and making them feel that they are a part of the larger community of Paid Domestic Workers.

The most important part of the union work is inarguably base building, or the relationship building with the domestic workers. The union members do outreach every day, and domestic workers are recruited to attend membership orientations, general meetings and educational programs. It's organizational and campaign strength thus comes from its membership, whose desire for change drives the work and ensures that the union activities and campaigns remain relevant to its members.

My work in the Union was related to base building and outreach. I accompanied the members during the recruitment drives and distributed the pamphlets. I attended the membership orientations and the general meetings of the union. During the month of February, 2011, I worked with Comrade Dhurie who maintains the membership records of the union and updates the membership cards of the members. While I was assisting him, I got an opportunity to interact with women involved in paid domestic work. I also went through the membership and case files of the union.

### Sexual Division of Labor, Situating Paid Domestic Work

Sexual division of labor seems to have persisted throughout different phases of human history. Marxist feminists, Eco feminists and Socialist feminists contend that this hierarchical nature of sexual divi-

sion of labor is the root cause of women's subordinate position across societies and cultures. According to Heidi Hartmann (1976), if women want to attain a social status equivalent to that of men and if human society needs to attain full development of their human potential, then this hierarchical division of labor between the sexes needs to be eliminated.

Heidi Hartmann (1976) and Maria Mies (1986) contend that this asymmetrical, unequal sexual stratification of labor occurred because of the increase in productivity, specialization of labor, establishment of private property, settled agriculture and the state. As the human society turned 'civilized' from 'primitive', the control over women increased. With the coming of private property, it became imperative to control women, her sexuality and her reproduction capacity. This dichotomized the private and the public, where women were restricted within the private so that men could control their labor. This mechanism, according to Heidi Hartmann (1976), was very central to the wage-labor system that emerged as an essential corollary to the process of capitalist development; that is to say that capitalism furthered this sexual, hierarchical division of labor between the sexes.

Heidi Hartmann (1976) extends her argument by saying that the work segregation by sex lowered wages for women. Now women were forced to marry because they became dependent on men. Married women must perform domestic chores, parenthood and care giving duties and therefore men benefitted both from higher wages and women's labor at home. Moreover capitalism removed the work from home; it insisted upon more commercial large scale, industrial based production while replacing the home-based subsistence mode of production. This further increased women's subordination to men because they could no longer assist men in

production as it took place outside home. Men became less dependent on women for industrial production and women became more dependent on them economically.

Heidi Hartmann (1976) says that there exists a happy marriage between patriarchy and capitalism. Capitalism, though discursively is coded gender neutral, but in reality, it strategically places more control in certain hands, which not just extend patriarchy but flourish at the cost of cheap and oppressive labor of women in their homes, lower class female labor and lower class male labor in the factories. While capitalism and patriarchy exacerbated the sexual division of labor and created the camouflage that women are natural care-givers, in reality women contributed immensely to the economy and capitalist production by doing domestic work and creating surplus value.

This 'separate spheres' ideology, which defines distinct domains of competence for men and women, has relegated women to the responsibility of housework and family care. As women were excluded for several decades from the most prestigious positions in the labour market, under the pretext of their "natural inferiority", they were actively encouraged to develop the specific qualities required for work in the private sphere, in their roles as mothers, wives or care-givers.

Therefore, the patriarchal sexual division of labor has never seen women's labor at home as productive work. A woman's work at home is never accounted for in the GNP. Moreover, this work is never seen as skilled work because the socialization of women across societies encourages them to develop these qualities. They are often seen as "natural" rather than acquired and internalized. Therefore, the paid domestic workers who work at homes are never seen as skilled workers. They are seen as doing the work that all women do at home. This is true for many other forms

of informal sector women's labor. The women who work in manufacturing units like sweatshops or apparel manufacturing units are never viewed as doing skilled work (Saskia Sassen-Koob, 1984). Their work usually involves sewing, stitching etc. Women learn these jobs as a part of their patriarchal socialization. So their work is deemed as unskilled or semi-skilled work. Women in rural areas who work as subsistence farmers are never seen as doing productive work. The capitalist, patriarchal bias in favor of large scale production for the markets sees this work as private and unproductive (Bina Agarwal, 1998).

The historical sexual division of labor which devalues women's labor at home also puts the responsibility of paid domestic work on women. Usually, it is the women who enter paid domestic work. The Patriarchal-Capitalist system that has systematically (and ideologically) marginalized women's work done in the private sphere has also rendered paid domestic work invisible because it is performed in the private sphere. Therefore it is never accounted for in the GNP or made a matter of concern in developmental policies leading to the further ignorance of the rights of paid domestic workers.

#### Globalization, Migration and the Rise in Paid domestic Work

A combination of push and pull factors contribute to women entering domestic work, either in their own countries or abroad. Rural poverty has increased in many countries occasioned by structural adjustment programs, devastation of the agricultural sector and economic crises (Nirmala Banerjee, 1978). It is an undisputed fact that in rural areas women are the subsistence farmers who produce the bulk of the food consumed by their families or sold at the local markets for consumption. Hence, their land is indispens-

able to their survival and the food security of their families.<sup>3</sup> The Patriarchal-Capitalist devaluation of women's subsistence work and the seizure of their lands in order to facilitate large-scale production have led to the loss of their livelihoods in rural areas. With trade liberalization in the 90's, government lifted the agricultural subsidies and directed its efforts towards land privatization in rural areas and extension of cash crops production. This further reduced livelihood opportunities for women in the rural areas, forcing them to migrate to the urban areas in order to secure viable options of employment.

Saskia Sassen-Koob (1984) says that female migrants are characterized by a double disadvantage, one of sex and one of class. They don't get the opportunity of being employed in highly mechanized forms of production work which pay higher wages. The historical sexual division of labor has kept women away from such forms of work limiting their employment options to paid domestic service and informal sector activities. Paid Domestic Work is one of the few job opportunities available to them. This comes out from the following narrative:

I came to Mumbai after getting married. After our first child, I felt the need to work. My husband's income wasn't enough to run the house. So I started working as a paid domestic worker. I didn't even know anything else apart from this. If I would have worked elsewhere, it would have been quite a lot of trouble. My husband was comfortable with this arrangement. So I started working as a paid domestic worker. ~ Sangeeta Prakash Jadav, 32 years<sup>4</sup>

Another woman told me the following:

Where else can we work? We won't get any other job. We don't have any other skill. We don't have the capacity to work in the factory. If we work there, a lot of time will be wasted on travelling. We won't even get the time to look after our children. We don't enter domestic work as a hobby. What else can we do? We have to run our homes. ~Shabbo Bai Baagul, 60 years.<sup>5</sup>

It became apparent from a lot of narratives that for a lot of women, paid domestic work becomes the 'best option' out of all the available options. Moreover, since the workplace is nearby, it becomes easier for these women to balance work with family. The family members and the husbands are also comfortable with them working as paid domestic workers.

A lot of women don't enter this work by choice. Often they have to do it out of compulsion. Many of the women complained about their alcoholic husbands who earn well but spend their incomes on alcohol. Therefore, they have to shoulder the responsibility of running the household and bringing up the children.

With few formal jobs available and facing gender discrimination, often coupled with discrimination based on caste or class, race or ethnicity, their options for decent work are few. And, as most are from poor households, they generally have low levels of education and few marketable skills, other than their skills in keeping house and caring for others (Elin Peterson, 2007). Cleaning and cooking, looking after children and the elderly is almost universally regarded as women's work, which means that men rarely compete with women in this job market. Domestic work is therefore one of the few employment opportunities open to poor women.

The rise of the urban rich and the neo-rural elite, who have been the benefi-

ciaries of globalization, have also led to the rise in the demand for paid domestic work. The urban rich and the neo-rural elite need paid domestic workers to support their consumerist lifestyles (Kiran Moghe, 2006). Moreover, as more and more women go out to work as a result of globalization, they need paid domestic workers back at homes to take care of their households. Therefore, the rise in the demand for paid domestic workers post globalization can also be attributed to these reasons.

### Defining Domestic Work

**P**aid domestic work is an extremely fragmented form of work. A worker can perform a multitude of tasks. These tasks range from washing dishes, sweeping, cleaning, dusting, cooking, washing bathrooms, cleaning windows etc. I also met a paid domestic worker who was a masseur<sup>6</sup>. So they perform multiplicity of tasks and a single worker does different combinations of tasks in different households (Kiran Moghe, 2006).

It becomes further complicated because the quantum of labor involved in some tasks is related to the number of persons in the household (like washing utensils and clothes) while some depend on the floor space of the residence of the employer (sweeping or cleaning).

There are also different types of paid domestic workers. I only encountered the 'part-time' workers in my field work but there are the 'full-time' workers as well as the 'contracted' workers. The 'part-time' workers are the ones who work for certain hours every day. They might be working in one house or many houses. But there is a large variation in the total hours worked in a single day. Many of them work for a few hours in each household, but their total hours of work is as much as or greater than a 'full-time' worker (Kiran Moghe 2006, 22).

The full-time workers are the ones who stay with the family. The family provides them with accommodation, food and a minimum salary in exchange of their services. The contracted workers are also very similar to them. They also stay with the family on full-time basis. But they are contracted through Domestic-Help agencies.

Therefore, the workforce is highly segmented and scattered. The special nature of paid domestic work definitely is one of the major impediments in the unionization of domestic workers.

### Working Conditions

It takes Rs. 16 to travel to Mulund. I end up spending Rs. 700 on travelling every month. My work just earns me Rs. 2000. I just get Rs. 1300 in my hand. What can I do with such a meager amount of money? ~ Shabbo Bai Baagul, 60 years.

We don't even get excused from work on a festival day. We aren't even excused at the times of emergencies. I am just allowed one holiday every month. There should be at least 15 holidays ever year. If I ask my employer for a holiday they tell me that there are other women ready to work at much lower wages. ~ Pramilla Balkrishna Bhonsle, 40 years<sup>7</sup>.

I am ageing. I don't have children to look after me. My husband doesn't even have a government job. I need some pension. We have been working for so many years. The government should do something for us.

I have joined the union in order to actualize these demands. ~ Nirmala Shankar Salunke, age unknown<sup>8</sup>.

The above narratives are a clear testimony of the various problems faced by the paid domestic workers in the city of Mumbai. There is absolutely no job security and employers often tend to dismiss them for petty reasons like 'excessive leaves', 'breaking a utensil' etc. Often a lot of them are accused of stealing which serves as an excuse to terminate them.

Because of a huge supply of paid domestic workers in a given area, there is always the threat of losing the job. The supply often exceeds the demand and as a result, a lot of workers continue to work in extremely harsh, demeaning conditions. While interacting with Shabbo Bai, she told me that the employers don't even bother to offer her a cup of tea despite her working in their house for the last five years.

This also results in a downward push on their wages. Since, there exists a large pool of paid domestic workers in a given area; the women aren't in a position to bargain. If they demand an increment, they are intimidated by their employers saying that they will be fired because there are other women ready to work at much lower wages. They work at highly exploitative wage rates, with no indexation to deal with inflation and a lack of standardization for the same activity (Kiran Moghe 2006: 22). A paid domestic worker told me the following on one occasion:

I work in two to three houses. I work as a cook. I am able to earn Rs. 3000 to Rs. 4000 every month. But, given this price rise, how do I manage with this. My employer is not even ready to increase my salary. There is the education of the children, the household expenditure, and the medicine expenditure. How

do I manage all this in my meager salary? ~ Surekha Vijay Pawar, 42 years<sup>9</sup>.

There is a hierarchy in terms of type of work done that is reflected in the wage structure. Total emoluments for menial work range from Rs. 100 to Rs. 400 per month for tasks such as washing clothes, utensils, sweeping and cleaning floors. On the other hand, child-care fetches monthly wages in the range of Rs. 500 – 700, and cooking is the best paid in the range of Rs 500 – 1300 per month. But these rates also differ from area to area. The income of the workers depends on the incomes of their employers, making it practically impossible for any standardization and parity amongst their income levels.

A lot of paid domestic workers criticized their employers for not giving them an adequate festival bonus<sup>10</sup>:

We should get a bonus for festivals. The employer makes us work 15 days prior to a major festival. After having worker for those 15 days, they just give us a gift. They don't give us a holiday on Diwali, neither do they give us a bonus on that day. ~ Shabbo Bai Baagul, 60 years.

If some guests come over, I also cook for them. I don't get paid anything extra for having cooked for more number of people. ~ Pramilla Balkrishna Bhonsle, 40 years.

Often, if a voluntary festival bonus is given, it is in the form of a gift like sari or a box of sweets. This doesn't compensate for the extra work that they do at the time of festivals. Many domestic workers also complained that their salaries haven't been increased in the last five to six years despite the high rates of inflations. Sometimes, the employers also delay the payment of the salaries.

There are also a lot of occupational health hazards related to paid domestic work. Women complain of back aches, joint pains, allergies, rashes etc.

Massage takes a lot of effort. My arms and legs hurt a lot. The government should do something about this. ~ Varshala Bai Govind Kankutte, age unknown.

I often have headaches and leg-aches while working. I have to walk a lot because the houses are far away ~ Nirmala Shankar Salunke, age unknown.

There is absolutely no regulation of the working hours. Nor is there any social security in terms of provident fund, health insurance or pension. The lack of social security clearly comes out in the following narratives:

We have to face a lot of problems during monsoons. We have to take loans up to Rs. 20,000. We have to do in order to repair our houses and to pay for the medication. The interest rates are also so high. Our entire lives our spent trying to pay back these loans ~ Sangeeta Prakash Sonavane, 50 years.

We should get free medicine at the chemist's shop. We demand this from the government. We end up spending Rs. 1000 in our single visit to the chemist's shop. The medicines should be free ~ Varshala Bai Govind Kankutte, age unknown.

There is always the threat of sexual harassment from the employers. There are cases of physical violence received at the hands of the employers, especially in the case of children.

## Unionization, towards recognition

Paid Domestic worker is also a worker. We should be accorded this status. If we don't maintain and manage the homes of our employers, how will they go to office? I don't even wish to speak about the government – the government is shameless. They are not at all bothered. We are also human beings and we also deserve to be taken care of. The government has to give its attention to us. ~ Sangeeta Prakash Sonawane, 50 years<sup>11</sup>.

Reading the narratives of these women, I believe that unionization is very essential to their recognition as workers. The Maharashtra Government passed the Domestic Workers Welfare Board Act in 2008. The act hasn't been able to do anything at the implementation level due to state apathy and an ineffective administration while it has also ignored the need for a steady and an inclusive social security mechanism for the paid domestic workers (Geeta Lamare & Sadhya Reddy, 2010). An active mobilization of paid domestic workers and conscientizing them about their rights can result in a mass-level movement. Unionization can effectively push for legislation and the right of the paid domestic workers to be recognized as workers.

The various paid domestic workers that I interacted with were clear about their demands and also ardent in the articulations of these demands. They spoke fearlessly and passionately in the meetings and were very forthcoming when it came to interacting with me. The union has provided them with a space where they collect and speak of their concerns. Because of the segmented nature of their workplace, they rarely get the opportunity to speak to each other. A union can provide them

with a space which they can call their own and where they can verbalize their concerns. This space is very essential to their collectivization for it provides them with the opportunity to bond and to link<sup>12</sup>. The union has also been lobbying effectively for getting insurance policies for its members.

Unionization and collective action is essential to the enactment of an adequate law. Without an adequate push from the community, it is impossible to envisage a legislation that shall be comprehensive and inclusive in its approach. The legislation is not just meant to provide paid domestic workers with social security; it will also protect them from state repression and workplace exploitation. Through my various interactions with the paid domestic workers, I have listed out the following suggestions for an appropriate legislation:

- Provision for social security, financial assistance, provident fund, pensions, medical assistance, travel concessions, maternity benefits and BPL cards for the Domestic Workers.
- Provision of minimum wages
- Provision of annual increment in the salaries
- Provision of weekly holidays
- Provision of festival bonus in the form of cash
- Provision of a special identity card that recognizes the work of the domestic workers
- Provision of extra payment in case of overtime
- Provision of skill upgradation and literacy classes
- Necessary steps to be taken to en-

sure that workers are aware of their rights and to make employers aware of the rights and the benefits of the Domestic Worker.

- The recognition of the work in the GNP.

### Challenges towards effective Unionization

The records of the union bring out the problems of unionizing. Women who enrolled two years back haven't come back to update their identity cards. It is difficult to track them down because they don't have proper addresses and they are always moving residences. Women often don't come back because they are disillusioned. Since, they don't see the legislation being passed, they assume that the union is incapable of doing anything substantial. There is a huge discontinuity in the membership despite community organization.

Comrade Dhurie<sup>13</sup> adequately summarized the struggle for unionization:

How do we look for these women? We don't have their proper addresses. Some gave the addresses of their employers but often you don't find them on these addresses because they don't work there anymore... They are so scattered. Some don't come back thinking that nothing will ever happen. It is very difficult to explain them the purpose of unionization.

The fragmented and the scattered nature of the domestic workers is the biggest impediment in their unionization. They have different workplaces and multiple employers. They also receive different remunerations and perform different types of tasks. Since there is no shared workplace or a readily identifiable zone of employment, paid domestic workers are



approached at the sites of their residences. As explained by comrade Dhurie, it is extremely difficult to locate these women. Providing them with an adequate union membership card is a challenge in itself. They often don't know their proper addresses and their correct age. They don't have the addresses of their employers and are scared to ask for it, fearing that the employer will throw them out after knowing their association with a Union.

The solidarity action also falls weak since most of the workers aren't able to attend the meetings. The employers never give them a holiday. The women that I interacted with complained that they are never able to come for the meetings and the protest marches because their employers never excuse them.

Moreover, given the differences between their wages and their employers, it is difficult to bring them together on a common basis. Given the differential paying capacities of various employers, it is impossible to argue for a minimum wage. And since there is an already existing hierarchy in terms of the types of work done, this becomes all the more challenging. An adequate legislation cannot be passed without an interface between the employers, workers, unions and the state.

Lack of awareness drives and educational programs is also a major impediment towards their unionization. Most of these women are uneducated. It is difficult to explain to them the purpose and the functioning of a union. Therefore, a lot of awareness programs need to be done in order to retain these women in the union. It is also difficult for the union to effectively address their issues since there isn't the requisite law.

## CONCLUSION

I have enumerated the various problems of unionization. I have been

a witness to these problems during my placement with AIDWA. Nevertheless, I feel that unionization, collectivization is the only way forward. The endeavor for better working and living conditions for the paid domestic workers has to be backed by a mass-level, community driven action from below. An effective legislation can't be charted out without the mobilization of the paid domestic workers and this is only possible through unionization or collectivization. These solidarity based strategies can directly challenge the economic insecurity and the cultural undervaluation of paid domestic work.

While unionization is inevitable, organizations like AIDWA also need to be less "Marxist" and more "Feminist". While there is a general level of awareness amongst the members regarding their rights, AIDWA has failed to make unionization of paid domestic workers a feminist problem. Capitalism and globalization are often touted as the devils without bothering to acknowledge the very patriarchal and gendered nature of these systems. Also the affiliation of the union with CITU shows that it is seen as a problem of the working classes rather than a women's problem. The union gets subsumed within the Marxist meta-narrative that aims to collectivize but fails to acknowledge differences and specificities. The unhappy marriage of Marxism and Feminism makes AIDWA a women's organization without it being feminist.

I also pointed at the beginning of this paper that discourses on unionization of paid domestic workers need to be developed in academia. There needs to be a direct link between the field and the academia so that there is an increase in the visibility of the paid domestic workers and their problems. There is a lot of literature in the West along with the existence of successful unions of paid domestic workers. This corroborates that the link between the

theory and the praxis is very essential for a successful movement and the actualization of the rights of the paid domestic workers. The numerous narratives and stories of the paid domestic workers need to be incorporated in feminist academic debates in order to account for their greater visibility and recognition of their work.

## REFERENCES

- Agarwal, Bina. 1998. "Disinherited peasants, disadvantaged workers: A gender perspective on land and livelihood." *Economic and Political Weekly* 33(13): A2-A14.
- Banerjee, Nirmala. 1978. "Women workers and development." *Social Scientist* 6(8): 3-15.
- Federici, Silvia. 2004. "Women, land-struggles and globalization: An international perspective." *Journal of Asian and African Studies* 39:47-62.
- Hartmann, Heidi. 1976. "Capitalism, patriarchy, and job segregation by sex." *Signs* 1(3): 137-69.
- Hobden, Claire. 2010. *Winning fair labour standards for domestic workers: Lessons learned from the campaign for a domestic worker bill of rights in New York State*. Geneva: International Labour Organization, Global Union Research Network.
- Lamare, Geeta., and Sandhya. Reddy. 2010. *The plight of domestic workers in a "world class city" (Mumbai): A study of the implementation of the Maharashtra Domestic Workers Welfare Board Act, 2008 and the status of domestic workers in Mumbai*. Mumbai: Shramik Janata Sangh and Ghar Bachao Ghar Banao Andolan.
- Mies, Maria. 1981. "Dynamics of sexual division of labor and capital accumulation: Women lace workers of Narsapur." *Economic and Political Weekly* 16(10/2): 487-500.
- . 1986. *Patriarchy and accumulation on a world scale: Women in the international division of labor*. London: Zed Books.
- Moghe, Kiran. 2006. *A note on organizing domestic workers*. Pune: Akhil Bhartiya Janwadi Mahila Sanghatana (AIDWA), Maharashtra State Committee.
- Peterson, Elin. 2007. "The invisible carers: Framing domestic work(ers) in gender equality policies in Spain." *European Journal of Women's Studies* 14(3): 265-80.
- Sassen-Koob, Saskia. 1984. "Notes on the incorporation of Third World women into wage-labor through immigration and off-shore production." *International Migration Review* 18(4): 1144-167.

## ENDNOTES

<sup>1</sup> Provident fund is a type of an investment fund where it is mandatory for both the employer and the employee and sometimes the state to contribute an amount of money at regular intervals which the employee will get in lump sum when he/she retires.

<sup>2</sup> BPL card or Below Poverty Line card is a special card issued to the households whose income fall below the national poverty line. It allows the household to purchase minimum price ration which is household items like rice, wheat, oil, cooking fuel, grains etc. available at a very low selling price. All such measures have been framed by Indian State to combat poverty, hunger and malnutrition.

<sup>3</sup> According to Silvia Federici (2004), capitalist development has been premised on the separation of agricultural producers, women in particular, from the land. It also imposes the farming of commercial crops at the expense of food production. Women did most of the farming but the historical sexual division of labor excluded them from the study of modern farming systems and technical assistance. Silvia Federici (2004) says that this has imposed a new sexual division of labor, based upon women's subordination to men and their confinement to unpaid household labor, which, in the colonialists' schemes, included unpaid cooperation with their husbands in the cultivation of cash crops. This has led to a decline in food security which directly affects women since they are the ones responsible for care giving duties. This has led to the feminization of poverty.

Bina Agarwal (1988) calls women involved in agriculture as the Disinherited Peasants and the Disadvantaged Workers; they are disinherited because they don't have land anymore and they are disadvantaged because they have a low income, their work is not considered 'real work' and they often face the brunt of household poverty and food insecurity.

<sup>4</sup> Sangeeta Prakash Jadav has worked as a paid domestic worker for the last 9 years. She lives in Mullund and works there. She joined the union two years ago. I had an opportunity to interact with her on February 1st, 2011 at the Bhandhup office.

<sup>5</sup> Shabbo Bai is a domestic worker for the last 40 years. She lives in Bhandhup and works in Mullund. She has been with the union from the very start and also heads the Bhandhup division. She is a fiery old woman and specifically told me to mention in the 'interview' that she is the head of her division. I interviewed her on February 1st, 2011.

<sup>6</sup> Varshala Bhai Govind Kankutte lives in Ghatkopar and works as a masseur in Hiranandani. She has been doing this job for the last 30 years. She joined the

union in 2006. She goes to her workplace every day. She has no regular employer. People call her to their place if they have any massage requirements that day. I spoke to her on February 5th, 2011.

<sup>7</sup> Pramilla Balkrishna Bhonsle is the first paid domestic worker whom I interacted with at a length. She works in Mullund as a cook for the last 7 years. She is a widow and has single-handedly brought up her children. I spoke to her on February 5th, 2011.

<sup>8</sup> Nirmala Shankar Salunke has been working for the last 22 years. She didn't know her age. She also came to Mumbai after marriage and started working in order to increase the family income. I interacted with her on February 15th, 2011.

<sup>9</sup> Surekha Vijay Pawar has worked as a cook for the last 25 years. She stays in Vikhroli and works in Hiranandani. I spoke to her on February 5th, 2011.

<sup>10</sup> The major festivals of India include Diwali, Holi, Eid and Christmas. All these festivals are national holidays. On most such festivals, employers wish and celebrate with their employees by gifting them monetary bonuses, sweets and clothes. Sometimes employees also get salary increments on festival days.

<sup>11</sup> Sangeeta Prakash Sonawane is a paid domestic worker who works as a cook. She has been working as a domestic worker for the last 30 years. She joined the union in 2005 and now heads the Powai Division. I spoke to her on February 11th, 2011 at the Powai office of Democratic Youth Federation of India. Her narratives and the narratives of all other paid domestic workers were originally spoken in Hindi. All the translations are mine.

<sup>12</sup> Nirmala Shankar Salunke told me that now she doesn't feel scared to go to the police station. If she wants to lodge a complaint, she has the backing of the Union members. They can go together and pressurize the inspector to listen to their troubles.

<sup>13</sup> I spoke to Comrade on numerous occasions. He maintains the records for the union and interacts with these women every day.



HARVARD Kennedy School

## TAUBMAN CENTER

for State and Local Government

The Taubman Center for State and Local Government and its affiliated institutes and programs are the Kennedy School of Government's focal point for activities that address state and local governance and intergovernmental relations. The Center focuses research on a number of broad policy areas, most notably:

- Public management, innovation, finance, and healthcare policy
- Urban development, transportation, land use and environmental protection
- Education
- Civic engagement and social capital

The Center also disseminates this research via publications, instruction in the Kennedy School's graduate and executive education programs, sponsorship of conferences and workshops, and interactions with policymakers, public managers, students, and other scholars.

More information is available at [www.hks.harvard.edu/taubmancenter](http://www.hks.harvard.edu/taubmancenter)

---



HARVARD Kennedy School

## RAPPAPORT INSTITUTE

for Greater Boston

The Rappaport Institute for Greater Boston strives to improve the governance of Greater Boston by strengthening connections between the region's scholars, students, and civic leaders. A university-wide entity housed at the Kennedy School of Government, the Institute pursues this mission by:

- Encouraging Public Service The Institute encourages graduate and professional students to spend at least part of their professional careers in state or local government in Greater Boston.
- Producing New Ideas The Institute encourages faculty and students to conduct high quality, policy-relevant research into issues of importance for Greater Boston.
- Stimulating Informed Discussion The Institute sponsors public events where scholars, policymakers, and civic leaders discuss key issues and produces publications that summarize new scholarly research in timely and accessible way.

More information is available at [www.rappaportinstitute.org](http://www.rappaportinstitute.org)

## Winning Without the “War on Women”

BY ANYA MALKOV

2013 Master in Public Policy Candidate of the Harvard Kennedy School

The euphoric post-election story goes something like this—women rocked the vote, both as voters and as candidates. There are now twenty women in the U.S. Senate—a historic number. Our very own Massachusetts elected its first woman to the Senate. Neighboring New Hampshire became the first state to have an all-female congressional delegation and a female governor.

As we celebrate this historic moment, we should not fool ourselves into thinking that women are on some kind of irreversible trajectory toward political parity. The current advances are a product of targeted efforts by political parties. Unless female politicians and aspiring candidates want to remain dependent on the salience of “rape” and “abortions” in the next election cycle, they must use this moment to push beyond so-called “women’s issues.”

It is tempting to say that the Democratic Senatorial Campaign Committee recruited a record number of female candidates simply because its chair, Senator Patty Murray (D-WA), is a women’s champion (Terkel 2012). She is, of course, but she is also an astute political operator. Political party establishments are not altruistic actors. They can play a major role in

bringing about gender parity, but their goal is to win a majority. Parties do not recruit a certain type of candidate to build a more representative Congress. Parties recruit candidates who can win. It is not difficult to surmise that in the context of a “Republican war on women,” the best Democratic candidates were women.

The success of Democratic recruitment efforts is evident. Of the twenty women in the Senate, sixteen are Democrats and four are Republicans. The House, with fifty-eight Democratic and twenty Republican women, beats previous records, and white men are no longer the majority of the House Democratic Caucus (Waxman 2012). Clearly, when parties decide to recruit and elect women, they are able to do so.

What happens in the next election when there is no more “war on women”? The political establishment will search for candidates who can win on whatever issue dominates the discourse. If women want to be in the game, they have to use the current wave to assert their leadership and demonstrate the value of a female perspective on all issues.

Yes, it is unfair—men as a group are never required to prove their fitness to

govern—but if any group of women could change the game, it is the newly elected class. Elizabeth Warren (D-MA) has big banks shaking in their boots. Tulsi Gabbard (D-HI) and Tammy Duckworth (D-IL) have served in combat with distinction, and Duckworth has the prosthetic legs and the Purple Heart to show for it (Flock 2012). These are just a few examples.

Let's hope that the women in Congress can demonstrate to their parties, their constituents, and the country that they are not to be confined to a narrow set of issues. Until this shift happens, progress toward parity will remain slow, uneven, and reactionary.

An earlier version of this piece appeared on the WAPPP Wire blog on November 27, 2012.

#### REFERENCES

- Flock, Elizabeth. 29 November 2012. First female combat veterans elected to Congress may lead to change in military. U.S. News. <http://www.usnews.com/news/blogs/washington-whispers/2012/11/29/first-female-combat-veterans-elected-to-congress-may-lead-to-change-in-military>.
- Terkel, Amanda. 7 November 2012. Women in Senate: 2012 election ushers in historic number of female senators. Huffington Post. [http://www.huffingtonpost.com/2012/11/07/women-senate-2012-election\\_n\\_2086093.html](http://www.huffingtonpost.com/2012/11/07/women-senate-2012-election_n_2086093.html).
- Waxman, Olivia B. 7 November 2012. For ways women won the 2012 election. Time. <http://newsfeed.time.com/2012/11/07/4-ways-women-won-the-election/>.

# Why is it So Hard to Increase Women's Representation in Political Institutions?

## The case of Latin America

BY DENISSE RODRIGUEZ OLIVARI

Denisse Rodriguez Olivari holds a bachelor's degree in political science and government from Catholic University in Peru and a master's degree in international development with a specialization in politics and governance from the University of Manchester. She recently completed a research program sponsored by the Hansard Society and obtained a postgraduate certificate from the London School of Economics and Political Science. Her research interests include comparative politics and political economy (development, conflict, and natural resources), gender and politics, and political regimes with a particular focus on Latin America.

The issue of women in politics has been the subject of studies and debate in Latin America because of its rapid evolution. In fewer than 100 years, women were granted the right to vote. The first country to grant women the right to vote was Ecuador in 1929, and in a thirty-year period, the rest of the countries acknowledged women's suffrage. The next step in the evolution of the role of Latin American women in politics came during the 1990s, with the implementation of gender quotas in eleven of the eighteen countries in the region between 1991 and 1997. This "fast track" in Latin American and other countries has become the model for improving women's political representation worldwide. As Drude Dahlerup and Lenita Freidenvall point out, "Today's feminists are not willing to wait for seventy or eighty years to achieve their goals" (2010, 176).

However, the implementation of gender quotas was not the direct result of advocacy in 1990s for policy changes on women's issues. To the contrary, in most cases, quotas were implemented because they had the support of male heads of state. For example, initial pushes by female representatives in Argentina for gender quotas were not taken seriously until they received the support of President Carlos Menem. Likewise, a commission on the status of women in Peru was met with indifference and skepticism but received support from President Alberto Fujimori, the only head of state present at the Fourth World Conference on Women in Beijing (Htun 2004, 449). It is clear that one of the first challenges to women's political representation in Latin America was the need for male support to enact quota legislation.

It is worthwhile to mention here

the case of Argentina, a pioneer in advancing the role of women in politics. Isabel Martinez de Peron was the first woman to become president (after her husband's death). Argentina was also the first country to implement a gender quota in 1991, and it has one of the highest percentages of congresswomen in the region (nearly 38 percent in 2011). In addition, the current president is the re-elected Cristina Fernandez de Kirchner. However, in both Peron's and Kirchner's cases, these female presidents were spouses or widows of notorious male politicians: Juan Domingo Peron and Nestor Kirchner. In total, there have been eight female heads of state in Latin American.

The alternating between democratic and authoritarian governments that characterized Latin American politics for much of the twentieth century also limited the opportunities for women to run for office or vote in elections. The region was prone to military and authoritarian regimes throughout the twentieth century. For instance, between 1900 and 2000, 47 percent of governments were authoritarian, electoral democracy represented only 26 percent, semi-democracy 10 percent, and competitive oligarchy 18 percent (Smith 2004 quoted in Llanos and Sample 2008a, 14).

However, despite their political disenfranchisement, Latin American women participated vigorously in protests against authoritarian regimes in the 1970s and during the economic crisis in the 1980s (Del Campo 2005; Thorp 2009). Crucially, the perception of Latin American women as being exempt from corruption or partisan power struggles helped to legitimize calls for increasing the presence of women in politics. Baldez argues that gender quotas gained support in Latin America because "people see politics as a hopelessly corrupt 'Land of the Lost,' overrun with (male) dinosaurs" (2006,

105). Furthermore, Craske draws upon the notion of *marianismo*, which relates to the idea of the "self-abnegating motherhood" of the Virgin Mary (1999, 12). For example, Evita Peron, an Argentinean former First Lady and long-time advocate of women's suffrage, frequently evoked *marianismo* to illustrate the role of women in politics. As a result, the high level of distrust in the political system and the idea of the pureness of women in politics facilitated the legitimacy of gender quotas in the Latin America.

### The Role of Quotas in Advancing Women's Policy Issues

As many authors have argued, quota-based affirmative action represents an effective and exogenous "shock" to long-time attitudes and norms that neglected women's political agency (Peschard 2003 Schmidt and Saunders 2004; Baldez 2006; Zetterberg 2009). Among the arguments in favor of gender-based quotas in politics are the notions of fair representation and the particularity of women as representatives. The former suggests that since women constitute an underrepresented group in politics, they need a mechanism to facilitate fair and equal access to public office (Htun and Jones 2002; Dahlerup 2003). The argument regarding the particularity of women as representatives relies on women's different experiences and interests, which make them more likely to act on behalf of other women (Htun and Jones 2002; Dahlerup 2003).

Moreover, quotas constitute viable ways to democratize candidate nomination, a highly centralized process in many Latin American political parties. For example, the electoral quota led the Institutional Revolution Party (PRI) to adopt primaries in place of *dedazo* (handpicking). This Mexican party was notorious for the lack of transparency in its candidate selection



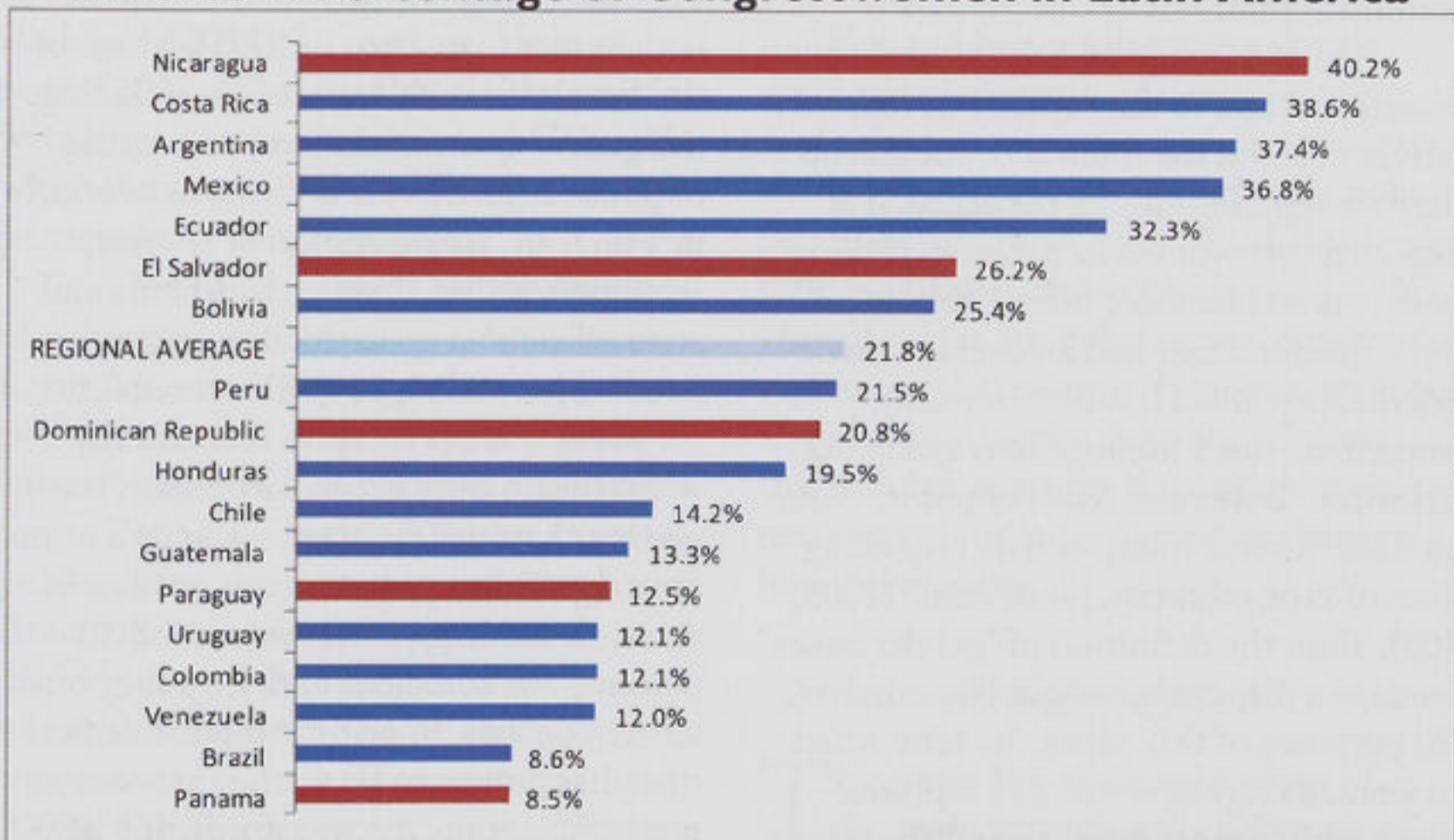
(Baldez 2006; Llanos and Sample 2008a). Nonetheless, in countries with weak and diffuse parties, gender quotas may provide only a "mantle of legitimacy" to the same old process (Baldez 2006, 106). For example, according to Llanos and Sample, during Bolivia's 1999 municipal elections, "parties altered the names of male candidates so they looked like the names of women" (2008b, 19). Consequently, the effectiveness of quota legislation depends on its implementation and monitoring. Since political parties are the real gatekeepers of representation, and many of them have adopted voluntary quotas, the definitive results rely on "good faith party compliance" (Norris 2004, 187).

Descriptive representation (the number of women in office) cannot be analyzed without taking into consideration the impact of quotas. Twenty percent of representatives in Latin American countries with gender quota are women, whereas in those countries without quotas

this percentage reaches 15 percent.

According to the graphic, despite the quota legislation in Brazil (9 percent) and Paraguay (10 percent), there are larger percentages of congresswomen in countries without quotas, such as Venezuela (18.6 percent) or Nicaragua (18.5 percent). However, women's representation is minimal at the local level. Regionally, women average 5 percent of elected mayors. Evidence suggests that local elites and less monitoring of quota compliance at a local level have a negative impact on descriptive representation (Llanos and Sample 2008a). Twenty-four percent of ministers in Latin America are female (Llanos and Sample 2008b, 11). These figures suggest that women have a better chance of holding decision-making positions when they are appointed, rather than selected within political parties. This is a distinctive characteristic of women's political representation in Latin America.

**FIGURE 1: Percentage of Congresswomen in Latin America**



SOURCE: Elaborated by the author with data from Quota Database and Inter Parliamentary Union as of October 2012, see <http://www.ipu.org/English/home.htm>.

NOTE: blue = gender quota; red = without gender quota. In case of bicameralism, the lower chamber is considered.

In sum, gender quotas have proven to be partially effective at increasing women's political representation. To this effect, when the right combination of electoral system and quota design is in place, the chances of increasing the number of women in public office are greater. Nevertheless, there is little evidence of democratization of parties' processes and structures, and overall commitment to gender equality.

### Substantive Representation: A Theoretical Framework for Effective Political Representation

This paper has focused on questions of women's formal and descriptive representation. Nonetheless, a sparsely examined aspect of Pitkin's (1967) theory regarding women's substantive representation emerges as a key element in assessing of the impact of women in Latin American politics. This analysis exclusively considers female legislators due to the lack of research on the role of women in public administration.

As Pitkin argues, substantive representation refers to the capacity of representatives to act in the interest of those who they are representing. In particular, it is expected that women in decision-making positions will be more often likely to promote gender issues and an overall female-oriented agenda. However, in reality, women are not a homogenous group. As Schwindt-Bayer and Mishler put it, Women have "diverse interests that vary along lines of race, ethnicity, [and] class" (2005, 408). Thus, the definition of "gender issues" remains a disputed concept. Nonetheless, for purposes of this paper, the term refers to women's rights, sexual and reproductive health, gender equality, and the role of women as caregivers (issues such as health care, education and housing,) (Dodson and Carroll 1991; UNIFEM 2008).

Contrary to Pitkin's theory, in-

creased representation of women in government does not necessarily lead to the advancement of gender issues. After women are elected, ideological, partisan, or even religious factors influence their support for certain issues (Schwindt-Bayer and Mishler 2005; Rodriguez 2011). Besides ideological and partisan cleavages, Latin American society is highly influenced by the Catholic Church. Although Latin American countries are secular states, legislation on family planning or abortion, for example, is the subject of debate outside the legislative arena. For instance, only Uruguay and the City of Mexico have liberalized laws on abortion since the 1940s (Htun 2010, 268). In addition, the Chilean Catholic Church did not approve divorce until 2004.

It is important to mention that many policy changes occurred independent of the rise of feminist movements in Latin America. To illustrate this point, many female-friendly policies were introduced during military rule (e.g., Argentina in 1983 and Chile in 1989) and authoritarian regimes (e.g., Peru in 1995). Much of the female-friendly legislation, including the gender quotas, was enacted because of political alliances and "issue networks," in which an "elite coalition of lawyers, feminist activists, doctors, legislators and state officials" coagulated around gender issues (Htun 2010, 268). The possibilities for policy change increase dramatically when these issues networks operate, suggesting that 'critical mass' - Kanter's term for a significant percentage of women in decision-holding positions (around 30 percent) - is sufficient to drive policy on women's issues. In Latin America, critical mass has proven to be neither necessary nor sufficient for the transformation of state politics or enactment of gender policies (Studlar and McAllister 2001; Htun and Jones 2002; Rodriguez 2011).

As further illustration of the

weak effect of a significant percentage of congresswomen on policy outcomes, two studies on policy priorities of congresswomen in Argentina and Peru (countries with the highest percentage of female MPs) reveal that there is not a dramatic difference between men and women in bill introduction or committee membership on gender-related issues. Htun and Jones (2002) show that there are significant gender policy difference in women's rights, child rights, and family rights in the Argentinean Parliament. On the other hand, Rodriguez (2011) reveals that being a woman has been significant only in bill introduction regarding violence against women in the Peruvian Congress for the past fifteen years. Contrary to evidence in other regions, women are not more likely to legislate on gender issues in Latin America (Swers 1998; Studlar and McAllister 2001). Furthermore, important policy changes have taken place during the first post-quota periods in both countries, which indicate an episodic commitment to a female-oriented agenda (Htun 2004; Rodriguez 2011). In contrast, Htun and Jones (2002, 48) argue that similar policies were implemented in Chile and Colombia without quota systems, and with a smaller percentage of congresswomen.

One of the reasons for the failure of women's substantive representation in Latin America is the reproduction in the political arena of deep-rooted social and cultural patterns. For example, according to the *Latinobarometro 2004*, an annual public survey conducted in eighteen Latin American countries, 43 percent of the population believes that it is better for women to concentrate on the home and men to concentrate on work (Llanos and Sample 2008a, 43). Thirty percent agreed that men are better political leaders than women (Llanos and Sample 2008a, 45). Certainly, women not only struggle to access politics, but they also need to reconcile their duties

as elected authorities, mothers, and workers. Another aspect closely related to this issue is the negative connotation of being associated with feminist claims. Most women do not campaign on or promote issues such as domestic violence, childcare, equal opportunities, or reproductive health. Overall, the term "feminist" still carries a negative social stigma in Latin America because it is linked with a denial of gender differences and a rejection of femininity" (Htun and Jones 2002, 50).

Analysis of women's substantive representation must take account of the conceptualization of women's interests and how responsiveness to these interests is manifested. As Campbell et al. (2009, 174) argue, although female representatives do not express a shared sense of feminism, they still have some "implicit feminist orientation," or, as Manbridge (1999) proposes, "uncrystallized interests." Accepting to some extent the impact of women's interests on the individual and collective behavior of female representatives, the relationship between the increase of women in office and better substantive female representation is still unclear. Overall, findings in previous research demonstrate that gender differences in legislator policy priorities cannot be generalized. Studies in well-established democracies, such as the United States, have shown that women do represent other women. However, evidence from Latin America does not reinforce this idea but advances the notion of issues networks to explain how policy changes have come about.

## Conclusion

This paper has given an account of the main features and challenges of women's political representation in Latin America. Gender quotas have proven to be mildly effective in increasing the number of women in office. However, once in

office, women realigned with the agenda of their party caucuses, or with their own interests. It is, thus, hard to expect great changes when the state, society, electorate, and even the church are not receptive to gender issues.

Further work needs to be done to analyze women's substantive representation in terms of their success in the enactment of gender-related laws, or the role of public administration offices and other women's policy agencies as "sites of representation" for women and gender interests. Due to the limitations of the scope of this paper, it was not possible to go further into the role of women in other public offices, or take into consideration other geographical areas. However, given the evidence, the debate on women's substantive representation has shifted from questions such as "Do women in politics make a difference" to "Who claims to act for women?" (Celis et al. 2008, 104).

Although cross-regional comparisons reveal that women's political representation (i.e., descriptive representation) has improved in numeric terms, they still cast doubts on whether women in office can bring different perspectives to the political arena. Only an essentialist point of view leads one to determine the role of female officeholders in general as agents that "are expected to be representative of and accountable to one's group" (Reingold 2006, 31). Indeed, as the prominent Mexican feminist Marta Lamas once said, "Being a woman does not guarantee having a gender consciousness."

REFERENCES

- Baldez, Lisa. 2006. "The pros and cons of gender quota laws: What happens when you kick men out and let women in?" *Politics and Gender* 2 (1): 102-9.
- Campbell, Rosie, Childs, Sarah & Lovenduski, Joni, 2009. Do women need women representatives? *British Journal of Political Science*, 40(1), pp.171-94.
- Celis, Karen, Childs, Sarah., Kantola, Johanna., and Mona Lee Krook. 2008. "Rethinking women's substantive representation." *Representation* 44 (2): 99-110.
- Craske, Nikki. 1999. *Women and politics in Latin America*. Cambridge: Polity Press.
- Dahlerup, Drude 2003. Comparative studies of electoral gender quotas. In *The implementation of quotas: Latin American experiences*. Stockholm: IDEA International.
- Dahlerup, Drude and Lenita Freidenvall. 2010. Quotas as a "fast track" to equal representation for women: Why Scandinavia is no longer the model. In *Women, gender and politics: A reader*, edited by Krook, M.L. and S. Childs, 175-99. New York: Oxford University Press.
- Del Campo, Esther. 2005. "Women and politics in Latin America: Perspectives and limits of the institutional aspects of women's political representation." *Social Forces* 83 (4): 1697-1725.
- Dodson, Debra and Susan Carroll. 1991. *Reshaping the agenda: Women in state legislatures*. New Brunswick: Center for the American Woman and Politics, Rutgers University.
- Htun, Mala. 2004. "Is gender like ethnicity? The political representation of identity groups." *Perspectives on Politics* 2 (3): 439-58.
- Htun, Mala 2010. Sex and the state in Latin America. In *Women, gender and politics: A reader*, edited by Krook, MonaLee, and Sarah Childs, 267-75. New York: Oxford University Press.
- Htun, Mala, and Mark Jones. 2002. Engendering the right to participate in decision-making: Electoral quotas and women's leadership in Latin America. In *Gender and the politics of rights and democracy in Latin America*, edited by Craske, Nikki, and Maxine Molyneux, 32-56. New York: Palgrave.
- Llanos, Beatriz., and Kirsten. Sample. 2008a. 30 years of democracy, on the crest of the wave? Political participation of the woman in Latin America. Lima: International IDEA.

Llanos, Beatriz, and Kirsten. Sample. 2008b. From words to action: Best practices for women's participation in Latin American political parties. Lima: International IDEA.

Mansbridge, Jane 1999. "Should blacks represent blacks and women represent women? A contingent 'yes.'" *The Journal of Politics* 61 (3): 628-57.

Norris, Pippa 2004. *Electoral engineering: Voting rules and political behavior*. New York: Cambridge University Press.

Peschard, Jane. 2003. The quota system in Latin America: General overview. In *The implementation of quotas: Latin American experiences*. Stockholm: IDEA International.

Pitkin, Hanna 1967. *The concept of representation*. Berkeley: University of California Press.

Reingold, Beth 2006. Women as office holders: Linking descriptive and substantive representation. Paper presented at the Political Women and American Democracy Conference, University of Notre Dame, South Bend, IN, May 25-27, 2006.

Rodriguez, Denisse. 2011. Do women still make the difference? Evidence from the Peruvian Parliament (1995-2010). Second European Conference on Politics and Gender, Budapest, January 13-15, 2011.

Schmidt, Gregory, and Kyle Saunders. 2004. "Effective quotas, relative party magnitude, and the success of female candidates: Peruvian municipal elections in comparative perspective." *Comparative Political Studies* 37 (6): 704-34.

Schwindt-Bayer, Leslie and William. Mishler. 2005. "An integrated model of women's representation." *The Journal of Politics* 67 (2): 407-28.

Studlar, Donley., and Ian McAllister. 1999. "Does a critical mass exist? A comparative analysis of women's legislative representation, 1949-1997." Paper presented at the American Political Science Association, Atlanta, GA, September 2-5, 1999.

Swers, Michele. 1998. "Are women more likely to vote for women's issues bills than their male colleagues?" *Legislative Studies Quarterly* 23 (3): 435-48.

Thorp, Rosemary 2009. "Collective action, gender and ethnicity in Peru: A case study of the People's Kitchen's." CRISE Working Paper No 67, Oxford.

UNIFEM. 2008. *Progress of the world's women 2008/2009: Who answers to women?* New York: United Nations Development Fund for Women.

Zetterberg, Par 2009. "Do gender quotas foster women's political engagement?" *Political Research Quarterly* 62, 715-30.

## The Case for Quotas

BY JAMES WALSH

2013 Master in Public Policy Candidate of the Harvard Kennedy School

Last August, with my voice competing with the clanger of the monsoon rain on the tin roof of the planning division's office, I presented my final report to the twenty-five in attendance at the Gross National Happiness Commission (GNHC). More important than the number, however, was the group's composition of key GNHC decision makers: department heads and the Secretary of the Commission—the latter one of the most respected leaders in Bhutan's civil service. After weeks of worrying whether my time here would leave any lasting impression, this was my opportunity to influence the people who drive Bhutan's policy agenda.

When I first arrived, the secretary had asked me to work on designing a policy implementation framework that allowed the government to actively engage in pursuing "GNH Development." It was important, interesting work, and the secretary had a keen interest in it—an ideal way for a student to spend an internship. After familiarizing myself with both the various dimensions of the GNH framework and the scope of the project, however, I realized my work would do very little to address the growing problem of inequity that Bhutanese women faced as the country modern-

ized. This was something I had come to Bhutan to work on. So I decided to work on a parallel project independently, focusing specifically on empowering women in politics through the introduction of quotas. I would conduct the research, write the report, and present the findings alongside my original assignment.

The plan worked. Though the issue of gender was not something that anybody necessarily wanted me working on, it created by far the greatest stir of the presentation. The secretary, who opposed the introduction of quotas (like many in the senior ranks of Bhutanese government), changed his mind on the issue. Speaking on the subject after the presentation, he described his "180 degree turn" and decided to use the report to engage the issue with members of Parliament. That afternoon, I left the office triumphantly, feeling that a slight bit of pressure had been added to the arc of justice in Bhutan.

But was I right? Was that the case at all? Are gender quotas fair? Are they effective? Are they the kind of policy that furthers the pursuit of justice? Or are they some misguided interference with natural liberty, nothing more than an undemocratic placation, a re-enforcement of the insidious

stereotype that there is something innate in the character of women that makes them incapable of making the tough decisions of statecraft?

Since introduced to the idea in college, I have known quotas to be controversial. As an undergraduate student, I was involved in a debating society with some of the most articulate women I have ever met, students who were among the very best debaters in the world and nearly all of whom were opposed to the introduction of quotas. Indeed, I have been surprised to find that the disapproval of quotas is often more virulent in women than in men. I realized, however, that what is important to know about quotas is that they are opposed for a wide variety of reasons. Some oppositions are sincere concerns regarding their legitimacy and effectiveness, while others are often grounded in misogyny. Reflecting upon the issue, I tried to make sense of some of these common complaints.

The claim that women's preferences might differ in some rudimentary manner to men, namely that female disposition desires senior decision-making positions less, is one that I do not buy either. Anne-Marie Slaughter's recent article (2012) claiming that women have a greater need to be with their children than do men sadly echoed this view (Slaughter 2012). Generalizations such as this, which attribute a more "domestic" character to women, even if only slight or indirect, risk fostering indifference in the face of injustice. As a starting point in considering gender equity, a much more sensible presumption to make is that the vast preponderance of differences in attitudes toward work, family, and ambition are socially created, rather than naturally imbued. If women do not run for office, "simply because they don't want to," policy makers should work from the view that this is because their social environment has caused it to be so and, thus, should be rectified.

Moreover, this rationalization overlooks the far more important problem with gender inequity in politics and misunderstands the central purpose of a representative democracy. While the right to freely run for public office unheeded by unfair structural barriers is indeed extremely important, it pales in comparison to the right of the polity to be adequately represented. The fact is that most people, regardless of gender, do not want to run for office. Even if a gender disparity exists in the decision to run for office, this would not negate the fact that it is unfair that men continue to constitute over 80 percent of the world's democratic representatives, while women make up less than 20 percent (Economist 2009). Given that the proportion of people in a country who actually run for office is already minute, it would be wrong for gender disparities within this tiny group to impact the population as a whole. This underrepresentation is more pressing in light of the growing body of work that suggests women make different policy decisions than do men.

There are other, more measured, complaints worth considering. The first problem often put forward by critics is the suggestion that quotas foster a belief in essentialism, which is the view that women cannot represent men and men cannot represent women, or that all women represent all types of other women. The notion that quotas are grounded in at least some version of this belief is not unreasonable. A large part of their motivation is that issues, which affect women, would be more appropriately addressed by parliaments that were not so oppressively constituted of men.

Taken to its extreme, the idea of essentialism can lead to unappealing conclusions. People assume a plurality of political identities in their lives, the notion that gender is uniquely important would be difficult to justify. That being said, most political ideas—from freedom to commu-

nity to equality—when embraced in their extreme lead to undesirable outcomes. Just because sharing gender with constituents is not the only important factor in the effectiveness and legitimacy of a representative, does not mean that gender is unimportant. Moreover, our democratic principles implicitly recognize that some aspects of identity are of more importance than others, when we conduct elections according to discrete geographical constituencies, for example. The notion that Boston might be improperly represented at a national level if it lacked members of Congress is, not unreasonably, rarely questioned. The fact is that sharing specific commonalities with one's representative is often extremely important, and gender, like geography, is such an instance.

Other common complaints suggest that quotas are undemocratic because they impose certain candidates on the electorate or they are against the principle of "equal opportunity for all" (EOFA). The inconsistencies in these arguments largely parallel those of the previous objections. Some formal structure that would guarantee women gender balance in Congress would be no more "imposed" than the framework that currently exists, ensuring that the people of Boston are proportionately represented compared to those living in New York, for example. Moreover, complaints that quota systems violate EOFA suffer from a problem previously outlined, by fetishizing (more often than not) old, wealthy, white men's "equal opportunity" to run for office uninhibited by formal constraints, above democracy's ideal that the polity be appropriately represented by its politicians.

Even when focusing narrowly on the rights of the candidate, however, it should be clear to most people that women, as it stands, are not enjoying this wondrous EOFA. Though women rarely encounter formal constraints on running for office (Saudi Arabia being a horrific exception),

they nevertheless encounter a myriad of informal ones. A study in rural India, for example, highlighted one of the most significant barriers that women face when running for office. Because female candidates compete in an environment in which they are already severely underrepresented in politics (and therefore not seen in these public positions), constituents identify them as unsuitable for office. Once these informal restraints were alleviated through quotas, the study showed that the barriers began to diminish. Though the experiment itself is not generalizable beyond India, its observations are consistent with findings in the vast literature in the behavioral sciences (Beaman et al. 2012).

Moreover, EOFA's fixation on formal inequality at the expense of much more important social barriers is inconsistent with how we think about electoral fairness in general. We already accept, for example, the use of legal tools to mitigate inherent structural inequalities in electoral politics when we embrace interventions to limit the influence of money. Campaigns require financing, with some candidates often enjoying more access to this than others, depending on personal circumstances, social connections, and the policies that they propose. In recognition of the injustice of this phenomenon, most countries restrict the manner in which candidates can fund their campaigns, either through donation caps or by replacing the private donor model with one that relies on public contributions.

Finally, the most common complaint of my undergraduate peers was that quotas create the perception that women are incapable of being elected on their own merit alone. It would be difficult to deny that there exists a risk this may happen. The primary reason this disempowerment is so dangerous is that young women may be fed the belief that they are unable to compete with men in politics without



a head start, which would have serious adverse effects on their esteem and self-efficacy.

However, this dilemma cannot be considered out of context and must be contrasted with the actual alternative, the status quo in many countries without quotas. Indeed, another study gives reason to believe that these worries might be excessively pessimistic, showing that the introduction of quotas for two terms in local politics in India led to a significant close in the gender gap in aspirations, increased educational attainment, and lessened the time spent on household chores among girls (Chattopadhyay and Duflo 2001). Moreover, with well-supported public information campaigns outlining the real structural barriers that female politicians face, these beliefs could be tackled and substantially mitigated.

It seems to me that most fears about gender quotas are grounded in varying degrees of sexism, inconsistent views about the nature and utility of representation, and excessive pessimism in the face of change. Just because the reasons not to introduce gender quotas have substantial weaknesses, does not mean that they should necessarily be introduced.

Some have suggested redressing the imbalance in politics by using alternative, less controversial methods, such as providing more financial aid, making politics more flexible so as to accommodate mothers, and introducing training for prospective female politicians. These are all wonderful ideas, some which would also rightfully benefit men or support other underrepresented groups. The problem with these interventions, however, is that they trivialize the problem. Women constitute 19.5 percent of their national parliamentary bodies worldwide. They make up 16.8 percent of Congress in the United States, and 15.1 percent of Dáil Eireann (the lower house of the Oireachtas) in Ireland

(Sedghi 2012). Entrenched structural barriers such as attaching leadership roles and public office to the male identity have surely caused this to be the case. Indeed, it is difficult to envisage such a disparity being rectified with a couple of workshops in public speaking and a few thousand dollars added to the campaign budget.

There is one overarching reason, however, why I believe gender quotas should be introduced, not just Bhutan but also in Ireland and the United States. There is something unusually striking about gender equality in the political domain, when compared to other areas in which women have historically faced injustice. Seventy-five years ago, men in the United States massively outnumbered women in workforce participation, educational attainment, and national politics. By the time the financial crisis of 2010 had wrangled its way into the economy, however, women had closed the gap and outnumbered men in the American workforce (their proportion in the workforce has now fallen to 46.7 percent, and serious problems persist in leadership positions). In education, girls now spend more time in school and outperform boys in most areas. Yet when we look to politics, women make up only 16.4 percent in Congress (Sedghi 2012). The equilibrating force in education and the economy (admittedly, imperfect) is almost entirely absent in politics. Proactive intervention is required here, because this problem could cause paralysis and become entrenched.

In addition to the reasons I have discussed above—unfair structural barriers faced by female candidates, the need of a polity to be appropriately represented by people who share a particularly salient political identity, the harm that the status quo incurs upon young women—gender quotas are needed because they are the most radical tool that we have to fight injustice.

REFERENCES

Beaman, Lori, Esther Dufflo, Rohini Pande, and Petia Topalova. 2012. "Female leadership raises aspirations and educational attainment for girls: A policy experiment in India." *Science* 335 (6068): 582-86.

Chattopadhyay, Raghendra, and Esther Dufflo. 2001. "Women's leadership and policy decisions: Evidence from a nationwide randomized experiment in India." The Institute for Economic Development Working Paper 114, Department of Economics, Boston University, Boston, MA.

The Economist. December 2009. "The rich world's quiet revolution: Women are gradually taking over the workplace." <http://www.economist.com/node/15174489>.

Sedghi, Ami. March 7, 2012. "International Women's Day 2012: Women's representation in politics." The Guardian.

Slaughter, A. M. 2012. "Why Women Still Can't Have It All." The Atlantic.

## Beyond Rhetoric: In Search of Political Equity for Women in Nigeria

BY RHODA ASIKIA IGE

Rhoda Ige is a doctoral candidate in the School of Law at Keele University in Staffordshire, United Kingdom. She is undertaking research on the contributions of African women to international human rights. She received a master of laws (LLM) degree in international law from the University of Lagos in Nigeria and received a bachelor of laws (LLB) degree from the University of Ibadan in Nigeria.

### ABSTRACT

The concept that women should participate in their respective country's political structures has been pervasive, particularly since the United Nations (UN) Conference on Women held in Beijing in 1995, where the UN recommended that 35 percent of elected positions should be allotted to women. Moreover, Section 42 of the 1999 Constitution of the Federal Republic of Nigeria forbids discrimination on grounds of sex or circumstance of birth. These provisions, however, have not been effectively implemented in Nigeria. This article argues that the days of the rhetoric of political rights for women are over. Constitutional and human rights must translate into practice. Nigerian women should become partners in governance. Nigerian women should seize the initiative both legally and socially to ensure that this happens.

### INTRODUCTION

Women hold a key role in Nigeria's development in the twenty-first century. At the heart of this role lies the challenge of increasing their political participation. Fifty-two years since independence, Nigerian women are still at the margins of political participation. Women have yet to respond positively and aggressively toward participation through the ballot box (Akande 1999, 106). In the 2011 general elections, there were only two female deputy governors; the combined number of women in the House of Representatives and the Senate is thirty; there are about twenty women in local government positions; and to date there has been one female speaker of the national assembly. Certainly, this is a poor scorecard, and women ought to claim their place in the governance of the country. I must, however, add that in appointive positions, women form a sizable proportion. For example, at the federal level, the number of ministers appointed is heading toward 35 percent,

including key sectors such as finance, petroleum, environment, education, and information technology. Nonetheless, it should be noted that men dominate and control political parties, which serves as an obstacle to greater participation of women in politics and governance.

In this article, I use the word "rhetoric" to mean "clever language which ... is not sincere or has no real meaning."<sup>1</sup> I also define "political equity" as a political system that allows for social justice in representation. "This is because political participation is said to refer to the gamut of activities through which citizens and groups within society choose their leaders, and directly or indirectly determine public policy" (Enemuo 2001, 27).

Nigerian women certainly fall into the category of both citizens and groups and by inference reserve the right, like their male counterparts, to aspire to political leadership. It is important to note that women's struggles in Nigeria are clearly linked to developments at the international level; however, it is equally important to note that Nigeria has a history of female activists (Obi 2001, 1).

### NIGERIAN WOMEN IN HISTORICAL PERSPECTIVE

There is historical evidence that indicates women have participated in Nigerian political life. Zulu Sofola in an historical analysis stated that:

Our historical heritage is an endless legacy of women, who moved mountains in their various kingdoms, city states or immediate communities, calmed a storm of life, stabilized a crumbling empire or restored peace. We are aware of the Inkpi of Igala, a young princess of Igala royalty who offered her life to save her kingdom; there is the

Moremi of Ile-Ife, Emotan of Benin who risked their lives as spies to destabilize the enemy to save their people; Queen Daura who offered half of her kingdom to anyone who will kill the snake which made life difficult for her people; Queen Kabasa of Bonny who ensured that she wrested the kingdom from male contenders and afterwards ushered in prosperity to the kingdom. (Sofola 1993, 10)

These acts of bravery by women indicate women's importance; they also show how women were entrenched in political spaces in pre-colonial Nigeria. Felicia Durojaiye Oyekanmi, in explaining the marginalization of Nigerian women in politics, argued that:

The colonial era disturbed the functioning of the traditional institutions by imposing alien systems. Women are seen to have suffered more from these changes than men; for having enjoyed their political roles in earlier traditional forms of organizations, they discover themselves under colonialism excluded from any new participation in the new systems which the intruding colonial powers had hastily formulated and which ignored their customary roles. This happened first among the Hausa, then among the Yorubas and finally among the Ibos. Subsequently, the diminished political role of women and their increasing political marginalization in Nigeria today is perceived as due to the introduction into the country of a type of political system following the British rule which has effectively replaced their traditional roles for both sexes. (Oyekanmi 1990, 34)

European authors writing about African women often present the notion that the continent's encounter with the Europeans was positive. While I agree that in some areas, such as education, Africa (Nigeria) has benefited from its encounter with Europeans, it is foolhardy to state that the encounter had no negative impact. In culture and politics, Africans, especially African women, including Nigerian women, lost their esteemed positions with the advent of Europeans.

As noted by Paul Bohannan and Philip Curtin, "African women by and large have a high social position, legal rights, religious and political responsibility and economic independence. Women are not, in short, a deprived group as they were in nineteenth century Europe" (Bohannan and Curtin 1971, 107–08). The question then is, Have Nigerian women folded their arms and accepted this new status of political marginalization? I contend that Nigerian women have not been docile but have put up resistance to the new arrangement.

### FIGHTING FOR POLITICAL SPACE

Here, I depict the resistance of Nigerian women to the colonizers using three landmark protests: the Aba women's riots of 1929, the Lagos Market Women's Association protests in the 1930s and 1940s, and the women's rebellion in Cameroon in 1958–1959.

#### Aba women's riots of 1929

These are considered strategically executed anti-colonial revolts organized by women to redress social, economic, and political grievances. The riots were organized in response to arbitrary use of indigenous persons as rulers and indirect taxation (Oriji 2000, 1). Nigerian women were making a significant statement

against colonialism and were rejecting an alien culture.

#### The Lagos Market Women's Association protests

Associations and guilds of tradeswomen, such as hairdressers, sellers of cooked food, and shea butter producers, predated colonialism by centuries. The Lagos Market Women's Association (LMWA) was a collective of market women in Lagos, Nigeria. According to Johnson-Odim, between 1932 and 1951, there were several confrontations between the LMWA and colonial authorities. These had to do with taxation of women, price of commodities, and women's right to vote (Johnson-Odim 2006, 366). During the Second World War, the colonial government in Nigeria instituted a system of price control on food—the Pullen Marketing Scheme—which, by 1943, enabled the government to cap prices on food but also to encourage middlemen to source food from outside Lagos to sell in designated market places. As wholesalers and retailers of food, the tradeswomen objected to the Pullen Scheme, given that, historically, they controlled pricing. Moreover, most women operated on low profit margins, which the Pullen Scheme sought to squeeze out.

The women, determined to resist the scheme, proposed replacing it with a committee of twelve experienced members of the LMWA to regulate prices. The LMWA supported a protest by sellers of farina (cereal) from Ijebu-Ode (a town close to Lagos), in which they blocked the road from Ijebu-Ode to Lagos, refusing entry to lorries carrying farina for the government. When the head of the LMWA, Alimotu Pelewura, was summoned by the commissioner of the colony and deputy controller of Native Foodstuffs, she refused to accede to the colonial demands. A meeting among the LMWA, the Oba tribe, and chiefs of

Lagos was inconsequential. Chief Oluwa, the representative of the Oba of Lagos, informed colonial authorities that no woman would violate the LMWA prohibition on accepting price control. Eventually, authorities had to agree to decontrol food prices. The LMWA's actions stem from the principle that African women were politically and economically autonomous and self-reliant; these were core principles of African societies prior to the entry of the British.

### Women's rebellion in Cameroon in 1958–1959

At the beginning of the 1920s, women institutionalized *anlu*, a practice for punishing men who violated community morals pertaining to women. A hierarchical structure was developed, with various local chapters. The members of *anlu* were able to mobilize a mass protest of about seven hundred women. The protest was aimed at stalling the colonial authorities' encroachment on the economic spheres of African women, which threatened them with alienation on their own soil (Berger and White 1999, 110–11).

These three movements demonstrated women's strong views on governance. These efforts also had an impact on their male counterparts, awakening them to the potential of women as a group in society.

### THE SEARCH FOR POLITICAL EQUITY

Decades of colonial rule greatly diminished women's power; by the time the colonial government decided to allow female political representation in the 1950s, women had been politically handicapped through decades of exclusion, neglect, and oppression.

Nigeria's independence on October 1, 1960, ushered a new set of women into

politics. The post-independence period can be categorized into different phases: First Republic (1960–66), Military Interregnum, Second Republic (1979–83), Third Republic (1985–1993), and the ongoing Fourth Republic. Oyekanmi noted that the various political parties that emerged in the first and second republics merely used women to swell their numbers. None of the parties fielded women as either president or governor (Oyekanmi 1990, 36). During the Second Republic, there was one female senator among fifty-seven males and eleven female memberships of a total 445. In 1979, only four women contested senate seats, all of who lost; only two women were elected to the House of Representatives and four to state legislatures. Women were poorly represented in executive councils at both federal and state levels. However, the local government elections compared favorably with the 1979 general election.

During the Third Republic, out of nineteen members of the Political Bureau, only two were women; out of 591 elected local government representatives, three were women; out of 1,172 members in state legislatures, twenty-seven; out of 589 in the House of Representatives, fourteen; and out of ninety-one in the Senate, one was a woman. Women were not elected in fourteen states (Agina-Ude 2003, 97). Many women did not win nominations as chairpersons or councilors in 1990 (Bucknor-Akerele 2001, 21–22). During the Fourth Republic, however, there has been considerable improvement, but the numbers still fall short of the required 35 percent female representation.

Women have not been silent on this issue; there are several professional and not-for-profit organizations that are devoted to women's causes, many of which are organized under the umbrella organization, the National Council of Women's Societies Nigeria. There are notable professional groups working to sensitize

Nigerian women about the need for political participation, such as the International Federation of Women Lawyers, Zonta International, Medical Women Association of Nigeria, and Women in Management and Business; there are also nonprofit organizations, such as Legal Research and Resource Development Centre, Centre for Women's Health and Information, Women Advocates Research and Documentation Centre, and Women's Aid Collective.

## BEYOND THE RHETORIC

Nigerian women are enlightened about the need for political representation, whether or not they receive formal (Western) education. However, there are obstacles that invariably stand against greater political representation.

### Ignorance

Ignorance plays a leading role in women's absence from the political space in Nigeria. For example, the constitution guarantees legal aid to certain categories of citizens who otherwise could not afford legal fees, yet a number of citizens languish in trials for lack of legal representation. A bulk of these entitled, yet ignorant, citizens are women, especially widows. This ignorance in the personal realm also creeps into civil and political life. Ignorance is a good tool for maintaining women's apathy toward the political process.

### Education

Nigeria's National Policy on Education, revised in 1998, recognizes education as a process that enables individuals to function effectively in society. The Convention against Discrimination in Education uses the word "education" to refer to all types and levels of education, and the conditions under which it is given (UNESCO 1960, 1).

Education is not restricted to reading and writing but includes acquisition of certain skills to enhance development. The right to education recognizes the indispensable need of every human being, which has to be satisfied to enable them to understand the environment, acquire positive values and skills, and live with dignity. The importance of education has been affirmed as a universal human right through a number of human rights conventions, including the International Covenant on Economic, Social, and Cultural Rights of 1966; the International Convention on the Elimination of All Forms of Racial Discrimination of 1969; the Convention on the Elimination of all forms of Discrimination against Women of 1979; the African Charter on Human and People's Rights of 1981; and the Beijing Platform for Action of 1995. Nigeria is a signatory to all these conventions and, therefore, is committed to ensure their full implementation.

In an interview in 1998, Kofi Annan stated, "without education, we cannot see beyond ourselves and our narrow surroundings to the reality of global independence. Without education, we cannot realize how peoples of other races and religions share the same dreams, the same hopes. Without education, we cannot recognize the universality of human aims and aspirations" (Annan 1998).

Women form the bulk of the illiterate population in Nigeria; without basic education, how can they access their constitutional rights? Higher education leads to greater awareness among women, enabling them to claim these rights. Education confers knowledge, which helps foster access to justice.

Notably, women have made appreciable progress in education since independence, even if it has not yet had a significant effect on political representation. However, education will form a veritable for women to access the political landscape.

## Poverty

Since independence, Nigeria has had a liberal economy tilting toward capitalism, although it has also been influenced by global shifts in economic ideologies. In the period immediately post-independence, the government was the most significant player in the economy, providing most social services, securing its institutional role in this context through an array of anti-competition laws.

The Nigerian government enacted the Indigenization Decree in 1973 to indigenize the economy. More recently, the government has shifted roles from a participant in the economy and regulator of the market to a facilitator of competition, mediated as it were by establishing independent regulatory bodies, formulating and implementing policies, and monitoring and supervising activities of market players. Without doubt the global shift in economic ideology has had a strong influence. The new economic ideology—privatization—adversely impacts women, since competition for the available resources does not favor them.

Economic power is an important facilitator of greater political participation by women. Women need money to run meetings, access and share information, visit ward-level and local government offices, etc. Political mobilization, networking and sponsorship for public office all require resources and money. It is, therefore, almost meaningless to say that a poor person can enjoy full political rights. (Oluwole 2001, 41)

I agree that female candidates in a developing nation such as Nigeria cannot easily win elections without vigorously campaigning and broadcasting their message of liberation in the print and electronic media.

## Culture

Culture remains a strong determinant of access to political rights through its influence on gender exchanges and gender role relations, which in many cases renders legal structures toothless.

There are two phenomena that apply to African women, including to Nigerian women. On one hand, it has been argued that African women are migrating from rural areas where the economy is limited to urban areas (Little 1973, 11). On the other hand, it is stated that foreign culture and modern development undermined women's status and autonomy in post-colonial Africa (Boserup 1970, 11).

I argue that both views are simultaneously true. The recourse to poverty has to do with the influence of culture on political processes, especially as it relates to representation. Research has shown that some men will not vote for women; in their view women should be "good wives" supporting their husbands, not those in the "driver's seat." This culture of relegating women to the background is an obstacle to women's participation in the political process.

## Patriarchy

Many societies in Nigeria are structured after the patriarchal lineage; although there are matrilineal societies within Nigeria, even within such societies there are social taboos and accepted and unaccepted behavior, which necessarily reinforces female subordination. In essence, the patriarchal structure runs deep in lived experiences of the people and forms the platform for everyday living, particularly in politics.

The deep-seated patriarchy affects choice of candidates; in most cases, male candidates are preferred to female candidates. The statistics presented above (in the section on the search for political equity)



show the gender disparity in political representation, and this, in most cases, is a result of patriarchy. "Hence, like most other patriarchal societies of the world, a Nigerian woman is socialized into a culture of female subordination" (Aina 2003, 12–13).

### PROPOSALS FOR GREATER POLITICAL REPRESENTATION

Having examined obstacles to female political representation in Nigeria, it is important now to move beyond mere words and work toward ensuring women are well represented in the nation's political structure. Here, I propose measures to achieve this, which in my view will go beyond the rhetoric of female political participation in Nigeria and affect the present arrangement of male dominated politics. These measures are increasing male participation in the cause of women; more education; political activism; greater networking; and economic empowerment.

#### Male participation in the cause of women

Society allocates different roles to males and females; though in recent times, the rigid definition of gender roles from the yesteryears is giving way to a crossbred definition. Nigeria is no exception to what is happening in the world. Nonetheless, while many advanced societies have accepted that men and women should collaborate for the benefit of society, in Nigeria, some men and uninformed women still believe in the separate spheres doctrine. It should be noted that traditional Nigerian society believed in the complementarity of roles, which is reflected in the dual political structure found in many communities (such as the Ibos of Niger Delta and the Yorubas of southwest Nigeria). Nigerian women must advocate for a return to the old order in political life for society to ben-

efit, and men must be enlisted in support of this demand. Men and women should see themselves as partners, not antagonists. Nigerian women should be the driving force in achieving male participation for the cause of women.

#### Education

I have earlier examined the need for education among Nigerian women for political purposes; here I must stress the need for education in general. This is not just about education, because there are many educated women who still do not see any reason for female participation in politics and wrongly believe that politics is a dirty game that should be left to men. This is about political education. Those who are politically educated and conscious of women's issues should be in the vanguard for increased female representation in politics. Education is important in politics, because a candidate must have adequate knowledge to convince voters, and, when elected, be able to contribute meaningfully to political debates that will translate into tangible social development.

#### Political activism

Political power is never obtained by begging, nor is it ever conceded without a struggle. Women must organize themselves to convert their numerical strength into political clout. They must actively seek elected roles within parties and at different levels of government. They should also be encouraged to register as voters and cast their votes during elections in line with the interests of their gender (Enemuo 2001, 35).

#### Networking

It is imperative for women to form and join groups that truly promote their

interests. It is also necessary for such organizations to network effectively and avoid duplication of efforts or rivalry. The networked group needs to serve as a political advocacy group for women's interests.

### Economic empowerment

Poverty remains a tool to discourage most women from contesting elective positions, given the financial capital it entails. Women must work toward removing every barrier in political representation. Women's groups must demand economic incentives that will assist in actualizing their dreams of a better future for Nigerian women. They must identify men who support the cause of women and enlist their financial support to enhance the overall economic empowerment of women.

### CONCLUSION

The time for rhetoric is gone; women should work toward achieving the minimum required representation of 35 percent in the political structure. Nigerian women can achieve the required percentage for effective representation in the polity, if they agree to work together and enlist the support of men with like minds. Achieving the needed representation moves us beyond the rhetoric of earlier years and affords women the constitutional rights that have eluded them for years.

### REFERENCES

- Agina-Ude, Ada. 2003. "The 1999 constitution, gender and political participation." In *Gender gaps in the 1999 constitution of Nigeria*, edited by Abiola Akiyode Afolabi, 97. Lagos, Nigeria: Women Advocates Research and Documentation Centre.
- Aina, O. I. 2003. "General overview of the status of women in Nigeria." In *Gender gaps in the 1999 constitution of Nigeria*, edited by Abiola Akiyode Afolabi. Lagos, Nigeria: Women Advocates Research and Documentation Centre.
- Akande, Jadesola Olayinka Debo. 1999. *Miscellany at law and gender relations*. Lagos, Nigeria: MIJ Professional Publishers Limited.
- Annan, Kofi. 1998. UN Secretary-General Kofi Annan: Quiet diplomacy in a troubled world. By Dr. Lea E. Williams. Black Collegian. <http://www.blackcollegian.com/un-secretary-general-kofi-annan-quiet-diplomacy-in-a-troubled-world/>.
- Berger, Iris, and Frances E. White. 1999. *Women in sub-Saharan Africa: Restoring women to history*. Bloomington: Indiana University Press.
- Bohannon, Paul, and Philip Curtin. 1971. *Africa and Africans*. Garden City, NY: Natural History Press.
- Boserup, Ester. 1970. *Women's role in economic development*. London: Allen & Unwin.
- Bucknor-Akerele, Kofoworola. 2001. "From good politics to good economy: What women have done and can do." In *Women's political participation through economic empowerment*, edited by Cyril I. Obi. Lagos, Nigeria: Human Development Initiatives.
- Enemuo, Francis C. 2001. "Political participation and the economic empowerment of Nigerian women: Imperatives and prospects." In *Women's political participation through economic empowerment*, edited by Cyril I. Obi, 27. Lagos, Nigeria: Human Development Initiatives.
- Johnson-Odim, Cheryl. 2006. "Actions louder than words: The historical task of defining feminist consciousness in colonial West Africa." In *The feminist history reader*, edited by Sue Morgan, 366. New York: Routledge.
- Little, Kenneth Lindsay. 1973. *African women in towns: An aspect of Africa's social revolution*. New York: Cambridge University Press.
- Obi, Cyril I, ed. 2001. "Introduction". In *Women's political participation through economic empowerment*, 1. Lagos, Nigeria: Human Development Initiatives.

Oluwole, Sophie B. 2001. "Women in grassroots politics and subsistence economy." In *Women's political participation through economic empowerment*, edited by Cyril I. Obi, 41. Lagos, Nigeria: Human Development Initiatives.

Oriji, John N. 2000. "Igbo women from 1929-1960." *West African Review* 2 (1).

Oyekanmi, Felicia Durojaiye. 1990. "Labour relations and politics in Nigeria: The case of women." In *Report of two workshops on political participation and political accountability*, edited by C. Osinulu; O. Jegede and U. Ugonna, 36. Lagos, Nigeria: Nigerian Association of University Women.

Sofola, Zulu. March 1993. Remarks made at the Symposium to Commemorate International Women's Day, Abuja, Nigeria.

UNESCO. 1960. *Convention Against Discrimination in Education*. Paris: UNESCO.

#### ENDNOTES

<sup>1</sup> Cambridge International Dictionary of English, low price ed., s.v. "rhetoric."

# WOMEN'S POLICY JOURNAL OF HARVARD

## *Call for Papers*

**Deadline: November 1, 2013**

The *Women's Policy Journal of Harvard*, John F. Kennedy School of Government is a student-run, nonpartisan review dedicated to publishing interdisciplinary work on policy making and politics affecting women. We strive to improve the quality of public policies affecting women with the intention of furthering female economic, social, and political empowerment.

We are currently accepting submissions for our Spring 2014 volume.

We seek papers that explore the impact of public policies on women around the world and provide new insight into issues affecting diverse groups of women. We also welcome articles, commentaries, photography, and other pieces of artwork that offer a gendered or a woman's perspective on pressing political, social, and economic policy issues or investigate the role of women in the policy-making sphere.

E-mail inquiries and submissions to [wpjh@hks.harvard.edu](mailto:wpjh@hks.harvard.edu)

### **SELECTION CRITERIA**

The WPJH will be selecting papers for publication based on the following criteria:

- Timeliness of topic to current women's and gender policy discussions
- Originality and depth of research and ideas
- Sophistication and style of arguments

- Contribution to scholarship and policy-making

### **SUBMISSION GUIDELINES**

- Research articles should be between 4,000 and 7,000 words and include a 100-word abstract.
- Commentaries should be between 1,500 and 3,000 words.
- Photography, poetry or other artwork must speak to women's and gender policy issues.
- Work must be original and unpublished.
- Work should be formatted in any version of Microsoft Word and included as an attachment, unless it is a photograph in which case it should be submitted as a jpeg file.
- Citations should be formatted in the author-date system via running text, according to the guidelines in the Chicago Manual of Style. Footnotes are not accepted.
- All figures, tables, and charts must be submitted as separate files.
- A cover letter should include the author's name, address, e-mail address, daytime phone number, and a brief biography.
- Authors are required to cooperate with editing and fact checking.

<http://www.hks.harvard.edu/>



Printed on responsibly harvested, agency-certified paper containing 50% post-consumer recycle content.



**HARVARD Kennedy School**  
JOHN F. KENNEDY SCHOOL OF GOVERNMENT