

## CHAPTER 23

# INSIDE THE STATE

## *Activism within Legislative and Governmental Agency Forums*

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### INTRODUCTION

REPRESENTATIVE Donna Edwards (D-MD) described her position in Congress as a “big bully pulpit for the things you feel passionate about” (Perry 2011). Prior to being the first African-American woman elected to the House of Representatives from Maryland, Edwards was a cofounder and executive director for the National Network to End Domestic Violence (NNEDV). The NNEDV led the effort to pass the Violence Against Women Act (VAWA) of 1994. While in Congress, Edwards continued to be involved in efforts to end domestic violence. In 2013, as Congress faced the imposition of across-the-board spending cuts known as sequestration, Representative Edwards joined other female members of Congress in a news conference to convey how these cuts would affect victims of domestic violence. While the House of Representatives would reauthorize VAWA, Edwards said, it would “take a sledgehammer to the already-strapped budgets of the nation’s domestic violence shelters and programs” (Political Transcript Wire 2013). Edwards stated that 230,000 calls to domestic violence crisis hotlines would go unanswered due to these spending cuts, and she urged her colleagues in Congress to adjust the budget proposal to prevent the disruption in services to domestic violence victims (Political Transcript Wire 2013).

Until recently, this type of women’s activism has not been incorporated into traditional analyses of the women’s movement or women’s activism, in large part because women with insider status were anathemas to the commonly held belief that outsider status was needed to be a movement activist. In traditional understandings of social movement activism, activism occurs outside traditional political institutions, and the activists themselves are outsiders to normal politics (see, for example, Tilly 1978: 52–54).

Increasingly, though, scholars recognize that activism can occur both within and outside government (see Banaszak 2010; McAdam, Tarrow, and Tilly 2001; Santoro and McGuire 1997). Studies of women's movements also overwhelmingly focus on activists who are outside of political institutions and whose tactics involve protesting political institutions or building alternative institutions outside the state (Barakso 2004; Ferree and Martin 1995; Ryan 1992). While a large literature on local community activists developed, scholars of the women's movement have traditionally ignored activists within political institutions at the local, state, or national level. In recent years, however, there has been increased focus within the social movement literature on activism within institutions (Banaszak 2005, 2010). Women's movement scholars have also examined women's activism within government (Banaszak 2010; Katzenstein 1998; Kenney 2004, 2013). This new interest among women's movement scholars joins a deep and long-standing literature on women within institutions, particularly in legislatures and the federal government, acting in women's interests and on behalf of women. In this chapter, we draw on these literatures to examine women's activism in national and state legislatures, as well as in government bureaucracies.

Before delving more deeply into institutional activism as it relates to the women's movement, it is useful to consider how change is made in public policy because institutional processes are often tied to insider activism. One way to understand the importance of institutions such as the legislature and bureaucracy in securing policy change is to consider the policy process model (Kraft and Furlong 2013: 86). The first step of the process is agenda setting: those seeking social change raise awareness about an issue and push for it to be addressed by the government. Policy formulation and policy legitimation, the second and third steps of the process, are often conducted within the legislature. These steps include designing, drafting, and enacting legislation. Activism can be incorporated into these first three steps through advocates lobbying for certain provisions, building public support for policies, providing draft language for the bill, and asking legislators to support the bill's passage. The opportunity for social change does not end when a bill is passed, however. The fourth step of the process is policy implementation, which is largely conducted by the government bureaucracies. The bureaucracy has some discretion when implementing legislation, providing another opportunity for activists to provide their input. One example of this is when outside groups provide feedback on executive branch regulations during open-comment periods. The fifth step of the cycle is policy evaluation, and if the policy is not seen as effective or has failed in its objectives, the cycle can start over again with a demand for another policy change.

Institutional activists have an opportunity to influence policy at multiple points in this cycle. For example, Amenta, Dunleavy, and Bernstein (1994: 683) note that activists in the bureaucracy help mobilized groups gain leverage in the political system: "Bureaucrats whose missions are similar to those proposed by challengers may provide favorable administrative rulings, enforce laws favorably, or propose favorable new legislation." Activists inside the legislature can also provide support to outside groups, propose and herald new legislation, and work to ensure a process of feminist supporters in the bureaucracy. Attorney General nominee Loretta Lynch, for example, received strong support from several women

in Congress. Congresswoman Marcia Fudge (2015) expressed her enthusiasm in a statement on the nomination of Lynch: “Finally!! I am elated Attorney Loretta Lynch now has the opportunity to lead the U.S. Department of Justice [. . .] As the first African-American woman U.S. Attorney General, she stands as a role model for others.”

This chapter discusses current understandings of the role of insider activism in these interactions between movements and the government. We begin by examining the definition and measurement of insider women’s activism. A second section introduces the different tactics and strategies that these insider activists might utilize. We then examine insider activists within the bureaucracies and legislatures separately, highlighting the current understanding of insider activism in each branch, and how institutional forms might influence their activism. In this discussion, we will focus specifically on the intersectional nature of women activists, as well as on the definition of women activists, and discuss how the definitions might lead to different conclusions about the roles these women play. Finally, we point to some directions for future research.

## DEFINING WOMEN ACTIVISTS WITHIN THE STATE

Different scholars use different definitions of women insider activists and even different terminology to refer to them, reflecting both different research foci and important assumptions about the activism. In research on the United States, for example, Santoro and McGuire (1997) refer to institutional activists, Banaszak (2010) to insider activists, and Katzenstein (1996) to activists within institutions. In research outside of the United States, a well-developed literature on femocrats also exists (see, e.g., Eisenstein 1996; Sawyer 1995), and other scholars have examined state feminism by looking at specific parts of the government bureaucracy (Mazur 2002; McBride Stetson 1995).

To define insider activism, one needs to clarify what constitutes being an insider, as well as define the concept of activism. Discussions of institutional or insider activism often combine five different dimensions of insider status that often occur at the same time but are different in nature.<sup>1</sup> First, central to all discussions of insider activism is the *affiliation* of the individual activist, particularly whether she is a member of the specific institution or not. In defining institutional activists, we often begin with the expectation that their affiliation with an institution will define their activism. Institutional activists in the legislature, therefore, are defined by their status as members of the legislature; similarly, insider activists within government bureaucracies are defined by being employed by the bureaucracy.

A second dimension is the *geographic location* where the individual’s activism occurs. Here we again draw a division between individuals who are acting inside the institution—that is, taking actions within the legislature or bureaucracy—and those who are active outside these institutions. Rosenthal and Bell (2003), for example, focus on the

insider activism of congressional staff, but focus only on their activities related to their positions as congressional staff acting within Congress. Action inside an institution is defined as mobilizing or organizing in ways that draw on membership in the institution. Such activism might involve actions that are considered normal within the institution—for example, proposing legislation within the legislature—but it may also involve actions that challenge the institution, such as making claims against the institution or focusing on change within the institution (Banaszak 2010; Pettinicchio 2012). Importantly, not all individuals affiliated with the institution engage only in activism inside the institution. In particular, individuals also maintain lives outside their affiliations with these institutions and may choose to act in these capacities. Members of Congress, for example, can appear on the front lines of demonstrations, as did a number of representatives at the March for Women’s Lives on April 25, 2004 (Freeman n.d.; NOW 2014).

A third dimension often conflated with affiliation of the activist and acting inside an institution is the *form* that such activism takes. Individuals who are institutional activists because of their affiliation are often assumed to utilize a limited range of activist forms, defined in part by the institution with which they are associated or the location of their activism. For example, there is often the assumption that feminists acting within the halls of government will engage in forms of activism consistent with the practices of these institutions (McBride Stetson 1995; Vargas and Wieringa 1998). While this is often the case, feminist bureaucrats and legislators have also utilized activist forms that are more consistent with outside activism (such as protest demonstrations). For example, during the 1970 Women’s Strike for Equality, government bureaucrats held teach-ins on government property and joined striking workers (“Women on the March” 1970). One feminist within the National Institutes of Health even engaged in a hunger strike to call attention to sexual harassment within the institution (Banaszak 2010: 132).

Fourth, discussions of women insider activists also often assume that the ultimate *target* of insider activism is state policy. Yet, as Van Dyke et al. (2004) have shown, the state, while an important target for women’s movement activism, is not the only one. Women’s movements also seek to influence public opinion (Banaszak and Ondercin 2016; Mansbridge 1986: 88) and corporate practices (Raeburn 2004). In the case of women’s insider activism, sometimes such activism is focused on targets outside state institutions. For example, feminist insiders working in the U.S. Agency for International Development’s (USAID) Office of Women and Development in the late 1970s provided financial support to women’s groups focused on women’s development issues, with the goal of creating stronger national and transnational networks that could work for social change and support for the incorporation of women in development aid (Fraser 2004: 169; Tinker 1983: 236).

Finally, scholars have also assumed that insider activists are to some degree less radical than outsider activists because they have participated in institutional activity. But the degree of *radicalization* may vary among insider activists. As Katzenstein (1996) has forcefully argued, there is no reason to assume that all members of an institution have adopted the norms and values of the institution equally. Indeed, the nature of

institutions is such that individuals or even organizations may be part of multiple institutions, which provide alternative identities, norms, and values, and result in insider activist radicalization. Moreover, even when individuals are affiliated with an institution, they may be heavily marginalized and may reject the institution's central goals, values, or norms (Katzenstein 1998a; Mazur 1995). For example, Banaszak (2010: 74–76) found feminist insiders in the federal bureaucracy on the forefront of militant anti-violent organizations like Women in Black, the anti-pornography movement, and in debates about whether federal funding would de-radicalize women's shelters.

Given these five different conceptions of insider activists—institutional *affiliation*, *geographical location* of the activism inside the institution, *targeting* the institution, using institutionalized *forms of activism*, and a lack of ideological *radicalization*—it is important for scholars to distinguish the different dimensions of insider activism and to be clear about the operational definition of activism as well. Banaszak (2005, 2010), for example, measures insider activists as employees of the federal bureaucracy who are also members of women's social movement organizations. Looking at other countries, the literature on femocrats has defined these insider activists as the women who occupy policymaking positions in “women's policy machineries” (see, e.g., Outshoorn 1994; Watson 1990).<sup>2</sup> On the other extreme, Santoro (1999) and Santoro and McGuire (1997) place all women elected to the legislature in the category of institutional activists.<sup>3</sup>

The operational definition of activists influences who is labeled an institutional activist, and can lead to the conflation of the different dimensions of insider activism. In particular, as we shall see, when insider activism is measured by ascriptive membership in a group, we may lose the ability to distinguish between allies, such as women who do not share identity with the underlying movement, and true activists. This distinction may become particularly important because allies may abandon the movement more easily than activists in the movement. It also makes artificial distinctions that may not reflect true activism; men may sometimes be members of the women's movement, and women in legislatures need not support the policies of the women's movement.

## FORMS OF ACTING INSIDE THE STATE

Although insider activists utilize many forms of action, one important form of activism is to rely on existing state institutional processes. Women activists within legislatures and bureaucracies are particularly well placed to take advantage of these avenues to advance their cause (Pettinicchio 2012). Within the institution of the legislature, there are a variety of ways that women act as insider activists. Women activists sponsor legislation and conduct congressional hearings to promote awareness of women's issues. For example, Patricia Schroeder (D-CO) introduced the Family and Medical Leave Act in 1985 (McBride and Parry 2011: 235). When describing her twenty-four years in Congress, Schroeder writes that she carried “99.9% of all the work in family issues.” It took eight years for the Family and Medical Leave Act to pass, she writes, and in the

years since she has not seen Congress do “one thing to move the issue one inch further” (Schroeder 2003: 87).

Activism surrounding passage of the Violence Against Women Act (VAWA) demonstrates how legislators and their staff advocate from inside the institution of Congress. Working with the National Task Force to End Sexual Assault and Domestic Violence Against Women, female legislators such as Connie Morella pushed for hearings on the topic of domestic violence (McBride and Parry 2011: 300). Female staffers made up the vast majority of committee staff working on the bill, including seventy-four of seventy-seven staffers in the House internal group (Rosenthal and Bell 2002: 358). They could also use their positions on the staff to influence a Congress member’s opinion. One female Senate staffer described herself as “personally interested” in VAWA. She knew that because of her boss’s detachment from the issue, she had the opportunity to shape his opinion on the issue (Rosenthal and Bell 2002: 361).

Members of Congress can also express their support or disapproval for presidential nominees, such as when Nita Lowey (D-NY), chair of the House Pro-Choice Task Force, endorsed the nomination of Henry W. Foster, Jr.—“an obstetrician who had acknowledged performing legal abortions as part of his practice”—as surgeon general (Gertzog 2004, 93). Women within Congress have also found avenues of activism through the Congressional Caucus on Women’s Issues (CCWI), which serves as a support network for female members of Congress while providing a “mechanism for collective action outside of party structures” (Hawkesworth 2003: 538). Eleanor Holmes Norton (D-DC) described the CCWI’s approach to forming its agenda as one in which “every woman Member” of Congress contributes her legislation and the caucus embraces that legislation (144 Cong. Rec H6881, 1998).

Institutional activism is also present within state legislatures. Following the creation of the President’s Commission on the Status of Women in 1961, many state legislatures created commissions to address women’s issues, providing a forum for legislators to promote their policy ideas. One example is the Wisconsin Women’s Network, which had thirteen policy task forces and was supported by more than 1,000 dues-paying members (Boles 1991). In other states, such as Oregon, female legislators formed coalitions with women’s organizations to discuss policy. In fact, many of the female legislators themselves were members of women’s organizations (Boles 1991: 46).

Women activists within the legislature also practice their activism by working with, or becoming part of, outside groups. Congresswoman Carolyn Maloney (D-NY), for example, became involved in the Million Mom March, speaking out in favor of federal gun safety legislation. In addition to supporting the group’s effort to send postcards to the Speaker of the House to lobby for a change in policy, Maloney sponsored a bus from New York City to participate in the march in Washington, D.C.<sup>4</sup> Numerous Congresswomen were also involved in the 2004 March for Women’s Lives. Senator Barbara Boxer (D-CA), Congresswoman Hilda Solis (D-CA), and Congresswoman

Maloney (D-NY) were involved in a pre-march reception sponsored by the Feminist Majority Foundation. At the march, these women and many others, including then-Senator Hillary Rodham Clinton, marched with the protesters and spoke before the crowd in favor of women's reproductive rights (Feminist Majority Foundation 2004).

Some female legislators combine their membership in institutional groups with the advocacy of outside groups to see favorable policy change enacted. Tammy Baldwin, for instance, is a founding member of the Congressional LGBT Equality Caucus. She was also the first woman elected to the U.S. House of Representatives from Wisconsin, and the first openly gay woman in Congress (Canon 2001). Baldwin has used her position to advance LGBT legislation, like the Matthew Shepherd and James Byrd Hate Crimes Act, which became law in 2007, and to repeal discriminatory policies such as the Defense of Marriage Act (DOMA). In the work to repeal DOMA, the LGBT Equality Caucus was joined by various LGBT rights organizations, including the Human Rights Campaign and the National Gay and Lesbian Task Force (Polis 2011).

Supporters of the women's movement within the bureaucracy also use their position within the institution to advocate on behalf of women's issues. The Presidential Commission on the Status of Women, formed in 1961, provided feminists within the government an opportunity to engage full-time in women's issues research (Banaszak 2010: 59). Feminists at the Equal Employment Opportunity Commission (EEOC) played an important role in enforcing the implementation of legislation protecting women from employment discrimination (Banaszak 2010: 144). Similar to the groups formed within the legislature, women within the bureaucracy have also formed networks to work on women's issues. Two women's organizations that arose within the National Institutes of Health—NIH Organization for Women and Self-Help for Equal Rights—grew out of informal meetings among female employees discussing their experience within the institution (Banaszak 2010: 108). They worked on issues such as establishing an employee day-care center and dealing with issues of sex discrimination in hiring, promotion, resources, and pay (Banaszak 2010: 109). Federally Employed Women conducted studies of Federal Women's Programs and provided training sessions for women employees within the federal government (Banaszak 2010: 107).

While bureaucrats have advocated from within the government, insider activists were also involved in the larger women's movement. In her interviews with insider activists, Banaszak (2010: 86) found that half of the women interviewed were already feminist activists when they entered the government. These women belonged to organizations such as the National Organization for Women (NOW) and Human Rights for Women. From their position in government, they could connect activists with policymakers and had access to insider information that could be passed on to these outside groups (Banaszak 2010: 100). Even groups within the government became involved with the larger feminist movement. For example, Federally Employed Women organized a rally in Washington, D.C., after Betty Friedan issued a call for a "Women's Strike for Equality" (Banaszak 2010: 107).

## THE IMPACTS OF INSTITUTIONAL ACTIVISM

We consider that acting within institutions is more effective for some women activists than others. This section addresses the forms of insider activism taken by women in both the legislature and the bureaucracy. We focus on the effectiveness of these activities within political institutions while also discussing how women activists' partisan affiliation, ties to external organizations, and differences in racial and class backgrounds affect their success. Tarrow (1994: 85) defines political opportunity as “consistent—but not necessarily formal or permanent—dimensions of the political environment that provide incentives for people to undertake collective action by affecting their expectations for success or failure.” This concept can usefully be applied to activists within state institutions, just as it is applied to activists outside the state. In particular, as we will discuss, minority women and poor women often find acting within institutions more constraining and closed to influence, even when they are members of the institution.

### Institutional Activism and Outcomes in the Legislature

Women within the legislature often see themselves as being responsible for representing women. Women legislators may advance women's rights by prioritizing legislation related to issues such as domestic violence, day care, sexual harassment, and pay equity (Carroll 1994). In her three waves of interviews with women members of the 103rd and 104th Congress, Debra Dodson (2006) finds that between 91% and 100% of women members of Congress felt they had a responsibility to women, from consciously shaping policies that align with the contemporary feminist movement to supporting policies more responsive to women's needs (2006: 49). Nadia Brown (2014) reports similar sentiments among African-American female legislators in the Maryland legislature. Although none of the women she interviewed self-identified as feminists (2014: 32), they felt that their experiences as Black women gave them a unique experience to see how legislation affects other Black women (2014: 77).

Individual female legislators work toward advancing the rights of women, but groups of women legislators are also active in advancing feminist goals as well. As mentioned previously, the CCWI typically adopted a long legislative agenda composed of the priorities of all caucus members. During the 105th Congress, however, the CCWI chose to focus on seven pieces of legislation deemed critically important and whose passage seemed feasible; Norton referred to these bills as the “Magnificent 7” (Gertzog 2004: 129). Four of the seven proposals passed: the Violence Against Women Act and the Mammography Quality Standards Act were both reauthorized; Congress created a commission to promote women and minorities in science, technology, engineering, and math fields; and Congress “required health insurance plans covering federal employees to include the costs of five different methods of contraception” (Gertzog 2004: 131).

Similarly, groups of women state legislators have also banded together to produce significant changes in policies. In Ohio, feminists in the state legislature worked with the Ohio Domestic Violence Network to pass legislation allowing for the introduction of battered women syndrome expert testimony in court (Gagné 1996). Moreover, in interviews with activists involved in this campaign, Gagné finds that most of the participants did not have a clear separation between their activism and their jobs; many of these activists used their jobs to advance the goals of the movement (1996: 87). In 1976, the Minnesota state legislature established the Council on the Economic Status of Women, which was later transformed into a commission composed entirely of legislators (Evans and Nelson 1989). Among its main objectives, the council worked on a pay equity bill; toward that end, the council held hearings on the status of women as state employees (Evans and Nelson 1989: 78). In 1984, the state legislature passed the Local Government Pay Equity Act by an overwhelming margin (Evans and Nelson 1989: 86).

Nonetheless, despite congressional women's desire to represent women, women's interests sometimes conflict, creating divisions among women representatives. Welfare reform provides an example of the conflicting interests among women, and how those who identify as feminists can be in favor of policies that are not beneficial for all women. Mink (1998) argues that many of the child support enforcement policies fought for in the 1980s and favored by White feminists as a way of "making fathers pay" infringed upon the privacy rights of female welfare recipients (1998: 82). The concept of "making fathers pay" shifted the discourse on the cause of poverty away from immoral mothers and toward irresponsible fathers who were accused of taking advantage of "heightened access to women's bodies" following the sexual revolution (1998: 83–84). The measures incorporated into the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) were developed in consultation with groups such as the National Women's Law Center and the Women's Legal Defense Fund (1998: 83), and the final bill was supported by such prominent Democratic women as Nita Lowery, Democratic chair of the Congressional Women's Caucus, Patricia Schroeder, former Democratic chair of the Congressional Women's Caucus, and Barbara Kennelly, the only woman in the congressional Democratic leadership (1998: 3).

While many of the White feminists in the 103rd and 104th Congress supported welfare reform, women of color in Congress fought against the proposals' implicit attacks on the Black family (Hawkesworth 2003: 542). They attempted to counter the stereotypes of lazy "welfare queens" by bringing social science research into the policy debate (Hawkesworth 2003: 541; see also Hancock 2004). They proposed an alternative bill that called for a living wage and education and training opportunities to equip welfare recipients with the skills needed to escape poverty (Hawkesworth 2003: 541). Women who held positions of power, such as Senator Moseley-Brown (D-IL) on the Finance Committee, attempted to amend the bill, and in the end two of the eleven amendments by women of color were incorporated into the bill (Hawkesworth 2003: 543, 545). Other Congresswomen spoke out on the House floor against their colleagues' statements misrepresenting welfare recipients (Hawkesworth 2003: 545). Taking their activism outside

of the institution of the Congress, they held press conferences on the issue of welfare reform and organized town meetings with their constituents (Hawkesworth 2003: 546).

Of course, the increasing polarization of the political parties makes it more difficult for women to act together as women to achieve changes in policy. Examining the behavior of members of the 103rd and 104th Congress, Swers found that Democratic and Republican women were more likely to work together to sponsor women's issue bills than their male colleagues (2002: 40). However, her results also show that ideology is the most important predictor of women's issue voting (Swers 2002: 119). In fact, Republican women's support for liberal positions on women's issues bills fell by almost 50% after Republicans took control of Congress, suggesting that their votes were conditional on their party's power. In part, this was because when holding the majority, the party leadership could place more severe sanctions on legislators who defected from the party line (Swers 2002: 53). In addition to the influence of party leadership, however, more conservative Republican women were elected to Congress. These Republican women were less supportive of feminist legislation than their predecessors (Swers 2002: 64). On the state level, Osborn argues that, for many women candidates, party identity shapes their positions on women's issues. Moreover, party institutional structures limit the extent to which female legislators can deviate from the party agenda (2012: 7).

Overall, then, despite the fact that women in Congress and state legislatures often worked together and achieved significant changes in policy, there are limits to their collaboration and achievements. Women face different political opportunities depending on the partisan makeup of the legislature. Moreover, the issues of women disadvantaged by race or class often receive less attention, while it is easier to make progress on policies that affect White, middle-class women.

## Women Activists and Outcomes within Government Bureaucracies

Women activists employed by government bureaucracies also act within these institutions to advance women's rights. This activism began long before the advent of the second wave of feminism. For example, historians have noted that women bureaucrats in the 1930s—from Frances Perkins to other less famous federal government employees—had a significant influence on the policies of the New Deal (Rung 2002; Seeber 1990; Ware 1981). Moreover, a number of federal government employees prior to the 1960s were members of the National Woman's Party (Rupp 1985; Rupp and Taylor 1987), and other scholars have noticed insider feminist activism in the years leading up to 1960 (Harrison 1988; Laughlin 2000; Zelman 1982).

As is the case with women acting within legislatures, women's activism within the bureaucracy takes a number of different forms. First, women within the bureaucracy have themselves formed organizations to address employment discrimination or to advance policy toward women as employees of the federal government. These organizations range from Federally Employed Women and Executive Women in

Government, which are national in scope and represent women across a number of government departments and agencies, to those representing a local group of women within a specific agency, like Self Help for Equal Rights, organized by women scientists working at the National Institutes for Health campus in Bethesda, Maryland (see Banaszak 2010: 108–110). Like other women's organizations not focused on government employees, these government insider organizations pursue feminist issues. For example, Federally Employed Women's legislative agenda for the 114th Congress included passage of an Equal Rights Amendment and the ratification of the Convention on the Elimination of Discrimination against Women, as well as supporting the elimination of the combat exclusion for women in the military.

Second, women bureaucratic activists have explicitly connected with and supported feminist organizations outside of government while acting within institutions. This support has ranged from providing information to outside groups to aiding their search for financial resources. One of the most prominent examples of information sharing is the work done by Sonia Pressman Fuentes during her period as a lawyer at the EEOC during the initial years of its existence. Seeing that cases involving women were not being handled, Pressman Fuentes funneled information about the cases to a network of women lawyers outside of government who helped the complainants sue—beginning the field of law on sexual discrimination and harassment (Banaszak 2010; Pedriana 2004; Pressman Fuentes 1999). Arvonne Fraser (2004) in the Women in Development Office in USAID provided small grant funding to support women's organizations working in development, helping to build women's organizations in that area (see also Chaney 2004).

Additionally, there is evidence that women acting within the government bureaucracy pursue issues that advance women's rights through their work within the bureaucracy itself (see, for example, Borelli 1997; Dolan 2001; McBride and Mazur 2010). The most studied and visible discussion of this work focuses on activists acting within bureaucracies that further women's status or equality of the sexes (Lovenduski 2005; McBride Stetson 1995). While in many countries formal oversight of this issue occurs within one or a few bureaucratic offices, the United States is characterized by a large number of offices and agencies whose job is to advance women's status and rights. These include the Women's Bureau within the Department of Labor, whose association with protective legislation for women prior to the second wave reduced its connection to several feminist organizations (McBride Stetson 1995; Parry 2005); federal and state-level commissions focused on the status of women<sup>5</sup> (Duerst-Lahti 1989); the EEOC, whose mission is to serve as the investigatory arm for complaints of sexual discrimination and harassment in the workplace; the Violence against Women's Office within the Department of Justice (established in 1995), which provides assistance to programs and communities battling violence against women; the office of Women in Development within USAID, whose mission is to assure that U.S. foreign aid advances women's status worldwide; the Office of Women's Health within the Department of Health and Human Services; and the Women's Educational Equity Program (WEEP) in the Department of Education, which provides funding to further equity for women in education.

The multiplication of women's policy agencies in the United States both limits the resources going to any one office, but provides multiple venues for insider activists to act, and multiple places where insider alliances with outside organizations can occur. The disadvantage of this division is that some issues receive more attention than others; education equity and job discrimination have been addressed by these institutions, but less so issues of women's poverty because no institutional home exists for the latter issue.<sup>6</sup> On the other hand, the splintering of women's policy agencies also benefits the women's movement. Anti-feminist administrations find it difficult to eliminate or completely emasculate women's policy agencies because they are spread throughout the bureaucracy. For example, although Reagan reduced the power and scope of WEEP in the 1980s, he was unable to eliminate all feminist policies. The diverse institutional settings also empower individual feminist activists. Since they are spread across numerous offices, feminist insiders are often able to make contributions to the advancement or consolidation of feminist policies, even under hostile administrations (Banaszak 2010).

Even outside women's policy agencies, though, insider women activists may still mobilize around women's issues, and may play important roles in influencing policy outcomes. For example, Title IX received support from a number of women inside the Department of Health, Education, and Welfare who worked to highlight the gender inequities in education that paved the way for Title IX. Once the legislation was adopted, these same women activists kept women's organizations informed during the public comment period to ensure that the legislation was appropriately implemented (Banaszak 2010: 150–156; Brown n.d.; Millsap 1988; McBride Stetson 1995). Particularly in the early years of the women's movement, when there was much to be done, progress was made in numerous ways, from rewriting policy in non-sexist language to working toward better child care for government employees.

The degree of political scrutiny that women's activists in bureaucracies receive also affects the form their activism takes, and the degree to which they are constrained by their institutional affiliation. That scrutiny depends on a number of aspects of the activists' positions. As is the case with Congress, activists are constrained by the ideological makeup of the institution. When the president or the activists' supervisors are hostile to feminist values or are concerned about how women's activism might be received, women activists inside the bureaucracy may feel limited in their ability to act as they wish. For example, Mary Eastwood, one of the founding members of NOW, noted that after a photograph of her picketing the EEOC appeared in the *Washington Post*, her supervisor informed her that she had better not receive such publicity again (Banaszak 2010: 133). Members of Congress exercising their power of bureaucratic oversight may also constrain women's activism. High-level political appointees are also constrained by the process by which they receive their position. Because they serve at the bequest of the presidential administration and are seen as spokespeople for the administrative values, individual activism beyond the administration's official policies are often not tolerated. Midge Costanza, for example, a strong feminist activist, was forced to resign after her stance on abortion and connection to women's movements put her out of favor with President Carter (Barbash 1978).

At the intersections of gender and race, women activists inside government face specific challenges in their activism. Insider activism differs from outside activism in this case because institutional contexts influence who has access to positions within the executive bureaucracy and because of the limitations of advocating within the state. First, women of color are especially disadvantaged in entering the bureaucracy (Banaszak 2009; Hsieh and Winslow 2006; Naff 2001; Zipp 1994). As late as 1998, the Department of Education had only 340 African-American women in General Schedule pay levels and only five African-American women in Senior Executive pay grades *nationwide* (U.S. Office of Personnel Management 1999: 71). Despite education and experience in the law, as well as other professions intended to lead to employment in the public sector, the gains in representation of women of color in this arena have been largely in less prestigious and lower-paid jobs, such as the area of social work, compared to their White counterparts (Sokoloff 1988). Second, scholars (Hancock 2007a, 2007b; King 1988) note that racial divides in the United States mean that women's movement activism differs by race both in the organizational affiliations and in terms of how specific issues might be viewed. The autobiographies of African-American women activists who have worked for the federal government, for example, show the importance of black sororities like Delta Sigma Theta as a source for women's activism, although such organizations are rarely discussed among scholars of women's insider activism (see, for example, Freeman 2003; Terrell 1996). These organizations have engaged in activism on behalf of minority women (Giddings 1988), and insider activists often were members, working within these organizations and utilizing their networks as they sought to implement social change. Frankie Freeman Muse, for example, an appointee to the U.S. Commission on Civil Rights from 1964 to 1969, served as president of Delta Sigma Theta from 1967 to 1971, and mobilized the organization around issues of sex discrimination and women's rights.

Despite the constraints of institutional location and context, women at the intersection of race and/or class acted inside institutions to further feminist goals. Examples are available at all levels of government. Aileen Hernandez moved from the International Ladies' Garment Workers' Union to become one of the first commissioners of the EEOC, where she was an early advocate for working-class women and women of color. When she resigned from the Commission in November 1966, members of the founding group of NOW had already appointed her to NOW's governing board. Similarly Berger (2012) shows how African-American women working for the Baltimore city government, who were largely social workers, advocated for anti-discrimination policies for African-American women and men in the city of Baltimore.

## DIRECTIONS FOR FUTURE RESEARCH

The current state of the literature on women's insider activism is still very much in its infancy. Much of the focus has been on defining and articulating how insider activists function. This means that there is much left that we do not know about this form of activism.

First, and foremost, there has been little work on how different characteristics of institutions influence insider activism. It is particularly important to understand how the gendered nature of institutions influences insider activism in the legislature and bureaucracy. While recent work on gendered state institutions (Krook and Mackay 2011; Chappell 2002) has drawn such issues to the forefront, most studies of the effects of the gendering of institutions has focused on case studies of a single institution (Borelli 1997; Hawkesworth 2003). Comparing state legislatures and bureaucracies could provide some leverage on understanding how particular characteristics of the institution in which the activism is embedded influences the identity, organization, tactics, and outcomes of the insider activism.

Second, there has been significant change over time in the identities of women activists, and we do not yet have a sense of how the shifting identities of insider activists within the women's movement and across all women alter the nature of insider activism. In particular, over time, feminism has mutated, encompassing a wider range of beliefs, and increasingly recognizing the existence of multiple feminisms (Amos and Parmar 1984; Chowdhury 2009; Lorde 1984). At the same time, there has been increasing recognition of the importance of intersectional identities (Bedolla 2007; Collins 1989; Crenshaw 1989; Jordan-Zachery 2007). Moreover, there has been a rise of conservative women's activism, particularly since the 1970s, and several conservative women activists have served in positions in Republican administrations (Schreiber 2008, 2014). These changes suggest that we need to analyze a wider array of insider activists. In particular, how are differences in women activists associated with differences in the form of insider activism, and how does the gendered nature of the bureaucracy differentially influence their insider activism? Do we see conservative insider women activists constrained by a Democratic Congress or presidency, as feminist activists have been? Do the constraints imposed by government bureaucracies influence African-American women differently, as congressional institutions have constrained African-American women insider activists?

As we seek to expand the research on women's institutional activism, we should also consider the policy implications of such activism. In the past, women in government—in both the legislature and the bureaucracy—have worked toward policy change benefiting women. In the 1990s, for instance, female lawmakers and officials within the presidential administration lobbied for establishing Offices of Women's Health in various federal agencies, including the Department of Health and Human Services and the Food and Drug Administration (McBride and Parry 2011: 92), where these offices made contributions to the education, health, and social welfare of women. We have qualitative case studies indicating that such institutional change creates policy change, but scholars have not yet compared policy implications across a wide range of institutions, including those without large institutional change or that lack insider activists, to examine how the existence and absence of such offices impact policy.

What makes an institutional activist more likely to succeed? How does having the support of an outside organization change the tactics and strategies used by institutional activists? Groups such as EMILY's List have been active in funding and mobilizing

support for feminist candidates; it may be that this type of support provides a strong incentive for a candidate to act as an activist once elected into office. Under which conditions is an institutional activist most likely to succeed? Presumably, having a presidential administration and Congress that are friendly to feminist issues would increase the probability of advancing feminist goals. How do activists fare under these conditions, and how do activists within government and organizations outside government adapt to less than favorable conditions?

Much of the literature on women's activism has focused on efforts to achieve change from positions outside governmental institutions. In this chapter, we have examined the ways in which women within state institutions have used their positions to advance women's causes. Female legislators, at both the federal and state level, have taken it upon themselves to represent women and to lobby for progressive change. These insider women have also worked with outside groups to garner public support for these policies. Similarly, women in the bureaucracy have created organizations within the government to address workplace discrimination and have used their positions to advance the cause of women's equality and women's rights. Being on the inside is no guarantee for success; these insider activists are sometimes thwarted by institutional constraints, the political climate, or increased polarization between the parties. Yet, our overview of insider activism in the legislative and executive branches of government shows that—diverse as it is in its targets, forms, degree of radicalism, and ideological focus—women's insider activism has produced concrete and important change. But there is still much to learn about how insider activism in these institutions works.

## NOTES

1. Katzenstein (1998a: 37–41) identifies only three dimensions: location, form, and content. She does not distinguish between the location of the protest, the affiliation of the activist, and the target of the activism. We also note that scholars sometimes also need to adopt additional assumptions as they translate their theoretical concept into concrete measures.
2. Women policy machineries are defined, following Stetson and Mazur (1995), as the bureaucratic institutions within the state responsible for developing and implementing policies specific to women. The names of these institutions and the specific types of policies that fall under the rubric “specific to women” vary quite substantially across countries. In this chapter, I also include in my discussion of women activists within the state those individual bureaucrats making women's policy in departments or agencies that have other primary concerns.
3. This definition corresponds with the extensive literature in political science that examines the activities of women representatives in parliaments and the effects that they have on policy (for an overview of this literature, see Krook and Schwindt-Bayer 2013).
4. <http://maloney.house.gov/media-center/press-releases/saving-lives-mothers-day-maloney-and-million-mom-march-members-speak-out-federal-gun>.
5. At the federal level there have been a number of commissions and councils on the status of women, including the President's Commission on the Status of Women (1962), the Citizens' Advisory Council on the Status of Women (1963), the Interdepartmental Committee on

the Status of Women (1963), and the Task Force on Women's Rights and Responsibilities (1969). Over the years, many states (and the District of Columbia) have also empowered Commissions on the Status of Women at various points.

6. Of course, poverty is partially addressed by the Women's Bureau with its focus on women workers, and by WEEP. But because each of these offices addresses only a small portion of the issue, any part of the issue that falls outside of these specific largely remains unaddressed.

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