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Strategies and pathways to make states more accountable for women's rights

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There is increasing recognition of the role played by women's and feminist movements in driving change in favour of greater gender equality and justice. The evidence for this emerges not only in the myriad stories of change documented by women's rights activists and feminist researchers in which mobilisation plays a vital role (see, for example, Alpizar et al. 2010; Nazneen and Sultan 2014). It also lies in the conclusions reached through analysis of large-scale data sets that sets out to isolate and identify key variables influencing changes in laws and policies in favour of women's rights across a vast diversity of country contexts. Thus Laurel Weldon and Mala Htun's (2013) analysis of policies on violence against women in 70 countries over a 30-year time period and Htun and Weldon's (2014) research on progressive policy change on women's economic and social rights offers the statistical evidence to confirm conclusions long recognised by those engaged in women's rights activism at the grassroots: that the principal pathway to positive change for women is activism, which plays a more important role than a host of other factors including national wealth.

In this paper, I explore how women's rights activists have secured laws, policies and programmes to improve women's lives at home and at work and secure for them a life free of violence and abuse and access to decent work and a regular, independent income. Complementing Htun and Weldon's findings from large-scale quantitative analysis with qualitative stories of change in particular settings, I seek to identify insights that can help inform efforts to enhance state accountability to women so as to achieve the promise of the Beijing Platform for Action. Legal and policy reform process are contingent and conjunctural, with dynamics, histories and institutional ramifications that may be highly particular to the context. By structuring the paper as a series of comparisons, contrasting Brazilian experience with examples from Ghana, Bolivia, Chile and Egypt, I seek to bring salient aspects of context into closer view.

The paper begins by looking in more detail at Htun and Weldon's findings, and with a consideration of the current conjuncture. I then draw on qualitative and participatory research on three issues: domestic violence; domestic work; and state anti-poverty programmes aimed at securing reliable, regular income for women living in poverty and their families. Most of the material I work with here arises from qualitative and participatory action research carried out by members of the Pathways research programme, a multi-country, multi-disciplinary collective of feminist researchers and activists who have been working together since 2006 to understand how positive change happens in women's lives.¹

Women's Rights Activism as a Force for Change

The significance of women's rights activism in changing women's lives for the better has never been more evident. Major gains made by women's and feminist movements internationally include putting the issue of violence against the women on the public policy agenda, raising awareness of the care burdens faced by women and the denial of rights and dignity to those who perform the work of social reproduction, and highlighting the gross disparities in the representation of women in leadership in societal institutions, public and private. And yet for all these gains, women continue to face exclusion and marginalisation from political power, the impact of rising economic inequalities on everyday lives in which they continue to do a

disproportionate share of unpaid domestic labour, and gender-based discrimination in the labour market and the workplace.

Since Beijing, substantial shifts have taken place in the configuration of international and local actors engaged in provisioning, policy formation, lobbying and advocacy. The terrain of contestation that was “gender equality” has become ever more complex. Transnational, regional and local feminist organising has come to contend with a panoply of powerful actors, from transnational networks of religious conservatives, to the ever-expanding reach of market institutions, including banks, philanthropists and corporations and their appropriations of the ‘gender agenda’ in the guise of ‘investing in women and girls’. It has also been complicated, and some would argue compromised, by the marketization of gender expertise and through the outsourcing of service or other functions to NGOs.

In the kind of ‘perverse confluence’ described by Evelina Dagnino (2005) for the convergence of neo-liberal and civil society agendas, we see above all the promotion of women’s economic empowerment by neo-liberal international development agencies, corporations and philanthropists as a business proposition. This echoes and distorts feminist advocacy of women’s empowerment as a matter of global justice, with its diluted commitments to what is effectively “empowerment lite” vaunted by vapid celebrities. At the same time, we see a continued rise of outsourced provision complicating the accountabilities of states to their citizens. This in turn brings with it muting effects on that growing swathe of international and national civil society organisations whose livelihoods have come to depend on mainstream development’s framings and fashions, alongside other symptoms of the shift to ‘market feminism’ (Kantola and Squires 2012).

In the midst of all this, we see little serious consideration in the development mainstream of the structural barriers to social and economic change in favour of greater equality and justice. Against this backdrop, the commitments made in the Beijing Platform for Action gain renewed relevance. Far from diminishing the role of the state in protecting, respecting and fulfilling women’s rights, the current conjuncture demands far more active engagement by states parties in securing the gains that have been made and in enhancing state capacity to respond to demands and to enhance accountability to women’s rights.

Recent years have also seen the regeneration and growing visibility of women’s rights activism. Not all of this activism is self-declaredly feminist: indeed, as I go on to discuss, tensions may emerge around the relationship of feminist social actors with those mobilising for the rights of particular groups of women, perhaps especially in relation to the arena of women’s personal and intimate lives. Sex worker rights activists, for example, may count radical feminists amongst their most vocal adversaries (Doezema 2009). And domestic workers’ rights advocates may come up against the vested interests of middle class and elite women in places of power – feminists included - in maintaining the lack of labour rights that enables them to afford cheap cleaning, cooking and childcare services. Equally, not all activism associated with women is geared at changing inequitable structures of power: examples include right-wing organisations such as Concerned Women for America (www.cwfa.org).

The focus in this paper, as in the studies on which it draws, is activism directed at producing outcomes in the form of laws, policies and programmes that deliver on the commitments to women's rights made in the Beijing Platform for Action. Its focus is on women's everyday lives and on laws and policies through which the state can act to promote, protect and respect women's physical, political and economic autonomy (Vargas, 2014) at home and at work. It addresses the two types of policies addressed in Htun and Weldon's work. The first are 'gender status policies' – those policies that affect the way in which women are treated, whether in terms of violence, representation in parliament or legal status at work. The second is 'class policies', which include paid parental leave and public funding for childcare, abortion and contraception: policies that imply an economic cost, whether to government or employers, and government intervention in the market.

Change in 'gender status' policies, Htun and Weldon's analysis shows, is driven principally by women's autonomous organising and, to a lesser extent, by the action of women politicians in national legislatures. Key to this process of social change, Htun and Weldon suggest, is the new social knowledge that is produced through autonomous mobilisation: the ways in which claims are framed, the arguments developed and evidence harnessed to advance these claims, the common positions that are adopted in articulating demands and the effects of all this on discourse and debate in the public sphere. Htun and Weldon hypothesise that feminist movements will be the main drivers of change in relation to 'gender status policies' and left parties and unions the major drivers in 'class policies', where economic factors matter more.

What emerges very powerfully from Htun and Weldon's analysis is the significance of women's rights activism for change in laws and policies on both 'gender status policies' and 'class policies'. In the case of 'gender status policies' the association is clear: women's and feminist movement mobilisation plays a fundamental role in getting an issue on the political agenda and in securing state responsiveness to it, using means that are well-documented in the social movement literature and to which I will return later in this paper. When it comes to adoption of 'class policies', their findings suggest that left parties and the existence of international treaties were in themselves only weakly associated with greater gender equality; equally, they found that having an effective women's policy machinery did not display as strong a predictive effect as they had anticipated. It was, they show, only where vibrant women's movements were able to influence the policies of these parties and draw down on these treaties and that substantive gains were seen. In the case of domestic work, they find that the best policies are more likely to be adopted when domestic workers organise autonomously.

In the sections that follow, I draw on empirical case study material to explore some of the dynamics of change that lie behind these quantitative findings through a close focus on the dynamics of change in 'gender status policies' and 'class policies'.

From Private Issue to Public Concern: Domestic Violence

One of the most striking changes in the post-Beijing landscape has been the visibility of violence against women on national and international policy and funding agendas, itself in some ways symptomatic of some of the features of the current conjuncture

identified earlier (Miller 2004). High-level commitment to ending violence against women, including the engagement of international coalitions of men as well as women, has been matched with the adoption of laws and policies on sexual, gender-based and domestic violence the world over. In both Brazil and Ghana, women's rights activists have been crucial in pushing for legislative change and improvements in service provision for survivors of domestic violence. The story of the successful pursuit of legislative change in Brazil and Ghana and the process of implementation of these newly-won laws offers a number of useful insights into what it takes to bring about meaningful change in women's rights to safety and security in their most intimate relationships.

Brazil and Ghana passed their domestic violence legislation within a year of each other. The Brazilian Lei Maria da Penha on Domestic and Family Violence became law in August 2006 (Sardenberg 2011; de Aquino 2013). The Ghanaian government passed a bill on domestic violence in February 2007, after four years of heated debate; the Domestic Violence Act entered into the statutes in May 2007 (Manuh 2007). In both cases, feminist civil society activists played a critical role in securing legislative provision for action on domestic violence; and, also in both countries, regional and international legal instruments and human rights institutions proved key in strategies for framing and advocacy. The pathways that legal reform took were similar: feminist activists, equipped with the technical knowledge to compose coherent and persuasive proposals for legislation, were successful in bringing their proposals to government attention and securing the passage of legislation.

In Brazil, the process that led to the passage of the law built on three decades of women's and feminist movement activism on domestic violence. Brazilian women began to mobilise in the late 1970s, while the country was still under military rule, to protest court rulings in favour of men who committed femicides claiming 'legitimate defence of honour' (Sardenberg 2011). Over the period of Brazil's (re)democratisation, from the mid-1980s onwards, feminist and women's movements played a vital role in reframing domestic violence: from a private matter to an issue of public concern. Pressure from feminist activism led to the creation of the first women's police station in 1985 – of which there are now almost 500 – and, later, to the creation of reference centres and shelters. Feminist and women's movement activists sought and secured changes in the Constitution and have successfully lobbied for the constitutions of states within Brazil's federal structure to make direct reference to violence against women (Alvarez 1998; Aquino 2013; Sardenberg 2013).

Notwithstanding feminist ambivalence about engagement with the state, given its patriarchal character and the history of brutal authoritarian repression in the country, concerted feminist advocacy over a period of more than 30 years has pushed the state to innovate and to respond. Cecilia Sardenberg and Ana Alice Costa (2014) explore the shifting relationships between the movement and the state in Brazil in this period, one that involved quite a radical transformation of positions that had traditionally been hostile to and suspicious of the state: 'feminists had to recognise that the modern state was capable of influencing society not just through coercive means, but also through progressive policies' (2014:61).

The process that led to the achievement of Brazil's landmark domestic violence legislation involved recourse to the regional human rights body, the Inter-American

Commission on Human Rights. The struggle for a law that would tackle the impunity enjoyed by violent and abusive men in their domestic and familial relationships gathered momentum around the case of Maria da Penha Fernandes. Left paraplegic by her violent husband, who shot her in her sleep and two weeks later tried to electrocute her in the bath, Maria da Penha began her struggle for justice in 1984. It took some 7 years to bring her former husband to court, but a successful appeal overturned his conviction. A new trial was held in 1996, and a sentence of ten years was imposed. Still he remained free. Two years later, in 1998, Maria da Penha and representatives of the Centre for Justice and International Law and CLADEM-Brasil (Latin American and Caribbean Committee for the Defence of Women's Rights) placed a petition before the Inter-American Commission on Human Rights.

The petition addressed Brazil's obligations under the Convention of Belém do Pará, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, which had been ratified by Brazil in November 1995. With similar provision to CEDAW, the Belém do Pará Convention includes a definition of violence against women and holds the state responsible for protecting women from violence, including the translation of this responsibility into concrete preventive actions and guaranteeing adequate resources for punitive action against aggressors and compensation of victims (Aquino 2013). In 2001, the Commission declared the Brazilian state responsible for negligence, tolerance and omissions related to domestic violence. It recommended that a law be drafted to address violence against women in Brazil and measures be taken, to include simplifying judicial procedures, training police and court personnel, and increasing the number of women's police stations. The Commission noted:

The violation against Maria da Penha is part of a general pattern of negligence and lack of efficiency on the part of the state in terms of processing and sentencing aggressors... [T]his lack of general judicial efficiency in combination with discriminatory practice help create the very environment that allows the existence of domestic violence, as there is no socially perceived evidence of the will and effectiveness on the part of the state, as a representative of society, to punish acts of this type. (Organizaçao dos Estados Americanos, 2001:13, cited in Aquino 2013:179)

This case became a landmark. It was the first time that the Belém do Pará Convention had been applied and that a country had been found to be responsible for domestic violence under its provisions. It took a further five years for the Lei Maria da Penha to become law.

A number of Brazil's leading feminist and women's human rights organisations – CLADEM, Cepia, CFEMEA, Themis and others – formed a consortium and worked together from 2002-2004 to draft the legislation. They reviewed examples from other countries, studies of violence against women in Brazil and took into account the existing institutional context; the result was comprehensive in its provisions to address the “3 P's of domestic violence legislation” (Sardenberg 2011:9) – punishment, protection and prevention. A round of national consultations followed and the Brazilian state brought the law into existence in August 2006. The design of the law creates a formal connection with the earlier legal rights instruments of the Brazilian Constitution, CEDAW (ratified by Brazil in 1994) and the Belém do Pará

Convention, and considers violence against women as a human rights violation (Aquino 2013). With its clear specification of forms of violence, its focus on prevention and on-going research and monitoring, its stipulation of the creation of specialized domestic and family violence courts and the obligations it places on the government to be fully involved in implementation, the law is widely considered one of the most comprehensive pieces of domestic violence legislation in the world. Feminist and women's movements and organisations have been actively involved in promoting the law. They continue to push the state to invest more financial resources in its implementation. Investments have been made by civil society and the state in shifting public opinion. These include government-sponsored campaigns, popular songs, government input into popular soap operas and use of high-profile cases to raise awareness about domestic violence (Sardenberg 2011).

With the passage of the Lei Maria da Penha, feminist and women's movements marked a victory. But they also recognized that the struggle was not over. A federal law, with national scope, the implementation of Lei Maria da Penha falls to state and municipal agencies. This gives rise to a number of challenges, from residual patriarchal attitudes and practices, to lack of resources or political will (Sardenberg 2011). Recognising the need for accompaniment of implementation as the provisions of the law came to be enacted throughout the country, the national Secretariat of Policies for Women (SPM) put out a tender for a consortium that would oversee the process. A consortium of feminist organisations came together to win the tender as OBSERVE, the Observatory for Monitoring the Implementation of Lei Maria da Penha. Their aim was to raise awareness of the new law, collect information about its impact on the reporting and prosecution of domestic violence, and identify obstacles and successes in the implementation of the law (Sardenberg 2011; Aquino 2013). Cecilia Sardenberg of the Nucleus for Interdisciplinary Women's Studies at the University of Bahia – a long-established hub of feminist academic activism with extensive political and policy connections - played a pivotal role as co-ordinator of the OBSERVE consortium.

Aquino (2013) and Sardenberg's (2011) studies for the Pathways programme outline actions taken by women's rights advocates to translate this celebrated piece of progressive legislation into tangible gains for women's rights. OBSERVE developed a methodology for monitoring the implementation of the law, gathering quantitative and qualitative information on police stations for women and the special courts for domestic and family violence in Brazil's 26 states, carrying out in-depth studies of cross-agency coordination and identifying areas of 'best practice'. Findings and recommendations have been used to inform the development of protocols and procedures in police stations and the formulation of policies for cross-agency coordination (Sardenberg 2011). They suggest a series of transferable lessons for making domestic violence legislation effective: training at all levels, from those administering the law in the courts to those attending women in police stations; cross-agency collaboration and co-ordination; raising public awareness and changing public opinion; promoting monitoring and evaluation by civil society; and lastly, and crucially, providing adequate budgets at all levels of government for effective implementation (Sardenberg et al. 2010).

Ghana's Domestic Violence Act was passed a year after Brazil's, after a six year campaign. Feminist researchers had revealed the extent of violence against women,

with a study conducted by the Gender and Rights Documentation Centre in the late 1990s showing that one in three women had experienced physical, psychological or emotional abuse and a parallel study commissioned by the National Council on Women and Development confirming high levels of wife beating and even higher rates of non-reporting (Coker-Appiah and Cusack, 1999 and Pappoe and Ardayfio-Schandorf 1998, respectively, cited in Manuh and Dwamena-Aboagye, 2013). Emerging from analyses of the data was a pervasive pattern of patriarchal social attitudes and relations, in which ‘men were considered the “heads”, “guardians” and “keepers” of women and girls, and had the right to punish and chastise them for acts ranging from disrespect to sexual impropriety or infidelity’ (Manuh and Dwamena-Aboagye 2013:204, citing Adomako Ampofo and Prah 2009).

These studies put gender violence into the public eye, naming it as a violation of women’s human rights – a framing that is one of several similarities with the Brazilian case, and has its roots both in transnational feminist activism and in the deployment of CEDAW and the Beijing Platform for Action as instruments in the struggle for women’s rights. In the Ghanaian case, as in Brazil, activists also made recourse to regional human rights institutions, including Ghana’s ratification of the Protocol on the Rights of Women in Africa, the African Charter on Human and People’s Rights, as well as CEDAW and the Declaration on the Elimination of Violence against Women. From the time of Ghana’s return to democracy in 1990, feminist and women’s organisations have been established with the aim of advocating for the realization of women’s rights and citizenship. Several – including FIDA, NETRIGHT, WISE and WiLDAF – have within their membership experienced women’s rights and human rights lawyers. Gains secured through women’s rights advocacy and mobilization include the establishment within the police service of the Women and Juvenile Unit to deal with violence against women and girls and gather data on incidence and types of crimes against them, in 1998. These organisations also sought to place the issue on the public’s as well as the government’s agenda with marches, protests and public manifestations.

The trigger for the legislative project came with the murders of four women in February and March 2002 (Manuh and Dwamena-Aboagye, 2013). With the change of government in 2001 had come the political opportunity to take action, much as in the case of Brazil’s election in 2005 of a government far more sympathetic to women than any before it. Feminist and women’s NGOs came together in a coalition called Sisters Keepers. They mobilized women to march to demand action on violence against women. Manuh and Dwamena-Aboagye write of how, at this march, male onlookers told the protesters that ‘as long as women continued to “step out of line” they would be disciplined by their partners as was proper in “our culture”’ (2013:205) – a reference, they note, to the inherited criminal code instituted by the British colonial government which rendered women subject to men’s legitimate use of force on the basis of supposed consent given upon marriage.

As in Brazil, it was women’s organisations who prepared the legislative proposal, drafting a private member’s bill in consultation with the Office of the Attorney General that was put to parliament in 2003. Controversy raged, with detractors pitting “foreign ideas” against “Ghanaian culture”. Manuh and Dwamena-Aboagye report that an unprecedented national consultation was proposed. In response to this, women’s rights and human rights activists came together in the National Coalition on

Domestic Violence Legislation to organize a nationwide consultation and mobilise support for the bill. The obstacles faced by the Coalition included the hostility of the incumbent minister of Women's and Children's Affairs (Manuh and Dwamena-Aboagye, 2013). The strategies for public influence adopted by the Coalition included publicity campaigns, using pictures of abused women, documentary film, discussions on radio, TV and in the newspapers. All over Ghana, the Coalition carried out educational campaigns and meetings with religions and traditional leaders, politicians and the media. This mounting campaign was met with a further political opportunity in the change in leadership in the Ministry of Women and Children (MOWAC), and a new Minister with a background in policy analysis and advocacy.

The law was passed in February 2007, and entered into statutes in May. It included a commitment to improving Ghana's compliance with its legal obligations under international human rights standards, a 'victims of domestic violence support fund' with financial support from the state, a Domestic Violence Secretariat and a multi-sector Domestic Violence Management Board charged with oversight of implementation. The National Coalition remained active in pressing the government to adopt a national policy framework and plan of action to implement the law. The resulting national policy was based on principles drawn from the 1992 UN Recommendation 19 on Violence Against Women, the Beijing Declaration and Platform for Action and the 1993 UN Declaration on Violence Against Women.

Implementation has been hampered by inadequate funding, poor understanding of the gendered nature of domestic violence, a lack of clarity about what is needed to prevent violence, delays in procurement slowing the production of information and communications about the law, and ambivalent attitudes on the part of police, courts and the media about the status of domestic violence as a 'real crime', including trivialization in the media. Women's rights organizations monitoring the courts report a lot of cases being withdrawn after court adjournment, due to pressure from families, poor attitudes amongst court officials and bullying by defence lawyers (Manuh and Dwamena-Aboagye 2013). Manuh and Dwamena-Aboagye (2013) note that in the negotiation of the Act, the toning down and compromises made 'to ensure that certain sections of the populace do not feel threatened' (2013:212) have left it a less powerful document. This "watered-down law" (2013:213) will, they contend, "feed the inclinations of enforcement institutions to avoid as much as possible the prosecution of perpetrators, and to blame victims and undermine the seriousness of sexual assault complaints within marriage" (2013:214). This, they argue, does not send "a strong message about zero tolerance for domestic violence acts and strong institutional accountability in enforcement" (2013: 214).

One of the issues to emerge from Manuh and Dwamena-Aboagye's study is that one consequence of lack of institutional and financial support from the Ghanaian government is that funding of the plan of action has fallen to a foreign government, the Netherlands, whose embassy funds those things they wish to support. Limited support is also given, on similar terms, by UNFPA and DFID. This raises a number of concerns. These include the risk of shifts in donor agendas leaving the implementation of the action plan adrift. At the same time, they note, Ghana's main women's rights organisations – who play a vital role in providing services to survivors – are struggling with funding. They report co-ordination issues in the implementation of the Act, a lack of appropriate skills and training at all levels, a lack

of supervision, and a general lack of institutional capacity to provide appropriate support, including in the courts and the Commission on Human Rights and Administrative Justice.

Brazil and Ghana's women's rights and human rights organisations have formidable capacity, from legal skills and knowledge to organizing power. Getting domestic violence on the government's agenda took, in both cases, a combination of egregious cases making it into the public eye via the national media coupled with the pressures of compliance with regional human rights instruments – and in Brazil's case, directly applied pressure through the Inter-American Commission on Human Rights. The struggles to get the law on the statute books in both countries took a concerted, national campaign; in both, too, it benefited from the political opportunities afforded by a change in government and in key personnel in the executive (Htun and Weldon 2010; Annesley 2010). In both cases, elements of the law were watered down and an uphill battle to change societal attitudes, including of police and members of the judiciary, continues.

When it comes to implementation, however, we see some marked differences. In Ghana, a lack of resources and capacity in the women's ministry, persistent lack of government resources committed to addressing violence against women, and lack of co-ordination amongst state agencies and a lack of state support for monitoring have all hampered implementation. In Brazil, for all the challenges that beset implementation, especially in rural areas, we can see the positive influence of a more active, well-resourced Ministry for Women. Partnerships with feminist and women's human rights organisations have done much to strengthen the capacity and reach of the state; Costa and Sardenberg (2010) describe these relationships as 'participatory state feminism', a new variant of state feminism in which the radical democratic ideals that inform the architecture of participatory governance in Brazil define sites for engagement between activists across women's movements and the state.

It is these very organisations that, in Ghana, are struggling to stay afloat financially. There is much that these kinds of organisations can do to fulfil precisely the needs outlined by Sardenberg and detailed earlier in this section, especially when it comes to training, monitoring and awareness-raising. But in the absence of state and donor support, it is clear that this vital work is going to remain under-resourced. Apusigah, Tsikata and Mukhopadyay write, in the case of Ghana

Funds for sustained advocacy and movement building that tackle systemic factors hampering much needed structural transformations in women's rights have been lacking. In spite of the gains in awareness creation and the establishment of new funding windows, organizations working toward such transformative change continue to face funding challenges. Within the context of the new funding regimes, feminist movements and women's rights organizations (WROs) as mobilizers have been short-changed in the delivery of aid and other development resources. (2011:1).

At the same time as domestic violence gains greater visibility on the international development policy agenda, then, those very development actors who have been so crucial in getting the issue on local agendas and providing support and services for women in the absence of state accountability for women's rights to security are being

starved of resources (AWID 2008). There are further resource issues. A mere 1% of the national budget funds the Ministry of Women and Children (MOWAC), to whom it falls to implement the domestic violence legislation; they have neither the resources nor capacity to do so adequately as a result. As a result, the Government of Ghana relies on the donations of other countries to support implementation. This presents a significant risk of remaining vulnerable to the vagaries of donor whims, along with accusations of being associated with a foreign agenda. In contrast, the description of the reference centres by the Brazilian Secretariat of Policies for Women (SPM) at the inception of the implementation of Lei Maria da Penha sets out a vision for state responsiveness that offers both co-ordination and a normative framing as a space for recognizing and constructing citizenship. Some 160 reference centres now exist. The SPM defines them thus:

The strategic space in which the national policy addresses violence against women and seeks to break the violent situation and to construct citizenship through global action and an interdisciplinary approach (psychological, social, legal guidance and information)... The Reference Centre should exert an important role in articulating the services, government agencies, and NHOs within the network of care to women in situations of social vulnerability, women who are suffering gender violence. (SPM 2006:2, cited in Sardenberg 2011)

These case studies takes us to sites within the state in which budgets are allocated, policies are implemented, partnerships negotiated and workers recruited, trained and deployed, and in which judges, court officials, police officers and social workers transform policies flow into practices and in which the long, difficult, work for the realisation of women's rights is done – the court room, the clinic, the police station, the referral centre and, ultimately, to those interpersonal relationships of power with which a term that international agencies appear to have forgotten, “gender relations”, is concerned.

What lessons emerge from these cases? We see in both the critical role that women's rights organisations play in processes of positive change. Both involve recourse to regional human rights instruments and international conventions, and a version, in each case, of the ‘boomerang effect’ (Keck and Sikkink 1999), drawing down on agreed international norms and making use of supra-national spaces to pressure states to deliver on their commitments to women citizens. And we see in both that the role of women's rights organisations extends well beyond advocacy to extending the capacity of the state, playing a vital role as partners in the design as well as the implementation of legislative projects that seek to deliver on gender justice. In both Brazil and Ghana, the legal and technical expertise of women's rights activists was turned to producing proposals for legislative reform, designing monitoring instruments and influencing strategies for implementation.

A key difference, however, is in the capacity and commitment of the state to make real the rights that the legislation offers women. In the Brazilian case, we see a combination of high-level political will that extends to the framing of the implementation of the Lei Maria da Penha with the resources, and partnership, extended to women's organisations to monitor the legislation and create a feedback loop to enhance responsiveness. In Ghana, we see a lack of dedicated resources for

the Ministry leading to donor dependencies that include cherry-picking of interventions and potentially lead to vulnerabilities to changing donor fashions, as well as a lack of ownership and sustainability. With a mere 1% of the national budget going to the Ministry for Women and Children, despite a strong and mobilised women's movement with considerable expertise, state accountability for women's rights is compromised by state capacity and political will. I return to these issues later in this paper.

Domestic violence has become arguably the most prominent of all women's rights issues. It is virtually the only gender equality issue that has generated significant male mobilization. In the following section, I turn to another question of rights and justice associated with the domestic arena: paid domestic work. Domestic work, in contrast, tends to be framed as a gender issue in policy arenas only when it is classed as "unpaid care work". And while domestic violence legislation has been won through the mobilizing activities of feminist activists from the upper echelons of their societies – lawyers, academics and professionals in senior positions in government – domestic work legislation has been fought for in contexts where these very middle class and elite women may have the most to lose from the attainment of better pay and working conditions for their largely female domestic workers. For these reasons and because domestic work is such a significant category of women's labour market participation in many countries, the struggle for domestic workers' rights offers an interesting contrastive case.

The Struggle for Rights for Domestic Workers

Globally, it is estimated that some 95% of domestic workers are women. In some countries, especially in Latin America and Asia, domestic work absorbs a higher proportion of working women than any other form of employment. In recent years, a wave of legislation has rippled through a number of Latin American countries bringing improved labour rights for domestic workers. The dynamics of these changes in legislation differ from the examples in the previous section in that those driving legislative change have a very different social and political locus, in labour movements and in movements organising informal sector workers. Kabeer, Sudarshan and Milward's (2013) Pathways collection, *Organising Women in the Informal Economy*, notes how the informal sector organising goes beyond deployment of the 'weapons of the weak' to sophisticated strategizing and the use of a variety of effective political tactics by movements of some of the world's most marginalised workers. As they note, many informal sector workers

are located at the intersections of different kinds of inequality: class, race, caste, occupation and legal status, so that building shared identity and interests represents an even greater challenge. (2013: xx)

The case of domestic workers' rights activism in the three Latin American countries compared in this section – Brazil, Bolivia and Chile - surfaces a number of important lessons for those who wish to support the advance of women's rights.

As Brazil returned to democracy in the mid-1980s, a societal process of debating the country's future was soon underway as Brazilians sought to rebuild a democratic society. Social movements mobilized demands and came together in a conversation

that produced Brazil's 1988 "Citizens' Constitution". The Constitution delivered some new labour rights for domestic workers, advancing their cause. It was not, however, until 2006, that significant labour rights were won with the advent of a new era in Brazil's political history represented by the election of Workers' Party president Luis Inácio Lula da Silva, in 2003. Law 11.324/2006 brought an expansion in labour rights, although still not full recognition as equal to other workers. In April 2013, a Constitutional Amendment designed to bring Brazil in line with ILO Convention 189 was brought to Congress. Controversies over severance and redundancy pay kept the Amendment stuck in Congress for months; it was finally passed in Senate in 2014. It gave domestic workers the right they had been struggling for almost 80 years to achieve: to be members of the working class, with the same employment rights as all other workers. These included: an 8 hour day; a maximum of 44hrs a week; the right to minimum wage; a lunch break and regular breaks; overtime; additional pay for working through the night; social security and severance pay.

Brazilian domestic workers began organizing in the 1930s. A black Communist Party activist Laudelina de Campos Mello, led the formation of the domestic workers' first association in 1936, in the southern Brazilian city of Campinas. Concerned with the lack of recreational activities for black women, Laudelina became actively involved in promoting leisure along with politics; as President of the Campinas Professional Domestic Workers' Association from 1936 to 1949, she initiated a process of organizing that had grown, four decades later, into a national federation (FENATRAD, Pinto 1993). During the dictatorship, domestic workers met and formed associations, sometimes with the assistance of the progressive Catholic Church. With the return to democracy came the political opportunity both to get domestic workers' rights on the constitutional agenda and to form alliances that could help win visibility and attention to domestic workers' rights. The intense discussions and mobilisations that accompanied the making of the 1988 Constitution brought domestic workers' leaders into dialogue with members of the feminist and black movements; in Salvador, Bahia, as in other parts of the country, this was to form the beginning of lasting relationships of support and solidarity.

Creuza Maria Oliveira, former president of FENATRAD (*Federação Nacional de Trabalhadores Domésticos*), talks of how her first contact with organizing came when she heard on the radio of a meeting taking place at a Catholic school; she barely knew her way around the city and had to ask her employer's help, dissembling, as she continued to have to do for many years, as to the purpose of these meetings (Cornwall, Gonçalves and Oliveira, 2013). She recalls how she came, through this, to know about and then to attend meetings of the black movement that changed her perspective on her and other domestic workers' situations. From there, she came into contact with feminists, mostly white, middle-class and associated with the university. These encounters and the friendships and associations that they gave rise to proved significant. The black movement leader whose powerful words Creuza so admired at that very first meeting is now Brazil's Minister of Racial Equality; her Chief of Staff is the white middle-class feminist academic who helped FENATRAD identify a funding source and write an application for their very first "headquarters", a small house that members could go to on their rest day to socialize as well as strategise and that Creuza credits as their first real step towards autonomous self-organisation.²

Together, in Geneva in 2011, they witnessed the historic ILO Convention 189 come into being.

Domestic work in Brazil is rooted not only in patriarchal social arrangements and class-based inequalities, but also carries the deep imprint of racism left by the slave trade. Some 60% of Brazilian domestic workers are black; the injustice of racial inequality is as inextricably part of their struggle for rights and recognition as class and gender inequalities (Gonçalves, 2010). Notwithstanding some important relationships of solidarity and support from within the feminist movement and some limited support from the trade union movement, domestic workers have had to wage their own struggle, organize autonomously and, at every step, negotiate their own spaces for influence. In this, the black movement and others engaged with the struggle for racial equality have been important allies. The struggle for domestic workers' rights is, then, a struggle in which the Ministry of Racial Equality has an important stake and has come, in recent years, to play a significant role.

Tracing salient elements of the Brazilian domestic workers' movement, three themes – resonant with the broader literature on social movements (Tarrow 1992; McAdam et al. 2001) – emerge. The first is framing. The creation of cognitive frames that invite shared meaning is a vital dimension of activist practice. Snow et al. (1986) use the concepts of 'frame alignment' and 'frame resonance' to describe the ways in which frames work to organise experience and guide action of activists on the one hand, and the ways in which such frames are able to influence public perceptions of the issue on the other. The harnessing of the frame of dignity, citizenship and equal rights as workers in an era of progressive leftist government lent the struggle for rights the means to harness broader solidarity and win alliances, even with interest groups for whom the issue of domestic workers' rights was a source of some ambivalence.

The second theme, following from this, is constituency and coalition-building. This can be observed in the ways in which the movement not only built up its own autonomous organisations that remained strongly rooted in their base communities, but also expanded into alliances with movements with greater positional or political power and access to spaces of influence. This also has elements of what Keck and Sikkink (1999) call 'leverage politics', which they define as 'the ability to call upon powerful actors to affect a situation where weaker members of a network are unlikely to have influence' (1999:95). The third is political opportunity (Tarrow 1998; Meyer 2004), which shaped the tactics that the movement pursued in different conjunctures. The political opportunity afforded by not only the election of a progressive leftist government in which workers' rights and broader questions of citizenship and equality were already high on the agenda, but also the opportunities afforded by ILO Convention 189 were decisive in enabling the domestic workers to push beyond the limits previously experienced despite favourable political circumstances.

There is much in this story that speaks to Merike Blofield's (2009) comparative analysis of domestic workers' rights activism in Latin America. Blofield looks in some detail at contrasts between the cases of Chile and Bolivia, each of which experienced reform in domestic work legislation in the 2000s. Bringing these examples into comparison with the Brazilian case offers further insights into how activism for women's rights can achieve success. Blofield explores different paths to legal reform in domestic workers' rights in Latin America. She identifies three

independent variables: organization, coalition building and shifting political opportunity structures. She goes on to highlight the significance of autonomous organization in securing policy and legal reforms.

In Bolivia, Blofield shows, domestic workers were able to harness the frame of indigenous rights at a time when a new left wing political party was in the ascendant that was soon to bring indigenous leader Evo Morales to power in 2005. The conjuncture of the rising power of a left wing party and greater visibility of the rights denied to indigenous people in Bolivia created the conditions under which domestic workers were able to gain sufficient social and political alliances to win legislative gains. In Chile, the situation was very different: here too many workers were also indigenous people, but as non-Chileans, principally from Peru, they had fragile claim on the citizenship rights that could be mobilized in claims to equal employment rights. Domestic workers' organisations had been active in the struggle for democracy, but with the end of military rule, the vibrancy of these organisations has diminished. Blofield details how sympathetic left-wing legislators helped domestic workers win rights to severance pay (1990) and maternity leave (1998), but that since the 1990s it has been more difficult to build and maintain alliances.

Blofield makes the important point that domestic workers are not represented in Congress, but employers are; for female legislators, in particular, it is the presence of domestic workers in their homes that permits them the scope to participate in politics. For reasons of class, race and gender, domestic workers find it very hard to gain access to political office. An example of this is FENATRAD leader Creuza Oliveira's own experience: she has stood for election to municipal and state government four times, each time failing to win sufficient votes to enter public office. Added to this, Blofield suggests, women's work – paid or unpaid – is not considered “real” and of the same value as other forms of labour, and implicit racism acts as a barrier to the view that everyone should be entitled to the same labour rights irrespective of their status. An interesting dimension of her analysis of domestic work legislation in Latin America is that not a single case emerges where, once a domestic work bill has gone to the vote, it has been defeated. The challenge, she shows, is therefore to get and keep domestic work on the agenda of political elites who may have little interest in seeing progressive legislation raising the wages and providing better working conditions for domestic workers.

Leadership emerges in Blofield's analysis as a key contrast between Bolivia and Chile. The Brazilian case further qualifies this, demonstrating not only the significance of persistent, committed leadership, but also of a style and form of leadership that can navigate between different domains of influence, enlisting support from those whose priorities lie elsewhere. This is not the more confrontative and combative style that tends to be associated with labour unions, but something more akin to the ‘soft power’ described by Kabeer et al. (2013) for the tactics deployed by organisations of informal sector workers. Thus Creuza Oliveira talks of how she sought to enlist the assistance of the main Brazilian trades union congress, CUT (*Central Única dos Trabalhadores*) in lending support to the Domestic Workers' Union and her realization that for the primarily male-dominated occupations that were in the upper echelons of the union, domestic workers' rights were low on their agenda. It was alliances forged with the feminist and black movements, and especially with middle-class feminists positioned within government, in research institutions and

in active and influential women's rights organisations, that brought assistance in securing funding, solidarity and, later in the PT administration, well placed and powerful allies within the federal executive. This, in turn, suggests a further factor that is highlighted by Nazneen and Sultan in their 2013 Pathways collection *Voicing Demands: Feminist Activism in Transitional Contexts*: proximity to those situated in positions of power within government, and the personal connections that activists are able to mobilise.

The contrasts between the domestic workers' struggles in these three countries highlights a number of insights that emerge at the intersection between different dimensions of framing, organization, coalition and constituency building, political opportunity and leadership. While in Bolivia, harnessing the political opportunity of the indigenous rights frame offered a path to reform, in Brazil the 'anchoring' (Moscovici 1994) of domestic workers' rights within a broader struggle for equal rights, dignity and citizenship – associated strongly with racial discrimination and the discriminations faced by all Brazilian women in and out of the workplace - drew solidarity and cemented alliances with other, more powerful, social movements and reformers within the state and political parties. In Brazil, as in Chile, it was sympathetic actors within the state and in the Brazilian case, especially within the executive but also key women members of progressive political parties on committees in the legislative, who were able to push through legislative change.

Opening Doors, Sustaining Change: Feminist Bureaucrats as Women's Rights Activists

For all the efforts in the post-Beijing era to enhance women's political representation, it has become evident that there is no automatic connection between a 'critical mass' of women in legislative bodies and the kind of 'critical acts' that secure legislative change in favour of women's rights with which the previous sections have been concerned. In feminist political science, this recognition has led to a greater focus on those 'critical actors' (Childs and Krook 2009) who are instrumental in bringing about such changes. This brings into view the landscape of informal political institutions that provide crucial support and staging posts on their journeys into formal politics, making it possible for women to gain political experience, mobilising constituencies of women, and in framing and channelling women's demands (Cornwall and Goetz 2005; Tadros 2014).

As Claire Annesley (2010) points out, for all the emphasis that feminists have placed on electing more female representatives, it is access to power *in the right places* that drives changes in women's rights. Refocusing attention on feminist actors with political power resources, Annesley suggests, and looking at how differently positioned actors work together to bring about change, can bring new insights to feminist analysis of policy and legal reform. A key finding from Annesley's work in the UK is the significance in driving policy change in favour of greater gender equality of female strategic actors located in places of political power with access to resources, and those she calls "gate openers". In the final part of this paper, I look at two further case studies that provide an instance of precisely this kind of "gate opening" feminist activism from within the state.

Mala Htun and Lauren Weldon's (2010) distinction between reforms that address women's status as citizens and those that seek structural changes in women's economic positions is a useful frame through which to explore the last set of examples in this paper, from Brazil and Egypt. Both examples are of state programmes that address women's access to an independent income and opportunities for paid work. Both are enacted from within ministries with the resources and room for manoeuvre to define policy through the design of anti-poverty programmes aimed at improving the access of women living in poverty to decent work. They are contingently connected in so far as both owe elements of their design to the successful Brazilian social policy experiment, *bolsa familia*, that has become synonymous with redistributive social policy internationally, but are located in very different kinds of states.

In the Egyptian case, the conditional cash transfer programme came about as a result of an often under-recognised drivers of policy change – ideas circulating in the international ether that come to be picked up and tried out either because national governments are made aware of them by researchers, donor agencies or in international fora. Cash transfer schemes are one such example, taking shape in a diversity of contexts with varying state capacities and cultural and economic circumstances. A woman politician had visited Chile's Solidario CCT programme and returned inspired. To help prepare a proposal for a CCT programme to present to the ruling party's conference in 2006, she enlisted a feminist social policy expert, Hania Sholkamy. Framed as an anti-poverty intervention that could offer the party substantial popular political support, the proposal was enthusiastically taken up and a budget allocated to it. Instead of taking the CCT model off the peg, Sholkamy proposed a pilot, accompanied with an ethnographic study that would contextualize the programme for the Egyptian context. Lessons from the pilot would then be used to scale up the programme.

Led by Hania Sholkamy, Pathways mobilized resources, with the help of DFID-Brazil, and financed a workshop in Cairo that brought together feminist social policy experts from Latin America and Europe with expertise in Latin America's conditional cash transfer schemes. Lessons from this meeting came to inform the feminist design of the Egyptian cash transfer scheme (Sholkamy 2011, 2014). Key insights included the crucial role of front-line workers as agents of transformation, the significance of framing the transfer as an entitlement rather than as charity, and the importance of not presenting a barrier to women's pursuit of paid work – so that the transfer would not work to further domesticate women. What the policy sought to achieve was transfers that would enable women to secure decent work, with dignity and a sense of the right to have rights as women and as workers (Sholkamy 2011). Engaging with Molyneux's critique of the tendency of cash transfer programmes to turn women into 'mothers in the service of the state' (2008), the design of the Egyptian programme sought to use the cash transfer to recognize women's unpaid care work and 'structure a basis of entitlement that recognizes the value of women's work' (Sholkamy 2013: x).

Participatory research carried out as part of the pilot revealed the degree to which households depended on women's informal economic activity, and a degree of corruption and ineffectiveness in the education system that called for more than – as in the Latin American models – requiring women to send their children to school.

Asking women what *they* wanted, their “burdens, challenges and desires/aspirations”, the researcher arrived at a list of desires that the programme was designed to fulfill: cash to make up shortfalls in household income, for schools that their children can go to, stay and do well in, for information about services and opportunities, for shelter and decent work (Sholkamy 2013: x). Responding to women’s desire for the security to plan, the programme was advertised as one that did not require proof of unemployment and that would continue to support women for two years, even if their income improved. This, Sholkamy argues, enabled women to engage in work on better terms as it provided them with a fallback. Rather than placing an obligation on women, the conditions of the transfer offered them greater room for manoeuvre in a context in which patriarchal prerogative often marks decision-making within households, enabling them to reserve funds to spend on education, food, health and improvements to their homes. By framing care as labour that includes attending meetings and receiving visits from social workers, and compensating women for the work this involves, the programme sought to represent the transfer as a citizenship entitlement rather than a welfare handout. As in Brazil, payments were made via bank cards that offered women privacy, and an opportunity to save.

The pilot led to the design of a scaled-up programme that was implemented in 65 villages in Sohag and Assiut in Upper Egypt. This social policy experiment was terminated by the Egyptian Muslim Brotherhood administration in 2012, with the rationale that it was illegal to target resources at women.... By then, a number of effects had been reported. One of the most striking was a decrease in reported domestic violence; about a third of women who had previously suffered domestic violence reported that it had ceased. Why? The cash had taken the stress out of domestic relations; women no longer had to ask men for money, and there was less pressure all round. Women had continued to work, using the transfer to enhance their capacity to make choices. The security of the regularity of the transfer enabled them to manage their work with less pressure. The results were also felt amongst the children, whose school results had reportedly improved.

Crucial to the success of this initiative were some of the same elements that appear in the social movements and public policy literature: alliances, constituency-building, resource-mobilisation, framing and the issues-attention cycle that is a feature of policy process approaches that emphasise agenda-setting. In a mode similar to the activism of the feminist bureaucrat (Eyben and Turquet 2013), the design of the cash transfer came about through Sholkamy’s access to the Ministry of Social Solidarity via her advisory work. Her feminist academic and policy research networks in Egypt and internationally, further extended through Pathways Latin America hub’s connections in government, academia, think tanks and feminist civil society organisations, provided expertise in policy design that came with “international” cachet. The convergence of the political opportunity of the NDP politician’s enchantment with the Chilean CCT with the capacity to make the most of the opening that it offered provided the basis for the design of what is arguably amongst the most progressive CCT programmes internationally.

Brazilian cash transfer programmes grew out of redistributive social policy experiments of the 1990s, and were scaled up under the Workers’ Party administration. In the Brazilian case, the idea of a stipend with conditions attached to it – the basis of *bolsa familia* and the Egyptian CCT - provided the inspiration for a

newly appointed member of Pernambuco's state executive as Secretary for Women's Policies, Cristina Buarque. Asked by the governor to revive a social safety net scheme, *Chapéu de Palha*, put into place by his own grandfather in the years before the military dictatorship, Buarque seized an opportunity to bank on the governor's evident interest in women's rights – and the women's vote in the state – to completely redesign the safety net programme. Using the idea of a stipend with strings attached, Buarque and her team put in a place a programme that sought to transform the life prospects of thousands of poor rural women.

Chapéu de Palha Mulher began by taking the basic form of the social safety net scheme – three months' benefit paid in exchange for public works in the hungry season between sugar cane harvests – and adapting it, so that women would receive the stipend for attending vocational training courses. A range of courses were opened up to women who would otherwise have lacked the finance or basic qualifications to enter them, their attendance facilitated by the state taking on the cost of their transportation and provision of childcare and nourishment. But before women were permitted their choice of training course, they had to graduate from a compulsory three month-long training in rights and citizenship – entitled “public policies” - and personal and professional development. This was conceived as a space for transformation that would use the methods of feminist popular education to build critical consciousness. Conducted by skilled trainers from a feminist women's centre with years of experience in mobilizing women in poor communities, the “public policies” course addressed topics as diverse as: the history of slavery and women's, indigenous and black peoples' struggle for equality and citizenship in Brazil: the concept of gender, bringing into question the naturalization of gender divisions of labour and gender stereotypes; the commitments of the Brazilian government under the Constitution, and much else.

The transformations wrought by this training had immediate effects on women's choices of vocational training course. Large numbers opted for training in the construction industry skills - as welders, electricians, plumbers - that had been considered “men's work” and were now in high demand in a state with the fastest economic growth in the continent. Interviews with graduates showed that these were choices made in full consciousness that these were jobs traditionally denied to women for which they now wanted to claim entitlement to train.³ Women spoke of how they carried what they learnt home, and how this brought some of them into conflict with their male partners – sometimes acting as the catalyst for women to end violent and abusive relationships, as well as for the escalation of violence in some cases. “Public policies” included a thorough training on the rights women had under Lei Maria da Penha, and sought to actively dispel any idea that women might be “asking for it” when their partners abused them; some women were able to go on to use this knowledge to seek redress.

Every dimension of the programme has been thought through for its potential empowering effects. The food provided to the trainees – and some 50,000 women have now graduated from the programme, representing a substantial investment of resources – was sourced from local micro-enterprises run by women. Women were trained as childcare workers, co-ordinators and facilitators, many of them passing from graduating in the programme to becoming part of the thousands-strong support staff. In each locality, the State Secretariat sought to support both the local Municipal

Government, creating and supporting municipal level Secretariats for Women's Policies, and civil-society run municipal-level women's centres. These women's centres were in turn supported in their institutional development through an expansive state-wide network co-ordinated by the long-standing feminist civil society organisation, the Centro das Mulheres do Cabo. Thus state and civil society worked together to thicken the presence in the most remote municipalities of women's rights advocates inside and outside the state, using this as an opportunity to extend the capillary reach of public policies for women, including the implementation of Lei Maria da Penha. The State Secretariat for Women's Policies was recognised by the UN in June 2012 for the Chapéu de Palha Mulher programme, with a Public Service Award prize.

For all the differences between the Brazilian and Egyptian state and social context, what these programmes have in common is some of the core "ingredients" of successful feminist social policies. They are woman-centric, anticipating and addressing the needs of their beneficiaries and engaging them in defining what would work for them to improve their situations. Chapéu de Palha Mulher recognises that for women to be able to attend training, they need not only childcare, but also support with transport and something to eat; it also explicitly seeks to transform women's sense of their own horizons and possibilities, as a prerequisite to empowering them to change their place in the labour market, leaving behind harsh and exploitative work. The Egyptian CCT is built on the recognition that regularity and reliability of transfers of money provide the security for women to plan and to act, strengthening their capacity to reject demeaning and exploitative work (cf. Kabeer 2011); it also acknowledges directly that women's unpaid care work should be counted as labour, supporting mothers as workers and as citizens with entitlements. Both depend on a state willing to commit the resources to redistributive social policies that can deliver on the promise of inclusive growth, but only if sufficient money is invested in the institutional infrastructure as well as recurrent costs that are needed to run these programmes.

The conjuncture of a Brazilian Socialist Party state administration in Pernambuco under a national Workers' Party government, and of a progressive governor with the vision, commitment and courage to bring into his administration a feminist civil society activist and to meet her requests for resources to develop and scale up the Chapéu de Palha Mulher programme, is of course a rarity. And yet, as the Egyptian example shows, the ideological orientation of the state may matter less than the capacity of imaginative feminist activists to find a frame that fits, and the means of channelling the resources of the state to deliver on women's rights.

In their work on transnational advocacy networks, Keck and Sikkink (1998) note that two 'characteristic issues' emerge and are found most frequently where such networks have organised effectively. The first is 'those involving bodily harm to vulnerable individuals'; the second is 'issues involving *legal* equality of opportunity' (1999:98, their emphasis). The first, they suggest, 'responds to a normative logic, and the second to a judicial and institutional one' (1999:99). Both are evident in the cases explored in the first two sections of this paper. In this final section, we see a different kind of feminist activism – one that works from within and with the state to appropriate and transform state programmes, the classic work of the 'femocrat'. Normative and institutional logics coincide in the framing of provision, whilst state

responsiveness comes to be extended – especially in the Brazilian case – through implementation networks that are strongly feminist in their orientation.

These cases show the transformative quality of feminist intervention in implementation through the work of the front-line intermediaries through which programmatic activities take place. In Egypt, the social workers who have the most direct contact with the women recipients of the cash transfer are trained to treat women as citizens with entitlements, transferring that understanding to the women in ways that dislocate paternalist perceptions of the state. Training, in the Brazilian case, serves as a vehicle to equip women with new social knowledge about their right to be treated as citizens with dignity. Feminist and popular education methods of building critical consciousness form a vital part of that process; provision of opportunities and resources come, with this, to be coupled with a pedagogic process that transforms women's understandings of themselves, their situations and their horizons of possibility.

Conclusion

What strategies and pathways emerge from these case studies that can help point to what works to make states more accountable for women's rights? We know from the literature on social movements is that it is when movements frame issues in such a way as to align and gain resonance with the concerns of those with power and access to political resources they stand a greater chance of achieving their goals (Snow et al, 1996; Tarrow 1998). We see in the case of domestic violence legislation that getting laws and policies changed was not simply about making a case, creating alliances and coalitions, and building social knowledge. It was also about drawing down on international agreements and putting them to use, through regional human rights instruments and spaces. And it was about seizing political opportunities, including moments when the media spotlight was on cases of horrifying brutality that forced a pause in the status quo and the possibility of opening a conversation on prevention and punishment of domestic violence.

These cases show, too, the long, hard struggle of holding the state to account, not just in achieving recognition of women's rights, but also in following through with implementation. In the Ghanaian case, two factors come into view. One is that of resources, and the tiny fraction of the national budget that is allocated to the Ministry of Women and Children, a mere 1%; MOWAC comes to depend on foreign government aid for much of its implementation. This brings into view the realities of the constraints that poor and selective resourcing of the state places on effective implementation of an Act with complex and far-reaching implementation challenges, including a media and popular culture in which violence against women is normalised. The second factor is that of political will and leadership from within the state, a theme that runs through each of the cases but is less visible in the literature on feminist and other social movements. Manuh and Dwamena-Aboagye (2013) describe how it was only with a switch of leadership – from a minister hostile to the law to one with a background in policy analysis and advocacy – that efforts to bring about changes in legislation were able to count on responsiveness and support from within the state.

The Brazilian case highlights further factors: the capacity of civil society to mobilise demands and respond in ways that further state accountability (Sardenberg 2011, 2014). We see, as in the Ghanaian case, highly skilled and well networked civil society researchers – bringing together ‘academic feminists’ located in public universities as part of established feminist policy research centres, who have over time been able to build expertise and critical mass through state support to university education and research. We also see strong women’s and feminist organisations able to mobilise and work together with academic feminists in the design and implementation of the monitoring initiative that was to become such an important factor in the success of the implementation of Lei Maria da Penha.

Along with higher-level leadership in the Secretariat for Women’s Policies, lending financial, logistical and political support, we also see in the Brazilian case the capillary reach of policy support right through the system through the Secretariats for Women’s Policies that the Lula government established at state and municipal levels. Thus the State Secretariat for Women’s Policies with which the last case study is concerned was able to promote the Lei Maria Da Penha as part of the *Chapéu de Palha Mulher* programme, and through the women’s centres and local municipal secretariats the State Secretariat fostered the development and growth of as part of actions to create an enabling environment for women’s rights in the state. A vital aspect of context here was the alignment of the policies of a left-wing Workers’ Party national government with those pursued by a socialist-run state government, and – as in the cases of activism on domestic work and domestic violence – the legacy of decades of citizen mobilisation and engagement, with well-developed discourses, an array of innovative practices and extensive networks.

Femocrats enter the story as feminist activists who are able to put the resources of the state to the purpose of achieving state accountability: acting as the state, within the state, on behalf of the state to realise commitments to women’s rights. As the Brazilian case shows, the traditional tools of gender mainstreaming *can* be used to foster rather than supplant, disenchant or dampen movement-building (Eyben and Turquet 2014), not only by bringing in ‘gender experts’ and instituting checklists and other such bureaucratic requirements, but also, and vitally, by providing material and institutional support to feminist activism outside the state. Indeed, as Iris Marion Young (2000) observed, it is precisely through this kind of support – directed at facilitating those outside the state to organise around collective interests to mobilise demands – that democratisation comes to be inclusive of less vocal, organised and powerful social actors. Indeed, Jane Mansbridge (2003) talks of the ‘laboratories of self-interest’ that may be needed to enable historically marginalized groups to build positions, construct a politics of engagement and gain greater legitimacy to voice demands.

When femocrats recognise their strategic roles as ‘gate openers’ (Annesley 2010), whether in stimulating demand-making by women’s and feminist movement actors (Eyben 2010) or leveraging open policy processes or directing untied resources to women’s organising, they can play a part in supporting and sustaining feminist activism. Where they are able to initiate and shape large-scale state interventions that build critical consciousness and transform meanings and expressions of citizenship, as in the examples of the Brazilian and Egyptian programmes described in this paper, they can use the power of the state to drive social transformation. It is this power of

the state that we see being put to realising citizenship rights for poor women in Egypt, in a context where the state is far from feminist and is paternalist at best. What we see here is how, using the opportunity created by a female politician's desire to replicate a success story from another context, an inspired feminist researcher was able to find a frame, build alliances and design an imaginative initiative that transformed a welfare programme into a vehicle for realising women's rights as citizens.

Here a different dimension of rights comes into view: not just women's rights as human rights, but the rights of all citizens to be able to access entitlements from the state in situations in which their human rights to shelter, food, security, health and education are infringed upon by their poverty. What we see here is feminism of a different kind. It is one no less passionate than the feminist call for rights for those who suffer disproportionately and are victim on account of their gender. But it is also one that brings into the frame the larger context of discrimination and deprivation, one that is not only inflected with gender, but also with class, with race and with other dimensions of difference. Here too there are echoes of the issues that are raised in the comparative case studies of domestic work when despite these being movements of *women*, the issues of identity and identification framing mobilisation were those experienced also by men: the quest to be recognised as members of the working class and accorded the rights of any other worker; the struggle of indigenous people, male and female alike, for rights and recognition; the discriminations and deprivations faced by migrant workers of all genders, whether men, women, trans* or intersex.

One of the most powerful lessons to emerge from these cases is the importance of reaching beyond the category 'woman' and what Hannah Arendt has called 'inter-est'. In *The Human Condition*, Arendt writes of the 'web of relationships' and 'enacted stories' of action and speech that constitute inter-est as that 'which lies between people and therefore can relate and bind them together' (1958: 182). What we see in these cases is the power of these relationships – between differently positioned feminists within and outside the state, between social movements struggling for identity-based rights claims who come together in solidarity and support, and between one set of principles and a set of opportunities and practices that can help to serve as vehicles for them, between national government and the localities through which the state acts and is constituted. In this complex mesh of relationships we can identify "women's rights", and some of the actors in these stories have this as their clarion call. Yet many of those actors would not claim to be acting in favour of women's rights, let alone feminism. They may act in ways that produce outcomes in terms of women's rights, and in alliance with feminists, but – and importantly – what they have between and what binds them together with feminist activists is a commitment to a bigger normative project, that of global justice.

Justice for domestic workers, the majority of whom are women, black, indigenous, migrant and poor, is achieving a life with dignity where their rights as human beings are the same as the rights of any other worker. Justice for victims of domestic violence, who are disproportionately female and whose experience of seeking justice is inflected with race and class, is achieving a life with security where their rights as human beings are the same as the rights of any other person. And justice for women living in poverty is as much about dignity and security, and the right to health, housing and the entire catalogue of basic human rights, as their rights as women. Women's rights *are* human rights. These vital wellsprings of activism come together

to constitute a shared project of global justice. What the Beijing Platform for Action offers us twenty years later is to renew that project, to dust off the detritus of its derailing in the era of the MDGs, to revisit the frame alignment with the Millennium Declaration that held out so potent a promise, and to bring it back into clear sight.

If, as is suggested here, movements matter for positive social change in favour of women's rights as human rights, to realize the promise of the Beijing Platform for Action, greater attention needs to be paid to movement-building. All of the elements identified in this paper come into play. To be effective, movements need to have the human, social and financial resources to: construct coalitions and alliances with other networks and movements, national and transnational, within and across the state and civil society; foster and strengthen leadership; create compelling and resonant frames so as to enlist, align and persuade; engage with publics so as to raise awareness and tap into public outcry as well as create the conditions for cultural change. For this, they need financial support: and it is this vital support that is on the wane (AWID 2008, Apusigah 2010) just at the time when all the evidence points to the effectiveness of investing in forms of collective engagement that build critical consciousness and the capacity to act, together, in movement (Rao and Kelleher 2008; Kabeer et al. 2013; Cornwall 2014).

Stronger, more articulate, more dynamic movements can have a reciprocal effect on the governments from whom they seek to exact responsiveness and accountability: it is not a one-way street (Houtzager and Moore, 2003; Skocpol and Fiorina). Such support is also needed at the governmental level. A lesson from the Brazilian and Egyptian cases is that in both, the state was able to guarantee the resources for schemes that involved cash transfers, large-scale deployment of staff and the concomitant need for staff training, materials and subsistence, subsidized access to training schemes and so on. These large, relatively well endowed states with substantial formal sectors were in a position to give this kind of support; in other contexts, assistance may be needed to bolster the resources of national governments or encourage governments to devote more of a share of the national pie – through gender budgeting, for example – to delivering on their commitments to women's rights. And a lesson from the contract between the Brazilian and Ghanaian cases is that this is not only about resources, it is also about appointments to ministerial positions and the capacity to access precisely the 'power resources' highlighted in Annesley's (2010) work. Here the 'boomerang effect' (Keck and Sikkink 1998) comes into play in important ways through mechanisms for reporting such as the Universal Periodic Review, reports to the CEDAW committee and so on, which can be as much levers from within as tools from outside the state for greater accountability.

Part of evaluating progress towards the realization of the commitments established in Beijing must then be a review of the modalities for support on both sides of the equation – support to movements and to states parties in achieving greater responsiveness to the demands placed upon them to deliver on these commitments. As we learn from Htun and Weldon's work, it is the autonomy of women's movements that is a vital factor in their success in mobilizing for social change; the same emerges from Blofield's analysis of domestic workers rights activism, from the other examples in this paper and the same might be hypothesized for myriad other forms of activism for global justice. The question that remains, then, is how best to garner and channel

this support. This is not the focus of this paper, but relevant elements of the analysis here are worth bringing briefly into consideration.

What we've learnt over the last thirty years is that where donors fund social movements as if they are NGOs – requiring them to produce limited time-frame plans, count their actions as if they constituted measurable outcomes and spend their time monitoring, measuring and accounting – they can all too easily kill their capacity to respond politically to opportunities for alliance-building and framing that can bring about positive social change. We've seen the displacement of state responsibility onto women's organisations and the 'NGOization' of women's movements as part of the neoliberal 'civil society' agenda (Alvarez 1998, Apusigah 2010) and 'market feminism' (Kantola and Squires 2012). Sonia Alvarez, whose 1998 analysis of Latin American feminist movements was one of the first to signal the dangers of 'NGOization' reflects, more recently, on the shifts towards more autonomous forms of social action that is revitalizing feminist activism in the region (Alvarez 2010). A number of such funding mechanisms already exist that organisations and movements are drawing on to pursue their struggles for rights and justice, such as regional women's funds and funds such as Mama Cash. But such funds are still far too small to foster the kind of scale of support that is needed if these forms of social mobilization are to achieve the goals set out in Beijing, and indeed the new goals that will be established with the SDGs.

Gina Vargas, in her reflections on Beijing +20, calls for:

Feeding the capacity for social mobilisation of feminist and women's movements; and recovering the development of the visions, strategies and approaches emerging from the struggles and resistance of women at local level; seeking to incorporate other movements and democratic forces that are defending women's rights.⁴

It is time to redirect the push in recent years to leverage investment in women and girls as individuals, towards an agenda for change that can deliver on the commitments set out in the Beijing Platform for Action. Autonomy is important. External funding with strings – whether of logframes and reporting frameworks or INGOs and their fiefdoms and logos – stifles creativity, fleetness of responsiveness and capacity to take up political opportunities and build those all-important coalitions and alliances. What's needed to respond to the new challenges of realizing the Beijing Platform, and other key normative instruments from CEDAW to the UDHR itself, are new modalities that can lend support to autonomous mobilization in innovative ways. These must be provided in such a way as to take seriously the body of work on NGOization, and that works to accompany and provide support through solidarity rather than to subject recipients to modes of measurement and management that strangle responsiveness and creativity. All the evidence points to the role that movements that are aligned with the realization of the commitments made in Beijing can play in achieving these ambitions, and, with this, contributing to global justice for all.

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Notes

¹ www.pathwaysofempowerment.org

² The material on the Brazilian domestic workers' movement is derived from a participatory research project with the movement, carried out by Creuza Oliveira, Terezinha Gonçalves, Fernanda Capibaribe and Andrea Cornwall, under the auspices of the Pathways programme. See Gonçalves (2010), Cornwall, Oliveira and Gonçalves (2012) and Cornwall, Capibaribe and Gonçalves (2010), and the short film *Creuza*.

³ Interviews were carried out in and around Cabo de Santo Agostinho, Petrolina and in the Zona da Mata in March 2009 and May 2010 as part of a Pathways-funded documentary on the Chapéu de Palha Mulher programme, *A Quiet Revolution*, and briefing paper (Pathways 2011).

⁴ <http://www.flora.org.pe/web2/images/stories/bonnie/PDF/Gina%20Vargas-BEIJING+20%20-%20english.pdf> [accessed 22/9/2014]