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## Gender and Informal Institutions

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### Abstract

Over the past 10 years, feminist scholarship has made important contributions to the new institutionalism in political science. This literature has developed into two directions. Some scholars have sought to gender existing approaches, resulting in feminist historical institutionalism, feminist sociological institutionalism, feminist discursive institutionalism, and even feminist rational choice institutionalism. Others have tried to sketch a feminist institutionalism on a par with, and as an alternative to, the classic approaches. Through an analysis of eight recent books, this review asks which direction shows the most promise.

**Key words:** feminism; gender; institutional change; institutionalism; political science

### Introduction

Over the past 10 years, feminist scholarship has made important contributions to the new institutionalism in political science. Most studies have sought to gender established varieties of new institutionalism, resulting in feminist historical institutionalism, feminist sociological institutionalism, feminist discursive institutionalism and even feminist rational choice institutionalism. This analytical strategy has shown immediate pay offs but it has left the field fragmented and has made it difficult to summarize the distinctive contribution of feminism to the new institutionalism. Limited attempts have been made to identify the building blocks of feminist institutionalism as an independent approach to the study of political institutions. However, 'to date, no consensus has emerged on whether there is, or can be, a singular feminist institutionalist approach' (Curtin, 2019, 126).

This review asks which direction shows most promise: feminist institutionalism in the singular or plural. It does so with the help of eight recent books on feminist institutionalism. The works selected come from the two most relevant book series. First, Palgrave Macmillan's 'Gender and Politics' series, which published the foundational text on the topic (Krook and Mackay, 2011a). Second, the new series on Feminist Institutional Perspectives published by Rowman and Littlefield. Together, these new books represent the cutting edge of research on feminist institutionalism.

### Feminist institutionalisms

In 2009, the journal *Politics & Gender* published a collection of five articles under the heading of 'Feminist Institutionalism'. A more appropriate title would have been 'Feminist Institutionalisms'

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(plural) as four of the five contributions explore the possibility of feminist versions of established variants of new institutionalism.<sup>1</sup>

Can there be a feminist rational choice institutionalism, ask Driscoll and Krook (2009). Their answer is yes, provided it focuses on gender, power, and allows for the potential of political transformation. They develop these points and provide an empirical illustration in Driscoll and Krook (2012), where they explain why it was rational for the mostly male members of the ruling party in Argentina to vote for the introduction of gender quotas. However, ‘to date, there has been very little appetite among feminist scholars to expand on what a feminist RCI [Rational Choice Institutionalism] approach would look like’ (Clavero and Galligan, 2020, 659).

Mackay’s (2014) concept of ‘nested newness’ (see, also Chappell 2016) is probably the most important insight in feminist institutionalism explicitly grounded in sociological institutionalism. Otherwise, ‘although feminist scholars have explored similar terrain to SI [Sociological Institutionalism], with few exceptions, they have not engaged explicitly with SI or “borrowed” SI tools and concepts’ (Mackay *et al.*, 2009, 75).<sup>2</sup> The reason may be that, like rational choice institutionalism, sociological institutionalism has relatively little to say about power and change and unlike the former, also lacks a focus on strategic action (p. 260). This impedes the mission ‘to clarify the conditions under which gender norms can be disrupted and to enable equality seekers to target when and where there are institutions that are most likely to be open to their demands’ (Chappell, 2006, 231).

Kulawik (2009) was the first to praise the potential of feminist discursive institutionalism. Freidenvall and Krook (2011) provide the first empirical application, analyzing the discourse over gender quotas in Sweden and France. They are attracted to discursive institutionalism because of its emphasis on discourse and ‘its attempts to offer a theory of institutional change’ (47), which makes it particularly relevant for feminist political scientists.<sup>3</sup>

By far the most popular variant of feminist institutionalisms (plural) is feminist historical institutionalism. There are two reasons for this (Waylen, 2009). First, it helps to identify the mechanisms that sustain gender inequality, especially through the concept of path dependence. Second, recent scholarship on incremental change allows for better insights into the often incomplete and contradictory processes and outcomes of change in what are called gender regimes. Waylen (2017), for example, discusses the four types of incremental change found in Mahoney and Thelen (2010) – displacement, layering, drift, and conversion – in terms of their contribution to gender equal institutions.

In sum, feminist institutionalists have made uneven use of the existing variants of new institutionalism. Early interest in rational choice and sociological institutionalism has waned while discursive and especially historical institutionalism have enjoyed widespread interest, often in combination. This preference is in line with the activist agenda of feminist political science. Feminists ‘are not trying primarily to change our academic field; we are trying to change the world’ (Ferguson, 2017, 283; see also Childs and Dahlerup, 2018; Weldon, 2019).

## Feminist institutionalism

‘Is there – or can there be – a feminist institutionalism?’, ask Krook and Mackay (2011b: 14). The answer is not clear. Under the heading of ‘gendering new institutionalism’, Mackay *et al.* (2010) identify four themes: (1) formal and informal institutions; (2) institutional change and continuity; (3) structure and agency; (4) gender and institutional power. Attention to these issues is what constitutes ‘an emergent feminist institutionalism’ (584), though the title of the article still has a

<sup>1</sup>Importantly, these choices do not map onto individual scholars.

<sup>2</sup>Soremi and Dogo (2021, 147) are a recent exception, arguing that where the presence and leadership of women are ‘an accepted phenomenon’, ‘female policy leaders do not need to hinge their legitimacy on gender in designing policies’.

<sup>3</sup>Bacchi and Rönnblom (2014) disagree, but their critique of (feminist) discursive institutionalism, is actually a critique of (feminist) institutionalism as such, claiming implausibly that acceptance of the very notion of an institution undermines the capacity to challenge the status quo.

question mark. That question mark does not return in the edited volume entitled *Towards a Feminist Institutionalism* (Krook and Mackay, 2011a). In the introduction, the editors see a ‘considerable potential for productive dialogue’ between new institutionalism and feminist political science (Krook and Mackay, 2011b, 13).

Kenny and Mackay (2009, 278), on the other hand, suggest that ‘feminism may have more to offer the new institutionalism than the other way around’. This conclusion rests on two points. First, looking back, independent and separate from new institutionalism, feminist political science already generated important insights about institutions, especially concerning gender, power, and change. Second, looking forward, if feminist institutionalism, in the singular, is to have any real promise, it would need to display the ambition for ‘changing and transforming’ the new institutionalism (*ibid.*).

A decade ago, Mackay (2011) identified three approaches to feminist institutionalism. One is to develop a feminist variant of a particular new institutional school. The second approach is to combine elements from at least two schools, most frequently historical institutionalism plus sociological or discursive institutionalism. The third approach, which Mackay calls ‘pluralist’, is to borrow from all variants of new institutionalism. All three approaches constitute what is called here feminist institutionalisms (plural). Interestingly, Mackay (2011) then recommends yet another, ‘synthesized’ approach, which for her means the development of a feminist institutionalist perspective on the four themes identified in Mackay *et al.* (2010): formal and informal institutions, change and continuity, structure and agency, and gender and power. This is what is called here feminist institutionalism (singular). Ten years on, which direction has the literature taken?

### **Eight new books**

To obtain an overview of recent research in feminist institutionalism and to see how the literature has developed, eight books are selected. The research monographs by Staab (2017), Chiva (2018), Thomson (2019), and Miller (2021) in Palgrave Macmillan’s ‘Gender and Politics’ series all deal explicitly with the relationship between gender and institutions. The first four books in Rowman and Littlefield’s new series on ‘Feminist Institutional Perspectives’ are research monographs by Erikson (2017) and Freidenvall (2021) and edited volumes by MacRae and Weiner (2017) and Waylen (2017).

Staab’s (2017) study of social policy reform in Chile draws explicitly on two bodies of literature: historical institutionalism and feminist political science. Ruling out the possibility of fundamental policy change in Chile, Staab uses recent work on incremental change (Streeck and Thelen, 2005; Mahoney and Thelen, 2010) to examine four types of social policy reform (health care, pensions, childcare, and maternity leave).<sup>4</sup> She engages in ‘inductive exploration’ (40), examining how institutions, actors, and ideas interact to produce continuity and change. Staab takes an instrumental approach, ‘drawing on’ historical institutionalism and ‘applying existing concepts and theories of gradual institutional change’ (206). In the conclusion, she nonetheless claims to have found a ‘new angle’ for feminist institutionalist research by ‘documenting the analytical importance of policy legacies’ (207). This, of course, is hardly novel. More relevant is Staab’s conclusion that even when ‘genuine re-gendering’ (208) may be out of reach, the achievement of limited short-term goals does not preclude further future gains, perhaps even of a more radical kind.

Erikson’s (2017, see also 2019) book on reform of Sweden’s prostitution policy focuses on discourse and ideational change. Different from what one might expect, the study does not employ discursive institutionalism, preferring instead to do frame analysis. Using the language of historical institutionalism, Erikson writes about ‘the path dependency of ideas’ (2), arguing that the pioneering policy of criminalizing clients was possible only after agreement on the problem definition ruled out the main alternative to the sociopolitical approach that had been dominant,

<sup>4</sup>Carnes (2019, 371) challenges this assumption, pointing to ‘path-departing reforms’ in neighboring countries.

though not very effective, for so long.<sup>5</sup> Although the book stresses the crucial role of (women) actors and highlights successful framing strategies, the frequent references to path dependence sometimes give the impression that these actors are merely helping history move along a predestined path. Thus, when Erikson identifies a critical juncture in a jurisdictional struggle between parliamentary committees, this is critical because of its impact, not because a situation of unusual fluidity allowed for multiple outcomes to happen (Capoccia and Kelemen, 2007). For Erikson (2017, 7), the ‘novelty of this study is its focus on how individual ideas can become institutionalized and thus acquire the regulative function of an institution’.

Building explicitly on Erikson (2017), Freidenvall (2021, 189, emphasis in original) examines ‘the ways in which individual ideas can become *informal* institutions as well’. Her study on women’s representation in the Swedish parliament shows how since the 1970s a shared understanding of gender balance developed across parties, from left to right. This is amply documented in the two empirical chapters that use party documents to trace how the seven main parties addressed the descriptive representation of women over time.

Although Freidenvall (2021) aims to make a contribution to feminist discursive institutionalism, other variants of new institutionalism are never far away. Historical institutionalism is frequently mentioned, with the incremental process of ideational and institutional change described as ‘*path-dependent*, leading to a “politics of no return”’ (183, emphasis in original). Sociological institutionalism is present implicitly in the chapter with case studies of how local parties selected their candidates and how the parties’ formal rules were implemented on the ground. She finds that ‘gender balance in list composition was perceived as a matter of course’ (185), i.e. that gender balance in political recruitment had become a norm.<sup>6</sup>

Freidenvall’s (2021) puzzle is how a country can become a frontrunner and global leader in descriptive representation of women without adopting legislative gender quotas. Although she recognizes the need for comparison and acknowledges the limits to generalization, the book itself makes no attempt at either, leaving it unclear what lessons Sweden holds for other places. There is reason to believe that the development of a norm of gender balance itself is insufficient to bring about gender equality. In a separate study, Freidenvall (2018) contrasts gender equality progress in the public sector with its lack in the private sector in Sweden.<sup>7</sup>

Miller’s (2021, 2) study of the UK House of Commons as a gendered workplace aims to ‘flesh out’ feminist discursive institutionalism.<sup>8</sup> She does so by drawing on Judith Butler’s work rather than Vivien Schmidt’s. The three empirical chapters on Members of Parliament, the House Service, and researchers, are all divided in three parts, following the three discursive institutions that Miller identifies in the UK parliament: career cycle, citizenship (of the organization), and public service. Each discursive institution is then discussed following Lowndes’ (2019) distinction between gendered rules, rules with gendered effects and gendered actors working with the rules. In this way, Miller is able to impose a structure on her rich collection of observations from her field research. In a footnote, Miller (2021, 116) claims ‘these categorisations emerged within the field site and were widely accepted in discussions with participants’, but the book provides no evidence of this and leaves open how and in what way career cycle, citizenship, and public service constitute discursive institutions. In fact, discourse only plays a role in the discussion of the ill-fated attempt to appoint Australian Carol Mills as House Clerk (see also Miller, 2022) and the discussion of sexual harassment. Despite section headings like ‘What Does a Feminist

<sup>5</sup>In a case study it is tricky to identify necessary conditions and only comparative research can vindicate Erikson’s conclusion that agreement on the abolition of prostitution is necessary to get acceptance on the criminalization of buying sex.

<sup>6</sup>This reflects the gender-equality norm that Erikson and Freidenvall (2021) found in the Swedish Parliament.

<sup>7</sup>Of the eight books reviewed here, only Freidenvall (2021) empirically analyzes race, confirming MacRae and Weiner’s (2021, 67) observation that ‘(...) there is still more to do for FI [Feminist Institutionalism] to really bring intersectionality into the field’.

<sup>8</sup>Of the eight books reviewed here, Miller’s (2021, 1) is the only one that is stylistically less accessible, with sentences like ‘Bodies in the UK House of Commons do not move equally throughout the space’.

Discursive Institutional Approach to Parliaments Look Like?' (309), the book provides no straightforward answers. A separate publication (Miller, 2021) suggests that the main methodological contribution might lie in combining feminist institutionalism and ethnography.

Chiva (2018) seeks to explain male dominance in post-communist Central and Eastern Europe focusing on 'processes of reproduction' (4) and drawing on historical institutionalism, especially its notion of path dependence.<sup>9</sup> By focusing on the causal mechanisms that sustain gender inequality, Chiva claims to fill a gap in the feminist institutionalist literature (17). The empirical analysis breaks down into three parts. First, chapters on incumbency and electoral system design highlight how parliament and parliamentary elections contribute to reproducing male dominance. Next, Chiva introduces a different explanation centered on 'asymmetric institutionalization', which is actually less about institutionalisation and more about the alleged priorities of consolidating democracies. Finally, in a chapter entitled 'breaking male dominance', Chiva discusses five mechanisms of change (gender quotas, contagion effects, party system change, international norm diffusion, and women's activism) and illustrates their impact empirically, without, however, linking the stories of reproduction and change. The conclusion that 'in the broadest terms, this study has shown that the choices made by political elites matter' (162) reflects a pervading ambivalence about the exact relationship between legacies, institutions, and agency.

Thomson's (2019) book examines abortion law in Northern Ireland and seeks to answer the question why change of its rigid laws has been so difficult. The analysis operates at two levels: the national (who decides about abortion policy: London or Belfast) and the regional (policy making in the context of power sharing). Thomson's theoretical contribution to feminist institutionalism, more clearly developed in Thomson (2018), is to turn the notion of 'critical actors', usually seen as agents of change, on its head. Thomson suggests that when critical actors are conservative they effectively block change. However, it is not just Northern Irish politics that is conservative, society is too, and the only road to progressive reform, effectively closed off as Thomson (2019) shows, would have been through London. Therefore, it is difficult to argue any actor in Northern Ireland has been critical.

The contributions to MacRae and Weiner's (2017) book look at the success and failure of bringing about gender equality in the European Union and its member states. The book 'enthusiastically partakes in the feminist institutionalist project' and the editors take a clear position in the question about feminist institutionalism(s) (Weiner and MacRae, 2017, xv). They fear that 'setting out a separate strand of NI' would separate gender from the mainstream (MacRae and Weiner, 2017, 209) and prefer an understanding of feminist institutionalism as 'decidedly pluralistic'. When contributors are explicit about their institutionalist preferences, these turn out to be mostly discursive institutionalism and references to the logic of appropriateness, though without a link to sociological institutionalism. The chapter by Debusscher and Van der Vleuten (2017) is the only one to explicitly work with a feminist historical institutionalist lens, using the language of critical junctures (they count four since the early 1970s) and path dependency to analyze the development of equality policies in the EU. Mergaert and Lombardo's (2017) chapter on resistance to implementing gender mainstreaming provides an empirical as well as conceptual contribution, introducing a typology of resistance.

The ten chapters in Waylen's (2017) edited volume on 'Gender and Informal Institutions' provide a mix of theoretical, conceptual, methodological, and empirical contributions. One recurring finding is that informal institutions can strengthen or weaken gender (in)equality, depending on the context. Echoing a previous publication (Waylen 2014), the editor encourages feminist institutionalist scholars to explore the full range of interactions between formal and informal institutions (Waylen, 2017, 11). The theoretical chapters by Chappell and Mackay (2017, building on Chappell and Waylen 2013) and Bjarnegård and Kenny (2017) provide conceptual clarification, discuss methods, and develop a research agenda. While focused on gender, these contributions

<sup>9</sup>Hašková and Saxonberg (2016) accomplish something similar without making any reference to feminist institutionalism.

**Table 1.** Feminist Institutionalism

	Rational choice institutionalism	Historical institutionalism	Sociological institutionalism	Discursive institutionalism	Feminist institutionalism
Object of explanation	Behavior of rational actors	Structures and practices	Norms and culture of social agents	Ideas and discourse of sentient agents	Gendered institutions
Logic of explanation	Calculation	Path dependence	Appropriateness	Communication	Power
Definition of institution	Incentive structures	Macro-historical structures and regularities	Cultural norms and frames	Meaning structures and constructs	Rules, norms, and outcomes, both formal and informal
Approach to change	Static	Static	Static	Dynamic	Purposeful
Explanation of change	Exogenous shock or endogenous interest shift	Exogenous shock or incremental change	Exogenous shock or endogenous construction	Endogenous	Actor centered

Source: Based on Schmidt (2010, 5).

should be read by any scholar interested in the empirical study of informal institutions. The same goes for Chappell and Galea's (2017) chapter on 'rapid ethnography' as a method to uncover informal institutions.

The eight books reviewed in this essay have several features in common. First, they all go beyond descriptive representation and political recruitment to look at policies and substantive representation. Second, they all adopt an explicit and self-conscious institutionalist approach. Third, almost all seek to make a theoretical contribution. Fourth, historical and discursive institutionalism are favorite, often in combination. Fifth, sociological institutionalism is absent, despite the acknowledged importance of norms. In sum, this review of eight recent books in the two most relevant book series on the subject reveals a strong preference for feminist institutionalisms (in the plural).

## Conclusion

'We are all feminist institutionalists', write MacRae and Weiner (2017, 207), but what does that mean? Is feminist institutionalism more than 'a common view that institutions matter profoundly in the production and reproduction of gender inequalities' (McConnell, 2012, 559)? Has feminist institutionalism demonstrated that 'the contents of their tool kit achieve better results than those of earlier decades' (Bashevkin, 2012, 245)? Surely, the realization that institutions are gendered is not an accomplishment of feminist institutionalism (See Lovenduski 1998; Lowndes 2019).

This review of eight recent studies on gender and institutions shows that the choice for feminist institutionalisms (plural) has stunted the development of feminist institutionalism (singular). This has at least three unfortunate results. First, a decision to work with one, perhaps two, variants of the new institutionalism limits the analytical options. Second, in practice, these limits are overcome by bringing in other analytical categories, often implicitly. Third, in the end, it is unclear how the various approaches, theories, methods, and concepts in this eclectic analytical framework are connected.

Feminist institutionalism (singular) can help overcome the problems of limitation, proliferation, and fragmentation caused by feminist institutionalisms (plural). There is no place here to develop the case for feminist institutionalism (singular), but at least a sketch can be provided. Table 1 revisits Schmidt's (2010, 5) overview of the main variants of new institutionalism. Schmidt uses this table to demonstrate where discursive institutionalism, the approach she pioneered, stands in relation to rational choice, sociological, and historical institutionalism. She does so by providing information on six features: object of explanation, logic of explanation, definition of institutions, approach to change, explanation of change, and recent innovations in explaining change. For our purposes, the last two features can be combined by taking the state-of-the-art as the reference point. Table 1 provides a starting point for a more focused discussion on the potential of feminist institutionalism as the fifth main variant of new institutionalism.

If one is interested in gender, there is no doubt that 'institutional analyses are improved if gender dynamics are incorporated' (Waylen 2014, 221). Power is said to be 'generally underplayed in the new institutionalist literature' (Kenny, 2007, 96), but very much at the heart of feminist institutionalist explanations of how institutions work (Miller, 2021). Note also how Erikson (2017) extends this to the power of ideas. More than other approaches, feminist institutionalism has paid attention to informal institutions and their interaction with formal institutions, as is evident from Freidenvall (2021), the contributions to Waylen (2017), and earlier Bjarnegård (2013). Also, more than other approaches, feminist institutionalism is concerned with outcomes, exposing the gendered consequences of ostensibly gender-neutral institutions (Lowndes, 2019). The approach to change in feminist institutionalism is purposeful. Gender equality is not just a topic of interest but an aim, an ambition (MacRae and Weiner, 2017; Staab 2017). Hence the focus on actors in explanations of change, be they femocrats, feminist policy entrepreneurs, critical actors, or critical conservative actors (Thomson 2019), as well as the causal mechanisms that reproduce male dominance (Chiva 2018). This brief description suggests that feminist institutionalism (singular) has the

potential to bring together the insights generated by feminist institutionalisms (plural) in a coherent framework of analysis.

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