

Introduction: Gendering “New” Institutions

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Challenging and transforming political institutions has long been recognized as central to feminist projects of change. Existing institutions can be reformed and/or new institutions created. Over several decades, feminist political scientists, activists, and equality-seeking states have addressed questions of how the existing institutions of governance — global, regional, and local — work in gendered ways and how they can be reformed or redesigned to incorporate gender justice and promote gender equality and women’s human rights. We now have a wealth of case studies about efforts to insert new actors, new rules, and new ideas into old institutions. Work has focused on three trends in institutional reform: the adoption of gender quotas, which aim to transform the institutions of political recruitment (see, for example, Franceschet,

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Krook, and Piscopo 2012; Krook 2009); the creation of women's policy machinery; and the introduction of gender mainstreaming, the last two of which aim to counteract the traditional mobilization of masculinist bias in the institutions of legislation and policy making (see, for example, McBride and Mazur 2010, Squires 2007, True 2003). However, this rich field of research presents us with a puzzle: On the one hand, there's been a rapid proliferation and remarkable diffusion over the past 30 years — for example, quotas (of one form or another) have been adopted in more than 100 countries. On the other hand, however, there have been variable and sometimes unpredictable outcomes in practice, highlighting the difficulty of inserting new claims into old institutions.

If we know that it is difficult to reform an institution once it is created, then it stands to reason that opportunities for reform — including gender reform — could be created by the chance to be in at the outset of new institutions. Indeed, the mobilization of women's movement coalitions and feminist activism during periods of institutional restructuring and transition are animated by practical understandings of the penalties of being “late entrants.” In recent years we have also seen the creation of many new or substantially reformed institutions of governance in the real world, for example, in many postconflict, postcolonial, and postauthoritarian polities (see, for example, Tripp et al. 2009; Waylen 2007). In addition, new rules about gender equality and new institutions to support women's empowerment and human rights have been created at local, national, and international levels. Yet, gender inequality and gender injustice persist, and the inclusion of women and gendered perspectives in broader design processes has been patchy, to say the least. This points to the importance of interrogating the difference that institutional newness might make. In what ways can “new” institutions incorporate gender equality and gender justice from the outset in their institutional design and in their daily enactment by actors, including new actors? What is the promise and limit of institutional change from a gendered perspective? It is a challenging undertaking and raises a number of important questions that this themed issue of *Politics & Gender* seeks to address.

First, it is important to improve our understanding of how institutional change happens and how feminist strategies of claims making and inclusion can impact processes of institutional change. Second, the creation of new institutions occurs in phases — the initial institutional design and creation phase is followed by the crucial (and often neglected) phase of institutionalization — increasingly recognized as

centrally important for the sustainability of any newly created institutions that have tried to incorporate elements of gender equality and gender justice. Part of seeking to ensure that gender reforms “stick” and do not “unravel” is a greater understanding not only of how institutional design works, but also of what happens afterward as institutional actors continue to contest rules, using old and new institutional elements as resources. Finally, it is crucial that we improve our understanding of the relationship between gender and institutions. Institutionalized “gender regimes” (Connell 2002) and gender norms of appropriateness (Chappell 2006) are part of the legacies and contexts within which reform efforts are nested and with which they must contend. Gender relations and rules and norms of masculinity and femininity provide important mechanisms by which institutions naturalize particular arrangements and power distributions (Hawkesworth 2005). We need to ask, what work does gender do in particular institutional contexts and different processes of change? What are the research methods and strategies that can be employed to undertake these tasks? The contributions to this themed issue (both the articles and the Critical Perspectives section) engage with these questions with the aim of providing insights that will both improve our scholarship and help activists and policymakers.

Therefore, all the authors in this themed issue address the question of “newness” but in different ways — for example, interrogating what is meant by a “new” institution and the extent to which any institution can be described as new. If institutions are the products of gendered power struggles and contestation, then the creation of new institutions involves changing or creating new gendered rules, norms, and practices that will then shape actors’ strategies and preferences. Rachel Johnson, for example, in her study of judicial appointments to the new South African Constitutional Court uses an intersectional analysis to explore how raced and gendered bodies are used as claims to “newness” highlighting the symbolism of “presence.”

Second, how does gendered institutional change happen? What is the role of various actors, including gender actors, in promoting or blocking different forms of institutional change? What roles can new or existing actors play? Francesca Gains and Vivien Lowndes examine the various ways that gender is implicated in institutional design, operation, and change through an analysis of the newly created UK Police and Crime Commissioners and their engagement with promoting policy responses to tackle violence against women.

Third, how does institutional design happen? What are the processes whereby institutions are designed? Again, what is the role of different actors? Through a comparison of the negotiated postconflict settlements in Northern Ireland and South Africa, Georgina Waylen analyzes the ways in which different groups of gendered actors — including feminist change agents — can intervene in processes of institutional design (in this case, multiparty negotiations) focusing on both the formal and informal dimensions of those processes and the ways in which they can constrain outcomes (see also McLeod et al. 2014).

And, finally, how does change become institutionalized, and why does it appear to be so difficult to make (progressive) gender change stick? How long do old rules and norms persist? And to what extent can institutions escape the limits and liabilities presented by “nested newness”? Four of the papers consider what occurs in the postdesign phase of institutionalization. They ask how “new” these institutions, the contestation surrounding them, and the interplay between formal and informal and new and old really are. Fiona Mackay operationalizes the concept of “nested newness” by looking at the creation and institutionalization of “new politics” in the Scottish Parliament. She argues that, in particular, the informal norms and formal rules of the old Westminster model have exerted a powerful drag on the fledgling institution, blunting its reformist potential. In her study of the International Criminal Court, Louise Chappell analyzes the importance of the interaction of “old” and “new” by examining the impact of old informal rules and wider institutional contexts on new actors. She also considers the development of the new institution and its mixed outcomes for the ICC’s recognition of gender harms, the representation of women and of gender expertise, and the redistribution of resources through reparations and restorative justice. Finally, Gains and Lowndes examine the gendered dimensions of a new institution — in this case, the Police and Crime Commissioners — as it “beds down.” All authors demonstrate the unintended outcomes of institutional design and the need to be attentive to the ways in which the “old” and “new” combine in sometimes complementary but oft times contradictory ways, with unpredictable outcomes for feminist projects of progressive change.

To interrogate these themes, each of the articles combines in-depth empirical analysis with theory building. And, somewhat unusual for gender and politics scholarship, none of the empirical cases include specific gender equality institutions, such as women’s policy agencies or quotas rules. Instead, the focus is on broader processes of institutional

change and the opportunities and limits for gender reforms within these contexts. All the articles use single-case studies apart from Waylen, who undertakes a comparison of two cases. Most of the papers engage with or are informed by institutionalist approaches and the emergent framework of feminist institutionalism in particular (see Kenny 2007; Mackay, Kenny, and Chappell 2010; Mackay and Waylen 2009), but they also adopt the multiplicity and range of methods that characterize the pluralism of current feminist scholarship. Chappell, Johnson, Mackay, and Waylen use a predominantly qualitative approach that includes interviews, analysis of secondary literature, documentary, and textual analysis as well as theory-guided process tracing. Gains and Lowndes opt for a mixed-method approach that includes some quantitative analysis of data. This underlying question of how to research institutions from a gendered perspective is taken up in more detail in the Critical Perspectives section in which five contributors discuss the appropriateness of methods and approaches drawn from a number of disciplinary perspectives — not just political science.

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