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The Challenge of Diversity: The Evolution of Women's Policy Agencies in Britain

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DOI: 10.1017/S1743923X07000360

Introduction

Britain's use of state agencies to address gender relations has evolved significantly over the past 30 years and is currently entering a new phase, characterized by a commitment to a generic equalities, or "diversity," approach in which multiple equality strands are to be addressed via a single equalities body, the Commission for Equality and Human Rights (CEHR). The CEHR will replace three existing equality commissions that focus on gender, race, and disability, respectively. This shift appears to involve the demise of a singular focus on gender equality and with it the justification for separate women's policy agencies.

This essay will document this shift, reflecting on the role that British women's policy agencies have played in this transition. It will suggest that while the transition was primarily motivated by exogenous pressures in the form of European Union directives (Fredman 2003, 1), British women's policy agencies have nonetheless played a positive role in facilitating the shift away from a separate approach to gender equality by

actively working to introduce the new equality commission. Given that the transition appears to work to the potential detriment of existing women's policy agencies, their role here appears to be somewhat paradoxical. More generally, many feminists have expressed concern that the recognition of ethnic minority and religious group rights may limit and erode the pursuit of gender equality (Okin 1999; Shachar 2000; Skjeie 2006), leading to anxieties that a multiple equalities agenda may undermine, rather than facilitate, gender justice. However, the essay shows that women's policy agencies have expressed normative support for the move as an important means of addressing multiple discrimination issues experienced by minority women (Yuval-Davis 1997), and have also secured clear benefits in relation to gender equality as part of the transition, with a new public sector duty to promote gender equality being introduced in a process of leveling up with the race and disability lobbies. Whether the creation of the CEHR and the introduction of the new gender equality duty will strengthen the status of gender equality in Britain remains to be seen, but the fact that British women's policy agencies have largely viewed the transition to diversity as a welcome development suggests that the diversity approach may offer important new resources, as well as new challenges, for state feminism generally.

The shift from women's policy agencies to equality agencies, and from state feminism to a wider diversity agenda, has yet to be extensively documented and theorized. This essay does not claim to explain why this transition is occurring; rather, it focuses on explaining the likely implications of this transition for women's policy agencies in Britain, and their role in negotiating the shift. It offers a brief overview of the emergence of British state feminism, detailing the remits of the Equal Opportunities Commission (EOC), Women's Unit (WU), Women and Equality Unit (WEU), and Women's National Commission (WNC). It then describes the shift to a "diversity" frame in Britain following the introduction of new equality legislation in response to EU Article 13 EC and analyzes the responses of EOC, WEU, and WNC to this transition, comparing their responses to those of the other equality commissions, and it concludes by offering some suggestions as to why the British women's policy agencies have been so supportive of the transition to the diversity frame. The article analyzes press statements, consultation submissions, newspaper articles, and public documents produced by the relevant policy agencies in order to ascertain how their framing of the transition to diversity affects their political mobilization (Bacchi 1999; Snow et al. 1986; Verloo 2004).

The Evolution of British State Feminism

Women's policy agencies, defined by the United Nations as any body "recognized by the Government as the institutions dealing with the promotion of the status of women" (E/CN.6/1988/3, par.21), emerged following the First United Nations World Conference on Women, in Mexico City in 1975, which recommended that governments establish agencies dedicated to promoting gender equality and improving the status and conditions of women (Mazur 2002; Stetson and Mazur 1995; True and Mintrom 2003). Following the Fourth United Nations World Conference on Women, in Beijing in 1995, which recommended gender mainstreaming as an additional mechanism for pursuing gender equality, many agencies also took on mainstreaming responsibilities (Rai 2003; True 2003). Echoing this general pattern, women's policy agencies in Britain initially focused on antidiscrimination measures with the creation of the EOC in 1976 (Lovenduski 1995), and then also took on gender mainstreaming responsibilities with the creation of the WU in 1997 (Stokes 2003, 184). The relaunching of the WU as the WEU in 2001, and the creation of Equality Units in the devolved territories in the late 1990s, signaled the transition to a third phase in British state feminism, characterized by a concern with diversity and the adoption of an integration approach to multiple equality stands (Fredman 2003, 8), which has motivated the promised creation of the CEHR in 2007. Given that the CEHR will replace the EOC, and that the WEU is likely to become a generic equalities unit, the transition to this new diversity phase promises to be challenging for state feminist institutions and for the models of equality that they promote.

Between 1975 and 1997, one could characterize British state feminism by the implementation of an equal treatment and antidiscrimination legislative framework designed to remedy group discrimination, introduced in preparation for joining the European Union. The Directives based on EU Article 119 of the Treaty of Rome (signed by the UK in 1973), which established the principle of equal pay, generated a rights-based approach to gender equality. This approach aimed to bring women's rights into line with those of men by eradicating discrimination (Hoskyns 1996). In response to this European equality approach, Britain introduced The Equal Pay Act of 1970, the Sex Discrimination Act of 1975 (SDA), the Race Relations Act of 1976, and the Fair Employment (Northern Ireland) Act of 1976, all of which largely fell into an antidiscrimination perspective (Gregory 1999). The SDA makes it

unlawful to discriminate on the grounds of sex in employment, education, or advertising or when providing housing, goods, services, or facilities (EOC 2006). Discriminatory treatment can be demonstrated with reference to a comparator, in this case someone of the opposite sex who has been treated more favorably (Fredman 2003, 4). Positive discrimination is not lawful under the SDA, though positive action, in the form of allowing discrimination in training, or encouragement to apply for particular work in which members of the relevant sex are underrepresented, is.

The EOC was established in 1976 to oversee the implementation of the SDA, while the Commission for Racial Equality (CRE) was established to oversee the implementation of the Race Relations Act. The EOC had a reactive rather than proactive brief: it was not a campaigning body, and the sex discrimination and equal pay laws placed the onus on the victim to press her case (Stokes 2003, 186). This was a period of liberal market government, which prioritized freedom and choice and repudiated demands for special treatment. While the Thatcher governments consistently increased the budget of the EOC (Bashevkin 1998; Lovenduski 2005, 40), its remit remained limited to a formal antidiscrimination agenda.

The election of the 1997 New Labour government and the establishment of the WU ushered in a new twin-track phase of British state feminism, in which gender mainstreaming was adopted, complementing the prior antidiscrimination approach to gender. The principle of gender mainstreaming, launched at the UN conference on women in Beijing in 1995, requires policymakers to “reorganize, improve, develop and evaluate policy processes in order to incorporate a gender equality perspective” (Council of Europe 1998, 2–3). The institutional manifestation of the British commitment to gender mainstreaming was to be found in the creation of the WU and a Minister for Women in 1997, allowing the government to state that “gender mainstreaming will complement gender equality policies to form a twin track strategy” (Cabinet Office 1998). Whereas the EOC, a quasi-autonomous state agency, was charged with working to end sex discrimination, the WU, a cross-cutting unit within Whitehall, was created to ensure a coordinated approach to gender equality across government departments.

At the outset, gender mainstreaming was interpreted as involving consultation with women’s organizations (WU 1998, 25), suggesting that the WU adopted an agenda-setting rather than an integrationist approach

to mainstreaming (Jahan 1995, 126; Squires and Judith 2005, 366–88), in which the former entails a focus on the participation, presence, and empowerment of women via consultation with civil society organizations while the latter entails a focus on experts and the bureaucratic creation of evidence-based knowledge in policymaking (Beveridge and Nott 2002, 301; Lombardo 2003). *The Guardian* (4 June 1997) quoted Harriet Harman, the Minister for Women, as saying that “[f]or the first time, women’s issues are put firmly at the heart of government. I will open a new dialogue with women.” As part of this commitment to consultation, the WU piloted women’s juries as a mechanism for ensuring the gender sensitivity of policymaking (Veitch 2005), and the role of the Women’s National Commission was revised. Originally established in 1969, this was a publicly funded body “representing sectional interests,” with a responsibility for ensuring consultation between government and women’s organizations. However, it had come to be viewed as conservative and marginal (Stokes 2003, 189). Following a government review, the WNC was relaunched with an expanded membership, guaranteed independence and a higher public profile (Cabinet Office 1998, 3). The WNC, staffed by civil servants on loan from their home department, moved to the Cabinet Office along with the WU, augmenting the agenda-setting work of the WU. The WU also carried out a large-scale consultation exercise in 1999 called “Listening to Women,” which was followed up with further research and the publication that year of a magazine, *Voices*, aimed at disseminating information to women. One ex-member stated that these initiatives were “perceived within government as the most exciting bit of the Unit’s work” (interview with Squires, April 2001). During this period the WU thereafter pursued an agenda-setting form of gender mainstreaming, which focused on the participation and empowerment of women via consultation within social society organizations (Squires and Wickham-Jones 2002).

Although widely favored as a strategy by feminist commentators (Beveridge and Nott 2002, 301) the agenda-setting approach to gender mainstreaming failed to gain the Unit support, either within government or among the media. The Unit was criticized for some of its activities, with commentators noting that it “has largely concentrated on magazine-style discussion of nebulous and politically uncontroversial topics like body image and assertiveness.” *The Times* had called it “a clumsy, counter-productive way to fight for equality” (26 August 1998). Many commentators confidently predicted the demise of the WU before the June 2001 general election: “Downing Street has always appeared to be embarrassed by its WU”

(*The Guardian*, 18 June 2001). Another journalist had concluded earlier, “There is a suspicion that No 10 is simply waiting for the Unit to wither away from neglect” (*The Guardian*, 1 June 1999). The introduction of agenda-setting mainstreaming to complement the formal antidiscrimination work of the EOC was not, therefore, widely perceived to be a success.

The WU was not abolished, however. It was restructured as the WEU, which became sponsor for the EOC and the WNC and took responsibility for policy on gender equality issues (“coordinating policy on women and gender equality issues”; Cabinet Office 2001), including the Sex Discrimination Act and equal pay. The WEU’s remit was to improve the position of women in measurable ways and to promote equality regardless of gender or sexual orientation, reflecting a reorientation of its work toward more measurable outputs and away from the information generation that had characterized much of the Unit’s work before June 2001. The WEU priorities — reducing the pay gap, work/life balance, women in public life, public services, domestic violence (added after the others) — brought the work of the Unit more into line with governmental priorities, though reducing the emphasis on civil society consultation (Squires, Judith and Mark Wickham-Jones, 2004). In May 2002, the WEU was moved from the Cabinet Office to the Department of Trade and Industry, increasing the economic emphasis in the work of the Unit (see WEU 2001, 2002). Rather than agenda setting, the WEU was now attempting to bring gender expertise to existing policy priorities, adopting an integrationist approach to mainstreaming. While this shift led to significantly less negative public press (indeed, a relative absence of any public interest in the Unit at all), the Unit still did not secure widespread governmental support. Indeed, a National Audit Office report suggested that the WEU had “virtually no impact at all” (National Audit Office, 32), and a member of the Select Committee on Public Accounts suggested that the Unit had been “a complete waste of money” (Select Committee on Public Accounts 2002).

While the creation of the WU, which prioritised an agenda-setting mainstreaming, and then the WEU, which moved toward an integrationist model, represented the new phase in women’s policy agencies in Britain, complementing the antidiscrimination work of the EOC, neither unit was deemed to be particularly successful and both had a marginal status. However, the suggestion that the emergence of gender mainstreaming marginalizes women’s policy agencies (Rai 2003), providing a “rationale for abolishing or downgrading women’s units, services and policies at various government levels” (Mackay and Bilton

2000, 62; Teghtsoonian 2003), does not apply in the British case, given that the introduction of gender mainstreaming was accompanied by the creation of a new policy agency, which augmented rather than challenged the work of the EOC. However, the more recent commitment to diversity signaled by the government's "The Equality Institutions Review," launched in 2002, ushers in another new phase for women's policy agencies in Britain, which appears more challenging for the existing agencies.

The Challenge of Diversity

From the late 1990s onward, the "separate strands" approach to equality — in which sex, race and, more recently, disability equality were pursued independently — has gradually been replaced by a more integrated concern with "diversity," placing its gender equality approach into a wider equalities framework. The emergence of the diversity approach was motivated in large part by the fact that the European Union now recognizes, in Article 13 EC, six key characteristics as requiring measures to combat discrimination: sex, racial and ethnic origin, disability, age, religion, and sexual orientation. This increase in the number of equality strands to be formally recognized represented a particular challenge to the British state, which had developed distinct race, sex, and disability equality legislation and separate equality agencies.

Since the introduction of the SDA and the Race Relations Act and the creation of the EOC and CRE to oversee these laws, Britain's equalities system had been characterized by a twin focus on sex and race, which developed in parallel but pursued distinct agendas and developed separate equality guarantees. Notably, the Race Relations Amendment Act, which was introduced in 2000, included a positive legal duty on public authorities to promote racial equality, but this duty was not extended to gender, while the commitment to mainstreaming and the creation of a Unit in Whitehall to oversee this process was not extended to race. This bifurcated equality regime was further complicated when the focus on sex and race was augmented by a newer focus on disability with the introduction of the Disability Discrimination Act in 1995 and the establishment of the Disability Rights Commission in 2000.

Overall, the piecemeal approach of using European litigation to update UK equality laws had created a complex array of equality laws (Gregory

1999; Rees 2002), which was further complicated by devolution in Scotland and Wales (in which equality responsibilities were included in their constitutions) and The Northern Ireland Act of 1998 (which established a single equalities commission for Northern Ireland that by 1999 was responsible for nine equality strands including race, gender, disability, and fair employment). As a result of these developments equality is now addressed by a patchwork of at least 30 acts of Parliament, 38 statutory instruments, 11 codes of practice, 12 EC directives, and the devolution statutes of 1998–99 (Chaney 2002, 88), leading many equality professionals to argue that UK equality law was itself a source of inequality, applying to legislatures and government departments in different ways, privileging some social groupings over others and affording varying levels of protection between polities (Chaney 2002, 88). As Julie Mellor, then chair of the EOC, argued: “Britain’s equality laws are in a mess. Inconsistent and incomplete, they offer different levels of protection for different groups and none at all for others” (*The Guardian*, 16 May 2002).

Devolution both added to this problem and offered a model for its resolution, given that the move toward a diversity approach was first manifest in the devolved territories. For example, the Northern Ireland Act of 1998 (Section 75[1]) gives public authorities a statutory duty to promote equality of opportunity for persons of different religious belief, political opinion, racial group, age, marital status, sexual orientation, sex, disability, and with and without dependents (Donaghy 2004). As a result, mainstreaming has been cast as mainstreaming equality rather than gender mainstreaming, with a generic Equality Commission established to oversee, monitor, and review the mainstreaming process, entailing the amalgamation of equality agencies dealing with gender, race, and disability. Meanwhile, an equality clause in the Government of Wales Act of 1998 gives the National Assembly of Wales a statutory duty to promote equality “for all people” in all the Assembly’s functions (Chaney 2002), with an Equality of Opportunity Committee established to ensure compliance. Similarly, the Scotland Act of 1998 places the Scottish Parliament under a commitment to mainstream equal opportunities “on grounds of sex or marital status, on racial grounds or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes including beliefs or opinions such as religious beliefs or political opinions” (Mackay and Bilton 2000). A generic Equality Unit was also established within the Scottish Executive to develop and support work on mainstreaming equality (Breitenbach,

2004, 13). In this context, the continued existence of separate equality commissions in London began to look anachronistic.

The introduction of yet more new equality legislation in Britain — the Employment Equality (Sexual Orientation) Regulations of 2003 and the Employment Equality (Religion or Belief) Regulations of 2003, implementing other European employment directives that outlaw discrimination on grounds of sexual orientation, religion or belief, disability, and age in employment and vocational training — further undermined the British “separate strands” approach to equality. Exogenous pressures in the form of EU directives, coupled with the precedents set in the devolved territories, compelled the government to rethink its equality institutions, in what it described as “the most significant review of equality in over a quarter of a century” (Roche 2002).

Following extensive consultation, the government announced, on 30 October 2003, that it planned to establish a CEHR, which would bring together work related to several different aspects of equality, including age, sexual orientation, disability, race, religion, and gender, and for the first time provide institutional support for human rights. This body would replace the three existing equality commissions. Announcing the plans, Patricia Hewitt (Trade and Industry Secretary and Minister for Women) promised that the CEHR would “give greater support and more joined-up advice to individuals, businesses and communities to crack down on discrimination, and promote equality and diversity” (DTI 2003). She continued: “tackling discrimination in the 21st century requires a joined-up approach that puts equality in the mainstream of concerns. As individuals, our identities are diverse, complex and multi-layered. People don’t see themselves as solely a woman, or black, or gay and neither should our equality organizations.” A task force was set up to advise on the governance and structure of the new body, including representatives from the existing equality commissions, faith communities, new strands (sexual orientation, religion, and age), business, human rights organization, and trade unions.

Women’s Policy Agencies and the Shift to Diversity

While organizations representing three “new” equality strands — religious belief, sexuality, and age — have generally welcomed the proposal, the specific proposals for the structure, location, and remit of the CEHR have met with stiff resistance in some quarters, most notably

from equality professionals committed to a prior group-discrimination discourse and concerned about the potential loss of expertise and resources. However, although the three existing commissions have most to lose from the proposals, feminist actors and the existing women's policy agencies have played a central role in this process, with the Minister for Women and the WEU facilitating the creation of the CEHR, and the EOC and WNC adopting a positive approach to a multiple equalities focus. Rather than rejecting the turn to diversity, the existing women's policy agencies have been proactive in supporting it.

In its response to the government's consultation document "Towards Equality and Diversity – Making it Happen," the EOC stated categorically that it supported the creation of a single equality body, because it will "have the best chance of delivering effective work across all areas of equality on all the necessary levels i.e. single stand issues, general equality issues and inter-sectional or multiple discrimination issue" (EOC 2003, 1). In its press release following the government's White Paper setting out plans to establish the CEHR, the EOC stated: "Having a single champion and a 'one-stop-shop' for equality and human rights issues makes sense for individuals, employers and service providers. It will help make sure that all our equality laws, including new laws on age, belief and sexual orientation, are equally well understood, promoted and enforced" (EOC 2004). In support of the proposed CEHR, they have actively promoted "equality and diversity," rather than just gender equality. Their vision is "of a fair society for every woman and man, whatever their age, race, religion, disability or sexual orientation" (EOC 2005). Indeed, so keen have they been to embrace multiple equality strands that the four new commissioners appointed to the EOC in 2005 have expertise in race, disability, and religious belief – but not gender (EOC 2005).

However, the EOC also argued that the effectiveness of a single equality body would be "significantly limited if it were working within the existing confusing and hierarchical framework" and called for consistent legislation across the equality strands (EOC 2003, 2). Calls on the government to introduce a single equalities bill to accompany the establishment of the single equality commission were widespread, and though initially resistant, the government did establish a Discrimination Law Review to consider the principles of discrimination legislation and the possibility of introducing a Single Equality Bill (Munn 2005). The EOC had argued strongly for legislative changes to accompany the establishment of the new commission, partly because existing legislation is based on the

mechanism of individuals taking action to remedy individual acts of discrimination, and partly because the existing legislation offered better protection to some groups than others. They argued that this hierarchy of rights would undermine efforts to create a culture that genuinely values equality and diversity (EOC 2004, 10). They were rewarded when the Equality Bill (published 19 May 2005) not only defined the purposes and functions of the CEHR, and proposed that discrimination on the grounds of religion and belief be unlawful, but also recommended the creation of a duty of public authorities to promote equality of opportunity between women and men, and to prohibit sex discrimination in the exercise of public functions. This “gender duty” was introduced in response to strong lobbying by the EOC and other women’s organizations.

The gender equality duty was introduced following the amendment of the Race Relations Act in 2001 to give public authorities a new statutory duty to promote race equality, and the subsequent establishment of the Disability Equality Duty, which came into effect 5 December 2006, leveling up the equality provisions of the three existing equality commissions, and giving positive action a much higher profile in the British approach to gender equality. It will require public bodies to take proactive steps to positively promote equality and not to discriminate unlawfully between women and men when carrying out their employment or service functions. It also allows for specific obligations to be placed on public bodies to help them fulfill their responsibilities under the general duty. The EOC were particularly jubilant that the government pledged to give public sector bodies a duty to promote equality for women and men, calling this “the most significant change in sex equality law in the 30 years since the Sex Discrimination Act (SDA) came into force” (EOC 2004). In this way the EOC used the “equality and diversity” consultation to lobby successfully for “upward harmonization” of the public sector duties (Lovenduski 2005, 24).

Meanwhile, the WEU not only supported the creation of the CEHR but has already widened its remit in anticipation of its establishment. Though still nominally concerned with “women,” the WEU now states that it “aims to take a co-ordinated approach on equality while recognising and respecting the diversity of all members of society” (WEU 2006). It states that the “Ministers for Women, supported by the WEU, are responsible for promoting and realising the benefits of diversity in the economy and more widely” (WEU 2006). Moreover, the WEU operates a “Sex Discrimination and Equality Co-ordination Team,”

which — notwithstanding its title — “is concerned with all aspects of equality: age, disability, gender, race, religion and sexual orientation, across the full spectrum of Government policy” (WEU 2006). In other words, it is the women’s policy agencies — with their now anachronistic titles — that are currently responsible for promoting the diversity agenda. The role of the WEU is therefore changing to embrace all the equality strands, and although this entails the loss of their own remits, the Ministers for Women and the Head of the WEU appear to be strongly in favor of this development. While the EOC used the consultation to argue successfully for new equality legislation, the WEU used the process as a means of securing its bureaucratic status, which had previously been rather fragile, given the lack of governmental support for its work.

The WNC is also broadly supportive of the proposal to create a CEHR, noting in its response to the government’s White Paper that although women’s organizations tended to oppose the creation of the single equality body when it was first mooted, they now “believe that a degree of consensus has developed in support of the new CEHR *in principle*” (WNC 2004, 1, italics in original). This consensus emerged, they suggest, as a result of cross-sector dialogue that create a sense that together “our voices would be stronger” (WNC 2004, 1). Indeed, while they welcomed the commitment to a public sector duty to promote gender equality, many women’s groups criticized the new duty for being drawn too narrowly, and called for a public sector duty to promote equality for all (WNC 2004, 2). The WNC emphasized the benefits that a cross-sector body could bring in terms of addressing the discrimination arising from multiple identities, such as those of lesbian Muslims who encounter homophobia, racism, and sexism (WNC 2004, 4), reflecting a commitment to intersectionality that allows for an integrated, rather than additive, approach to multiple inequalities (Yuval-Davis 1997). The need to address intersectional discrimination had become increasingly evident, following heated debates in the 1970s about the “triple oppression” experienced by black working-class women (Anthias & Yuval-Davis 1983), and the growing evidence that many strategies aimed at redressing racial or gender discrimination serve to reinforce the multiple levels of discrimination experienced by minority women (Fredman, 2003, 26), leaving women’s groups normatively receptive to the theoretical arguments underpinning the current transition to diversity.

The fact that all three women’s policy agencies have been so supportive of the proposed creation of the CEHR and the wider transition to the

diversity frame can be understood in relation to the limitations of the previous twin-track gender equality strategy, and to the potential benefits to be gained from the promised introduction of a positive duty to promote equality. The legislative weakness that hampered the work of the EOC provided it with the motivation to use the equality review to level up, while the political vulnerability of the WEU provided its leadership with the motivation to embrace the job of overseeing the consultation process and with the prospect of coming into line with the equality units in the devolved territories. Additionally, the long-standing concern with multiple inequalities gave women's policy agencies the normative motivation to embrace the transition.

The Role of Other Equality Commissions

Other equality strands have either been less involved in this process because, like the Disability Rights Commission (DRC), they lacked the institutional mechanisms such as a cross-cutting unit within Whitehall, or more hostile because, like the Commission for Racial Equality, they feared that their concerns would be sidelined by the new agenda.

The Disability Rights Commission, established in 2000 to work for the elimination of disability discrimination, welcomed the White Paper that proposed the establishment of a CEHR. However, it secured a governmental commitment to distinctive arrangements in relation to disability, including a guaranteed place on the CEHR board for a disabled person, and successfully argued for a public sector duty on disability. It also welcomed the proposed public sector duty on gender, which it deemed to represent an important step toward harmonization of equality legislation (DRC 2004, 2). Its approach to the Equality Review has therefore been very similar to that of the EOC, but as there is no disability equivalent to the WEU in Whitehall, the gender equality professionals have been more involved in the detailed facilitation of the process.

Meanwhile, the CRE stated in October 2003 that if the proposed CEHR were to have the power, resources, and the will to address its concerns, it would welcome it (CRE 2003), but noted that the condition of success would be that we “deliver the same levels of service currently provided and that all strands are properly resourced” (CRE 2003). However, unlike the EOC, the CRE has grown increasingly disillusioned with the project, frustrated that it was unable to fashion the agenda of the CEHR consultations. Notwithstanding its anxiety about the proposed merger

(CRE 2004), the CRE did successfully negotiate a series of changes, which allowed it to offer its tentative support for the plans, welcoming the amendments to the Equality Bill that included the provision that “the CEHR will be established in October 2007 for all areas except those for which the Commission for Racial Equality (CRE) is responsible. These areas will remain with CRE until April 2009, when the CRE’s responsibilities will transfer to the CEHR” (CRE 2005). The CRE noted that it welcomed this “phased entry process.” Then, having negotiated a delayed entry into the new commission, the CRE unilaterally declared in November 2005 that it was pulling out of the plan (CRE 2005a) in the week when the government bill setting up a unified Commission for Equality and Human Rights reached its committee stage in the Commons, enraged by ministers’ plans to move the new body out of London. Following a decision that the commission would be based on two sites (WEU 2006) the Equality Act gained Royal Assent on 16 February 2006.

It has therefore been the CRE that has expressed the most concerns about the CEHR, no doubt due to an anxiety that its relative strength would be compromised. Comparative analyses of British citizenship practices have located Britain as advanced in relation to race equality, with Britain’s multiculturalism frequently cited as a model for Europe (Koopmans and Statham 2000). As the most powerful agency with the most political clout, the CRE has most to lose in this process and is operating as a veto group. With less political clout than the CRE, fewer resources than the DRC, and weaker statutory duties than both, the EOC clearly has more to gain. Meanwhile, the WEU has been able to use its unique institutional location as a cross-cutting unit in Whitehall to refashion itself as an equality unit, thereby gaining greater institutional security and prestige.

Conclusion

I have argued that the development of women’s policy agencies in Britain has been marked by the creation of the EOC in 1976, the WU in 1997, and the proposed creation of the CEHR in 2007. Where the EOC has had responsibility for overseeing antidiscrimination legislation and the WU (then WEU) had responsibility for a mainstreaming agenda, the proposed CEHR will have the resources provided by a new gender duty to engage in positive actions to promote gender equality. While the proposed creation of the CEHR may appear to erode the remit of women’s policy agencies, this essay finds that the EOC, the

WEU, and the WNC have been largely positive about the transition to the diversity framework, and that while the autonomy of women's policy agencies may be lost, the creation of a new public sector duty to promote gender equality suggests that there will be a leveling up of gender equality legislation and resources, which will enable women to gain from the previous advances made in relation to race and disability, as well as being better placed to deal with the challenges of intersectionality.

Given that EU equality policy now comprises a commitment to managing diversity, in addition to ensuring formal antidiscrimination and working toward substantive equality (Bell 2003), women's policy agencies across Europe are grappling with the implications of a diversity agenda. My reflections on the British case suggest that how they respond to the diversity agenda will depend both on the status of the women's policy agencies relative to other equality strands and on the dominant normative framing of gender equality in relation to questions of intersectionality. Where women's policy agencies have the greatest relative status and where gender equality has been conceived in a way that fails to consider issues of intersectionality, the diversity agenda is likely to be perceived primarily as a threat. By contrast, the enthusiasm of the British women's policy agencies for this diversity approach stems in part from their relative lack of status and their normative commitment to addressing multiple equality issues. This suggests that the transition to diversity will create different sorts of challenges and present different sorts of opportunities for state feminists in different countries, but should not simply be assumed to be a threat. The fortune of state feminism in the context of the Europe-wide move to transform dedicated women's policy agencies into more general equalities units is as yet unclear, but if this development encourages state feminists to be more sensitive to, and better equipped to deal with, cumulative discrimination than they have been in the past, it should be viewed positively.

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Developing Countries and New Democracies Matter: An Overview of Research on State Feminism Worldwide

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DOI: 10.1017/S1743923X07000372

Introduction

Since the 1970s, institutions with the explicit purpose of advancing women's rights and status have been established in an overwhelming majority of countries. In political science research, these institutions usually are called "women's policy machineries," "state feminist institutions," or "gender equality agencies." The people who work in them are often referred to as "state feminists." This article offers a general overview of academic studies on state feminism, the majority of which were published in the last decade. Generally speaking and with few exceptions, social scientists researching state feminism in postindustrial countries tend to consider only academic work on other postindustrial countries and ignore scholarly analyses of developing