

## Findings from Understanding Institutional Change from a Gender Perspective

Now that our ERC project on Understanding Institutional Change from a Gender Perspective (UIC) has finished, we can take stock of our findings. This short summary focuses on a couple of the insights from our research that we think can help to make institutional change and processes of institutional design more gender friendly. Firstly, for us there is a key distinction between two main types of institutional change – namely between creation of new institutions and the reform of existing ones. These two types of change have different implications for both the achievement of gender equal institutions and for gender actors trying to pursue gender equality strategies. This insight comes with a caveat. Gender equality actors, of course, are rarely in the position to create big new gender-friendly institutions. They rarely have the power to overcome the resistance that surrounds these attempts! And more generally, the creation of new institutions is relatively rare. So reforming or working within the constraints of existing institutions, is a more likely scenario for gender equality actors (or perhaps the creation of a new layered institution, like a gender unit or quotas, on top of existing institutions that carry on). Over the last five years we looked at both forms of institutional change.

In the initial years of the UIC project we focused much of our efforts on understanding the first type of change: the creation of new institutions or institutional displacement (see our special issue of *Politics & Gender* published in Dec 2014). As well as interrogating what is meant by institutional newness (see Fiona Mackay and Georgina Waylen's introduction to the special issue), this research included cases where gender equality actors were part of bigger processes of institutional design as well as some examples where the newly-created institutions have been 'layered' on to existing ones (see [Francesca Gains and Vivien Lowndes work on the recent creation of the Police and Crime Commissioners in the UK](#) as well as Leah Culhane's research on legislative gender quotas in Ireland for Work Package (WP) 3).

Among the cases that we looked at are the constitutional negotiations and the resulting creation of new institutions in Northern Ireland and South Africa in WPs 1 and 2 (see [Georgina Waylen](#) and [Rachel Johnson's](#) articles in *Politics & Gender*), as well as Fiona Mackay's analysis of the creation of Scottish parliament and Louise Chappell's discussion of the International Criminal Court. Although these cases are obviously different, they are all seen as relatively successful. Gender equality actors did make some headway on the inside of the processes of institutional design to ensure that the outcomes were more gender friendly than would otherwise have been the case (see [Laura McLeod and Rachel Johnson's conversation with gender equality actors in International Feminist Journal of Politics](#) about the tactics and strategies that they employed).

Our key insights into the biggest challenges facing gender equality actors and how they can overcome them will not surprise many gender scholars and activists. First gender equality actors have to be on inside from the beginning to help to determine the structures and processes that design the new institutions,

rather than simply pressuring from the outside (although, of course, this is also essential). But how this should be done varies according to the context. There is no single blue print that works for all cases. Second, having seat at the table was not enough! To understand why this is the case, we need to open up the '**black box**' and look at both the formal and the informal processes, which of course is hard. Third, institutional design processes need robust formal rules to promote women's meaningful participation at all levels and in all roles in the institutional design process (including chairing, legal, 'expert' technical and administrative roles). So that women are not just rubber-stamping decisions in large powerless bodies. Fourth, leadership matters. Key gender actors in key places are needed to develop strategic thinking on goals, tactics and alliances. Individual women and men can make a key difference, as can strategic alliances. We found that this aspect of institutional design is often underplayed by institutional scholars.

But once at the table, gender actors can encounter a whole range of difficulties: One of most significant can be the role of informal networks and processes and from which gender equality actors are excluded and/or marginalized. Our findings reinforce the importance of male networks built on trust and bonding that Elin Bjarnegard has called homosocial capital. We saw these operate in even the South African constitutional negotiations that were considered to be relatively open and transparent.

We have therefore concluded that understanding institutional change requires understanding informal processes that comprise 'hidden life of institutions'. This is also reinforced by key findings from Fiona Mackay's work on Scottish parliament and Louise Chappell's on the ICC (for example published in the special issue of *Politics & Gender* 2014). Fiona has showed us how 'Nested newness' operates in gendered ways. In particular that it is very hard to create a new institution from scratch. There are always institutional legacies, and the danger that existing rules, norms and practices seen as undesirable in gender terms, sneak back in as the default. The end of the design process is therefore not end of story when it comes to institutional change!

But, of course, the more common form of institutional change is the second route - namely trying to make existing institutions more gender friendly. Gender equality actors often lack sufficient power and often face considerable resistance, so have to use strategies other than creating new institutions to try to achieve their aims. Gender actors, for example, sometimes try to 'convert' existing institutions to new more gender-friendly ends. To do this, actors can utilize any gaps or ambiguities in the rules to subtly change what institutions do and how they operate. They can use a range of venues available to them as well as alliances with other sympathetic actors.

Our UIC research has showed that we need to look in more depth at how this slower, more incremental, but still significant, institutional change can happen. One example that we examined in-depth in WP4 was Michelle Bachelet's first presidency in Chile (see our edited volume [\*Gender, Institutions and Change in Bachelet's Chile\*](#) published in 2016). Bachelet was elected with improving gender equality as part of her programme, but she was limited in what she could do

because of the formal and informal constraints of the post transition Chilean political system. And for much of her first presidency she did not have a majority in congress so it was hard to pass legislation. So to achieve change, she and her government were forced to reinterpret the existing rules and use a number of the existing non legislative mechanisms available to them.

The case studies in [Gender, Institutions and Change in Bachelet's Chile](#) show how, not just Bachelet, but also a number of gender equality actors in key positions in ministries such as Health and Finance, tried to promote gender equality strategies through a range of mechanisms. This can be seen in the introduction of free EC in public health centers in a context where reproductive rights are very contested and all forms of abortion are illegal (see Carmen Sepulveda's chapter). And also in the changes in pensions, childcare and health. Overall the chapters show that some gradual change is possible in circumstances where there was a distinct lack of manoeuvre for gender equality actors. It often required key actors to use all the mechanisms available to them – both formal and informal – to circumvent the opposition/resistance both inside and outside a range of institutions in the bureaucratic and legal as well as the political arenas.

This leads on to a second overarching theme to come out of our research: the hugely significant and still under-researched role of the informal – whether this is in the form of norms, networks, or practices – which was the focus of WP5. These play a key role in institutional change, both preventing and also promoting change (see [Georgina Waylen's article in Political Research Quarterly](#)). This is also particularly important for gender equality as informal rules and norms around gender are so pervasive and powerful. It is possible to change formal rules but the impact of this can be undermined by continuation of informal norms and practices that run counter to the new formal rules. Perhaps we already knew this intuitively, but we needed to investigate and understand it more fully. As a result of some of this research, we have an edited collection on *Gender and Informal Institutions* coming out in the Feminism and Institutionalism series that was published in May 2017. The collection takes up some of these theoretical questions and also includes case studies such Leah Culhane's chapter on the role of the informal in candidate selection in Ireland.

We have also thought about how our research impacts on the existing non gendered institutional theories and frameworks in WP6 (see [Georgina Waylen's first UIC working paper](#) and her Oxford Research Handbook entry on gendering institutional change). In addition to highlighting the somewhat neglected role of the informal (by historical institutionalists in particular), our findings concur with some recent scholarship (eg by Cappocia) that see institutional change as more blurry, sequential and linked than some of the original historical institutionalist work allowed for. We also highlight the importance of power and resistance, including its hidden aspects, that institutionalist scholars like Paul Pierson are now more focused on. And we hope that all institutionalist scholars will take more notice of the gender dimensions of the work they are undertaking than they have in the past.

Finally we do have some 'take away' points about gendered institutional change. 'Big bang' institutional change involving the creation of new gender friendly institutions is difficult to achieve. To happen, it needs gender equality actors on the inside with power. More gradual gender friendly institutional change is most likely. It needs a range of mechanisms, actors and arenas and not always the most obvious ones. We also need to understand the informal better. Changing formal rules is necessary but not sufficient to achieve gender friendly change. In any particular context, we need to work out what the informal rules, norms and practices are and how to change them if they are undermining attempts to increase gender equality, and also very importantly we need to improve our understanding of how to create new, reinforcing informal rules and practices to bolster any formal gender friendly change. We also need to improve our understanding of resistance to institutional change and how to counter it. This involves getting a better understanding of failed attempts at change. We need to know more about what went wrong and why, and not just about what has worked.

Overall we feel pleased that we now know a lot more about these processes than we did five years ago, we have contributed to the development and consolidation of feminist institutionalism, but that there is still work to be done!

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