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Blurring the Conceptual Boundaries between the Women's Movement and the State

In 1966 and 1967, a newly revitalized women's movement organized the first protests that would expand to become a second wave of mobilization. Hundreds of scholarly works have documented, described, and analyzed this movement. The common narrative of these treatments is a familiar one: Despite having a few allies among government officials, feminist activists operated outside of and often in opposition to a government apparatus that contributed to maintaining women's unequal status. Most contemporary accounts of feminist protest events described the movement in these terms as well. A photograph caption in the December 15, 1967 *Washington Post* is consistent with this narrative, both for what it describes but especially for what it omits:

> Mary Eastwood pickets the offices of the Equal Employment Opportunity Commission during a demonstration yesterday sponsored by the National Organization for Women. NOW was protesting what it considers the EEOC's discriminatory ruling permitting employees to place job ads under separate Help Wanted – Male, and Help Wanted – Female, columns. Similar demonstrations took place in New York, Atlanta, Chicago, and San Francisco. (*Washington Post*, December 15, 1967: B3)

There is nothing extraordinary about this caption nor about the accompanying photo showing a woman carrying a sign that says "Equal Employment Opportunity for Women NOW." The picture differs little from others taken at hundreds of feminist protests that occurred across the country during the 1960s and 1970s. However,

there is more to the story than the caption reveals: Mary Eastwood herself was a government employee as were a large percentage of those who planned and organized the event. Both protesters and organizers worked in such places as the Department of Justice, the Department of the Navy, the Central Intelligence Agency, and the Department of Labor. Some of these government employees helped organize events but preferred not to demonstrate, fearing negative consequences from their supervisor (Interview, March 25, 2002).

Most overviews of the women's movement have focused on movement activists *outside* of the government that they are trying to influence (see, for example, Carabillo et al. 1997; Ferree and Hess 2000; Ryan 1992; Tobias 1997). Indeed, the view that social movements are clearly and completely "outside the state[1]" prevails throughout both theoretical and empirical discussions of social movements generally. Yet many, if not most, of the activists picketing on December 15, 1967 were upper-level employees of the federal government. They constituted an important network of women's movement activists who permeated the state and engaged in oppositional actions; they often worked in ways that remained largely unnoticed both by the movement and by the bureaucracy that employed them. Contrary to the view that social movements exist outside the halls of power, this part of the women's movement existed within the state from the movement's inception.

In this book I examine feminist activists who were upper-level government employees in the period from the Kennedy to the Clinton administrations. I show that the boundaries between the state and the movement, often conceptualized as distinguishing two separate collective actors, are fuzzy. More generally, I argue that social movements often overlap with the state through their activists located within the state. In the case of the U.S. women's movement, that overlap had important consequences: It directly influenced the creation of movement organizations, it affected the political opportunities that were available to the movement, and it furthered some policy outcomes while constraining others. Understanding the legacy of the women's

[1] In this chapter, I use the term "the state" in the same way as other scholars in comparative politics to indicate the institution with a monopoly on the legitimate use of force (Moore 1999: 100; Poggi 1990). Generally, when the term is used it does not reference one of the fifty state governments of the United States unless that is clearly signaled.

movement – indeed, any movement – requires the development of a theoretical framework for examining the intersection of the movement and the state, and an empirical assessment of movement politics at this intersection.

I begin this chapter by discussing why scholars and activists need to understand how movements and states overlap. I argue that social movement scholars must pay more careful attention to the intersection between social movements and the state – to what constitutes an insider and an outsider. Otherwise, we are likely to miscategorize parts of the movement as allies, overstate the degree of institutionalization and cooptation in social movements, and exaggerate the relative importance of external factors (such as political opportunities) in comparison to internal movement factors. This miscategorization has the effect of underestimating the agency and influence of many feminist activists. Moreover, it is precisely where movements overlap with the state that one can see most clearly how social movements can mold the state to their own political advantage – *creating* political opportunities that can help them in the future.

While gender scholars have long debated the role of insiders in the women's movement and examined the policy effects of women's policy agencies, I also argue that more attention is needed to individual feminist activists as a form of movement–state intersection and not just to the bureaucratic structures of the state. The presence of women's movement activists influences the way state bureaucratic structures function. Moreover, insider feminist activists are located throughout the state, often outside of agencies devoted to "women's issues," and even in these locations, insider feminist activists had and can have significant influences on policy. Although studying insider feminists is difficult because their actions often occur "under the radar" (see for example Kenney 2008: 717–18), the significance of these networks of individual activists to the women's movement makes the study of individual insider activists necessary.

Finally, I contend that creating a theory of the intersection of social movements and the state requires an examination of different theories of the state and the development of state interests. States are complex institutions, and their many parts have varying capacities to enforce a single set of interests or policies, resulting in internal conflicts and contradictions. Moreover, democratic states offer numerous opportunities

for intersections with social movements because representing societal interests and encouraging at least some level of participation by civil society is one of the state's fundamental functions. Although some areas of the state – such as the bureaucracy – are not considered part of this function, these areas are nevertheless affected by these democratic functions.

After creating the theoretical rationale for this study, I then place the empirical analyses in the book in context by discussing the aspects of women's movements and states that influenced the intersection of these two entities. Because some women are better able to enter the state than others, the part of the women's movement that intersects the state is not representative of the whole movement. This has consequences for the types of policies that ultimately are adopted. I also maintain that the demands of the women's movement can be addressed in multiple locations in the state, allowing feminist activists working in many different parts of the state to utilize their positions to further the movement – even in agencies and departments that had little explicit focus on women. Finally, I emphasize that the state is not static but changes in form and function over time, and organizational changes provide new opportunities for movements that intersect with the state.

I conclude this chapter by discussing the sources of evidence that I use – archival research and in-depth interviews with forty "insider" feminist activists – and outlining the rest of the book. I argue that networks of movement activists within the state played important roles in mobilizing and organizing the movement, altering the political opportunities available to the movement, and creating concrete policy changes that altered the social landscape in the United States.

UNDERSTANDING INTERSECTIONS BETWEEN SOCIAL MOVEMENTS AND THE STATE

Social movements have traditionally been viewed as outsiders to the state (Birnbaum 1988; Burstein, Einwohner, and Hollander 1995; Diani 1992; Flam 1994; Jenkins and Klandermans 1995; Tarrow 1998; Tilly 1978). For example, Diani (1992: 7) notes that definitions of social movements include an emphasis on actions "largely outside the institutional sphere." Such definitions focus on either a movement's existence outside the realm of the state or the use of confrontational

political actions such as protest to distinguish movements from other political actors (Burstein et al. 1995; Goldstone 2003; Katzenstein 1998). Increasingly, though, social movement scholars are examining movements within existing institutions (Meyerson 2003; Moore 1999; Raeburn 2004; Zald and Berger 1987[1978]), and specifically within the state itself (Binder 2002; Goldstone 2003; McAdam, Tarrow, and Tilly 2001; Santoro 1999; Santoro and McGuire 1997; Skrentny 2006, 2002; Smith and Lipsky 1993; Wald and Corey 2002; Werum and Winders 2001; Wolfson 2001; Zald 2000).[2]

Women's movement scholars have recognized the intersection between women's movements and the state for much longer, both in the form of women's policy agencies – that is bureaucratic structures that focus on women or women's movement goals (Mazur 1995, 2001, 2002; Pringle and Watson 1992; Sawer 1995; Stetson and Mazur 1995) – and in terms of individual women located within the state, even coining the term "femocrats" to denote such women (see for example Chappell 2002; Eisenstein 1996, 1990; Katzenstein 1998; Outshoorn 1997, 1994; Sawer 1990; Vargas and Wieringa 1998).[3] However, even those works concentrating on individuals often separate feminists inside the state from the movement outside using concepts of iron or velvet triangles (Vargas and Wieringa 1998; Woodward 2003) or focus only on those women in women's policy agencies (Outshoorn 1994; Sawer 1990; Watson 1990).

Taken together, such analyses raise the question of how social movements can be outsiders when they exist inside the halls of power. In this section, I will explain why the intersection between movements and state needs to be reconceptualized and develop the concept as a *variable*

[2] Interest group scholars have also long recognized the interconnectiveness of traditional interest groups and the U.S. government, both through the capture of governmental offices by interest groups (e.g., McConnell 1970; Stigler 1975) and through the career paths of individuals who move from the bureaucracy to lobbying organizations and vice versa (see, for example, Heinz et al 1993 and Salisbury and Johnson 1989).

[3] The definition of "femocrat," used outside the United States, varies quite widely by author and some definitions do not require a connection to the women's movement. Here the feminist activists that I delineate are activists in an autonomous movement; we know this because comparatively we know that a strong women's movement has existed independent of the government in the United States, and the criteria for the feminist activists in this study is that they were an active part of that independent movement.

that can characterize every movement. I argue that outsider status is not determined by location or by tactics but by the degree of *inclusion* in institutions. Extending the logic of Katzenstein (1998) and Zald and Berger (1987), I argue that it is important to separate a movement's goals from its strategies or tactics, and from its location vis-à-vis the state. I then challenge traditional assumptions that movement–state intersections necessarily derive from movement institutionalization.

Why It Matters: Movement–State Intersection and Political Opportunity

Social movement scholarship has traditionally identified state actors who advocate for movements as political allies. These allies are viewed as part of the larger set of political opportunities that movements face (e.g., McAdam 1982; Tarrow 1998). Even scholars of "femocrats," who have gone the furthest in recognizing the existence of feminists in the state, have tended to implicitly separate femocrats from the women's movement. For example, in her analysis of feminists in women's policy positions, Outshoorn (1994) divides femocrats into allies of the movement and professionals. Yet several of the feminist bureaucrats she interviewed "denied the implicit dichotomy of my question by pointing out resolutely that they themselves were part of the movement (or by saying 'you belong to both')" (Outshoorn 1994: 152). Similarly, Vargas and Wieringa (1998) note that feminists have become both politicians and civil servants; nevertheless, their use of the concept "iron triangle" has the effect of analytically separating feminist politicians and femocrats from the women's movement.

Labeling feminist activists within the state as "allies" can be misleading and consequential for several reasons. Feminist activists inside the state and state allies of the women's movement differ in several key respects. First, "allies" who advocate a movement's agenda may do so for reasons other than those held by movement activists. For example, in discussing why President Kennedy created a President's Commission on the Status of Women, many have noted the importance of women voters to his 1960 election and a desire among Democrats to avoid the issue of the Equal Rights Amendment, which would antagonize their labor constituencies (Pedriana 2004; Zelman 1982: 25).

Allies can therefore be expected to make very different decisions from movement activists and base these decisions on concerns that may be unrelated or even opposed to movement concerns.

Second, while allies often provide a movement with political support, important information or tangible resources – the transfer of such support or resources will occur only when it serves the interests of that ally – interests that are probably unrelated to the goals of the movement itself. On the other hand, support, information, or resources are likely to flow more freely *within* the movement because movement actors are committed to at least some movement goals. Intersections with the state thus improve movement resources and capabilities even when (perhaps especially when) the state itself may be hostile to the movement. For example, movements are likely to have more complete information about state actions and policies through intersections with the state. While allies of a movement might encourage coordination of efforts between themselves and the movement, that coordination is likely to be negotiated and partial. However, actors who are part of the movement are likely to be in a position to coordinate actions with the movement more completely and effortlessly.

Most importantly, from the standpoint of explaining the causes of movement mobilization, development or outcomes, the degree to which external factors, such as political opportunities, influence the movement will be overstated if the movement's intersection with the state is defined as outside of the movement. Such a misclassification reduces social movements' agency vis-à-vis the state. In this book, I show that women's movement activists within the state played a key role in the movement both acting as a part of the movement that was located in the state and by creating lasting political opportunities that aided the future development of the movement.[4] Thus, identifying movement–state intersections as part of a movement's political opportunities underestimates movement agency and overstates the importance of external factors.

[4] The effect of political opportunities on movement outcomes is well established (Amenta and Zylan 1991; Banaszak 1996; Costain 1992; Giugni 1999), but I believe that one key mechanism by which social movements can alter their political opportunities themselves (cf. McAdam 1996) is through movement–state intersections.

The Intersection of Movements and States

I define the movement–state intersection as occurring when a network of movement actors or organizations is located within the state. These networks operate within the constraints of state institutions, and describing how they manipulate those institutions can clarify the role of interests versus the role of institutional rules. These collective actors are also constrained by their positions within both the state and the movement, which may shape appropriate behavior, interests, and goals.

The intersection of movements with the state varies across movements and across time for the same movement. At one extreme, a movement may exist completely within the state. For example, Katzenstein (1998, 1998a) analyzes women's activists within the military as a separate movement completely within this institution. More commonly, movements intersect only partially with the state. For example, the creationists that Binder (2002) analyzes captured school boards in a number of communities in Kansas; yet, creationism as a movement occurred mostly outside the state and the intersection of the movement within the state was both small and temporary (see also Wolfson 2001). In Chapter 2 I argue that during the 1960s the U.S. women's movement's intersection with the state involved more movement activists than did the Civil Rights movement's intersection. This was because African Americans' exclusion from society kept them largely out of the ranks of government. While both were outsiders to the political process, the nature of their "outsider" status was quite different.

Even when located inside the state, social movements maintain their outsider status because *exclusion* from the polity is not completely synonomous with *location*. Instead, I argue that there are several forms of exclusion, which can occur separately or jointly, and some of these occur even when actors are located inside the state. These varying types of exclusion are illustrated in Table 1.1.[5]

[5] The different types of marginalization and exclusion described in Table 1.1 are not mutually exclusive. Some movements may be characterized by multiple layers of exclusion, while others may face a single form of exclusion. Although not the focus of this book, examining the different forms of exclusion that social movements face would go far in elucidating the "outsider" status social movements have and how this varies from movement to movement.

TABLE 1.1. *Theorizing the Types of Outsider Movement Status in Democratic States*

Type of Exclusion	Movement Example	Descriptive Examples
Rights or Repression Based	Civil Rights Immigrants	Dahl (1971)
Societal Norms	Welfare Rights Civil Rights	Bachrach and Baratz (1962); Lukes (1974)
Minority Size or Institutional Exclusion	Environmental	Rohrschneider (1993)
Marginalization by Devaluation	Creationists in Kansas, U.S. Women's Movement	Binder (2002) Skrentny (2006)
Intra-institutional Marginalization	French Femocrats	Mazur (1995a)

One form of exclusion occurs by limiting the rights available to a particular portion of the population by, for example, law or physical repression (Dahl 1971). After Reconstruction, for example, America's southern states excluded African Americans from legal rights by physical repression, poll taxes, and segregation laws. Immigrants to most countries also face legal or rights-based exclusion from the state. While these individuals are subject to the state's power, they are excluded from most possibilities of state influence.

A second form of exclusion may result from society's norms and practices. Here, exclusion comes, not from legal exclusions or from the state's use of force, but from the ways that society excludes groups by not recognizing their existence or the issues that they face (Bachrach and Baratz 1962; Lukes 1974). For example, grievances of poor people in the United States have largely been invisible because of the expectation that equal opportunity allows economic advancement for all. As a result, issues of poverty may not be seen as a societal problem and the economic claims of poor people may not be considered. Similarly, even outside of the South, African Americans were excluded by

societal practices of segregation that tended to keep them out of networks with their white counterparts.

Even where groups' interests are recognized, a third form of exclusion occurs when institutions allowing representation of interests within the state prohibit or limit the representation of a group (Gaventa 1980; Schattschneider 1960). For example, Rohrschneider (1993) argues that early environmental or green movements faced this type of exclusion. Legally, movement activists could vote and hold office. Yet, the nature of the electoral system and of established political parties influenced whether their issue concerns were incorporated into party positions. Institutional characteristics of some states assured that movement goals were not discussed by government actors. Thus, the environmental movement remained outside government not because of societal norms or legal rights but because institutional arrangements excluded them wholesale from the state.

Even when individuals are included in the state, they may still be excluded internally if they "lack effective opportunity to influence the thinking of others even when they have access to forums and procedures of decision-making" (Young 2000: 55). There are at least two forms that this internal exclusion may take. One is described by Young (2000) who notes that even when people are part of a conversation they may still be excluded if their arguments are not taken seriously, devalued as silly or simple, or dismissed out of hand (see Ferree 2003, 2005 on how such practices are used to marginalize or exclude feminists). This form of internal exclusion occurs because of social practices and shaming but also because of informal norms on who has a legitimate voice. In the early 1960s, even within the Equal Employment Opportunity Commission, feminists experienced this form of internal exclusion because their concerns were devalued compared to the claims of African Americans and other nonwhite ethnic groups (Skrentny 2006; see also Chapter 4). Similarly, Binder (2002: 228) notes that although creationists controlled the school board in her Kansas example, they were unable to influence science curriculum despite their positions of power because they "could reach the inside of the institution and, yet, still not have what was defined as a legitimate voice there."[6]

[6] Indeed, some feminist scholars (Kathlene 1994; Weldon 2002) argue that gender reduces the political power women have been able to obtain, creating a form of exclusion even with inclusion.