Working Papers in International Studies
Centre for International Studies
Dublin City University

The Role of Ideas in the Construction of Gendered Policy Regimes: the relationship between the national and the international

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Working paper 1 of 2005

This paper deals with one of the perennial problems of feminist writing on gender and the state – how do we explain both the continuity of women's subordinate political position in Western democracies and also the process of 'gender regime change' that has undoubtedly occurred in those democracies? Intuitively it also appears that not only do we have to explain the 'why' and 'how' of change in individual states but we also have to explain why when change occurs it seems to be such an international affair. States do not appear to experience a significant renegotiation of their gender regime in isolation, instead change occurs as part of international experience of a common critique of existing gender paradigms and a reassessment of gendered public policy outcomes. Political science writing in general has also had to confront the problem of how policy regimes change when institutional theory would predict continuity. As a result in recent years there has been a renewed interest in the role of ideas in the negotiation and maintenance of policy paradigms as a means of explaining why political institutions tend to produce continuity and also why the process of change, when it occurs, takes the form it does.[1] For these reasons an ideational and historic institutional framework provides a useful starting point to explore the nature of 'gender regime' change.

The gender regime changes this paper discusses are those that occurred in Western European democracies from the mid-1960s to the mid-1970s, and are associated with 'second wave feminism'. During this relatively short period there was a significant shift in the gendered basis of public policy to the extent that looking back to the early 1960s from the vantage point of 'post-second wave feminist' society, there is a clear break between the gender policy paradigm of that period and that which existed by the end of the 1970s (Kaplan, 1992). The experience of the Irish state in this period is used as heuristic case study because the socio-economic profile of Ireland in the 1960s and 1970s, and also the way in which it has been characterised in the literature give it particular relevance. Ireland has been considered an anomaly in the feminist literature on policy development - being described as a place that was 'uniquely patriarchal' where external shocks and pressures rather than indigenous development accounted for reform of the states gender regime (Mahon 1987, 1995; Pyle 1990; Galligan 1993; Jackson 1993), although credit is also given to the lobbying activities of the Irish women's movement (Galligan, 1998). In the absence of concrete empirical work on this specific historic period this anomalous position was accounted for in the literature by reference to the country's peripheral location and, in the post-war period, its undeniable comparatively low level of economic development and urbanisation coupled with a comparatively high level of religious observance (Galligan 1993; Mahon 1987). However an empirical examination of the development of the Irish public policy that related to women's rights and welfare from the end of the 1950s revealed two unexpected factors. Firstly, there was strong domestic pressure for change in these policy areas and secondly this discourse of change emerged in Ireland at the same time that it emerged in other Western states (Connolly, 1998). There was no time delay in the appearance of new ideas on gender in the Irish polity, which would be expected if emerging developments in more industrially advanced urbanised states had to be concretised and then transmitted to Ireland, or if substantive change had to await the process of EEC membership in the 1970s and the policy obligations that membership entailed. Why did a small peripheral state, lacking the material conditions that have usually been associated with progress in women's rights, experience the impulse for change in gender relations at the same time as it was being experienced in other more urbanised and affluent states? Given, what has been described in the literature as the particularly unsympathetic attitudes of the Irish state and also some of the distinctive features of Ireland itself, how did the state manage the process of

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[1] For example, Peter Hall (1989), 'The Power of Economic Ideas' is a comparative study of the impact of Keynesian economic ideas and their transmission internationally.

change and how did the final shape of its renegotiated gender contract compared to other European democracies?

The nature and timing of the pattern of gender regime change in Western European states followed a similar pattern of policy reform and furthermore that process of reform was preceded by an even stronger symmetry of discourse across those states.[2] How do we account for this similarity of process and motivation as well as the continuing strong national differences that remained even after the process of regime change had occurred? This paper is an attempt to answer some of the questions by combining an ideational/historic institutional approach with the insights from feminist writing on gender regimes. The paper will first discuss the concept of a state's gender regime and the limitations of this approach for the purposes of this study. It will then examine the way in which an ideational framework can be used to address these problems and provide insights into shifts in policy paradigms. This framework will then be applied to the Irish case study.

State Gender Regimes

Feminist theory, reflecting its social movement roots, contains a strong element in its discourse that defines the state as male or patriarchal. This perspective describes the structures and power relationships by which men as a group dominate women as a group and in this way provides a powerful tool to analyse the continuity and universal aspects of women's oppression (Walby, 1990; Kaplan, 1992). Models that describe the state as patriarchal or structured by male dominance in this way are designed to analyse the negative, dominant/subordinate, relationship that exists between the sexes (Frazer and Lacey, 1993: 33). However, they cannot successfully be used to describe other forms of relationship; in particular they cannot by used to describe the diversity in the gender regime of states, or changes in an individual state's gender regime. Such models tend to be static in their definition of the state, because they focus on the continuity of those aspects of the policy regime that maintain gender inequality even in circumstances where there have been significant changes in the state's policy regime. This concern with continuity makes it difficult to deal with the state as a site of change, or to examine how the gendered nature of the state alters over time. When the state is defined as male, in this way, women are cast in the role of victim or external challenger to the state, and not primarily as participants. This also 'leads to an overemphasis on the degree of separation between feminist movements and the society, including its political milieu, in which feminism develops' (Connolly, 2003: 81).

During the 1990s as feminist theory grappled with the problem of defining the gendered state it was able to overcome the limitations of the conceptualisation of the state as male. Writing from a post modernist perspective has rightly debunked the idea of a natural self and focused attention on the fundamentality of social or cultural constructs to the definition of human nature (Cooper, 1995: Sawer, 1996). This has been useful in directing attention away from political structures themselves and focusing on the ideology and ideas that animated them and that created them. It has been argued that a state's gender regime inevitably reflects patterns of gender relations in wider society and is the result of past social conflicts within society which produced the current dominant pattern of relationships (Connell, 1990: 523). The state has been described as an entity, which is constituted within gender relations, and is the central institutionalisation of gender power (Connell, 1990). The idea of a gender regime has been conceptualised in different ways. Hirdman, (cited in Duncan, 1994: 1186-8) describes society

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[2] For example see Kaplan's (1992) account of West European Feminism.

as being based on a 'gender contract'. The 'gender contract', drawing on social contract theory, is the implicit agreement between the sexes that sets out the rules that determine gender behaviour and assigns men and women their different roles, which is then reflected and to some extent enforced through the state's public policy. Gottfried, (2000) has also viewed the state's policy output as reflecting and simultaneously reinforcing an embedded gender contract. Similarly Barriteau (1998: 188 & 191) describes a 'gender system' as 'a network of power relations' based on 'complex systems of personal and social relations through which women and men are socially created and maintained and through which they gain access to, or are allocated, status, power and material resources'. Again the state is implicitly envisaged as playing a key role in the 'maintenance' and 'distribution' aspects of this embedded contract.

Duncan argues (1994: 1192) that defining the state as gendered and instrumental in the construction of the gender contract allows for 'actions by women and men' that can alter the state's gender regime. Viewing the state as gendered allows an analysis of dynamic change in the state's concept of male and female, and in the gendered relationship that underpins all social interaction and social structures (Marshall, 1994: 114). Seeing the state as constructed by gender and as participating in the development of the 'gender contract', rather than as simply male, allows the focus to be placed on the dynamic change in the state's gender regime and the renegotiation of societies' gender contracts.

The macro nature of this conceptualisation of the state means that it is not easily utilised to provide the necessary tools to conduct a meso level study on the process of gender regime change. It does tell us that ideas about the gendered aspects of social relationships mould the structure and output of political institutions. What is required however, is a model that can describe how a gender regime is challenged and how a new gender regime is reconstructed. Ideas are clearly important in determining policy outcomes with regard to women's rights and public participation as they are in other policy areas – they shape how the women's social and public roles are perceived. Recent writing on policy regimes in other subject areas has utilised an ideational approach to analyse regime continuity and regime change. This paper seeks to apply such a model of ideational change to the idea of a state's 'gender regime'.

Ideational Change

The 'ideational' literature, using an historical institutionalist framework has sought to explain how ideas, 'once successfully institutionalised can affect policy outcomes' arguing that once ideas are 'institutionally embedded, policy making becomes possible only in terms of these ideas' (Blyth, 2001: 4). Similarly Hall (1993: 279) describes a policy paradigm as 'a framework of ideas and standards' that specifies 'the goals of policy' and the 'nature of the problems' that policy in that arena is intended to address. A policy paradigm structures the way in which actors 'see the world and their role within it' (Hall, 1992: 92). From this perspective it can be seen that institutionalised ideas on gender can be used to describe a state's gender regime and that once such a regime is put in place it will structure what actions, and policy, are possible within its context. Actions outside the paradigm are literally 'unthinkable', without the ideational basis of the paradigm being restructured.

If a reorientation of a policy paradigm requires a shift in the ideational basis it is reasonable to postulate that such a shift would be a significant event, that it would meet with institutional resistance as well as resistance from existing vested interests. It is likely that change in the states gender regime, because it is so deeply rooted in social relations, would require substantial change at the societal level. As Legro (2000: 424) points out 'change in societal-

level beliefs requires 'collective ideation', and this formation of group ideas implies a need for coordinated and/or collective action to facilitate change'. On this basis Legro (2000: 424) suggests a model of ideational change involving two idealised stages. The first stage involves the 'collapse' of the existing 'consensus' where significant actors are able to agree that 'the old orthodoxy is inadequate and should be replaced'. The second phase is the 'consolidation of a new ideational structure', which requires the existence of 'a viable oppositional idea, the prescriptions of which correlate with socially desired results' (Legro, 2000: 426). The process by which a coherent 'oppositional idea' emerges is likely to be a complex political battle involving an array of alternative ideas, interest groupings and political structures.

Arguing from a similar perspective Blyth suggests that ideas give shape to group interests and structure the institutions of the state and also its policy regime – existing political institutions are inevitably the result of past ideas that shaped the political system (1997: 233). He states that 'this framework provides a fresh approach to understanding both the limits of state activity and how those limits can be challenged over time' (1997: 240). Blyth's model defines the life cycle of a structuring set of ideas suggesting three distinct phases. In the initial discursive phase definitions are contested and the political space is opened up in which new ideas can emerge. During this stage, ideas 'alter individual and collective perceptions of interest', that is they 'change agents' definition of which actions and policies are in their self-interest and thus alter their basis of identity and action'. This is followed by an instrumentalist phase in which 'ideas are co-opted by agents attempting to 'redefine' boundaries and 'reform institutional arrangements' it also 'facilitates new patterns of collective action'. The Third phase, the reconstitutive phase, is where 'new ideas become embedded (or fail to become embedded) in the institutions of the state' (1997: 234). As ideas are not static concepts but are developed and changed, as they are both used and contested, the way in which ideas become institutionally embedded is likely to be in a form that is the outcome of a negotiated bargain between the various actors in the policy process. The 'social bargain' between the state, labour and capital described by Blyth can be equated with a 'gender contract' or 'gender bargain' formulated between the state, labour, capital, and women's organisations.

A key difference between the models suggested by Legro and Blyth, is that Blyth indicates that Legro's period of regime 'collapse' can be seen as a two-stage process. The first stage of regime collapse is dominated by an initial critique of the existing paradigm and the opening up of political space, allowing new forms of political activity to emerge and new ideas to be introduced. It is also probable during this phase that the interaction and power hierarchy between existing interest groups will be altered. In this context, in Ireland during the early stages of regime change existing women's organisations experienced a period of revitalisation, prior to the emergence of second wave feminism, in which their political standing increased. In the second stage of regime collapse Blyth implies that the new ideas being employed to undermine the existing regime have become more coherent and have also resulted in new forms of collective action – in this case study one such example of collective action would be the Irish women's movement, but there was also to some extent an internal regrouping within the trade union movement and the political parties. It is also implied that in the debate on the redefinition of the existing regime both those groupings who seek to change that regime and the vested interests who oppose those changes are all forced, to a lesser or greater extent, to address the 'problems' that have led to regime collapse in terms of the new ideational framework.

Ideas can rarely be described, unqualified, as causal variables because of the complex political process in which they are deployed, to define problems and also provide solutions. Ideas on

their own do not usually explain why policy regimes collapse; they are more useful in explaining why a reconstitution of a regime takes the form it does (Hall, 1989). Ideas also have a problematic conceptual relationship with 'interests' – to what extent can a regime change be perceived as a result of a contest between various social interests rather than because of the impact of 'new' ideas. As Blyth (1997: 231) suggests, 'ideas are more than post-hoc rationalisations for existing interests'. It can be argued that, like institutions, interests are constructed by ideas and that this is the case even when membership of a particular grouping is related to material conditions. Because of this, interests do not just deploy ideas as 'weapons' (although they certainly do use them in this way), they are also shaped by them (Blyth, 2001:4). Ideas have two other important impacts. Firstly, they can force a reassessment on the part of individuals and groups and may even change their perception of their interests. Secondly, under conditions of regime collapse, the emergence of new ideational frameworks will almost invariably result in the creation of new interest formations.

The models presented by Legro and Blyth dealing with ideational change in an institutional setting, that acknowledges the role of organised interests, do a number of useful things. They allow an explanation of why policy paradigms exhibit a strong tendency towards continuity and they also explain the nature of paradigm change as a relatively brief, but strenuous period of renegotiation in which both pre-existing and new interest formations are engaged. As the ideational basis of the paradigm is a key determinant of its policy output it explains why a policy regime can produce policy changes that were neither planned nor desired by the interest coalition that put the policy paradigm in place. It also explains why in other cases policy initiatives cannot produce outcomes that are outside the original ideational structure.

The Irish state's gender regime

Using the idea of phases of 'regime change' as an explanatory device rather than a historic reality it is possible to break down the process of gender regime change in Ireland. In the early 1960s cracks appear in the established gender paradigm, at the level of the state, surfacing in inter-party and intra-party differences in debates on the reform of family law. From 1965 to 1969 there is growing criticism of the state's gender regime from outside the institutions of the state. The evidence of this can be found in the parliamentary debates, especially in parliamentary questions (where the lobby priorities of interest groups are reflected), in the internal debates and publications of key interest groups, and in the development of single-issue pressure groups. It is argued here that up to 1965 the discourse on gender took place primarily within the confines of the ideational framework of the existing gender paradigm, still substantially influenced by the debates of first wave feminism. From 1965 as criticism of the existing regime grew and demands for policy change were more comprehensive, ideas on equal citizenship and legal equality were deployed. From 1969 not only was the gender regime in crisis and appeared increasingly unsustainable in its existing form but a strong critique of the regime appeared and the demands for change were redefined under the impact of a set of new ideas and a process of renegotiation began. During this process established interests tried to shape policy change to minimise its impact. New interest formations emerged under the umbrella of second wave feminism, shaped by 'new' ideas on gender they pressed for more fundamental change both in society's implicit gender contract and in the state's policy based gender regime. By the end of the 1970s a new regime was in place that was a 'compromise' between the different interests groups engaged in that discourse, and that reflected both the depth of social change and the power of existing vested interests.

What is being described here is a process of 'regime collapse' and the consolidation of a 'new dominant orthodoxy' to use Legro's (2000) descriptive terms. This process shared common features across Western European democracies. In the early stages of the collapse of the old orthodoxy the gender regime was criticised within the ideational framework of that existing orthodoxy. In the later stages of collapse 'new' ideas are employed to critique the existing regime and suggest policy solutions to its failures. This is not an uncontested transition as vested interests sought to retain their comparative advantage during the renegotiation process, while emerging interests pushed for a more comprehensive reconstitution of the existing paradigm.

In order to describe this process of ideational change it is necessary to make explicit the gender regime that was being reconstructed. Here it is argued that the gender regime and the views of state elites in the early 1960s were still influenced by the philosophy and policy demands articulated by first-wave feminism and the resulting policy compromises from that period of strong social movement activity. In the absence of any fresh injection of new political ideas on gender relations, the framework and language provided by first-wave feminism continued to frame the context of the state's gender regime into the Sixties. This is significant because it points the to resilience of a gender regime once it is in place.

The post-war gender regime and the impact of 'first wave feminism'

For first wave feminists in Ireland the case for enhancing the status of women was based primarily on a strong idea of gender difference, the unique contribution of women to society (and potentially to public life) and the need to place an equal value on male and female attributes. A minority view placed a stronger emphasis on equality, that is a form of equal citizenship that draws on the similarity between men and women and the fact they can perform the same citizenship duties and public roles (Connolly, 1994). Irish feminists sought the reform of family law, to give wives and mothers protection and an equal voice in family decision-making. Employment for married women, except those forced through 'necessity' to work, was not an issue because of the importance placed on women's domestic and mothering role. For those who did not choose marriage and motherhood, first wave feminists sought access to employment and the public sphere and equality before the law.

From the 1920s, a strengthened discourse on femininity and motherhood dominated public life swamping the discourse on women's citizenship that had been fostered by first wave feminism. The retreat from the tenets of first wave feminism was not confined to the Irish state. Internationally there was a climate of deepening conservatism, which found expression in a conscious reversion to authoritarian family models and limitations on women's access to employment and other public roles (O'Dowd, 1987). In spite of the contraction in the public space available to women, many of the women's organisations which had been founded in the early years of the century, or whose members were from the generation of women who had been politically active as first-wave feminists, continued to campaign on women's rights issues. They faced an Irish state that, like first wave feminism, based its public policy on a strong belief in gender difference, but in its case it was a difference based on male superiority not a difference of equals (Connolly, 2003: 99-100).

In Ireland at the beginning of the 1960s while women had, as a result of first wave feminist activity, gained political equality – the right to vote and stand as candidates in elections – many of the other issues on which women had campaigned remained unresolved. These issues formed the agenda of a dwindling group of women activists - the failure to value the feminine in

public life, including the issue of equal pay; the failure to give mothers equal status in family law; and the failure to protect women and children from sexual abuse or even to acknowledge the reality of abuse in the family. As a result, the Irish state's gender regime at the beginning of the 1960s contained four key elements;

- Strong gender difference and rigid social roles.
- Hierarchical ranking of male and female with the authority of husbands and fathers having the backing of law.
- A clear division between the public sphere and the private/domestic sphere, with the later seen as women's place, and with access to employment limited by law and social practice. The emphasis was on service to the home not on care for children.
- The subjugation of individual rights within the family, the rights of the family being identified with the rights of men to exercise authority free from outside interference.

The separate elements that made up the state's gender regime were closely integrated, it was rightly feared that any attempt to unpick one of them would lead to the unravelling of the structure. It was for this reason that even minor reforms, such as the Married Women's Status Act (1958) - which simply gave married women an independent legal status from their husband's - and the introduction of a small number of policewomen, also in 1958, were treated with suspicion and caution. The elements of the states gender regime listed here are familiar to sociological studies of gender and to feminist theory, and they have formed the basis of the analysis of women's historic subordination. They also represent the 'classic' features of the male state of feminist literature (Bryson, 1992). This is not surprising given that academic feminism has it's roots in the women's movement that emerged in the late 1960s, primarily in opposition to the gender regime that had typified the state in the 1950s and into the 1960s.

Regime Collapse

The crisis in the 'post-war settlement' that developed in the 1960s included women's dissatisfaction with their place in that social bargain. The 1960s were characterised by the breakdown of authority, including political hierarchies, growing sexual permissiveness and the freeing up of social roles. These events were motivated by new ideas about the relationship of the individual to society and to the state. Once the ideas of individual rights and equal citizenship became collective ideas, applied to other aspects of state policy, they were also used to undermine the hierarchical family based on male authority, women's inequality before the law and women's exclusion from many aspects of the public sphere. The questioning of established social roles and sexual relationships permitted by the freeing of sexuality from marriage and a focus on individual freedom and fulfilment provided the ideational framework for women to question gender relationships at their most fundamental and personal level. Most importantly it also allowed them to make the link between the inequality in personal relationships between the sexes and the inequality in the structures of society, economy and state (Barrett, 1980; Pateman, 1988).

The initial signs of regime collapse in Ireland were seen in division amongst state elites on the issue of family law reform. Two areas of family law had been the subject of lobbying and debate - the denial of guardianship rights to mothers and the right of men to disinherit their wives and dependent children. Both of these issues had already been the subject of judicial

decision-making.[3]   When these issues were brought to the Irish parliament [Dáil Éireann] the form the legislation took, especially the law dealing with inheritance, was far more progressive than the discourse in the polity up to that point would have anticipated.   Both bills were opposed by a sizeable section of the political elite on the basis that they would damage the family based on male authority and thereby undermine the existing gender regime.   The Succession Act (1965) first published as a Bill in 1964 was the most controversial and raised a storm of protest – primarily from male property owners, farmers and businessmen – because it interfered with the 'traditional' pattern of inheritance[4].   In the 1950s the debates on gender issues were remarkable for the degree of consensus that was expressed across all the political parties, by the early 1960s this consensus had evaporated.   The progressive position argued for by sections of the political elites was that this was a long overdue reform of Victorian laws that were out of tune with the reality of people's lives[5]. This perspective placed a higher status on being a mother and a wife, idealising a partnership marriage, and it was also grounded in ideas of individual rights and that such rights took precedence over the rights of the family as a unit.   These ideas were an anathema to the conservative opposition because they weakened male authority in the family and also damaged male control and ownership of property.   From this perspective equal rights in family law damaged the notional unity of the family based on the husband/father as its legally recognised head and its mediator with the public sphere.   Those opposed to these reforms tried to limit legal rights within the family for women, by appealing to conservative catholic opinion, arguing that the absence of hierarchical family structure would encourage marital strife and lead to marriage breakdown[6]. From this perspective it was also argued that women because of their innate characteristics were unsuitable to take on the new responsibilities associated with family decision-making and the inheritance of property[7].

This reform of family law by a centrist government party, Fianna Fáil, indicates that at a collective societal level the basic ideas on which the existing gender regime was based were being questioned.   As a policy solution to the regulation of personal and property relationships within the family that regime no longer fulfilled majority expectations in that it was perceived as a source of injustice rather than a reflection of contemporary family life. These reforms were seen, even in the eyes of the government ministers dealing with them, as basic reform replacing old-fashioned legislation.   From 1965 it is evident that there is a ground swell of discontent with the existing gender regime that surfaced on a range of issues, demanding a more fundamental reappraisal of the existing regime and a more wide ranging programme of reform.

During the 1960s women's position in the labour market became the most significant public issue in which the parameters of the gender regime and women's social status were debated. At this time the gender regime as it applied to employment was criticised from two perspectives, firstly that it was internally inconsistent and generated injustice and exploitation and secondly that it did not embody the idea of the 'equal treatment of equals' that was central to ideas of equal citizenship that were becoming dominant in the 1960s.   In 1958 the

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[3] The reform of the law on the guardianship of infants was facilitated by a court ruling on the rights of mothers, while the reform of the succession law was the result of a widely perceived need during the 1950s to reform this body of law for a variety of reasons including the need to ensure the continued maintenance of widows and dependent children. National Archives, Department of Justice, file 8/161/2, Wills: suggestions for amendments of law in regard to devolution of property by will (1950); file 8/195 Intestate Estates bill (1951 and 1953); file 8/251 Administration of Estates Bill (1957). National Archives, Department of Justice, file 8/251, letters dated 29.9.1955 and 15.10.1957.
[4] Dáil Debates, vol. 213, col. 363, 2 Dec. 1964.
[5] e.g George Colley, Dáil Debates, Vol. 213, cc. 416-7, 2 Dec. 1964; Brian Lenihan Dáil Debates, Vol. 215, c.2020, 25 May 1965..
[6] e.g. M.J. O'Higgins, Fine Gael, Dáil Debates, Vol. 207, c. 143, 29 Jan. 1964.
[7] e.g. arguments from Fine Gael opposition to Bill, Dáil Debates, Vol. 215, cc. 2068-73, and 2076-7 25 May 1965

government had dropped the marriage bar[8] for primary school teachers in response to a severe shortage of qualified teachers. Their justification for this change was that the teaching of young children, more so than other professions, did not hinder a married woman from 'the fulfilment of her duties and obligations in regard to the creation and maintenance of a home'[9]. By maintaining that this type of teaching was a unique case, the state resisted pressure from other traditionally female occupations, such as nursing, for the removal of the marriage bar. The state, however, increasingly employed married women in a temporary capacity at entrance grade salaries, as a source of cheap labour, generating resentment amongst both male and female workers.

While the Irish Congress of Trade Unions (ICTU) had a nominal position of support for the principle of equal pay from 1958, in practice it continued to seek greater increases for male workers and to support the marriage bar, sex-differentiated pay scales, and 'protective' legislation. This situation met its first serious challenge in 1964 as a result of the exclusion of women from the basic increase agreed in that years national pay agreement between the ICTU and the employers (Jones, 1988: 271). As a result the annual 'token' motion in favour of equal pay at the ICTU conference later that year 'gave way to protests against the failure to award women the same minimum increase' (Daly, 1994: 114). Following this, pressure from women trade union members led to the establishment of a committee on equal pay by the ICTU in 1965. This committee, however, did not represent the views or interests of women trade unionists and a gap opened up between the ideas and policy objectives of the 'Women's Representative Committee' of the ICTU and the ICTU as a whole. In parliament the government came under increasing pressure on equal pay from 1965. The few parliamentary questions on equal pay prior to 1965 had focused on the failure to ratify the aspirational International Labour Organisation's convention on equal pay. After 1965 questions in parliament were more pointed as they were directed towards feasible policy change, attacking the government for its failure to introduce equal pay and to end discrimination against married women in its area of direct responsibility – the public service.[10]

Male trade union interests and employer's organisations reacted to the new ideas that were being deployed to undermine, and restructure, the existing basis of the gender regime, with regard to employment. Male trade unionists were concerned that cheaper female labour meant that women's employment was increasing at the expense of male jobs, while employers were worried by the cost implications of equal pay. The result of these fears can be seen in the negotiated workplace agreements from this period. In a minority of case individual trade unions negotiated equal pay agreements, for example the Irish Women Workers Union and the unions dealing with Aer Lingus (the state airline), (Jones, 1988: 311; ICTU, 1967: 300-1). At the same time employment was being restructured so that work usually done by women was being categorised into female-only grades. For example, with the agreement of the unions, the Electricity Supply Board created a new grade of female clerical worker to be paid a bottom of the scale rate that would not apply to men (ICTU, 1968: 300-1).

The other major area in which the existing gender regime was criticised was the policy (or the lack of policy) relating to women as mothers. In the second half of the 1960s civil society campaigns developed for the inclusion of 'deserted wives' and 'unmarried mothers' into the social welfare system. From this time the need for improved maintenance awards for deserted wives was frequently raised in the legislature, and from 1969 the demands were extended to

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[8] A legal requirement which forced women to retire when they got married.
[9] National Archives, Department of the Taoiseach, file S6231C, 28 April, 1958.
[10] Dáil Debates vol. 225, col. 242, 30 Mar. 1966; vol. 241, cols. 1005-6, 22 July 1969; vol. 241, col. 1742, 23 Oct. 1969; vol. 242, col. 1018, 13 Nov. 1969.

embrace their inclusion in the social welfare system. Unmarried mothers, given the conservative morality of the country, was a more problematic issue, although the inadequacy of amounts paid through affiliation orders was discussed in parliament it was not until 1970 that the question of state support was openly advocated in this forum.

Established women's groups who had experienced a sense of revitalisation in 1967 decided to make their major policy initiative a demand for a commission on the status of women to deal with all these issues and to produce a comprehensive enquiry into the legal and social status of women (Connolly, 1999: 82). This idea came from a UN initiative, modelled on the 1963 US Presidential Commission on the Status of Women. In agreeing to set up the commission in 1969 with a final report date in 1972 the government aimed to deal with the thorny issues that were being raised in connection with the gender regime in a way that spread the responsibility for reform to a wider constituency. Also by 1969 the Irish government believed that EC membership would be achieved in the near future. By the end of the 1960s the critique of the existing gender regime was a feature of all member states and the institutions of the EC were facing legal action on the question of 'equal pay'.

In between the setting up of the commission and the publication of its report Ireland experienced the phenomena of second wave feminism (Smyth 1988). This added a new element to the ideational basis of the critique of the regime. It was noticeable that there was an ideological break between the women involved in the new women's movement and the existing women's lobby groups. A key division in their ideational framework was that the new women's movement contained a fundamental critique of the family and hetro-sexual relationships that was absent from the framework of the existing women's organisations. The primary focus of the women's movement was on issues directly related to sexual relationships - contraception, sexual violence, and a more general assertion of women's sexual autonomy and equality, although it also placed a high value on legal equality.

The ideas of the new women's movement were reflected in the language and the aspirational aspects of the Report of the Commission on the Status of Women of 1972. Its concrete policy recommendations were the policy compromises that had formed the political discourse during the 1960s. Although in some respects the Commission's Report indicated the main thrust of policy reform that would follow during the 1970s, when reform took place, in most aspects, it went further than the Commission's recommendations. This demonstrates the continuing role of ideas in structuring the reconstitution of the new gender regime.

The reconstitution of the gender regime

By the early 1970s all aspects of the state's gender regime were being effectively criticised. These criticisms were from two perspectives. Firstly an equal rights perspective - one which was shared by established women's organisations and the new 'women's movement' and which was a particularly strong structuring idea, because equality of rights and opportunities was becoming the basis for the reform of western political systems and women were seeking to have this dominant idea applied to issues of gender. The second critical perspective was that of personal autonomy. This was linked to the strengthened idea of the individual in western society. It was used by the women's movement to promote the idea of sexual autonomy for women and to critique the dominant-subordinate nature of the most intimate male-female relationships. This placed the focus on the welfare and rights of women in marriage; the rights of 'unmarried mothers'; the rights of women to control their own fertility; as well as issues of sexual violence and abuse. The political system was unwilling to engage to the same extent on

all these issues and the legislative reconstitution of Ireland's gender regime occurred in three key areas:

- Employment Law
- Social Welfare Provision
- Sexual Morality/contraception

The issues that had been identified in public discourse as injustices in family law in the 1950s and early 1960s had already been dealt with, but issues of physical violence, sexual violence and sexual abuse were only acknowledged in a limited way and continued to be the subject of intense campaigns. While the three key areas of reform in combination provide the parameters of the gender regime, their divergence in terms of ideational content reflects the different institutional and interest group structures that prefigured the regime reconstruction. In addition to this, the difference between the reconstituted Irish gender regime and those of other states reflects the fact that policy making takes place within a political discourse that has a national character, as well as an institutional setting that varies from country to country. Hall (1989: 383) described political discourse as being composed of 'shared concepts about the nature of society and the economy, various ideas about the appropriate role of government, a number of common political ideals, and collective memories of past policy experience'. These components account for the variation in the shape of national gender regimes in spite of the commonality in the ideas that influenced the reconstruction of those regimes. While the Irish gender regime shared a common ideational framework with other Western democracies the final form of the new gender regime was also shaped by the pre-existing parameters of the Irish state.

The way in which employment law was reformed in Ireland, as well as in other European states, reflected the power of vested male interests to resist chance in the face of strong ideational pressure. Amongst the first steps in the Irish government's reconstruction of its gender regime was the removal of the marriage bar from the civil service in 1973 and the enactment of equal pay legislation in 1974. From the early 1970s women's interest groups internationally had argued that equal pay legislation without supporting employment equality legislation would operate to the detriment of many women workers. This case was also made forcefully in the Irish parliament by members of centrist and centre left parties (Fianna Fail and Labour), during debates on the legislation, indicating that this was not a radical position, but a widely held view. In spite of this debate employment equality legislation was not enacted until 1977 allowing space for a restructuring of employment to minimise the impact of equal pay. In addition to this, the individual case basis, rather than a class approach, and the rigidity of male comparator requirements limited the potential impact of the new equal pay laws. The main beneficiaries from the equal pay legislation were women in professional and white-collar occupations, working alongside men in identical jobs. In the longer term, however, both pieces of legislation provided the means to make some advances in gender equality in the work place, primarily because they institutionalised and provided legal enforcement for the idea that there should be 'equal opportunities for equals' regardless of sex.

Although women's organisations, including those that emerged from second wave feminism, campaigned for the welfare of 'disadvantaged' women on the basis of ideas of equal citizenship or female autonomy, the way in which the relationship of women to the social welfare system was written into the policy regime did not reflect their views. The family based on marriage remained the model on which the social welfare system was grounded. The difference was that this framework became flexible enough to accommodate exceptions as it incorporated

ideas on the 'role of mothering in the welfare of children'[11] and a new distributive role for the state. Prior to this period of reform, the state had only acknowledged widows and some categories of single women as claimants within the social welfare system. As part of the reconstitution of the gender regime social welfare provisions incorporated 'women as mothers', without a male income provider, into its payment schemes. 'Women as mothers' were classified by their divergence from norm of a 'dependent wife', as 'unmarried mothers', 'deserted wives' or 'prisoners wives'. Between 1973 and 1974 payments for unmarried mothers and prisoners wives were introduced and the conditions under which the allowance for deserted wives was administered was improved.   However as the titles of the schemes and their 'targets' suggest the system continued to rest on assumptions of women's dependency on men. In the context of dealing with the welfare of 'women as mothers' the economic position of women in the nuclear family also received some protection. In 1976 the Family Law (Maintenance of Spouses and Children) Act gave the courts the power to set the level of maintenance of the dependent spouse and children in an existing marriage. This act altered the right of the husband to determine the level at which his wife and children should be maintained. Prior to this the courts had the right to set maintenance only in cases were a couple had separated. The Family Home Protection Act of 1976 also prevented the sale of the family home without the consent of the non-owning spouse. These reforms had limited aims. They provided state support to specified categories of women without an alternative income and they provided some protection for the financially dependent wife. They were not intended to meet the more radical demands for a redistribution of family resources or the alleviation of the economic dependency of women either within the family or the social welfare system.

The area in which the Irish State proved most resistant to change was in policy that reflected issues of sexual morality (Connolly, 1999: 86). Most European catholic states had gone through a process of secularisation during the 1960s that enabled them to deal with issues of divorce, contraception and abortion during the late 1960s and the 1970s. Ireland did not experience this process of secularisation until much later and the continued influence of the Catholic Church on public life impeded policy development in this area. Ireland did not legalise divorce or abortion in this period nor did a public discourse on these issues develop. For feminists and liberals the main moral issue on the agenda was access to contraception. From a liberal perspective contraception was a civil right that allowed individuals the right to determine their own sexual practice; a feminist perspective added the right of women to control their fertility. Contraception became a political issue in Ireland with the opening of the first family planning clinic in Dublin in 1969. It became something of a political crisis with the 1974 Supreme Court ruling supporting the legalisation of contraception and large-scale high profile protests by feminists.   The Irish state did not resolve this problem until 1979 when contraception was finally legalised in relatively restrictive conditions and the ability of the Irish state to deal with issues of sexual morality has been problematic up to the present

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[11] An example of comments on 'deprived children'. Dáil Debates, Vol. 268, c. 1628, 7 Nov 1973.

After a period of legislative change the new gender regime was substantially in place by the end of the 1970s and policy reform continued incrementally within this framework. The parameters of this new regime are outlined below:

- The presumption of legal and procedural equality between the sexes – but the model of citizenship on which this is based remains male
- Gender difference in access to resources within the family remained untouched. Women's decision to enter employment or work in the home considered a private one – social pressures that restrict this choice are not fully recognised
- A secondary employment role for women compatible with being a mother becomes the norm
- Emphasis on individual rights and recognition that the state has a key role in the promoting of equality
- Direct state support for women in their role as mothers
- Issues of gender based abuse and violence become part of public discourse but remain unresolved and contested.

As it institutionalised goals and provided an agreed analysis, the new regime facilitated the development of policy along particular paths – improving access to employment, deepening legal equality and giving primarily passive support to women's increased public representation. Given the parameters of the regime it has continued to have difficulty dealing with issues not included in its original compromise. For example sexual exploitation (even in its extreme form of violent pornography and sexual trafficking), and incorporating caring roles for men in employment policy have remained outside the ideational framework of the gender regime.

The Role of Ideas in Gender Regime Change

Framing an analysis of state's gender regime in an ideational model clarifies the episodic nature of regime change. As change in the gender regime is linked to society's implicit gender contract, a change in the state's gender paradigm occurs in conditions of significant societal change as new collective ideas reconfigure both society's gender bargain and the institutionalisation of the state's gender paradigm. A new paradigm emerges as the result of a battle of ideas involving pre-existing and new interest groupings – it is a process of negotiation. Once the new paradigm becomes institutionally embedded, all policy-making takes place with in its framework. This paper suggests that such a framework emerged in Ireland as a result of the critique provided by first wave feminism, that policy regime endured until the beginning of the 1960s. Although there was incremental policy reform in that period there was no fundamental reassessment of the ideas on which that regime was based. From the mid-1960s to the end of the 1970s Ireland, in common with other Western democracies, again experienced a process of regime collapse and reconsolidation. The new gender regime that emerged at the end of the 1970s has also proved durable and in many ways still provides the ideational basis of gendered policy paradigms today.

Using Ireland as a case study is instructive because the Irish state, in spite of its comparatively unfavourable conditions, was not immune from the impact of regime failure and the restructuring power of new ideas. The combination of the peripheral nature of the Irish state and the use of an ideational approach also helps to illustrate the permeability of national boundaries to the flow and development of collective ideas. This happens through formal

political contacts and the development of international norms in international institutional settings. But perhaps most importantly it happens at the level of civil society, through a myriad of individuals and groups instances of communication. This communication comes in a variety of forms, publications, broadcast media, group and personal contacts. As this process of communication has such a diverse range of multiple and simultaneous channels of communication, collective ideation is both international and rapid, influential ideas with the potential to restructure policy regimes are not only transmitted internationally, in this way, but are also shaped and developed in the process of transmission. This means that the process of communication does not have an apparent directional flow. As a consequence when regime change occurs it appears to have an internal logic and an internal dynamic in each individual state. Therefore states produce individual responses to the international process of ideational change. The fact that a small, marginal, state such as Ireland can share in this process of regime collapse and reconstitution indicates a role for ideas that is not reducible to the material conditions of people's lives.

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