‘Thick’ conceptions of substantive representation: women, gender and political institutions.

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Abstract

This paper draws upon recent theoretical and empirical debates in the women and politics literature and the author’s own empirical study of gender dynamics and representational practices in the Scottish parliament to argue that understanding and analysing the complexity and contingency of ‘what is going on in political representation’ requires a ‘thick’ conception of substantive representation comprising a whole-system approach rather than a narrow focus on whether or not women representatives ‘act for’ women.

High levels of descriptive representation and new constitutional arrangements and institutional designs in Scotland are mutually reinforcing and have resulted in some gains in the substantive representation of women, particularly in respect of policy to tackle domestic violence. However, even within these relatively enabling institutions the capacity to effect substantive outcomes for women is circumscribed and progress has been modest rather than dramatic. It has proved difficult to move from espoused commitment to concrete outcomes. Empirical findings in Scotland, as elsewhere, have reinforced theoretical scepticism about straightforward links between numbers and substantive outcomes.

Leaving aside the thorny question about what might comprise ‘women’s interests’, a focus on women parliamentarians, as individuals or groups, or even on parliament as a whole, does not enable a full appraisal of the complex policy process and multiple actors involved in contesting, negotiating and delivering substantive gains for women. The capacity of parliaments and parliamentarians substantively to progress distinctive policy agenda vis-à-vis political executives is constrained. This is particularly the case with the Westminster model. It is also the case that in multi-level polities, the capacity of any one level of governance to make policy decisions or implement programmes is constrained and interdependent upon other levels. This suggests the need for a broadened version of representation. Building upon Phillips and others, I argue that debates about substantive representation need to realistic and attentive to policy environments that further shape scope and capacity of political actors and institutions. The substantive representation of women does not rest solely, or even primarily, with women representatives. Instead a broader focus is needed taking into account government performance, the institutionalised voice of women, and channels of accountability. In other words, there is a need to thicken the conception of substantive representation and to develop a framework that incorporates institutional aspects and which takes a more holistic – whole system - approach.
‘Thick’ conceptions of substantive representation: women, gender and political institutions

Introduction.

In the 1990s, unprecedented numbers of women entered the Westminster parliament and the new parliamentary spaces created through devolution in the UK, particularly in Scotland and Wales. The Scottish case promised much: high levels of descriptive representation in the first Scottish parliament and new constitutional arrangements and institutional designs mutually reinforced each other. Together they resulted in the opening up of the political process to new norms and practices, which challenged the status quo including masculinist political norms; to new actors, including female politicians and organised feminist groups; and which delivered some distinctive policy outcomes, including some gains for women. However, even within this relatively enabling institutional context, the capacity to effect substantive outcomes for women has been circumscribed and progress has been modest rather than dramatic. In short, empirical findings in Scotland¹, as elsewhere, have reinforced theoretical scepticism about straightforward links between presence, numbers and substantive outcomes (Mackay et al 2003, Mackay 2004, Mackay 2006).

This paper is in part provoked by the reaction of feminist activists, who want answers to the question what HAS devolution in Scotland delivered for women in terms of substantive outcomes? To date, a focus upon women representatives as the primary or sole vehicle of substantive representation has been limiting. I argue that understanding and analysing the complexity and contingency of ‘what is going on in political representation’ requires a ‘thick’ conception of substantive representation comprising a whole-system approach involving a range of potential sources of representation, rather than a narrow focus on whether or not women representatives ‘act for’ women.

My starting point is a set of policy developments around domestic abuse. Using an evaluative framework, informed by theoretical and empirical debates in the literature on political representation, I trace the actors, relations, interactions, institutions and norms involved in the representative process and assess the substantive outcomes

¹ This paper draws upon from the findings of two small-scale projects (2000-2002) that examined the run up to, and early years of, devolution from a gender perspective as part of the UK Economic and Social Research Council Devolution and Constitutional Change Programme. The first study examined dynamics in the first Scottish parliament (L219252023) and second charted comparative developments, on gender and constitutional change in Scotland, Northern Ireland and Wales (R00223281). In Scotland, a total of 100 interviews were conducted, including a sub-set of 47 Members of the Scottish Parliament (female and male, proportionate by party group). Analysis was undertaken of party and organisation documents, government papers and reports, and the Official Record of the Scottish Parliament. A supplementary case study has since been undertaken with the assistance of Kay Simpson in the area of domestic violence, which is the primary focus of this paper. For further information see: www.pol.ed.ac.uk/gcc

Earlier versions of this paper have been presented at IPSA 2006 and APSA 2006 and I have benefited from feedback given by Pat Boling, Sarah Childs and panel participants.
achieved. Before doing so, I review the ‘problems’ of women, gender and political representation.

So what’s going on?

Whatever is going on with political representation there is widespread acknowledgement amongst feminist scholars that the links between descriptive and substantive representation are theoretically bothersome and empirically contingent. The presence of women in parliaments and legislatures – at whatever proportion, tipping point or critical mass - does not simply or automatically translate into substantive action on behalf of ‘women’ and their ‘interests.’

The problems are legion: the first group relate to questions that interrogate the grounds on which women in office can be said to stand for and act for women; are there any that do not collapse into an untenable essentialism and crude universalism? the second set are concerned with the conceptual problems of defining substantive representation in the face of scepticism about the (im)possibility of a unitary category ‘women’ with a recognisable set of political interests that can be ‘acted upon; the third, more empirically-focussed, cluster of issues relate to the factors that may incline women to act for women and the mediating institutional contexts and norms that may constrain or inhibit them.

Given the problems, should we discount any connection between, what Phillips (1995) has called the politics of presence and the politics of ideas? For Pitkin (1967), who first made the distinction between ‘passive’forms of representation such as descriptive representation, and ‘active’ modes of substantive representation, the answer was clear: the primary interest of scholars should be on substantive representation. Representation happens when political representatives act for their constituents, in a responsive manner, and within the framework of periodic authorization and accountability.

And yet… and yet… feminist scholars have not given up on the claim, weak and probabilistic though it is, that something is going on between presence and action; or the assertion that gender is relevant to the study of political representation; or that the substantive recognition of women is ‘politically articulable and salient.’ (Trimble 2006, 122). Rather than expecting simple answers, there is a growing realisation that issues of women, gender and political representation are examples of contested concepts: slippery, conditional and contestable but necessary ‘if we want to study and relate to the realities of political life’ (Jonasdottir 1988, 33).

Theorists such as Phillips (1995), Young (1994, 2000) and Mansbridge (1999) have constructed what might be described as ‘holding’ models. These capture the conceptual dilemmas and messy empirical realities of women’s representation. The presence of women is important: it is important on the grounds of justice done and seen to be done and to reinforce the legitimacy of political institutions, especially in the eyes of women. However, the link between the presence of women and any substantive representation of women and their concerns is theorised as weak,

\footnote{Contested terms in themselves.}
complicated and contingent. Whilst it is plausible that women representatives may act for women, there are no guarantees: shifting identities, differences amongst women, partisan loyalties and institutional factors are all seen to play a part in shaping and constraining their inclination and capacity to ‘act for women’.

The basis upon which women may be seen to stand for women relates to arguments about affinities shared amongst women on the basis of their gendered experiences and their social location in gendered hierarchies (and, indeed, symbolic and linguistic orders). However this is not to claim that this gives rise to a unified common identity or fixed common political agenda. Individual experiences are cross-cut with other social divisions and identities, particularly race/ethnicity, class and sexuality. Nonetheless, there is at least a weak case to be made that shared gendered concerns arise from these gendered positions and experiences (Young 2000). Political concerns are gendered but not unified, and women’s interests and opinions are likely to be inconsistent, conflicting and varied. However there is a shared gender interest in access in and parity of participation and agenda setting in the public sphere to articulate and contest the meaning and content of interests and issues. It is crucial that women – in their diversity - are present in politics in order to contest, deliberate and inform the ‘politics of ideas’, particularly issues that are inchoate and have not yet become part of established political agendas. (Jonasdottir 1988, Phillips 1995). Shared social perspectives, according to Young, provide starting points for dialogue and communication and possess the latent potential to develop common understandings and analysis to gendered experiences, and to organise and act around agendas negotiated and articulated collectively (1994, 2002). There is no assumption that all women will think the same way, or that women will necessarily be feminist. At the least, gendered experiences (mediated though they are by other divisions) provide women representatives with informational and communicative advantages (Mansbridge 1999). A substantial presence is needed in order that a diversity of women’s perspectives can be inserted into political debate, improving deliberation and enhancing vertical and horizontal representation.

Even adopting these contingent conceptual models, at least three sets of problems remain, which provoke the question as to whether our primary focus should be on women representatives. This is particularly the case if one of our goals is to demonstrate substantive outcomes and policy change.

First, empirical research demonstrates that the capacity and inclination of female representatives to ‘represent’ and ‘act for’ women are modified and constrained by numerous personal, institutional and party political factors. There is growing consensus amongst empirical scholars that substantive representation is, in Dodson’s words, ‘probablistic’ rather than ‘deterministic’ and that presence – at whatever numerical strength - is mediated by political party and other institutional factors and environments (Dodson 2001, 2006; Childs and Krook 2005). This is particularly the case in strong party parliamentary systems such as the UK where party discipline presents an additional constraint (Beckwith 2002, Childs 2006, Childs 2004, Lovenduski 2005, Lovenduski and Norris 2003, Mackay 2004, Mackay 2006).

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3 The stronger claim of shared interests or opinions is discounted.
One response has been research that carefully situates women representatives in context and charts the interconnections between presence, identities, ideas and institutional environments. By theorizing the impact of institutional context and norms on capacity to act, scholars have focused upon areas of parliamentary activity where individual parliamentarians or groups of parliamentarians exercise more autonomy. An excellent example of this is Childs and Withey’s (2004) work on *Early Day Motions* in the UK House of Commons. However, whilst this work has produced nuanced and compelling evidence of a relationship between descriptive and substantive representation, it does not address larger questions of substantive outcomes for women in core areas of concern; issues that have been central to organized women’s agendas; issues that are crucial to enhanced citizenship and social justice.

These concerns lead to the second problem: the capacity of parliaments and parliamentarians substantively to progress distinctive policy agenda vis-à-vis political executives is constrained. This is particularly the case with the Westminster model, where the executive dominates the policy-making process and initiates almost all legislation. Elsewhere, corporatist and social partners may share or dominate policy initiation – and the representation of interests - with legislatures. In most western democracies, state reconfiguration has rendered the policymaking process more complex with the involvement of many different actors at different levels of governance (Banaszak et al 2003). This complexity is not captured by an exclusive focus on parliaments and assemblies.

This suggests that focusing on women parliamentarians, as individuals or groups, or even on parliament as a whole, does not enable a full appraisal of the complex policy process and multiple actors involved in contesting, negotiating and delivering substantive gains for women. The policy process can be understood as involving representative claims and activities, although not all are recognised and visible, especially perspectives that reflect the status quo.

**Are we looking in the right place?**

Weldon argues that we are looking in the wrong place when we seek to find substantive representation enacted by descriptive representatives in parliaments and legislatures. The link between descriptive and substantive representation is too weak theoretically and empirically to be tenable. Instead we would do well to consider alternative institutionalised channels and forms of representation, in particular women’s policy machinery and women’s movement organisations and lobbies. Of course, much feminist political science is concerned with these interconnections between women’s movements, state feminist bodies and the state and the outcomes for policy, Weldon’s point is that these interactions should be also viewed as examples of substantive representation.

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4 Similar approaches can be found in Swers 2002 and Dodson 2006.
5 See, for example, the substantial scholarly works on state feminism (eg Stetson and Mazur 1995), women’s movements and the state (e.g. Banaszak et al, 2003) and mainstreaming (e.g. Rai 2003).

Her 36-country study of government policy response to address violence against women found no linear relationship between proportions of women in legislature or cabinet and government performance. In contrast, a strong relationship existed between strong, autonomous women’s movements and high scores in terms of policies. This effect was multiplied when strong women’s movements worked in concert with well-positioned and resourced women’s policy machinery within government. On the basis of these empirical findings she argues that descriptive representation is ‘severely limited as an avenue of providing substantive representation’ (2002,1171).

Following Young, Weldon argues that the basis for substantive representation is the articulation or reflection of group perspective. Such as perspective is the product of social collectives, forged through interaction amongst members of marginalised social groups. It therefore cannot be assumed that women representatives, by their mere experience of being a member of the category ‘women’, have access to, or full knowledge of, a substantive group perspective; that ‘group perspective resides complete in any individual’ (2002, 1155). The quality of the representative claim is improved if those concerned have been involved in collective dialogue and interaction. On these grounds, women’s movements as sources of political representation ‘come closer’ than women representatives, whom she describes as ‘a disparate, unorganized group of women in the legislature’ (2002,1161).

These are important insights and echo my concerns for ‘thicker’ more institutionally-focussed conceptions of substantive representation. However, unlike Weldon, I do not think we can ‘give up’ on parliamentary spaces as sites for substantive representation. To my mind, Weldon under-estimates the potential significance of representatives and representative practices within parliaments and legislatures. In part, this is because her multi-case comparative method, using quantitative measures, is unable to tease out the specific context, process and agency involved in each case, which might provide alternative explanations for policy developments. Indeed she concedes that the measure used for testing the influence of descriptive representation (raw proportions of women present) may have failed to capture the significance of actions by individual legislators (2002, 1169). This stands in contrast to the weight of empirical work that demonstrates the importance of ‘critical actors’, ‘feminist champions’ and women as policy or norm ‘entrepreneurs’. Furthermore, she does not place female representatives in their institutional environment, nor does she consider the interactive and responsive aspects of representation – including the connections that women representatives may have with constituents and women’s organisations.

Nor am I convinced by Weldon’s claim that these alternative institutional sources of representation solve the theoretical problem of substantive representation. She merely displaces the problem of contested representative claims to a different set of actors and structures and relationships. 7 A more compelling argument is that institutionalised voice, through these alternative channels, does provide a supplementary means of representation because these avenues explicitly recognise and seek to counteract the institutionalised gender bias present in policy-making; the status quo provides an ‘unrecognized form of substantive representation for

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7 Childs 2006 is similarly sceptical that this constitutes a theoretical breakthrough.
historically dominant groups’ as well as constraining the expression and articulation of marginalised perspectives (2002, 1159).

This insight alerts us to more institutional and symbolic concepts of gender. This relates to the recognition of the central role of political institutions in the construction of gender and vice versa. Institutions play a crucial role in the creation and reinforcement of distributional imbalances of power, authority and resources (Thelen and Steinmo 1992) and gender provides a central structuring dynamic (Chappell 2002, 2006, Kenny 2007 forthcoming, Mackay and Meier 2003). As Lovenduski points out, masculinist ideologies are ‘central to the workings of public institutions and therefore to political life, conventionally defined’ (1998, 340) and dominant masculinities are presented as commonsense, ostensibly gender-neutral norms, conventions and practices (see, also, Chappell 2002, Duerst-Lahti and Kelly 1995). Whilst the institutionalisation of gender norms in political institutions present powerful obstacles to the substantive representation of women, the entry of ‘non-standard’ actors into these gendered (and racialised) domains causes disruption; unsettling gender logics and challenging prevalent masculinist codes. Whilst change is by no means certain, the everyday acting out of gender relations in institutions, coupled with institutional innovation and strategic action by feminist entrepreneurs may lead to the regendering of politics to one degree or another. As Beckwith notes:

‘Gender as process suggests not only that institutions and politics are gendered but also that they can be gendered … [through] strategic behaviour by political actors to masculinize and/or to feminize political structures, rules and forms, for example, literally to regender state power, policymaking, and state legal constructions and their interpretations.’ (Beckwith, 2005: 133).

Therefore, substantive representation of women may be achieved through the regendering of political institutions and through the practices of those regendered institutions as a whole, rather than a one-to-one correspondence with individual legislators.

A broadened version of representation is needed which takes into account government performance, the institutionalised voice of women, and channels of accountability. In other words, there is a need to thicken the conception of substantive representation and to develop a framework that incorporates institutional aspects and alternative actors, whilst also keeping parliamentary spaces and political representatives in focus. This implies a more holistic – whole system - approach. Such frameworks need also to incorporate the theoretical uncertainty and contested nature of substantive representation: the conditions, content and outcome of substantive representation is not fixed, however evaluative criteria are needed to assess the extent to which innovations enhance substantive representations and result in substantive outcomes. I adapt Nancy Fraser’s social justice schema of recognition and redistribution to do this work (1995, 2003)

Towards a ‘thick’ conception of substantive representation

As noted above, ‘thick’ conceptions of substantive representation need to be attentive to institutional and policy environments, which suggests the need to undertake in-
depth process tracing and a whole system approach rather than a narrow focus on women representatives (see also Dodson 2006). In seeking to reach an assessment of the extent to which devolved institutions have had an impact on women’s substantive representation, the paper examines institutional performance and policy developments in the area of domestic abuse. Drawing upon the preceding discussion, a provision framework is used to trace the representative actors, relations, interactions, institutions and norms involved in defining, negotiating, enacting and delivering substantive representation. Additional evaluative aspects of accountability, recognition and outcomes are incorporated to assess institutional performance and substantive outcomes achieved. To summarise: thick substantive representation might be enacted through the following sources:

- By women representatives ‘acting for women’ including feminist champions and norm or policy ‘entrepreneurs.’
- Through re-gendered political institutions and representative practices.
- Through institutionalised channels and structures, such as Women’s Policy Machinery, state feminists and statutory gender equality advocates or through the adoption of gender mainstreaming policy.
- Via the enhanced voice and institutionalised access of organised women’s organisations, particularly feminist-oriented groups and perspectives.

**Accountability structures and relationships**

These thicker versions of representation take us so far. Once the content of interests has been defined and contingently fixed and translated into policy proposals and developments, what happens next: who holds whom to account in delivering substantive change? Goetz (2003) cautions that there is a need to move away from an undue emphasis on how women representatives – or even women’s civil society organisations – perform and, instead, to take a more holistic and institutionally-focussed approach. This centres upon what accountability mechanisms and relationships exist to hold to account government and other state actors with regards to their performance on issues of gender equality (see also Sawer 2002). Of course, accountability is understood as a key dimension of representation (along with authorization) in classic accounts of representation, however most are concerned with holding to account individual representatives, rather than institutional accountabilities. Accountability institutions and relationships have traditionally been gender biased but institutional innovation, internal and external challenge, or the creation of new institutions can serve as an opportunity to counter and correct institutionalised gender exclusions and marginalisation.

According to Goetz accountability relationships on the one hand, serve to require power-holders to explain and justify their actions and, on the other, impose sanctions and penalties. In other words they are conventionally organised by the functions of answerability (‘soft’ accountability) and enforceability (‘hard’ accountability). There are vertical and horizontal accountabilities: vertical accountability includes institutions and processes whereby politicians and public officials are answerable to citizens. This can range from periodic voting to more routinised and institutionalised
channels whereby governments are required to account for their actions and to engage in dialogue with civil society, for example through consultative mechanisms. Horizontal accountability relates to political, administrative, judicial and financial scrutiny.

Outcomes as gains in recognition

Process-tracing using criteria of representation and accountability will enable us to trace actors and relationships involved in representation, and also highlight who and how institutions are held to account. The conditions, content and outcome of substantive representation are not fixed and, further evaluative dimensions are needed if we are to assess the extent to which substantive representation has been achieved in terms of effective and substantive outcomes rather than (merely) responsiveness on the parts of government and others. I adapt Nancy Fraser’s social justice schema of recognition and redistribution to do this work (1995, 2003).

Recognition is integral to the understanding and evaluation of representation and citizenship. Although Fraser’s (1995, 2003) discussions of the requirements of social justice do not explicitly address issues of representation or citizenship, the general principles serve us well by emphasising the links between (in) equality and women’s agency. Social justice – alternatively understood as substantive representation and consequently substantive citizenship – has two core requirements. It requires the combination of recognition (including cultural rights) and redistribution (social and economic rights) in order to be able to meet conditions for the norm ‘of participatory parity’ (Fraser 2003, 29-31).

Women’s citizenship, defined as agency to participate as peers in social and political spheres, is constrained by ‘gender-specific forms of distributive injustice including gender-based exploitation, economic marginalisation and deprivation’ and gender-specific forms of misrecognition and status subordination, particularly ‘institutionalized patterns of cultural value that privileges traits associated with masculinity, while devaluing everything coded as “feminine”, paradigmatically - but not only – women.’ (Fraser 2003, 20).

The criterion of ‘recognition’ therefore relates to questions of the extent to which institutions and politics recognise – at a symbolic level – the full political and social citizenship of women: to what extent have the gendered implications of policy or gender-based barriers to full citizenship been recognised? Are women seen as legitimate political actors with legitimate interests and differentiated interests and concerns? Or are they ‘misrecognised’ or subject to ‘non-recognition’ by which I mean ‘being rendered invisible via authoritative representational, communicative and interpretative practices of one’s own culture’; and disrespected] (being routinely maligned or disparaged in stereotypical public cultural representative and/or everyday life interactions [?])’ (Fraser 1995, 71).

Fraser argues that institutions play a crucial role in the misrecognition, of women (see earlier discussion of gender and institutions). Therefore just institutions (for our purposes, democratic institutions) need to replace patterns of cultural norms that impede women’s ability to participate with norms that foster parity of participation,
(2003, 30). These institutions should also promote the recognition of multiple and intersecting identities and tackle consequent inequalities.

**Outcomes as redistributive gains**

However outcomes as gains in recognition are half of the story: the final dimension of the evaluative framework considers substantive change in terms of redistribution. To what extent have developments resulted in concrete gains that enhance women’s citizenship and to what extent are gains (merely) declarations of good intent? This relates to the suspicions of feminists, such as Fraser (1995, 2003) that governments in an age of neo-liberal dominance may be willing to meet identity claims – the politics of recognition – whilst avoiding the politics of redistribution. In other words that governments may find it easier to perform symbolic politics (albeit with potential cultural outcomes if done in good faith) rather than politics that require expenditure and material outcomes in terms of redistribution of resources, power and benefits.  

**Assessing substantive representation: the case of domestic abuse**

‘I want to see a Scotland where domestic abuse is abhorred by the whole of society and where any woman who experiences it can get all the help and support she needs.’

Domestic violence is a significant policy area to examine the impact of political devolution on women’s substantive representation in its broadest sense. As noted earlier, whilst there is considerable theoretical and empirical scepticism about whether we can speak of ‘women’s issues’ in any meaningful sense, domestic violence (and violence against women –VAW - more generally) provides an exemplary case of a gender-based issue that affects women across boundaries of class, ethnicity, age and ability; that blights lives; and that undermines the capacity and opportunity for women to exercise their full economic, social, political and cultural citizenship. Whilst not all feminists place VAW as foundational to women’s subordination; most argue that women’s vulnerability to men’s violence results from patterns of gender inequality and the stigmatized, denigrated and trivialised status of women vis à vis men. Feminists have argued for definitions of VAW as a gender-based crime – and infringement of women’s human rights - arising from men’s abuse of power. Domestic abuse, for example, is characterised as a tool of social control, rather than a private woe resulting from family dysfunction, stress or individual pathologies (Dobash and Dobash1992). In other words, domestic violence and other gender-based instances of violence are both a consequence of and contributor to women’s inequality and lack of substantive citizenship.

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9 With respect to the specifics of the case study, it also incorporates Mitchell’s (2004) observation that the UK devolution settlement – where the centre has retained control over the levers of macro-economic policy – limits the scope of the Scottish government and parliament. This provides an explanation for the apparent propensity for regulatory politics, which signal government commitment towards cultural change, without necessarily addressing underlying structures of economic inequality.

10 Minister for Communities, Margaret Curran MSP reported in Scottish Executive *National Strategy Progress Report*, 21
A classic feminist issue, the exposure and elimination of violence against women was a key demand of the second wave women’s movement and feminist anti violence organisations have been mobilised in many countries to provide services and support for women who have experienced gender-based violence. These goals have meant that feminist organisations have had little option but to engage with state and political structures over the last 30 years, albeit with variable outcomes (Dobash and Dobash 1992; Weldon 2002). Feminist anti-violence organisations, such as Women’s Aid (which deals with domestic violence) and Rape Crisis in Scotland and the other constituent nations of the UK, rank amongst the most long-lived and politically visible feminist groups.11

In addition the VAW agenda has been progressed by transnational feminists’ engagement with global and regional institutions via the drafting and adoption of international declarations and conventions, such as the UN Declaration on the Elimination of Violence Against Women 1993. Therefore, although the issue is not ‘fixed’, there is considerable consensus around problem definition and policy prescription amongst women’s movement activists.12

Many governments at national and local level have undertaken expenditure and legislative change to tackle domestic violence and sexual abuse. Nonetheless, although ‘[Violence] against women creates barriers to many other goals of democratic government such as economic development, welfare reform, public health, pay equity, and the well-being of children’ (Weldon 2002, 4), examples of co-ordinated and strategic action by governments remain relatively rare. The issue is an accepted part of the political agenda in most liberal democracies, but remains marginal rather than mainstream.

As in the rest of the UK, government action on domestic violence in Scotland in the decades prior to devolution was patchy and ad hoc. Although there was a stated political commitment to target the issue, the overall approach was adjudged as inconsistent and uncoordinated between national (Scottish) and local levels (Henderson 1997). Furthermore women’s and children’s access to appropriate and adequate services was hampered by ‘lack of information, confusion about service providers’ roles, inconsistent geographical provision, inconsistent funding and lack of funding, variations in application of resources, lack of consistent commitment from decision makers, the provision of responses which may be inappropriate, and a lack of overall co-ordination, training and monitoring.’ (Scottish Partnership on Domestic Abuse (hereafter SPDA) 2000, 12).

The domestic abuse agenda and the first Scottish Parliament 1999-2003

Domestic abuse relates to a number of the policy competences of the devolved institutions: civil and criminal justice, policing, health, housing, social work, education, local government and social justice. Action against domestic violence or

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11 The refuge movement (Women’s Aid) and anti-rape movement (Rape Crisis) have organised on a local and country-by-country basis rather than at UK level. This reflects the primary level of local engagement with respect to services and, in the case of Scotland, the specifics of pre-existing institutional autonomy and distinctive legal system. Scottish Women’s Aid and Rape Crisis groups have had to lobby Scottish civil servants and Westminster politicians for policy and legislative changes.

12 Although such analysis and prescription is not uncontested within feminism, especially around difficult issues such as same-sex violence and culturally specific forms of family violence.
domestic abuse has been recognised as an achievement of the first Scottish Parliament and Scottish Executive\(^\text{13}\). A strategic approach was adopted from the start through the *National Strategy to Address Domestic Abuse in Scotland* (SPDA 2000). The process was set in motion a year before devolution, by the incoming Labour administration in the then Scottish Office with the creation of a Scottish Partnership on Domestic Violence (shortly afterwards renamed Scottish Partnership on Domestic Abuse-SPDA). Membership of the group comprised government officials and representatives from the police, legal and health sectors. It also included representatives from Scottish Women’s Aid and other VAW organisations, the first time that such groups had been invited to take a policy-making role in government. The SPDA initiative reflected a new climate of openness and responsiveness to external pressures from women’s organisations in Scotland and their vocal promotion of a unified set of priorities in the context of the UN Platform for Action and devolution campaigns.\(^\text{14}\) Influential feminist insiders also pressed the case with the relevant minister. According to Scottish Office insiders, other considerations for civil servants were the anticipated priorities of the expected influx of women into the new Scottish parliament and proposals by the UK government to develop a UK-wide strategy (to date unrealised) (Scott 2005).

The National Strategy was launched in parliament in 2000, comprising a Framework, Action Plan, Review Mechanism, Good Practice Guidelines and Service Standard. A National Group to Address Domestic Abuse was established as a successor to SPDA. Chaired by a cabinet minister, it was charged with co-ordinating implementation. A number of working groups were established to draw up further detailed recommendations and strategies in the areas of Legislation, Refuge Provision and Prevention. The Strategy set out specific actions and goals, with progress to be reported every three years. In addition the Group has reported quarterly (in turn incorporating quarterly progress reports from local multi-agency groups) and hosted an annual multi agency seminar (Scottish Executive 2001, 2002, 2003).

The strategy is built around the ‘3 Ps’ of Provision, Protection and Prevention. From 2002, work was widened to include other forms of violence, such as rape and sexual assault. Table 1 sets out in more detail the chronology of developments between 1998 and 2003.

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\(^{13}\) By Ministers and MSPs, women’s organisations and relevant service sectors. However, less attention has been paid to policy developments in this field by academic and media commentators

\(^{14}\) Representation and participation, gendered poverty and VAW.
### Table 1: Domestic Abuse policy timeline and selected key policy achievements

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>1998</td>
<td>Scottish Partnership on Domestic Abuse (originally Domestic Violence)</td>
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<td>1999</td>
<td>First parliamentary debate on DA/VAW (latterly timed to coincide with the Sixteen Days of Action)</td>
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<td></td>
<td>All Scottish Police forces begin recording and collating DA incidents according to an agreed definition.</td>
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<td>Scottish Parliament Cross-party Group on Men’s Violence against Women</td>
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<td>2000</td>
<td>National Strategy on Domestic Abuse and Action Plan published</td>
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<td></td>
<td>Second parliamentary debate on DA/VAW</td>
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<td></td>
<td>DASDF: first national fund in Scotland (or UK) to tackle domestic abuse. Providing grants for local authorities and their partners (such as Women’s Aid) to implement the goals of the National Strategy</td>
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<td></td>
<td>National free telephone help-line launched</td>
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<td>2001</td>
<td>National Group established, chaired by feminist minister, to oversee implementation of the National Strategy</td>
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<td></td>
<td>Secondment of Women’s Aid worker to Scottish Executive (SE).</td>
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<td>First SE annual seminars to report progress</td>
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<td></td>
<td>Protection from Abuse (Scotland) Act 2001 becomes law</td>
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<td></td>
<td>First centrally-funded programme in Scotland (or UK) to build and refurbish refuge accommodation</td>
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<td></td>
<td>Establishment of DA Team (later VAW Team) in the SE</td>
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<td>2002</td>
<td>National Group changes name and remit to National Group to Address Violence Against Women</td>
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<td></td>
<td>Second annual progress seminar</td>
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<td>Parliamentary debate on DA/VAW established as annual event</td>
</tr>
<tr>
<td></td>
<td>Sexual Offences (Procedures &amp; Evidence) Scotland Act 2002 becomes law</td>
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<td></td>
<td>Research published on abuse of men which concludes no evidence to suggest need for specific services for men (SE 2002b)</td>
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<tr>
<td>2003</td>
<td>Publication of National Prevention Strategy, first of its kind in the UK</td>
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<td></td>
<td>Publication of Guidance for NHS health workers on responding to DA</td>
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<td>With the opening of a refuge on the Orkney Isles off the northernmost coast of Scotland, every local authority area now has at least one refuge</td>
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<td>All local authorities now have a multi-agency forum in place</td>
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<td>Announcement of VAW Service Development Fund, first of its kind in the UK</td>
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<td>Third annual progress seminar</td>
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<td>Annual parliamentary debate</td>
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<td>Plans announced for a pilot Domestic Abuse Court in 2004</td>
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Table compiled from information in Scottish Executive 2003a, Scottish Executive Violence Against Women Team 2004

Turning now to the provisional framework outlined earlier: what does the DA case study reveal about substantive representation in terms of representation, accountability, recognition and redistributive outcomes?

**Representation: descriptive and substantive**

In terms of descriptive representation, women had a substantial minority presence in the first Scottish parliament. Women were 37 percent of MSPs (1999-2003),
comprising half of the members of the main ruling coalition\(^\text{15}\) party, Labour, and 43% of the official opposition, the Scottish National Party. Women comprised around a third of cabinet ministers over the term\(^\text{16}\). In addition they had considerable positional power in parliamentary party groups (particularly those of the left and centre left) and parliamentary committees. It is also the case that, there are a number of ‘preferable descriptive representatives’ (Dovi 2002) in the sense of a strong presence of explicitly feminist politicians, with close links and relationships with women’s organisations, mostly but not exclusively Labour women (Mackay et al, 2001, 2003).

Placing women in their institutional context, what were the representative roles and relationships at play? The issue of DA/VAW was raised frequently and spontaneously by both female and male politicians as an illustration of how women were ‘making a difference’ in the parliament. In the 1\(^\text{st}\) session, it was an issue of personal political priority for a number of female parliamentarians and ministers, several of whom had past or ongoing links with Women’s Aid, Rape Crisis and other VAW organisations; others of whom had professional experience as social workers and lawyers.\(^\text{17}\) As a female minister remarked, ‘Men might have got around to tackling domestic abuse eventually – but women did it right away. Gender does matter.’ Given the ubiquity of DA/VAW, it is likely that as one female parliamentarian noted ‘for some of the women it is personal.’

Analysis of parliamentary activity demonstrates that women more often than men raised issues of domestic abuse and violence against women in the first parliament through motions and amendments and interventions in debates, although there were some notable male champions.\(^\text{18}\) In the three debates focussed entirely on DA/VAW, women spoke more often than men in terms of numbers and proportions.\(^\text{19}\) Contributions were analysed for ‘direction’\(^\text{20}\), and interventions by both female and male parliamentarians across party predominantly were coded as feminist or social welfare, although Labour women were again the sub-group explicitly and unequivocally feminist in orientation. Anti-feminist interventions were few in number with sustained opposition coming from a small number of male MSPs from the Liberal Democrat and Conservative parties.\(^\text{21}\) The interplay of gender and party identity is significant, particularly when animated by feminist orientation. It was Labour feminist women who acted predominantly as policy entrepreneurs and champions within the parliament. A larger groundswell of support came from SNP women, Labour men and some SNP men. Liberal and Conservative women were broadly supportive, although not very proactive.

\(^\text{15}\) Scottish Labour governs in coalition with the minor party, the Scottish Liberal Democrats, as a consequence of the more proportional system (AMS) used to elect the Scottish Parliament; a departure from the single-member, simple plurality system used at Westminster.

\(^\text{16}\) All women ministers over this period were Labour.

\(^\text{17}\) Interviews conducted in 2000-01 see fn.1

\(^\text{18}\) In the 1\(^\text{st}\) session, women (Labour and SNP only) placed 9/13 relevant motions and 2/8 amendments, all of which were feminist or social welfare in orientation. Men placed 4 motions and 6 amendments, including three amendments that were anti-feminist in orientation (2 Conservative, 1 Liberal Democrat). Labour women were the only subgroup unequivocally feminist in orientation.

\(^\text{19}\) 1999 (13 women and 6 men); 2000 (11 women, 6 men); 2002 (9 women, 6 men)

\(^\text{20}\) After Swers (2002), a qualitative distinction was made about whether interventions were ‘feminist, ‘social welfare’ or anti-feminist in content. Interventions were coded as ‘anti-feminist’ if they sought to minimise the prevalence or incidence of DA/DV, disparaged feminist VAW groups, or challenged the gender-based nature of DA/DV, for example by asserting an ‘equivalent’ problem of violence against men.

\(^\text{21}\) Women (1 Liberal Democrat and 1 SNP) made one comment each, coded as anti-feminist, in otherwise supportive contributions.
Evidence of a link between descriptive and substantive representation – particularly when feminist policy entrepreneurs are present - can be illustrated by the choice of a domestic violence issue as the focus of the first piece of legislation to be initiated by a Scottish Parliamentary Committee. The Protection from Abuse Bill was proposed by a female member of the-then Justice and Home Affairs Committee. The Labour MSP was a founder member of Women’s Aid in the Highlands and had retained close links with the DA/VAW sector. Appointed Reporter, she worked with successive committee convenors (in each case a feminist lawyer and SNP MSP), to steer the Bill through committee and parliament. The Protection from Abuse (Scotland) Act 2001 was a modest piece of legislation but nonetheless plugged an important gap by extending the legal protection available to victims of domestic abuse. Although the Scottish government was broadly supportive of the measure, it would have taken at least another year for the Executive to find time in its programme to introduce its own legislative proposals.

In terms of the interplay between positional power, gender, party and feminist orientation, the Strategy was developed at a time when the ministerial team included women who saw themselves and were viewed by colleagues and grassroots women’s organisations as a cohesive feminist-oriented and pro-equalities caucus (Mackay 2004b). Although the strategy straddled two ministerial portfolios, Justice and Communities, it was the latter ministerial team (Labour feminist females) that took the lead – and a close personal interest. For example, the Communities Minister played a personal role as trouble-shooter when the SPDA hit internal difficulties in drafting the strategy document. Bypassing the ‘normal channels’, she provided VAW representatives with a direct link to her private office. The insistence by the same feminist minister that a policy worker from Women’s Aid be seconded to the government to drive through implementation, against the advice and tradition of the Scottish civil service (Scott 2005), provides another example of the politics of presence in action. Preliminary analysis of parliamentary debates and announcements in the first parliament highlight the feminist tenor of ministerial interventions by successive female Labour ministers for Communities as compared to the gender neutral tenor of the much less frequent interventions and statements by the then Justice Minister, a male Liberal Democrat.

Regendering politics – towards a feminised parliament?

Early studies of gender dynamics in the Scottish parliament have suggested that there has been some re gendering of politics, particularly through the ‘normalisation’ of the presence of women politicians and ‘at least some reconsideration of the masculine norms, values and behaviours traditionally played out in power politics’ (Mackay et al 2001, 2003,97). Interview data presented a picture of men and women ‘equally at home’ in the Scottish parliament (Mackay et al 2003) in contrast to the marginalisation experienced by many female MPs at Westminster (Childs 2004, Puwar 2004).

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22 SP committees are powerful and multi-functional, designed as a counterweight to the Executive in a uni-cameral system. As such, they have the power to propose legislation as well as scrutinise legislative proposals forwarded by the Executive

23 Scottish Parliament Committee News Release ‘Final Hurdle for Historic Committee Bill’ 3 October 2000
Female and some male politicians agreed that the priority or ‘weight’ accorded to certain issues had changed as a result of the presence of women. As a result, some traditionally gendered policy areas, such as childcare or domestic violence, have been reframed as mainstream issues (Mackay et al, 2003).

This effect is a combination of institutional effects. The parliament is dominated by parties of the Left and Centre Left, with legacies of active women’s structures, which had raised issues of VAW as well as challenging traditional gender ideologies. This was particularly the case with Scottish Labour. Traditional gender ideologies may persist in private, but are unlikely to be expressed publicly in the parliament or the executive where espoused institutional norms are ‘women-friendly’, egalitarian and inclusive. One indication of this is parliamentary activity focussed upon domestic abuse. In the first parliament, issues of domestic abuse were raised in 81 chamber debates; 117 parliamentary questions; 21 motions and amendments; and 148 committee sessions. This activity reflects not only women’s actions, but also a greater propensity and willingness by some male parliamentarians to raise traditional ‘women’s issues’, such as DA and child care, at least in part because of male MSPs’ anticipation of sure support from their female colleagues. In interviews, some male politicians observed that their awareness of issues had been raised in the context of a more gender-balanced political institution.

‘There are issues I may not have thought about or, even if I had thought about them, I may not have seen them as significant as I can now appreciate they are. That’s very much about some women colleagues, not even pointing it out to you, but just by what they say and you go “hmmm, haven’t thought of that.’ (quoted in Mackay et al 2003, 95).

The domestic abuse (DA) /VAW agenda has been led by women politicians and activists, but work has been supported by a number of male allies in government, parliament and civil society. For example, the parliamentary Cross Party Group on Men’s Violence against Women was convened by a male MSP (from the main opposition party the SNP) in the first parliament. He was responsible for 72 of the 117 parliamentary questions tabled in Session 1. This reinforces findings elsewhere that the presence of women can change men’s political concerns (Reingold 2000:50). In other words, that presence can contribute to a re gendering of the political agenda.

It is worth quoting at length one of the female (and feminist) ministers responsible for steering the National Strategy, speaking about an incident that had occurred soon after she took office.

Women’s Aid, when they marched through Edinburgh, they invited me to speak [at the rally] and all the advice [from my civil servants] was “Don’t do it” and I thought “Bloody Hell, just because I’m a Minister?” Instinctively [I thought] “Would I have done this before? Yes, okay I’m doing this now.” So the most comical moment, just a wee anecdote, was I arrived early and I could

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24 Search of Scottish Parliamentary databases (Official reports, Chamber debates, Written Questions and Answers, Committee Reports and Motions) using the search term “domestic abuse”. Results were checked and trivial or multiple mentions discounted. Search undertaken July 2006.
hear the drums and we were to meet in this park and I thought, “No, no, I’m going to join the march”. So here’s this Private Secretary who’s male, in a suit, rushing around saying “You can’t do this” and I said, “Well, I’m going […]”. I ended up joining the march, holding the banner and he’s walking behind me holding the briefcase with the speech, running along going “What are you doing? […]” [It was the] first demonstration he’s been on ever in his life, and this was just not the behaviour that was appropriate to Ministers and I kind of thought, “No, no, the whole point of devolution is to bring politics closer to people in Scotland, well I’m just practising it” […] It was an instinctive thing. I was comfortable there, that was part of my background and baggage and I wasn’t going to behave any differently when I was a Minister.

The anecdote reveals the strength of feeling and commitment felt by some female politicians about the issue. It also demonstrates how gendered ‘background and baggage’ can be a resource enabling some female politicians to challenge ‘politics as usual’ and traditional modes of ‘appropriate’ political behaviour. Experience of non-traditional political practice and connections with alternative networks brought new perspectives to the formal political sphere. In this respect we can see the normalizing of women politicians has provided new codes and norms, which facilitate participation and contribute to a new – more balanced – political culture and the broadening of the mainstream political agenda.

This ‘normalisation’ represents a significant challenge to political spaces as (masculine) gendered domains. Furthermore, the challenge extends beyond sex-gendered presence to disrupt and rewrite the gendered coding of political norms as paradigmatically masculine. Whilst significant continuities are evident, there are changes to institutional norms and practices associated with the presence of women and with institutional innovation, which have resulted in the development of alternative ways of ‘doing politics’. Furthermore women have inserted new or reprioritised issues onto the political agenda, and created space for men to do the same. In these respects, women politicians, primarily but not exclusively feminists, have acted as ‘norm entrepreneurs’ to effect normative institutional change that enhances the scope for substantive representation.

Representation as institutional channels and parity of participation

The DA/VAW agenda has been driven forward as a result of sustained campaigning of women’s organisations, as well as strong political leadership provided by women ministers and parliamentarians. Women’s Aid and other VAW organisations exerted a significant influence over the shape and content of the final National Strategy through their institutionalised presence on the SPDA. Evidence of influence includes the feminist definition of domestic abuse, its links with other forms of violence against women, and the insistence on detailed work-plans and reporting mechanisms.

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25 Add date of interview
27 A term used by social constructivists
Capitalising on the opportunities afforded by inclusion in governance-type arrangements, they maintained the momentum of implementation and further development through their position on the national implementation group and sub-groups and through a dense network of personal contacts with influential ministers and parliamentarians (Scott 2005). The Strategy has also built upon the foundations of substantial local multi-agency work and women’s movement expertise in this area over three decades (Cuthbert and Irving 2001). Women’s organisations played a role in problem definition as well as in devising solutions to address the problem.

In addition, in the first session/term, Women’s Aid and other VAW organisations proved to be the most active and strategic women’s bloc, making use of the enhanced parliamentary and executive opportunities to press their agenda and enhance substantive representation (Mackay et al 2005). This has involved lobbying, participation in the Cross-Party group on Men’s Violence Against Women and giving evidence to parliamentary committees. They also facilitated the recognition of abused women and children as experts of their own lives – and as expert witnesses called before parliamentary committees to voice their experiences and perspectives (Houghton 2005).

Turning now to issues of substantive representation as women’s policy machinery, developments in the field of domestic abuse/VAW have taken place largely independently of the Scottish Executive mainstreaming Equality Strategy and the Equality Unit. However policy machinery in the form of, first, a seconded expert from SWA and later the creation of a Violence Against Women Team worked closely with women’s organisations to implement the Strategy. The Team provided an important avenue for the representation and institutionalisation of women’s movement frames for understanding violence against women inside the bureaucracy. The Equality Unit did little more than keep a watching brief, whilst the policies were driven from the Justice department until the relocation of the Violence Against Women Team to the Equality Unit in 2003. Paradoxically, it serves as a successful example of mainstreaming with responsibility located in a ‘mainstream’ department and co-ordinated action taking place across the Executive and other public bodies such as NHS Scotland as well as local multi-agency partnerships.

**Being held to account: domestic abuse relations of accountability**

The National Strategy sets out clear reporting and accountability lines and women’s perspectives have been institutionalised into the process. In terms of vertical accountability, I have noted the institutionalised input of women’s organisations into the policy and implementation process, through membership of the Scottish Partnership and the successor National Group and related working groups, women’s organisations are also key players in the 32 local multi-agency partnerships that deliver on the Strategy’s objectives at grassroots level. ‘Place’ has been backed up by the strategic use other channels and myriad informal channels of influence and personal connections.

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28 A proxy Women’s Policy Machinery as it covers gender as well as other equality dimensions.
29 For examples see Scottish Executive *Preventing Violence Against Women*
30 NHS Scotland *Responding to Domestic Abuse*
Regular quarterly reporting of the National Group whose reports, in turn, incorporate detailed returns from local multi-agency groups on activities and implementation issues enhance vertical accountability as do annual progress seminars involving service providers and campaign groups, and routinised consultations of specialist groups and umbrella women’s sector organisations. As such the Executive can be seen as both ‘answerable’ and ‘responsive’ to women’s organisations thereby enhancing substantive representation and citizenship. These accountability dimensions were key goals of women’s movement actors involved in the process; animated by a practical understanding of the need to institutionalise innovation in order to counteract resistance, setback and drift.

In terms of horizontal accountability, Executive performance is scrutinised by parliamentarians through regular reporting and various parliamentary mechanisms including annual parliamentary debates on DA/VAW, latterly scheduled to coincide with the UN 16 Days of Action. These debates provide a regular routinised opportunity to review progress and, together with the frequent use of other parliamentary mechanisms, serve to reaffirm the importance of the issue. The interconnection between vertical and horizontal accountability can be demonstrated by the ways in which DA/VAW organisations as civil society groups have worked through MSPs and through the National Group to incorporate their perspectives and raise implementation problems through parliamentary channels and committee structures, and through National Group reporting structures and activities.

A further accountability dimension relates to the extent to which mechanisms are enforceable (hard accountability backed by legal sanctions) or (merely) hold governments to be responsive (soft accountability). In the case of DA/VAW in Scotland, the failure to keep promises in relation to a strategy would result in political consequences (internal and external disapprobation, possible loss of legitimacy, possible electoral impact) rather than legal consequences or sanctions. However, it may be the case that the incoming UK Gender Duty could be utilised to trigger a legal challenge or judicial review of government policy and it is also possible that authorities failing to deliver their service commitments could be reported to the Public Services Ombudsman for Scotland.

**Outcomes as recognition**

Turning to recognition dimensions: Fraser describes domestic violence and sexual assault as ‘gender-specific harms’ brought about as a result of status subordination resulting in ‘injustices of recognition’ (2003, 21). What, then, might count as evidence of recognition with respect to DA policy developments? First, official definitions would need to incorporate recognition of the ‘gender specific’ harms of domestic abuse and violence against women more generally, the links between different forms of violence, and the social hierarchies that underpin gender-based violence. The National Strategy makes explicit the gender-based nature of domestic abuse and its place in the continuum of violence: ‘Domestic Abuse is associated with broader inequalities in society [and] is part of a range of behaviours constituting male abuse of power and is linked to other forms of violence such as rape and child abuse.’

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**Figure 1: Scottish Executive Definition of Domestic Abuse**

| Domestic abuse (as gender-based abuse), can be perpetrated by partners or ex-partners and can include physical abuse (assault and physical attack involving a range of behaviour) sexual abuse (acts which degrade and humiliate women and are perpetrated against their will, including rape) and mental and emotional abuse (such as threats, verbal abuse, racial abuse, withholding money and other types of controlling behaviour such as isolation from family or friends). |

Source: National Strategy to Address Domestic Abuse in Scotland, 2000, 5

Furthermore the Strategy recognises the human rights dimension and the links with the UN Convention on the Elimination of Discrimination Against Women (CEDAW) in its statement that ‘Any work relating to domestic abuse is part of the promotion of human rights in society and the elimination of all forms of discrimination’ (SPDA 2000, 5).

Recognition needs also incorporate understandings of the heterogeneity of women and the ways in which gender intersects with other social divisions and identities such as race/ethnicity, class and sexuality. The diversity of experiences and needs amongst different groups of women is acknowledged as follows: ‘in tackling such violence it is also necessary to take account of the specific experiences of particular groups of women and to ensure that any provision which is made is relevant and appropriate to them.’ (SPDA 2000, 5).

The status or priority accorded to domestic abuse policy provides an indication of the extent to which the gendered nature and gendered impact of DA/VAW are recognised to have consequences for government economic and social welfare policy goals of government and for the well-being and citizenship of women in its jurisdiction. Various government documents and speeches by ministers emphasise the high priority given to domestic abuse. The following provides a typical example, ‘Action against domestic abuse is now a national priority, enjoying the same status as, for example, the Scottish Executive’s health or education priorities.’ (Scottish Executive 2001, 4-5). The strength of these rhetorical statements is unprecedented in the history of the policy area in Scotland.

An institutional challenge to misrecognition, ‘politics as usual’ and unequal gender relations was presented by the Protection from Abuse legislative initiative, discussed earlier. Parliament used its enhanced committee powers early and first to ‘signal’ the unacceptability of DA/VAW and their new status as mainstream political problems; issues that have hitherto struggled for recognition because of their domestic, private and gendered nature.

The extent to which DA/VAW are recognised as political and status issues – underpinned by the misrecognition of women and their subordination - as well as matters of social welfare can be gauged by looking at the spread and scope of the strategy. The inclusion of Prevention strategies and work programmes that challenge structural and personal gender inequalities (the causes) alongside provision and protection measures (that address the consequences) provides powerful evidence of this. Whilst the National Strategy’s primary focus is on provision and the main criterion by which it will judge itself is the improvement of services for women and
children (SPDA 2000, 16) (perhaps understandable given the immediate priorities of frontline organisations such as Women’s Aid) there is a clear Prevention strand and development of a specific work programme, including public awareness campaigns, outreach work in schools and work with perpetrating men. These programmes recognise the need to challenge existing gender norms and social hierarchies that exist in wider society, placing perpetrating men within context, rather than portraying them as deviant.

However, there is counter evidence to suggest that recognition is partial and audience specific. Whereas politicians and policy-makers attest to the high priority of the issue in documents aimed at, and encounters with, specialist policy and service audiences, women’s organisations or international audiences (especially when addressing the question of the impact of a more gender-balanced parliament), elsewhere there is less evidence of its centrality to public policy. For example, despite the significant developments and much-lauded activities in the field of DA/VAW, the Scottish Labour Party – whose ministers and parliamentarians has done so much to progress the agenda—literally ‘forgot’ about DA in the run-up to the second elections. Scottish Labour’s pre-election pamphlet entitled ‘Four Years, Forty Achievements’, which extolled the accomplishments of the party as senior partners in the first coalition government, failed to make any mention of DA/VAW. After protests by Labour party women activists and feminist parliamentarians, a supplement was hastily produced outlining some of the relevant policy gains. Furthermore, DA/VAW was mentioned only once as a ‘supporting activity’ under ‘Justice’ in the programme of the second coalition government (Scottish Executive 2003b). This suggests that domestic abuse has not yet been fully institutionalised or routinised as a mainstream policy area and that its status as such may require prompting and re-prompting – and government being held to account.32

Outcomes as redistributive gains.

The final dimension of the evaluative framework considers whether change has occurred in terms of redistributive outcomes. There have been significant gains in the areas of provision, protection and prevention. There is a coherent rolling programme of implementation and ring-fenced spends. In addition, reporting and accountability lines are clear and women’s organisations’ perspectives have been institutionalised into the process.

Turning first to expenditure: there has been a measurable increase in funding, including ring-fenced expenditure on DA /VAW for the first time. An initial expenditure plan of £18.3 million was attached to the Strategy at its launch.33 Spending has been extended as the Strategy has been rolled out. Around £32 million has been committed by the Scottish Executive to support work in this area for the period 2000-2006.34 As outlined in Table 2, this includes the UK’s first national fund

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32 The lack of routinisation of other gender-relevant issues such as gender budgeting has also been noted (Mackay et al. 2005).
33 Scottish Executive ‘First Minister Announces £18 million Package to Tackle Domestic Abuse…’ Scottish Executive Press Release, 29 November 2000.
34 This includes £7.5m to the National Group implementing the National Strategy to Address Domestic Abuse in Scotland; £12m towards refuge improvement and new build; £9m to the Domestic Abuse Service Development Fund; £1.5m to the Violence Against Women Service Development Fund and £300k additional one-off support
to tackle DA and the first national fund to tackle VAW. Mitchell notes that many ‘regulatory-symbolic’ policies in post-devolution Scotland such as anti-sectarian and anti-racist initiatives and land reform, whilst being ‘important initiatives aimed at underlying cultural norms in Scottish society’, have been limited by the lack of state financial support available (2004,30). The National Strategy to Address Domestic Violence serves as a contrast with ring fenced funding to implement its recommendations. In comparative terms, Scottish spends compares well with spending by the UK government on tackling DA/VAW in England.\footnote{Estimates suggest spending in the region of £50 million in England, less than a sixth of Scottish expenditure in proportionate terms.} The development of the National Strategy together with the Domestic Abuse Service Development Fund is adjudged to have resulted in ‘more consistent less piecemeal service delivery’ (Greenan 2005). Recent evaluations find DASF to have had a positive impact on the level and quality of services and service users’ experience as well as promoting public and agency awareness of domestic abuse (Reid 2003) and funding preventative education work and training (Scottish Executive 2003). There has been ‘unprecedented development of refuge provision’ (Greenan 2005, 6; Scottish Executive 2003) and support services now cover rural and island communities as well as urban areas; children’s support services have increased significantly; all local authority areas have established specialist multi-agency partnerships\footnote{Add ref} and the national help line has ‘increased its hours year on year since its inception.’ (Greenan, 2005, 6). Furthermore ‘awareness of the prevalence and effects of domestic abuse is increasing in all public sector agencies’ (Greenan, 2005, 6; Scottish Executive 2003). Finally, the range of legislative developments to improve legal protection, including the piloting of Domestic Abuse Courts, has been viewed as ‘promising’.

Conclusions

This paper has drawn upon recent theoretical and empirical debates in the women and politics literature and my empirical study of gender dynamics and representational practices in the Scottish parliament to argue that understanding and analysing the complexity and contingency of ‘what is going on in political representation’ requires a ‘thick’ conception of substantive representation comprising a whole-system approach rather than a narrow focus on whether or not women representatives ‘act for’ women.

Using a multi-dimension evaluative framework, I have examined developments in the policy area of domestic abuse and violence against women. The DA case study provides evidence of clear and tangible gains for women across all our dimensions of evaluation. In this policy area, at least, we can argue that the conditions for citizenship have been enhanced through ‘thick’ substantive representation. Sources of substantive representation have been provided: by female MSPs and ministers, particularly feminist ‘entrepreneurs’ who have provided strong political leadership; by given to Scottish Women’s Aid and Scottish Rape Crisis Network. Figures provided by the Scottish Executive, March 2004.

\footnote{Because of asymmetrical devolution, the UK government acts as an English government in many areas of social policy.}

\footnote{Add ref}

\footnote{Prior to devolution only 19 of the 32 local authority areas had multi-agency partnerships in place (Henderson 1997).}
re gendered political institutions as a whole, which have enabled the reprioritisation of previously marginalised issues and perspectives; through institutionalised mechanisms and channels, particularly through the secondment of an expert on domestic abuse from into government to develop policy and oversee implementation; and via the enhanced access and voice of organised women who have played a role in problem definition as well as in devising solutions to address the problem (again, acting as important policy entrepreneurs). Developments in Scotland have also built upon the foundations of substantial local multi-agency work and women’s movement expertise in this area over three decades.

Furthermore, new accountability structures and relationships have been utilised to monitor performance. New accountability structures and relationships are themselves products of constitutional change and the opportunities presented by institutional restructuring to insert new values, norms and concerns into the blueprints and fabric of the new parliamentary and governmental structures. Government and political institutions have been both responsive and answerable thus countering legacies of institutional gender bias and capture. Accountability therefore provides an important plank of substantive representation. However, the case study also demonstrates the difficulty in embedding reform – even in the most favourable of circumstances – and the need for continual prompting and re-prompting.

In terms of seeking to assess outcomes, the substantive representation of women has been enhanced by the representation of domestic abuse as gendered misrecognition and maldistribution, which blights women’s lives and undermines their opportunity and capacity to participate on a par with men. The close involvement of women’s organisations has enabled policy development that has been both ‘responsive’ and ‘effective’ (to use Weldon’s typology), tackling both the consequences and the gendered causes of the problem. The inclusion of recognition as an indicator of effective as well as responsive policy highlights the way that institutional gender biases are being tackled by the insertion of novel and challenging gender insights and alternative gender norms. This points to deeper, more substantive, processes of representation and implementation. Finally, there are tangible, concrete, material outcomes in respect of resources and services.

Overall there have been remarkably few setbacks or drifts of the kind that characterise much of gender politics. Domestic violence may prove to be an exception rather than a rule and cautionary notes must be sounded: gains in this policy domain may not translate easily into gains in other areas. Few issues are as cohesive as domestic violence/VAW. The sheer complexity and contingency of the configuration of actors, relations, interactions, institutions and norms, illuminates the difficulties of achieving successful substantive representation in other policy areas.

It seems to me that we need to live with the theoretical uncertainty and contested nature of women’s substantive representation. Representation involves complex set of actors, relations, institutions and norms. None is unproblematic: in reality all sources of substantive representation are contingent and contestable, all share problems and dilemmas of authorisation and accountability, all are interactive and relational. All modes of substantive representation involve the making and performing of claims: claims to be representative, claims to represent women’s substantive concerns, claims that actively construct subjectivities and interests in a dynamic
These modes of representation are all shaped and constrained by gendered institutional arrangements and norms. The effective representation of women requires institutional reform and innovation, both difficult to achieve. However, ‘thick’ conceptions allow us to identify the different elements and to assess the configurations and sequences that may enable or inhibit the substantive representation of women.

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