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**WOMEN'S RIGHTS FOREIGN POLICY IN THE US CONGRESS:
POLICY OBJECTIVES, CONGRESSIONAL MOTIVATIONS, AND
THE ROLE OF POLICY ENTREPRENEURS**

By

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ABSTRACT OF THE DISSERTATION

Women's Rights Foreign Policy in the US Congress:

Policy Objectives, Congressional Motivations, and the Role Of Policy Entrepreneurs

By

SARA ANGEVINE

In my dissertation, I analyze how and why US members of Congress represent the interests of women in foreign countries, what I call women's rights foreign policy (WRFP). I explore what motivates US members of Congress, with limited time and resources, to legislate on behalf of foreign women and compare the differing WRFP objectives. I apply a mixed-method approach from a feminist theoretical perspective. To assess the policy objectives, I conduct a content analysis of all WRFP bills introduced in the US House of Representatives between 1973-2010. To analyze congressional motivation, I construct a second dataset and gather relevant data on all members of Congress (US House) for three different Congresses (2005-10). Using regression analysis, I test which factors increase the probability of a member sponsoring a WRFP bill. To deepen my research findings, I conduct qualitative case studies of the three most widely supported WRFP bills introduced during the 111th Congress (2009-10): 1) a bill supporting the ratification of the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW); 2) International Violence Against Women Act; and 3) International Protecting Girls from Child Marriage Act. In my research, I show the impact of domestic, foreign, and

transnational interest groups on the US representation of global women's rights. I find that both traditional women's rights policy entrepreneurs (women members of Congress) and traditional American foreign policy entrepreneurs (House Foreign Affairs Committee members) are motivated to sponsor WRFPP legislation. The objectives of WRFPP bills reflect these two divergent groups overlapping and competing policy interests. This unique coalition results in broader support for what I call "strategic feminist" goals and the persistent failure of "transnational feminist" goals. I also show the constraints of domestic gender politics. My research contributes to American politics, international relations, and women and politics research.

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Chapter 1:

Why Women's Rights Matter to US Foreign Policy

On April 14, 2014, the Islamist militant group Boko Haram kidnapped over 200 girls in Nigeria from their schoolhouses and then burned the buildings to the ground. The name Boko Haram translates to “Western Education is sin” in English.¹ They hold a puritanical Islamic position that a woman's place is in the home and that girls should not be in school. This mass abduction caught the attention of American women political leaders, such as First Lady Michelle Obama; US Senators Mary Landrieu (D-LA), Susan Collins (R-ME) and Barbara Mikulski (D-MD); and US Representatives Fredrica Wilson (D-FL), Ileana Ros-Lehtinen (R-FL), and Karen Bass (D-CA).²

On May 1, 2014, Senator Mary Landrieu (D-LA), with bipartisan support, introduced Senate Resolution 433, criticizing the abduction. Along with several clauses recognizing the rights of women and girls worldwide and their central role in development, the primary thrust of the bill was to condemn “the abduction of female students by armed militants from the Government Girls Secondary School,” (S. 433, 2014). With 27 cosponsors, her bill passed the US Senate on May 6, 2014. That same day, Senators Collins and Mikulski galvanized the other women in the Senate to press the issue further. Speaking “as *the women* of the Senate” (emphasis

¹ Chothia, F. 2014. “Will Nigeria's abducted schoolgirls ever be found?” *www.bbc.com*, May 12
<http://www.bbc.com/news/world-africa-27293418>,
<http://www.bbc.com/news/world-africa-27293418>,

² They joined the online twitter campaign, #BringBackOurGirls, that as of now has over 4 million tweets (signs of support).

mine), all 20 of the women Senators signed a letter to President Barrack Obama requesting that the US do more to retrieve the abducted girls. They requested that the US support placing Boko Haram on the United Nations Security Council al-Qa'ida Sanctions List.³ Several women Senators then met with US Secretary of State John Kerry and pressured him to devote more resources to preventing human trafficking as a way combat to terrorism.⁴

Similar actions occurred in the US House. Representative Fredrica Wilson (D-FL), Marcia Fudge (D-OH), Sheila Jackson Lee (D-TX), Barbara Lee (D-CA) and Karen Bass (D-CA) drew attention to the abducted Nigerian girls by staging a press conference in front of the Nigerian Embassy.⁵ Representative Wilson introduced House Resolution 573 on May 6, 2014, a bill that paralleled the Senate bill language but also emphasized creating a “comprehensive strategy to counter the growing threat posed by radical Islamist terrorist groups in West Africa, the Sahel, and North Africa,” (H.573, 2014). On June 12, 2014, House Representative Steve Stockman (R-TX) led a congressional delegation to Nigeria including Representatives Frederica Wilson (D-FL), Sheila Jackson-Lee (D-TX), Lois Frankel (D-FL) and Louie Gohmert (R-TX) to investigate the region where the girls were abducted.⁶ Two of the three Democratic women on the trip were also members of the Congressional Black Caucus.

³ Parker, A. 2014. “Women of the Senate Band Together over Missing Nigerian Girls,” *New York Times*, May 14.

⁴ “After Meeting With Secretary Kerry, Klobuchar Presses Administration to Bolster Support for Anti-Human Trafficking Programs in Nigeria and Surrounding Countries” 2014. Klobuchar Press Release, May 14.

⁵ Edwards, B. 2014. “Members of the Congressional Black Caucus Speak Out for Nigerian Girls,” *theroot.com*, May 8. Accessed August 27, 2014.

⁶ “US Congressional Visit to Nigeria,” 2014. AMIP news. June 27.

Roughly two weeks later, on June 24, 2014, Senator Barbara Boxer (D-CA) chaired a Senate Foreign Relations Subcommittee hearing titled “Combating Violence and Discrimination Against Women: A Global Call to Action.” At the hearing eight women Senators, all Democratic (there were only 4 Republican women in the Senate at this time), testified on the importance of passing the International Violence Against Women Act (IVAWA) and ratifying the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) to eliminate gender-based violence worldwide and prevent situations like the one in Nigeria. Each of the eight Senators shared a specific story about gender-based discrimination and violence in a foreign country, from a Japanese women legislator being heckled on the floor of the Toyko Assembly to the systematic rape of women in the Congo to the targeted killing of lesbians in South Africa. Senator Rand Paul (R-KY) co-chaired the hearing with Senator Boxer and argued that US foreign assistance should not go to countries that condone religious persecution or perpetuate rampant violence against women. “Our job, as the powerful, is to use our might to speak for those who cannot,” said Paul.⁷ At the time of this writing, the Nigerian schoolgirls remain missing and members of Congress continue to dedicate their limited time and resources to the issue.⁸

Looking at Women’s Rights in US Foreign Policy

⁷ U.S. Congress. Senate. Committee on Foreign Relations. 2014. “Combating Violence Against Women A Global Call to Action,” 113th Cong. 2nd Sess. June 24.

⁸ Richardson, R. 2014 “Gohmert travels to Nigeria to meet with Kidnap Victims,” *Marshall News Messenger*, June 17.

The case of the abducted Nigerian schoolgirls and the resulting legislation in Congress are an example of what I call *women's rights foreign policy* (WRFP)-- American foreign policies that specifically address the rights of foreign women and girls abroad. The US has a long history of weighing in on the rights of women worldwide but this issue appears to have recently increased in prominence. During the 111th Congress (2009-10), President Obama created the first ever Ambassador-at-Large for Global Women's Issues, the US Senate Foreign Relations Committee added "Global Women's Issues" to its legislative purview, and US Secretary of State Hillary Clinton prioritized global women's rights in her diplomatic relations.⁹ In March 2011, Clinton released the first ever *Secretarial Policy Guidance on Promoting Gender Equality to Achieve our National Security and Foreign Policy Objectives*. Women's rights, or the less controversial "women's issues," now appear to matter more substantively to US foreign policy. Though there has been growth in attention by US foreign policy actors, there has not been the same growth in attention by US foreign policy, congressional, or women and politics scholars. In short, we know very little about the political dynamics surrounding how and why the rights of women and girls abroad are on the US foreign policy agenda.

Scholars have analyzed how and why women's rights were included as an objective of US domestic policy (Washington 2006, Dodson 2006, Swers 2002, Carroll 2002, Dolan 1998), but there has been minimal exploration of the growth of

⁹ The policy requests embassies and bureaus to bolster participation and leadership opportunities for women in local and national government processes, civil society, and international and multilateral forums; to unleash the potential of women to spur economic development by addressing the structural and social impediments that prevent women from contributing to their fullest extent to formal and informal economies; and to draw on the full contributions of both women and men in peacemaking, peacekeeping and peace-building.

women's rights as a US foreign policy objective (Wolbrecht 2002). The few studies that have focused on women and US foreign policy centered on specific women (as a US foreign policy anomaly), such as Eleanor Roosevelt, Bella Abzug, Margaret Chase Smith, and Jeane Kirkpatrick, and how they performed as US foreign policy actors (Jeffreys-Jones 1997, Crapol 1992). Other studies have explored how gender dynamics matter inside the US foreign policy administration, such as in the US Department of State or Department of Defense (McGlen and Sarkees 1993). The scarcity of women as US foreign policy actors and as subjects of US foreign policy scholarship reflects the degree of male gender bias in political institutions as well as in the field (Tickner and Sjoberg 2013, Tickner 1992).

The one area in American politics where there has been some attention to gender and US foreign policy is public opinion research. The gender gap on attitudes towards war and peace is the one consistent, central finding. Men are more likely to favor military intervention as a US foreign policy option and women are more likely to favor diplomacy (Holsti and Rosenau 1981, Conover and Sapiro 1993, Eichenberg 2003, Box-Steffensmeier, De Boef, and Lin 2004). Brooks and Valentino (2011) make a significant contribution by uncovering some of the intervening variables that modify this division. In their public opinion experiment, Brooks and Valentino show that if the military intervention has either UN approval or if the stakes of the war are humanitarian, the gender gap is reversed. This finding suggests that there are still many unanswered questions on the impact of gender on US foreign policy decision-making as well as the importance of gender in US foreign policy outcomes.

In contrast to conducting a gender analysis, scholars have explored how other transnational identity factors affect how American foreign policy decisions are made, such as exploring the role of racial and ethnic ties (Tillery 2011, Paul and Paul 2009, Wilson 2004, Smith 2000, DeConde 1992) and religion (Warner and Walker 2011, Mearsheimer and Walt 2006). There is a growing body of scholarship that analyzes the impact of global human rights norms on US foreign policy goals (McCormick and Mitchell 2007, Apodaca and Stohl 1999, Forsythe 1988, Carleton and Stohl 1987) but gender, a critical factor that shapes the meaning of human rights (Bunch 1990), is rarely analyzed. Since one of the more divisive political issues is how the state should define the rights of women, particularly in terms of reproduction, it is all the more pressing that the growth of women's rights as a form of American foreign policy be explored. In sum, gender as a category of analysis (Scott 1999) has rarely been applied to US foreign policy, despite the fact that gender is one of the most primal forms of human division (Glick and Fiske 2000).

Historically, women have been in very few positions of American foreign policy decision-making. Scholars have pointed out how American foreign policy is a policy domain governed by the rules of hegemonic masculinity (Leatherman 2005), a social system that values the dominant position of men and masculine norms of stoicism, aggression, violence, competitiveness, courage, etc. (Connell 1987). Building from R.W. Connell (1987) and Hooper (2001), Leatherman argues that US foreign policy reflects mechanisms of dominance and theories of realism are normalized and highly valued. As a result, women's bodies and the principles connected with femininity are foreign, delegitimized, and unintelligible. To conduct

a gender analysis, the first question one must ask is “where are the women?” (Enloe 1989), and acknowledge that their absence is a critical dimension of the story.

In my dissertation, I analyze where the women “are” in terms of US foreign policy. To fully understand this facet of US foreign policy, I ask two central research questions. First, what are the different policy objectives of women’s rights US foreign policy? Second, what are the congressional motivations behind working on women’s rights US foreign policy? For both of these questions, I also explore how these policy objectives and congressional motivations vary over time and analyze what this variance implies. The aim of my research is to deepen our understanding of congressional decision-making on transnational political issues and provide a richer context to analyze how and why women’s rights matter to US foreign policy from a feminist theoretical perspective.

There are several different plausible explanations to my research questions. Perhaps the increasing number of women in Congress are acting as transnational surrogate representatives and trying to substantively improve the lives of women worldwide. Or perhaps this is a case where the US is trying to maintain power in the international system and lead the world in gender equality. In contrast, some may suggest that women’s rights are just being used to justify methods of US exploitation and military intervention, as a distraction for a US domestic audience. Others may argue that members of Congress are simply representing the concerns of their US constituents who are now prioritizing global women’s rights. In order to test these claims, I first must investigate who in Congress is legislating on behalf of foreign women and assess how women’s rights are defined by women’s rights foreign policy

legislation. The results of my research will improve our understandings of how and why gender matters to the construction and outcomes of US foreign policy and will contribute to the fields of American politics, international relations, and women and politics research.

I chose to analyze the political dynamics of women's rights US foreign policy at its central origin: Congress. Though women are always a factor to be considered by US foreign policy actors (in some way or another), Congress, in many ways, was the first branch that dedicated time and resources to advancing and empowering foreign women. It was the 1973 Percy Amendment that first mandated that US foreign assistance (USAID) dedicate specific resources to foreign women and work to integrate women as market actors in national economies. Through this action, Congress set up the initial Women and Development Office of USAID, directed by Arvonne S. Fraser (Fraser and Tinker 2004). In my research, I critically analyze how and why members of the US Congress, the branch of government designed to be centrally motivated by reelection concerns (Mayhew 1973), dedicate their limited time and resources to legislation that targets foreign women and girls, a group who offer no clear electoral incentive.

My dissertation offers insight into American politics questions about congressional decision-making, the influence of transnational interest groups, and the impact of women in Congress. This project also deepens our understandings of how domestic politics affect foreign policy goals, the influence of United Nations, and the meaning of global women's rights within the paradigm of universal human rights- critical questions of international relations research. David Campbell (1992)

argues that in order to understand US foreign policy; one must examine how the identities of the influential US foreign policy actors are constructed. My research explores the specific impact of gender identity on US foreign policy construction in Congress. The results of my study also contribute to the global policy debates between universalism and cultural relativism, particularly salient to the subject of global women's rights.¹⁰

This project also contributes to women and politics research and gender studies more broadly. From a transnational feminist theoretical perspective, I will offer an in-depth analysis of how the US represents and prioritizes global women's rights. Feminist analyses critique the way in which US economic globalization and militarization foreign policies exploit and harm women abroad.¹¹ Postcolonial feminist, critical race, and feminist international relations (IR) scholars show how race, ethnicity, gender, sexuality, class, nationalism, colonialism, and imperialism intersect to produce tropes about the "third world woman," who then needs to be saved, developed, controlled, and modernized by the West. Women's rights may just be an instrumental tool to further US foreign policy objectives, and improving the status of women's lives may be supplemental.

Since foreign women have no direct electoral accountability to shape how their rights are constructed or legislated by the US, the results of this study can provide a necessary critical lens into this policy process, to not only improve our

¹⁰ For example, Okin (1999) raises these tensions in her essay "Is Multiculturalism Bad for Women?," pointing out how often culture values can be used to justify women's oppression. But, as other feminists argue, the "universal" is also rooted in a Western, liberal framework that is also a specific culture. Thus, how and who defines global women's rights, and their preexisting power to do so, deserves investigation.

¹¹ Enloe 2007, Eisenstein 2009, Mohanty 2003, Henderson and Jeydel 2010, Peterson and Runyan 2010, Bulbeck 1998, to name a few.

understanding of the history of women's rights US foreign policy and the interconnection to domestic women's rights policy but also to offer the necessary insight to improve its future direction.

Why Global Women's Rights Matter

New York Times columnists Nicholas Kristof and Sheryl WuDunn (2004) claim that global women's rights are the political cause of the 21st century.¹² Political scientists have begun to pay greater attention to how the status of women affects outcomes of economic development, militarized conflict, and political decision-making and find that women play substantive roles in global economic, political, and social development. Investing in women reduces poverty (Summers 1994), improving women's political rights curbs terrorism and intrastate conflict (Fish 2002, Melander 2005), and women are more likely to reinvest their income into their children's education and health (Kennedy and Peters 1992). Preventing gender-based violence increases the probability of peace and security (Hudson, Ballif-Spanvill, Capriolo, and Emmett 2012). Studies clearly show that improving the rights of women and girls has a positive impact for both the quality of women's lives and for achieving broader liberal policy goals.

Promoting the rights of women contributes not just to substantive policy goals but to symbolic goals as well. Nations draw attention to the rights of women in order to promote modernity, preserve tradition, agitate for masculine protectionism, and reproduce the state (Young 2003, Gienow-Hecht 2000, Scott

¹² Kristof, N. and Sheryl WuDunn. 2004. *Half the Sky*. Random House LLC: New York.

2007, Pettman 1996, Yuval-Davis 1997, Stevens 1999). The bodies of women are often the terrain for international and national tensions. Women's headscarves have symbolized religious dogma (and not French) while women who do not wear the headscarf are portrayed as liberated and embody the modern French woman (Scott 2007). During the Cold war, Soviet women were portrayed as overworked and brutish by the US in contrast to American women shown as free and feminine (Gienow-Hecht 2000). The justification of military intervention to "rescue women and children," a foundation of masculine protectionism, is a persuasive frame that limits women to victims while excluding the vulnerability of other civilian populations victimized by violent conflict (Rosenberg 2002, Carpenter 2003). Young (2003) also critiques the logic of masculine protectionism by the US to "save" Afghani women in order to warrant and build support for the US War on Terror. Pettman (1996) illustrates how women are the embodied boundaries of nations. Placing foreign women as targets of US foreign policy efforts invokes a great deal of feminist suspicion towards the intentions of these policies.

Lastly, the role and status of women in any given nation-state is debated by actors in positions of power (such as political, religious, and media leaders) but rarely by the women themselves. Women make up only 21.9 percent of governing bodies worldwide (Inter Parliamentary Union 2014) and 4.8 percent of Fortune 500 CEOs (Catalyst 2014). Women, as a group, are also disproportionately negatively affected by socio-economic and political problems. Women constitute between 75-80 percent of the world's refugees and make up the majority of the world's poor. One of the leading causes of death globally for women is violence (United Nations

2010). Thus, women, as a group, are both disproportionately affected by and effective in global economic, political, and human development. Yet women, at roughly 50 percent of the world population, have little to no say in how these problems are defined and ultimately resolved.

The Vital Role of Women in Maintaining National Boundaries

Women are not a static category or group in any nation-state context. Divisions on women's rights and their socialized roles can also vary by religion, race, class, ethno-nationality, age, ability, sexual orientation, and perceived body type. The rights and roles of women, as a collective group, are also vehemently contested within each nation-state. Multiple actors vie over how women should dress, where women should work, when and who women should marry, women's sexuality, women's reproductive rights, access to education, women's professional opportunities, and the general power (or lack there of) women ultimately can have in any given country. Legacies of patriarchy underscore expectations of women's roles and ultimately, their human rights.

Countries, or nation-states, are perpetually negotiating the rights and roles of women.¹³ In Norway, the national government just mandated that all large companies have at least three women on their corporate boards.¹⁴ Saudi Arabia is considering having an age (16) requirement for marriage to reduce child marriage-

¹³ Shackle, S. 2013. "France's Hijab Ban Causing Tension," *The National*. September 12.

¹⁴ Taylor, K. 2012. "The New Case for Women on Corporate Boards New Perspectives Increased Profits," *Forbes*. June.

an issue that disproportionately affects girls.¹⁵ In Sudan, a woman was recently sentenced to death by stoning for committing adultery.¹⁶ “In Chile, where abortion remains completely illegal in all cases, women are risking imprisonment to run a safe abortion hotline that provides women with information about misoprostol.”¹⁷ Brazil mandated that 30 percent of all electoral candidates be women in any election.¹⁸ In the US, mothers of newborns do not have state-protected paid maternity leave.¹⁹ The rights one enjoys as a woman, particularly on issues that disproportionately affect women such as sexual liberty, reproduction, citizenship, and protection from violence, vary significantly across nation states.

The Idea of Global Women’s Rights

The idea of women’s rights has “traveled” well across borders and retained strength as a theory, and adapted to each national-context (Said 1983). Keck and Sikkink (1998) show how transnational issue networks operate to advance the cause of women’s rights globally. The authors illustrate the vital role of the United Nations (UN) as a venue of multilateral legitimization, serving as an international space where nation-states, alongside transnational advocacy organizations, can deliberate over the meaning of “global women’s rights.” Drawing attention to women’s rights in the United Nations was particularly challenging for issue advocates. But the UN Decade on Women (1975-85), sparked by the initial Year of

¹⁵ Abu-Dayyeh, S. 2013. “Will Saudi Arabia End Child Marriage,” *cnnworld*. May 27.

¹⁶ Dziadosz, A. 2012. “Young woman sentenced to death by stoning in Sudan,” *Reuters.com*, May 31.

¹⁷ VonDeven, M. 2013. “Latin America takes action to decriminalize abortion.” *GlobalPost*. January 20.

¹⁸ Frayssinet, F. 2013. “Brazil’s Gender Quota Law Off of Underwhelming Start.” *InterPressService*, November 12.

¹⁹ McCarthy, C. 2012. “What’s up with the US and Maternity Leave?” *www.boston.com*. September 3.

the Women (1975), reignited this transnational dialogue on the global rights of women.²⁰

In addition, the “Women’s Rights are Human Rights” protests in Vienna at the UN Human Rights conference in 1993, led by Dr. Charlotte Bunch and the Center for Women’s Global Leadership at Rutgers University (Keck and Sikkink 1998), amplified how traditional UN human rights systems overlooked the specific needs and human rights of women. The idea was solidified in 1995 when then-US First Lady Hillary Clinton stated the phrase “Women’s Rights are Human Rights” in Beijing, China at the Fourth World Conference on Women hosted by the UN.

The meaning of global women’s human rights is highly contested. At the UN, debates over the content of global women’s rights often center on women’s bodies, have created long-standing divisions over sexuality rights (prostitution, homosexuality) and access to abortion (Reilly 2009, Joachim 2003). Women’s global political and economic rights have also been contested. At these UN meetings, divisions have erupted on the question of whether democratic or communist governments better serve the needs of women (Hawkesworth 2012). At present, critiques are being lodged at the global market economy and neoliberalism as a system of oppression that creates a poverty structure that disproportionately negatively affects women (Ong 2006, Jaggar 2001, Rankin 2001, Waring 1988). The UN has also been criticized as an elite institution that does not represent the needs of all women in country but only the most privileged and with the greatest access to power (Franklin 2007). Regardless, it also serves as a more democratically

²⁰ Women have long organized across borders on issues such as women’s suffrage, peace, and marital citizenship rights (Hawkesworth 2012).

legitimate forum to construct the meaning of global women's rights since all nation-states have the chance to participate in ultimately determining these rights.

Women's Rights and US Foreign Policy

American foreign policy decisions have ramifications worldwide due its position as a global economic, military and cultural power (Hook 2013). At present, the US has one of the world's largest economies, the largest global military strength, and carries significant international cultural "soft power" (Nye 1990, Voeten 2004). Thus, how US foreign policy defines and protects the rights of women in foreign countries has real world effects.

As highlighted earlier, the rights of women and girls are on the US foreign policy agenda. From an Executive Order that created the Office of Global Women's Issues in the US Department of State to foreign policy legislation such as the International Women's Freedom Act or the Global Sexual and Reproductive Health Act, US foreign policy actors are drawing attention to girls and women's rights abroad. Looking specifically at the US Congress, where many US foreign policy ideas are initially generated (Lindsay 1994), we can clearly track this growth of women's rights foreign policy over time.

The US is not alone in its concern for advancing the rights of women in foreign countries. The Organization for Economic Co-operation and Development (OECD) showed that the OECD countries spent over \$25.3 billion US dollars in 2009-10 in gender-focused aid to foreign countries- totaling over 30 percent of all total bilateral aid. The US is the largest contributor of this group, dedicating roughly \$4.5

billion foreign aid dollars to addressing women's empowerment and the needs of young girls as either a primary or secondary objective (OECD 2012). The US is making a substantive commitment to women's rights in foreign nations but the US government also is defining and setting limitations on these rights.

For example, the US Anti-Prostitution Pledge ensured that hospitals and clinics receiving USAID funds abroad did not serve the health needs of prostitutes, regardless of the policies of the foreign nation-state.²¹ The US "Global Gag Rule" or "Mexico City Policy" restricted foreign health centers that received USAID funds from mentioning abortion, despite how this may affect the health of the women or the legal options in the foreign nation-state. Additionally, USAID trains women globally on how to be more politically active and be a part of the decision-making process. The US government provides funds to build schools that guarantee girl's education, even though the nation-state may not.

This intervention by the US can have multiple spillover effects on the rights of foreign women. National debates over the rights of women take on a unique dimension when foreign countries weigh in. Women's rights have become a terrain for bilateral negotiation. When local women's rights actors organize for a specific "women's rights" issue in their country, they may then be targeted as being too Western or too Americanized, delegitimizing their human rights claim. Yet, also because of foreign intervention, women and girls abroad may have gained a higher quality of life with greater economic and political rights as well as improved access

²¹ In 2013, this was ruled unconstitutional and a violation of the first amendment by the US Supreme Court, applying these principles to organizations out of the US. Gira Grant, M. 2013. "Supreme Court Strikes Down Anti-Prostitution Pledge for US Groups." *The Nation*. June 20.

to education and needed medical care. The global rights of women (and girls) remain contested terrain and the US decisions regarding these rights, often initiated in the halls of the US Congress, have a substantive and symbolic impact.

My study focuses on how and why women's rights matter to US foreign policy. Though entire US foreign aid bills have nearly failed to pass due to questions of women's rights (such as access to abortion), political science scholars have not yet examined the impact of gender, and domestic gender politics, on American foreign policy construction (Carter and Scott 2009). Advancing women's rights is one of the most effective methods of achieving global development objectives yet the vast majority of US foreign policy in Congress takes no notice of the rights of women and girls. Who in Congress cares about foreign women's rights and why?

Representing Foreign Women's Rights in the US Congress

The US Congress has the foreign policy powers over the institutions and mechanisms that can have a significant impact on the lives of foreign women, such as deciding foreign aid, regulating foreign commerce, signing UN treaties, the jurisdiction to organize, arm, discipline, call forth the militia, and express public diplomacy through crafting legislation. Congress also oversees the agencies responsible for the implementation of US foreign policies, the Department of State and Department of Defense, and has the "power of the purse" in terms financing these arms of US foreign policy (Lindsay 1994). The aim of my study is to first examine exactly how foreign women's rights are written into US foreign policy and then explore the reasons behind this legislative initiative. Although many studies

focus on the relationship between the US President and American foreign policy, the US Congress plays a critical role in the oversight, execution, and maintenance of US foreign policy as well as crafting original foreign policy.

Additionally, the US Congress is a particularly interesting site to examine the impact of gender and race identity politics. Scholars show how the institution of the US Congress reflects a race, class, and gender institutional bias (Duerst-Lahti, G. 2002, Hawkesworth 2003, Rocca, Sanchez, and Morin 2010, Carnes 2012). The majority of members of Congress are white upper-class men (Davidson, Oleszek, Lee, & Schickler 2013). This identity is quite far from the foreign women targeted by women's rights US foreign policy. Yet the members of Congress are changing, as more women and people of color have entered the institution.²² Studies have shown how this demographic shift has translated towards an expanded policy agenda and improved the substantive representation of 1) women's interests (Swers 2002, Carroll 2002, Wolbrecht 2002, Dolan 1998); and 2) the interests of racial minorities (Minta 2009, Uscinski, Rocca, Sanchez, and Brenden 2009, Tate 2001). A question remains if this policy expansion goes beyond US borders. Thus, how and why members of the US Congress represent women's rights in foreign countries is a rich site to analyze of the boundaries of surrogate representation.

Defining Women's Rights US Foreign Policy

One could argue that any policy affects both men and women, whether it is domestic or foreign. Thus, there are two central approaches within women and politics scholarship to analyzing the representation of "women's rights" or

²² The diversity of class has not changed, as there is an even greater concentration of wealthier members of Congress.

“women’s issues.” One approach is to define an issue as a “women’s rights” or a “women’s issue” if the policy area is perceived to have a disproportionate impact on women, such as specific health, education, and social welfare policies, or women’s political organizations (Thomas 1991, Dodson and Carroll 1991, Burrell 1994, Dolan 1998, Swers 1998, 2002, 2013).

Another approach is to define a bill or policy as a “women’s rights” or “women’s issues” policy if there is an explicit reference to women in the bill or policy language (Reingold 1992, Trimble 2007, and Celis 2009). With this method, members of Congress themselves identify when an issue has a specific impact on women as group. Celis (2009) argues that this approach “entails not giving an essentialist content to substantive representation of women and respects the theoretical assumption that women’s interests are a priori undefined, context-related, and subject to evolution” (92). The members of Congress are thus making the “representative claims” on behalf of foreign women (Saward 2006). Since I am interested in how and why members of Congress have drawn attention to foreign women and girls in policy language, I opt to apply the second method to demarcate women’s rights foreign policy from general US foreign policy. This also minimizes my subjective interpretation of what should be included.

In sum, I define women’s rights US foreign policy as any US foreign policy bill that explicitly mentions “women” or “girls” in reference to foreign women or girls in the Congressional Research Service (CRS) summary of the bill provided by the official website of Congress, www.Thomas.gov.²³ I refer to these bills as women’s

²³ This website has now been renamed and reformatted as www.congress.gov.

rights US foreign policy bills rather than women's *issues* US foreign policy bills because I argue that referring to a rights violation as an "issue" diminishes the value of said right. If a human rights violation affects a woman (rather than a man), this should not diminish the violation of right (Bunch 1990). Calling something a right (rather than an issue) does little more than that, since rights are still subject to how governing institutions and actors interpret them. As this study is exploratory in nature, I find this method of defining which bills constitute representing women's rights US foreign policy to be the most inclusive and accurate way to best answer my research questions of the congressional motivations behind and policy objectives of women's rights foreign policy.

Conflicting Expectations

Women's rights US foreign policy rests at an intersection between two otherwise separate policy domains in Congress: women's rights policy and US foreign policy. As I will detail in Chapter 2, members of Congress select specific policy arenas to dedicate their limited time and resources to as legislative entrepreneurs (Wawro 2001). Studies of legislative entrepreneurship have explored what factors are likely to encourage members of Congress to a) work on US foreign policy; and b) work on women's rights policy (Carter and Scott 2009, Lindsay 1994, Wolbrecht 2002, Swers 1998, 2006).

The women in Congress have expanded the US policy agenda to improve the representation of women as a group and draw attention to women's rights in US domestic policy (Swers 1998, 2006). Women in Congress perhaps are again expanding the US foreign policy agenda to address the rights of women worldwide.

But US foreign policy is also perceived as a masculine policy domain where men in Congress are considered more competent thus deterring women's participation (Stalsberg 2012, Pearson and Nelson 2008, Lawless 2004, Huddy and Terkildsen 1993). The women members of Congress who do decide to work on US foreign policy may not want to be seen as too "soft" by drawing attention to global women's rights, particularly in the post 9/11 US political context where national security issues are more salient. This would lead them to avoid WRFPI issues.

Perhaps this is a strategic way for women members to gain entrée in a policy domain where they have been historically excluded. If so, they would be more likely to be involved with WRFPI issues. Lastly, they may avoid the issue of foreign women's rights so that they are not then limited to this as their only foreign policy issue and type-cast, similar to how US women's organizations went from testifying on all US foreign policy matters to being invited to weigh in only on subjects that had a substantial effect on foreign women (Goss 2009).

Perhaps the traditional US foreign policy entrepreneurs in Congress are now more interested in women's rights, particularly since the academic research suggests the effectiveness of this tactic, both substantively and symbolically, towards achieving more traditional US foreign policy goals (Fish 2002, Coleman 2004). In 2009, a statement by the US Joint Chiefs of Staff emphasized that one of the most effective forces in defeating extremism was female education.²⁴ This may also be a safer way for members of Congress to demonstrate support for women's rights while avoiding negative electoral consequences. But advocating to advance foreign

²⁴ U.S. Congress. House. Committee on Foreign Affairs. 2009. "International Violence Against Women: Stories And Solutions," 111th Cong. 1st Sess. October 21.

women's rights may also limit their ability to be US foreign policy generalists. Thus far, no study has examined the congressional motivations behind or policy objectives of women's rights US foreign policy.

Based on prior research on US foreign policy and women's rights in Congress, I hypothesize that there are two central rationales that explain the growth in women's rights US foreign policy entrepreneurship-- and that these rationales are not mutually exclusive. What I find particularly unique is how these historically divergent congressional incentives and policy objectives compete and overlap, suggesting how US feminist and US foreign policy objectives can share common as well as divergent aims.

First, I suggest that women's rights US foreign policy may be an expansion of traditional US foreign policy, reflecting standard US foreign policy objectives and congressional motivations. The policy objectives will reflect US foreign policy goals of expanding democracy, promoting free markets and capitalism, global human rights, and promoting US strategic interests. Members who traditionally work on US foreign policy, such as members of the House Foreign Affairs Committee and members of high seniority (Carter and Scott 2009), will be the most likely to sponsor women's rights foreign policy bills.

Second, I propose that women's rights US foreign policy is an expansion of women's rights in US domestic policy, reflecting domestic women's rights policy objectives and congressional motivations. The policy objectives will reflect women's rights US domestic policy goals of advancing the status of women, politically, economically, and their right to bodily integrity. Members who traditionally work on

women's rights US domestic policy (the women and more liberal members) will be the most likely to sponsor the women's rights foreign policy bills (Swers 2002).

These two incentives are not mutually exclusive but they do prioritize the lives of women differently. For women's rights policy entrepreneurs, advancing the rights of women is the primary policy objective.²⁵ For US foreign policy entrepreneurs, advancing US national interests abroad (whether that be strategic or ideological) is the primary policy objective. Looking at the overlap of feminist and US strategic policy objectives indicates which women and which rights matter to the US national interest, broadly speaking. Looking at the divergence of feminist and US strategic policy objectives indicates which women and which rights do not.

Methodology

In order to best analyze the policy objectives of and congressional motivations behind women's rights US foreign policy (WRFP), I utilize both quantitative and qualitative methods. A mixed method approach moves beyond the paradigm conflicts of positivism and constructivism to a more pragmatic research approach (Tashakkori and Teddlie 1998). I apply the methods that best help me answer my research questions. I follow a sequential mixed method approach (Tashakkori and Teddlie 1998). First, I conduct the quantitative analysis to acquire a systemic, bird's eye view of the historical patterns of WRFP objectives and WRFP bill sponsorship. This provides me with a broad foundation for my research.

²⁵ Swers (2002) shows how both feminists and anti-feminist policy objectives are on the agenda of members who care about women's rights.

Second, I conduct qualitative case study analysis to gain a richer understanding of the competing relationships, contested meanings, and political dynamics that surround WRFPP. Case studies enrich understandings of the congressional motivations and objectives of women's rights foreign policies. Case studies "capture various nuances, patterns, and more latent elements that other research methods might overlook," (Berg 2009, 318). Qualitative case study analysis offers insight to decipher the multiple forces at play and sheds light on the meaning of foreign women's rights. I draw my conclusions through a triangulation method where I synthesize the findings from the quantitative and qualitative components.

My feminist theoretical approach is integral to the quality of my research. Traditional US political science scholarship has been shaped by a gender-bias that reflects the perspectives of men as the universal political subject (Brown 1988). This is only a half-truth of our social world. Women, as both the subjects of political science research and as scholars of political science, remain marginalized within the field (Maliniak, Powers, & Walter 2013). This holds true throughout the discipline (Tolleson-Rinehart and Carroll 2006) and is particularly pronounced in the subfields of international relations and American foreign policy (Tickner 1997, 2005). A feminist research perspective acknowledges that traditional social science has been based on men's experiences (primarily white, Western, bourgeois men) and prioritizes drawing attention to women's experiences to expand and improve our understandings of the social world (Harding 1987).

Some feminist scholars argue that the US needs to pay greater foreign policy attention to advancing the rights of women and girls (Coleman 2004, Fraser and

Tinker 2004). Other feminist scholars argue that when the US does draw attention to the rights of women and girls in foreign countries, it is a mechanism to justify imperial intervention and moral superiority (Young 2003, Abu-Lughold 2002, Fernandes 2005). These relevant foreign policy quagmires and feminist theoretical debates necessitate a systematic, in-depth analysis of women's rights US foreign policy.

Methods

The objective of my research is to understand the policy objectives of and congressional motivations behind women's rights US foreign policy. To gain a broader sense of women's rights US foreign policy objectives, I construct a dataset of all WRFPP bills introduced during the past 18 Congresses (1973-2010). In my dataset, I identify over 300 bills that specify foreign women or girls as a target group in the legislation.²⁶ Drawing from studies of traditional US foreign policy (Carter and Scott 2009, Forsythe 1988) and domestic women's rights policy (Swers 2002, Wolbrecht 2002), I create a women's rights US foreign policy typology. I code the bills based on the central focus and primary audience of the bill. The focus of the bill is classified as falling into three categories: economic, political, or bodily integrity rights. The audience for the bill is classified as: the United Nations, the US foreign policy administration, or a form of public diplomacy (for example, targeting a specific foreign government). I compare how the types of women's rights US foreign

²⁶ For the purposes of this study, I selected all US foreign policy bills that specified the word women within their Congressional Research Service (CRS) Summary, such as the Afghan Women Empowerment Act, as women's foreign policy legislation. I also included bills that explicitly addressed human trafficking, family, abortion, sex, gender, mothers, females, and girls as these issues that have a large impact on women.

policy objectives change in each decade and reflect on how these shifts connect to trends in domestic women's rights and traditional US foreign policy objectives.

Looking within this time frame (1973- 2010) allows me to capture not only a richer understanding of the how the US has represented women's rights in US foreign policy legislation over an extended period, but also includes several political trends- the expansion of the global women's movement, a shift in US foreign policy attention to civil society, the establishment of identity-based interest groups, and the increase of women in Congress- each of which may affect how foreign women are represented in US foreign policy. Women were only 3 percent of congressional members in the 93rd Congress (1973-74) but grew to 17 percent by the 111th Congress of 2009-10 (Center for American Women and Politics).

In order to ensure a robust analysis of congressional motivations, I construct a second dataset with relevant information on all members of Congress for the 109th (2005-06), 110th (2007-08), and 111th (2009-10) Congress to test my hypotheses.²⁷ I test which factors increased the probability of sponsoring a WRFPP bill by applying maximum likelihood estimation regression analysis. Both Carter and Scott (2009) and Swers (2002) found differing legislative entrepreneurship patterns regarding the role of political party, ideology, seniority, gender, race, party of the President, chamber majority, and district demographics in the construction of their respective policy domain (foreign policy/domestic women's rights). I test how these relationships hold for women's rights US foreign policy entrepreneurship. I also show who is likely to be introducing WRFPP under three differing partisan dynamics.

²⁷ I gather my data from the US Census and the American Almanac of Politics.

To add depth to the picture, I conduct qualitative case studies of the three most widely supported WRFP bills. I look at the three WRFP bills introduced in the 111th Congress (2009-10) that had the greatest number of legislative cosponsors signed on to the bill. Cosponsorship is a signal of legislative support for an issue and functions as a way for members of Congress to take a position on an issue with relatively low cost in resources (Kessler and Krehbiel 1996, Fowler 2006). Because these three WRFP bills vary significantly in their focus and audience, they provide important variation to compare congressional motivations and policy objectives.

My first case study is on a US House bill supporting US Senate ratification of CEDAW, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women. In the 111th Congress, the CEDAW supportive bill was introduced by House Representative Lynn Woolsey (D-CA) and garnered 136 co-sponsors. My second case study is on the International Violence Against Women Act of 2010 (IVAWA) with 135 cosponsors. Representative William “Bill” Delahunt (D-MA) was the lead sponsor and Representatives Jan Schakowsky (D-IL) and Ted Poe (R-TX) made up the driving legislative coalition. My third and final case study is on the International Protecting Girls by Preventing Child Marriage Act of 2009 with 112 cosponsors, sponsored by Representative Betty McCollum (D-MN).

By looking through the lens of each of these three case studies, I am able to examine with greater detail how electoral, institutional, and individual incentives affect congressional behavior towards women’s rights in US foreign policy. Furthermore, each case study offers a more complete picture of how women’s rights and US foreign policy objectives overlap and contrast each other. Considering that

the objectives of the policy can influence the type and degree of congressional motivation (to support or oppose the legislation), these case studies shed light on this complex relationship between shaping the content of the legislation and creating incentives for congressional activity.

My case study analyses will offer a richer context to explore why members of Congress are driven to introduce women's rights foreign policy bills. Through interviews with Members of Congress, legislative staff members, and issue advocates, I offer a more nuanced picture of the reasoning behind the policy language and the intention behind these WRFP bills. Over the three cases, I conducted 27 formal interviews between 2011-2013. I asked my respondents to reflect upon the legislative dynamics surrounding the WRFP in question during the 111th Congress (2009-10). I interviewed 15 legislative staff members (14 Democrat, 1 Republican), 11 issue advocates, and 1 member of Congress (Democrat). Four of the legislative staff respondents had served as House Foreign Affairs Committee staff working specifically on women's rights issues. In addition, I also spoke with 2 other members of Congress and another Republican legislative staff member informally. In order to protect the rights of the respondents, the interview subjects are identified by their position and their names remain anonymous.

One difficulty I faced in this research was gaining access to Republican staff members. Although few Republican members of Congress were active as WRFP entrepreneurs during the time period of my study, I found it particularly challenging to gain their trust to partake in the study. After repeated attempts to set up anonymous interviews, ultimately very few agreed to participate. This may be a

reflection of the highly volatile nature of “women’s rights” for the Republican Party at this time.

I selected my respondents through a snowball approach. At the end of each interview, I would ask my respondent to suggest other people I should speak to for my research. When I had already either interviewed or attempted to contact the majority of people my respondents named, I felt that I had a strong account of the legislative story. The majority of the interviews were semi-structured face-to-face. Some of the interviews were conducted over the phone (less than 20 percent). Most of my respondents worked on one or more of these pieces of legislation and provided information, though I selected each person because they were one of the key players for a specific case. This provided me with a web of perspectives to analyze the legislative dynamics surrounding how and why women’s rights mattered to members of Congress. I also analyzed Dear Colleague letters, newspaper articles, press releases, hearing transcripts, videos, and floor debates on these bills.

Chapter Outline

In chapter 2, I review the relevant literature that informs my study. I summarize studies in American politics, international relations, and women and politics research. In American politics, I draw primarily from research analyzing congressional decision-making, specifically on how members determine what makes “good public policy.” I review international relations studies exploring foreign policy construction and women and politics research that has analyzed the construction of women’s rights and the impact of women in Congress. Though no

study has explored women’s rights foreign policy directly, prior research shows that those members who decide to work on domestic women’s rights and members who decide to work on US foreign policy both are motivated by an individual concern to “make good public policy.” Thus, leading me to further question if these women’s rights foreign policy bills introduced to Congress are domestic women’s rights policy entrepreneurs expanding into US foreign policy or if they are traditional US foreign policy entrepreneurs expanding into women’s rights.

In chapter 3, I provide a systematic account of the differing policy objectives of women’s rights foreign policy to better understand how women’s rights matter to US foreign policy and to assess how feminist and traditional foreign policy objectives compete and overlap. I analyze the content of all WRFPP bills introduced to the House between 1973 and 2010 (317 bills in total). I create a women’s rights foreign policy typology that reflects the divergent content (women’s political, economic, and bodily integrity rights) and audiences (United Nations, US Foreign Policy Administration, and Public Diplomacy) in the bills. In this original dataset, I show how the policy objectives expand over time. I compare the growth of different types of WRFPP to the domestic women’s rights and US foreign policy political context in each decade (70s, 80s, 90s, and 2000s). In this chapter, I illustrate how global feminist and traditional US foreign policy goals diverge and overlap. I also analyze the specific impact of 9/11 on the construction of women’s rights US policy objectives and the emergence of “strategic feminist” policy goals.

In chapter 4, drawing from standard explanations of congressional motivation, I compare how institutional, individual, or electoral incentives best explain WRFPP

entrepreneurship in Congress. Furthermore, I test my hypotheses to see if the traditional women's rights policy entrepreneurs (women members of Congress) and/or the traditional foreign policy entrepreneurs (House Foreign Affairs Committee members) are more likely to sponsor WRFPP bills. Applying regression analysis, I test which factors increase the probability of introducing a WRFPP bill in three different Congresses (109th, 110th, and 111th). Considering that the partisan environment differ for each of these Congresses (Unified-Republican, Divided, Unified-Democratic, respectively), this then provides a more rigorous test of my hypotheses.²⁸ I present the results of my second dataset and discuss which factors increase the probability of WRFPP bill introduction. I then analyze what my findings suggest for understanding congressional motivation on transnational issues, broadly speaking.

In chapter 5, I describe the findings of my first case study on House Resolution (HR) 22, a bill which urges the US Senate to ratify the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). CEDAW is the broadest women's rights foreign policy bill in terms of policy objectives and has the longest legislative history in the US Congress. CEDAW is focused on ensuring that the laws of a nation-state prohibit gender-based discrimination and give women equal rights as citizens, thus the content is political.

In chapter 6, I present my second case study, the International Violence Against Women Act (IVAWA) of 2010. The policy objectives of my second case study are slightly narrower in scope. The purpose of IVAWA is to change how the US

²⁸ Coleman (1999) shows that congressional behavior shifts if the majority political party of the US House, US Senate, and the party of the Executive are the same (Unified) or if they differ (Divided).

foreign policy administration treats and prioritizes gender-based violence abroad. If passed, the bill would change how the multiple branches of the US foreign policy administration respond to incidents of violence against women abroad.

In chapter 7, I detail the findings of my third and final case study, the International Protecting Girls from Child Marriage Act of 2009. This bill is more precise in scope than the other two and aims at reforming one dimension of US foreign policy aid: the incentive structure behind reducing child marriage. This bill advocates including child marriage as a human rights violation in the US Department of State Human Rights Report, authorizes funds to support ending child marriage, amongst other consequences.²⁹

Finally, in chapter 8, I discuss the implications of my findings. The findings offer new insight into American politics questions of how members of Congress make decisions, the influence of transnational interest groups, and the impact of women in Congress. I review how this study specifically contributes to women and politics scholarship by investigating the extent of women's surrogate representation in Congress and applying gender as a category of analysis to American foreign policy. Broadly speaking, I conclude by offering new information regarding the impact of women in Congress, the domestic dynamics of the global women's movement in the US, and the contested definitions of global women's rights.

²⁹ Due to an executive order, this specific provision has been adopted. The White House, Office of the Press Secretary, "Preventing Violence and Responding to Violence Against Women and Girls Globally." August 10, 2012. Retrieved at <http://www.whitehouse.gov/the-press-office/2012/08/10/executive-order-preventing-and-responding-violence-against-women-and-girls>.

Chapter 2:

Constructing Women's Rights American Foreign Policy

As political theorist Carl Schmitt (1927) argues, the very concept of the political rests on the ability to build state unity and identity coherence in contrast to an oppositional "other" (the stranger, the enemy, the foreign, etc.). Foreign policy is the explicit strategy a nation-state develops in order to deal with external sovereign states, non-state actors, and institutional forms of supranational governance, global "others." It is the primary mechanism for a nation-state to act as a coherent, unitary actor in the international political system. But the construction of that unified state position, that explicit foreign policy, is a contested process with multiple voices and vying interests attempting to ultimately direct the state.

Fundamentally, the academic discipline of political science is the study of power. Much of political science scholarship is divided along the lines of the examination of domestic or global politics. Scholars of international relations examine the negotiation of power within the global political system. Scholars of American politics and comparative politics typically analyze the negotiation of power within domestic political systems. This separation is problematic because one may miss how the global and domestic political environments inform and influence one another. This tension between domestic and international affairs is referred to as "inter-mestic" politics (Manning 1977). Scholarship needs to explore the intersection of domestic and global politics to improve our understandings of how political contexts shape and influence one another (Putnam 1988).

One approach to clarifying these blurry lines of inter-mestic politics is to explore the construction of American foreign policy from the perspective of domestic politics.³⁰ In my project, I analyze the political dynamics surrounding the construction of American foreign policy inside the US Congress, the American branch of government more directly electorally accountable to domestic interests. In my study, I ask two central questions. First, what motivates members of Congress, who are primarily driven by district reelection concerns, to spend limited time and resources to introduce and support women's rights foreign policy legislation (Fenno 1973)? Are the members of Congress interested in advancing US strategic interests abroad, advancing global women's rights, advancing their standing in their district, or gaining institutional status? In addition, the meaning of "women's rights" is one of the more controversial political topics in US domestic policy and global governance. Second, what are the policy objectives of women's rights foreign policy bills?

I examine women's rights foreign policy entrepreneurship in the domain of the US Congress (rather than the executive or bureaucratic level) for two key reasons. First, Congress is the branch most directly responsive to the interests of the US public, particularly the US House with the two-year reelection cycle. Congress members have minimal incentive to work on women's rights foreign policy bills since these policies target a group outside of the member's constituency and the US electorate as a whole- unless it will somehow benefit their reelection (Mayhew 1974, Fenno 1973). Second, though the Executive has substantial authority, the legislative branch has specific foreign policy powers over US development aid,

³⁰ Bayless Manning (1977), first President of the US Council on Foreign Relations coined the term to refer to the increasingly blurry lines between select domestic and foreign policies (McCormick 2012)

military resources, department oversight, legislative agenda setting, and foreign diplomacy. Forsythe (1988) argues that it was Congress that ensured that the US paid greater attention to universal human rights abuses. Congress places into statute the policies that direct US foreign policy implementation over time. These foreign policy powers could have a substantial impact on the lives of foreign women. Thus, members of Congress have the greatest authority over the US resources to improve foreign women's lives but the least incentive to do so.

The legislative attention towards women's rights in foreign countries has exponentially increased since 1973, when the original Office for Women in Development was created in the US Department of State (Fraser and Tinker 2004). Yet it seems that few of these women's rights US foreign policy bills have actually passed into law. We have little understanding of exactly who sponsors these bills, what the policy objectives of the bills are, and how they move (or stall) in the legislative process. Our lack of knowledge on these matters reflects how the study of women's rights is still marginalized within the political science discipline, despite the clear real-world impact of these policies for advancing US foreign policy objectives abroad and for understanding transnational politics, gender ideology, women's human rights, and how Congress works.

Members of Congress care about women's rights in US foreign policy (what I call women's rights foreign policy entrepreneurship) but no study has examined why, despite its growth on the US legislative agenda and importance as a site for feminist analysis. Similarly, there has been little investigation into what types of

“rights” matter for women in US foreign policy. To situate my research, I draw upon American politics, international relations, and women and politics scholarship. Gender dynamics are critical dimension to our social world (Harding 1987). An exploration and scientific analysis of how and why women’s rights matter to US foreign policy provides new and necessary insight on congressional decision-making, dynamics between domestic and international relations, and the meaning of global women’s rights for the US.

Gender as a Category of Analysis: Looking at the Meaning of Women’s Rights

Gender is a critical lens to analyze institutional power dynamics and it is often overlooked or undervalued due to the implicit gender bias of the researcher, particularly in the discipline of political science (Atchison 2013, Tolleson-Rinehart and Carroll 2006, Hawkesworth 2005). This oversight is even more obvious in the field of International Relations, where feminist scholars continue to push to draw greater attention to the importance of women and gender dynamics (Sjoberg 2009, Youngs 2003, Blanchard 2003, Tickner 1997).

American foreign policy studies are no different. In reviewing the literature, I most often found attention to gender only in the context of American public opinion research on the sex differences towards military intervention.³¹ The few texts available that draw attention to gender and US foreign policy are edited volumes

³¹ For example, a simple Google scholar search of the terms *gender and American foreign policy* yields one article titled “Gender and US Foreign Policy” (with no citations) and then primary articles that focus on American public opinion foreign policy attitudes. A similar search of women and American foreign policy yields the two results of substance before the results expand to include broad social constructivist theories of American foreign policy. Though gender is an incredibly vital marker of social and international relations, research on the subject reflects a very limited perspective.

that profile specific women (Crapol 1992, Jeffreys-Jones 1997). There is minimal systemic analysis applying gender as a category of analysis towards US foreign policy construction and outcomes.

In contrast, there is a growing body of economic and development scholarship that takes gender into greater account and illustrates the substantive role women play in global economic, political, and social development. Investing in women advances poverty-reduction (Summers 1994), improving women's political rights reduces terrorism and intrastate conflict (Fish 2002, Melander 2005), and women are more likely to reinvest their income into their children's education and health (Kennedy and Peters 1992). Additionally, when a community has high rates of violence against women, they are also more likely to be a violent community broadly speaking. Reducing gender-based violence reduces violent conflict broadly speaking (Hudson, Ballif-Spanvill, Caprioli, Emmett, 2012). Advancing women's political, economic, and human rights will then translate into producing more stable, democratic, profitable, and safer nation-states.

Women worldwide still remain a historically marginalized population and institutionally oppressed based on their sex. Studies illustrate how women are disproportionately negatively affected by socio-economic and political problems (Mies 1998). Women constitute between 75-80% of the world's refugees and make up the majority of the world's poor. The leading cause of death globally for women is violence (United Nations 2010). Thus, research indicates that women, as a group, are both disproportionately affected by and effective in global economic, political, and human development.

Understanding Congressional Motivation

One of the central questions of political science is what motivates elected representatives to make decisions and work on policy. More specifically, congressional entrepreneurship is defined as initiating, sponsoring, and/or advocating policy proposals (Wawro 2001, Mintrom 1997, Sheingate 2003, Kingdon 1989). American politics studies have investigated which factors encourage a member to be a policy entrepreneur rather than simply take a free ride on the entrepreneurship of others with relatively mixed results (Woon 2004, Anderson, Box-Steffensmeier, and Sinclair-Chapman 2003, Wawro 2001, Hall 1996, Mayhew 1974). The most dominant explanation is that members make decisions that will ensure their reelection (Mayhew 1974). Although working on policy issues to ensure one's reelection is the most rational and dominant explanation, it is also rather limiting. There are many issues that members work on outside the purview of electoral constraint and perhaps there are other factors affecting how members of Congress make decisions.

Fenno (1973) claims, based on his classic study of congressional decision-making, that there are three factors that affect how members of Congress make decisions: rational reelection, gaining institutional status, and/or making good public policy. Adler and Wilkerson (2005) build on this and suggest that it is the *type* of political issue that determines the member's congressional activity. Thus, to best understand legislative behavior one should take into account 1) the language of

the proposed legislation and policy objectives and 2) the broader incentive structure for members of Congress (electoral, institutional, and individual factors).

In order to best understand congressional decision-making surrounding women's rights foreign policy, I look at WRFPP bill sponsorship. Platt and Sinclair-Chapman (2008) argue that bill sponsorship is a critical way members' define and solve problems. "Members of the House were willing to forsake control over the outcome of legislation because they viewed the introduction of that legislation as the more central task of representation: placing citizens' concerns onto the national agenda" (Platt and Sinclair-Chapman 2008; 30). A bill must be introduced before it can ever be passed so it is problematic to exclude bill sponsorship when it is clearly a necessity to the broader legislative process. Analyzing women's rights foreign policy bills reveals new insight on congressional motivation as well as provides a unique text to explore how members of Congress construct foreign women's problems (and solutions).

Women's rights foreign policy is situated between two policy domains: domestic women's rights policy and US foreign policy. Studies of congressional foreign policy entrepreneurship show that members are primarily driven by a concern for US strategic interest abroad (Krasner 1978, Nye 1999, Trubowitz 1998, Morgenthau 1978). Domestic interest groups (such as the ethnic lobbies, corporations, and human rights groups) do influence congressional foreign policy entrepreneurship (Paul and Paul 2009, McCormick and Mitchell 2007, Jacobs and Page 2005) but minimally. For the example, studies on the influence of global human rights on US foreign policy show US strategic interests trump global human

rights concerns, but mostly at the second stage of decision-making (Carleton and Stohl 1987, Apodaca and Stohl 1999).

Scholarship examining domestic women's rights policy entrepreneurship indicates that as the number of women Members of Congress increased, the US legislative agenda expanded to represent issues that matter to women as a group (Bratton and Haynie 1999; Carroll 2001; Poggione 2004; Reingold 1992; Swers 1998, 2002, 2005). Certain women members of Congress are committed to substantively improving the lives of women as a group and may have expanded their domestic women's rights agenda into US foreign policy (Carroll 2002).

But positions on "women's rights" in US domestic policy are often politically divisive, such as the controversy over abortion. These divisions may also hold true for specific women's issues in US foreign policy, such as the controversy over the global gag rule.³² Members of Congress would rather avoid taking issue positions on divisive issues in order to better appeal to the median voter. Consequently, explanations coming from the American politics literature would seem to predict no increase in women's rights foreign policy entrepreneurship (Mayhew 1974), since there is no clear incentive for members of Congress to get involved.

Mayhew (1974) also argues that members take issue positions to ingratiate themselves with specific interests in their constituency. Symbolic women's rights foreign policy bills, particularly those considered less controversial, may be ways for members to demonstrate a concern for women without sacrificing any political

³² Policy which prohibits recipients of US foreign aid from speaking of abortion

capital. Policies that target women's rights and are in the realm of US foreign policy present an interesting puzzle that demands investigation.

Congressional Women's Rights Foreign Policy Entrepreneurship

Scholarship on Congress consistently finds support for Fenno's (1973) three explanations for congressional behavior 1) to gain reelection; 2) to gain status within the institution and 3) to make good public policy. These motivations are not mutually exclusive and often overlap. Additionally, these motivations vary by the ideology of the member of Congress and the type of policy issue. In congressional foreign policy entrepreneurship, each of these explanations of motivation could possibly explain why members are introducing women's rights foreign policy legislation. First, one may work on a US foreign policy bill because her constituents demand to see troops pulled out of Iraq. Second, since working on foreign affairs holds some degree of prestige within the institution, it may offer a way for a member to gain status in Congress. Lastly, as much of Congressional foreign policy powers are off the public opinion radar, members of Congress may be motivated by a sense of building a better, peaceful world-- in short, to make "good" public policy.³³

As no prior scholarship has examined congressional decision-making on women's rights foreign policy legislation, I draw upon these standard explanations to situate my study of congressional behavior. I focus on the US House of Representatives because House members have an even greater concern towards reelection (given the two-year election cycle) than their Senate colleagues (Baker

³³ Delli Carpini and Keeter 1996

2002). Hence, these Members have even fewer incentives to introduce policies that target a population outside of their district. By analyzing the motivations of House members to introduce women's rights foreign policy (those who have the least incentive to do so), I show with some definitive evidence which factors are the most salient incentives for women's rights foreign policy entrepreneurship in Congress.

1) Rational Reelection

The most dominant explanation for all congressional behavior is Mayhew's (1974) rational reelection. This theory predicts that Members sponsor these bills to ensure reelection in their district. Since their district constituents elect the members of Congress, the member's primary objective is to maintain their political position and stay in office- as a form of anticipatory representation (Mansbridge 2003). Policy decisions should thus be made in accordance with how they will affect the chances of the member being reelected. Members of Congress are also under extreme pressure in terms of time and resources. Thus, a member may be working on women's rights foreign policy legislation to improve her or his chances of being reelected by their constituents.

Congress is different from the executive and bureaucratic branches of US government in that members draft US foreign policy objectives under greater influence of their electorate. Studies have attempted to assess the impact of domestic politics and public opinion on US foreign policy, with relatively mixed results (Almond 1950, Holsti 1992, 2009, Wittkopf 1994). Overall, certain foreign policy issues, e.g. the Iraq War, are salient with the general public and members do

respond to their constituents accordingly. But the majority of American foreign policy issues are not (Lindsay 1994).

Interest groups also play a vital role in crystalizing and motivating domestic interests. Beginning in the mid-1970s, there has been a substantial growth in the number of interest groups in the US that focus on US foreign policy goals (Hook 2012). Scholars have analyzed the impact of domestic interest groups, such as ethnic lobbies, religious organizations, or global human rights groups, on influencing congressional foreign policy decisions.

Given the history of migration in the US, scholars have played particular attention to how ethnicity affects US foreign policy construction (DeConde 1992, Smith 2000, Shain 1995). Much of this research was in response to Huntington's argument that the current waves of migrants to the US may be diminishing the coherence of American national interest abroad (1997, 2004). DeConde (1992) finds that there is a bias in US foreign policy towards white, Anglo-Saxon nations, particularly with the "special relationship" between the US and the UK. There is also evidence highlighting that the Israeli lobby is particularly influential on congressional US foreign policy decisions (Paul and Paul 2009, Mearsheimer and Walt 2006). But, overall, studies show that this lobby is the outlier among ethnic lobbies and congressional foreign policy influence.

Since many members of the US electorate have ethnic ties to another foreign nation-state due to centuries of immigration and the institution of slavery, specific foreign policy issues may offer electoral incentive. More specifically, human rights abuses can galvanize the US electorate, particularly when there are ethnic ties to the

region. McCormick and Mitchell (2007) find that the percentage of foreign born or percentage Black in a district contribute to likelihood that a member will join the Congressional Human Rights Caucus. Uscinski, Rocca, Sanchez, and Brenden (2009) examine congressional motivation to take action on the Darfur genocide, a global human rights issue in US foreign policy, and find that the higher the median income of the district, the greater the likelihood that a member will take action on Darfur. District factors also increase the probability of a member of Congress taking action on domestic women's rights policies. Swers (2002), in her study of what increases the probability of a member introducing a women's issue bill and finds the percentage of the population living in urban setting increases bill sponsorship.

Thus, a member of Congress may work on women's rights foreign policy out of an electoral incentive, perhaps to prove a commitment to women's rights on a global scale or as a commitment to human rights more broadly. The policy objectives may then also reflect how US domestic audiences define the rights of foreign women.

2) Gain Status within the Institution

When not directly motivated by the demands of their district, members of Congress are also motivated to work on policies that will help them gain status within the institution (Fenno 1973). Drafting foreign policy bills may be one tactic to achieve this. Congress is an institution of independent leaders attempting to work together. Issues of seniority and status are vital for members to be successful.

Particularly in the House, seniority and leadership are significant predictors of bill

sponsorship (Wawro 2001). Working on US foreign policy demonstrates a specific form of issue ownership. Initiating policy proposals demonstrates a commitment to the institution of Congress, the committees, and the work of Congress in general (Hall 1996). The Foreign Affairs committee is considered one of the more prestigious and influential committees, particularly for Members interested in pursuing executive office (Lindsay 1994, Carter and Scott 2009). So, to gain status in the institution, members may sponsor women's rights foreign policy bills to establish their own niche in US foreign policy. Foreign policy issues have national appeal, and thus members may use these issues to build credibility to run for executive office.

For both domestic women's issues and global human rights issues, studies show that being a member of the relevant committee contributes to relevant bill sponsorship (Swers 2002, Uscinski, Rocca, Sanchez, and Brenden 2009). Thus, members may be women's rights foreign policy entrepreneurs to demonstrate their commitment to being a good member of the Foreign Affairs committee (Kingdon 1989). Members on the Committee are obliged to participate in the workings of US foreign policy due to their institutional positioning. Committees have typically been the location where the work of law making takes place, though studies suggest less so in recent years (Sinclair 2012).

Additionally, working on foreign policy serves as a method to exert partisanship power in the institution. Carter and Scott (2009) in their study of congressional foreign policy entrepreneurship beginning in 1945, find that being a member of the majority political party in opposition to the party of the president

greatly increases the likelihood of congressional foreign policy entrepreneurship. Carter and Scott (2009) argue that this foreign policy activity challenges the presidential agenda as well as the legitimacy of the oppositional party. For example, Democrats may have used introduced more foreign policy bills on the issue of Afghani women post 9/11 as a way to challenge Republican President Bush's focus on and authority over these issues. Based on this research, members of Congress may be motivated to become women's rights foreign policy entrepreneurs in order to gain institutional status.

3) Make Good Public Policy

Fenno (1973), in his study of congressmen in committees, argues that in the domain of US foreign policy, members of Congress are primarily motivated by their desire to "make good public policy." Lindsay (1994), twenty years later, echoes this point and argues that beyond the need for reelection, members of Congress work on foreign policy because they are also either (1) personally motivated, (2) interested in creating good public policy, or (3) work on foreign affairs out of a sense of responsibility to their committee. The individual experiences of members of Congress are particularly important for understanding why members of Congress decide to become foreign policy entrepreneurs (Carter and Scott 2009) and the degree to which a Member is committed to a foreign policy issue (Burgin 1991). In their analysis of who influences US foreign policy, Jacobs and Page (2005) find that public opinion has minimal impact, suggesting that this policy domain has minimal constituent constraint.

US foreign policy offers the space for the individual members to exercise their own beliefs and understandings of “good” public policy (Burgin 1991, Hall 1996). In a study on the motivations for joining the Congressional Human Rights Caucus, McCormick and Mitchell (2007) find that personal ideology (more than party) holds the strongest predictive value for membership in the Caucus. Similarly, research on domestic women’s issues in Congress finds that members, particularly the women members in Congress, are motivated to put forth these bills out of the need to make good public policy for women (Swers 2002, Carroll 2002, Dodson 2006). Prior studies suggest that women’s rights foreign policy entrepreneurs are driven to make their own “good” policy. Members may be motivated to introduce women’s rights foreign policy as a way to make good public policy.

Representing Women’s Rights And US Foreign Policy Interests

In my research, I draw upon studies in American politics that have analyzed the representation of women’s rights in US domestic policy and studies on American foreign policy agenda-setting in Congress. I situate my study between these two specific fields of research. I expect that the congressional motivations behind and the policy objectives of women’s rights US foreign policy will reflect the research findings from both domestic women’s rights and American foreign policy entrepreneurship research.

Domestic Women’s Rights Policy Entrepreneurs Expanding to Foreign Policy

Domestic women's rights policy entrepreneurs, members of Congress who legislate on behalf of women's rights, may be expanding into US foreign policy. This expansion is most likely led by the women members of Congress. Women and politics research has continued to analyze the impact of women on male-dominated political institutions, often beginning with state governments where women were in greater numbers. Sue Thomas (1994), in her study of state legislators, found that women in public office are more likely to prioritize issues affecting women and children. Bratton and Haynie (1999) find that women legislators are more likely to add women's issues to state legislative agendas.

The substantive representation of women's interests, however they are defined, by the elected women occurs also at the federal level. Dodson (2006), based on extensive research with the Center for American Women and Politics, shows that the women in Congress have a substantive gendered policy impact and improve the representation of women's interests. Wolbrecht (2002) shows how the US policy agenda expanded to include women's rights due to the increase of women Members of Congress. Additional studies suggest that women members of Congress raise women's issues in public policy due to a sense of surrogate representation for women as a group (Mansbridge 2003, Carroll 2002). In Swers' study (2002) of the 103rd and 104th Congresses, women's issue bills were most likely to be sponsored by women in Congress, regardless of political party. This provides evidence that women in Congress substantively legislate on behalf of women as a group, beyond partisan divisions. These divisions do resurface though, when one breaks down the women's issues by feminist, anti-feminist, and social welfare issues (Swers 2002).

But, Swers concludes, women are still more likely to place women's issues on the domestic political agenda.

US interest groups have also expanded to target women's rights in US foreign policy. Some domestic US women's interest groups were only invited to weigh in on the "women's issues" of US foreign policy, instead of being included to advise on US foreign policy more generally. Goss (2009) shows how US women's interest groups abandoned their US foreign policy niche as general consultants and were limited to only advise on women's issues. This constrained domestic women's rights groups and restricted their foreign policy influence. Her argument centers on how US women's interest groups lost access to general US foreign policy.

My argument is slightly different. I argue that placing women's rights on the US foreign policy agenda demonstrates that women's specific needs should be addressed as a specific group and that this attention to women expands the parameters of US foreign policy. US women's groups were instrumental in getting members of Congress to place women's rights on the US domestic policy agenda (Costain and Fraizer 2002) and the interest groups play a vital role in helping members of Congress achieve their legislative goals (Hall and Deardoff 2006). Perhaps this is also the case for women's rights in US foreign policy.

More specifically, members of Congress who are women of color may be particularly interested in expanding domestic women's rights abroad. Carroll (2002), in her analysis of surrogate representation, found that the women of color in Congress were particularly vocal in their perceptions of surrogate representation towards women globally.

[A] few women of color expressed the belief that their responsibility to represent women extended beyond the borders of the United States. Taking a global view of the surrogate representative role, Representative Nydia Velazquez (D-NY) suggested that women legislators “have a responsibility that goes beyond women in America. . . .We have a responsibility to protect women elsewhere.” Representative Carrie Meek (D-FL) gave specific examples of situation where her sense of responsibility extends beyond the borders of the United States: ‘A woman who is raped in Bosnia by the troops who were there, or a woman who is raped in Haiti by coup members over there, a woman who has her genitalia mutilated in certain African societies. . . . I am partially responsible for that, for some amelioration of that, if at all possible” (Carroll 2002; 57).

Carroll concludes the women in Congress do feel a shared connection and responsibility to represent “women’s interests”- though their perception of what these interests may be varies. Additionally, these relationships of women’s representation are not clearly linear or transparent. In sum, domestic women’s rights policy entrepreneurs may be expanding their agenda to include US foreign policy. If so, the policy objectives and congressional motivations will reflect patterns of legislative behavior surrounding domestic women’s rights foreign policy.

American Foreign Policy Entrepreneurs Expanding to include Women’s Rights

Another possibility is that congressional foreign policy entrepreneurs are adding women’s rights to their traditional US foreign policy agenda. Foreign policies between any two nation-states rely upon systems of state sovereignty.³⁴ Congressional foreign policy entrepreneurs are adding women’s issues to their agenda and their bills are also more likely to gain broader congressional support and pass. Foreign policy entrepreneurs are also more likely to be members of the

³⁴ State sovereignty is a concept established by the Treaty of Westphalia (Hook 2013).

House Foreign Affairs committee and thus have better institutional position to move the bills forward (Krutz 2005).

Traditional US foreign policy objectives are grounded in the principles of protecting and promoting US national interests abroad. US foreign policy has a history of violating the Treaty of Westphalia and targeting civil society issues in foreign countries to serve US strategic interests. Perhaps, similar to the patterns of legislative behavior towards global human rights (Forsythe 1988), Congressional foreign policy entrepreneurs are now expanding their legislative agenda to include global women's rights as a US national interest. The women's foreign policy bills that gain the greatest congressional support and ultimately pass are likely to be the bills where concerns over the rights of women compliment the member's broader US foreign policy objectives.

Studies of Congress and US foreign policy are minimal, and typically assess the impact of provincial concerns on US national interests abroad. Research shows that US domestic forces, such as interest groups (Paul and Paul 2009, Jacobs and Page 2005, McCormick and Mitchell 2007), constituents (Almond 1950, Hosti 1992 Wittkopf 1994), and political parties (Carter and Scott 2009, Dahl 1950) have rarely deterred members of Congress from the standard US foreign policy objective of protecting and promoting US national interests overseas, which includes advocating democracy, promoting free trade, and protecting US strategic interests (Hook and Spanier 2012). Studies on gender and economic and political development have indicated that women are vital to achieving these objectives (Coleman 2004, Fish

2002, Summers 1994). Thus, perhaps Congressional foreign policy entrepreneurs are targeting women to achieve these US strategic interests.

Since no study has looked at women's issues in US foreign policy, I draw upon scholarship which has examined a similar foreign civil society issue that has been placed and prioritized on the US foreign policy agenda, that of global human rights. Studies find that global human rights violations matter in the first round of Congressional foreign policy decision-making but the national interests of the US ultimately matter more in the second round of decision-making (Cingranelli and Pasqualerri 1985, Carleton and Stohl 1987, Apodaca and Stohl 1999, Blanton 2000). This research suggests that Members would base foreign aid decisions on global human rights considerations as long as these concerns complemented, rather than conflicted with, US national interests. The case of global women's rights should be no different.

Research Implications

Overlooking the importance of gender dynamics in the construction of US foreign policy blurs critical dimensions that need to be examined in order to see the full picture. Scholarship needs to take gender into account for not only improving our understandings of US foreign policy but for international relations broadly speaking (Tickner and Sjoberg 2013). Women in foreign countries are increasingly specified as both the problems and solutions to global issues, such as poverty, disease, and terrorism. US foreign policy has expanded to include "women's rights" but scholarship has not yet investigated ultimately why this has happened and what

this may mean. This study offers insight into what factors members of Congress take into account when constructing the objectives of women's rights US foreign policies and what motivates the reelection-minded members of Congress to dedicate their limited time and resources towards either advancing or resisting these women's rights US foreign policies.

Women and politics scholarship has assessed the impact that women have had in addressing "women's rights" in US domestic policy. This study builds on these findings and tests if women are also leading the way in promoting women's rights in the context of US foreign policy. American Politics scholarship has analyzed factors contributing to congressional foreign policy entrepreneurship but has not yet assessed the potential impact of women, as both actors and targets of policy. International relations scholarship has rarely applied gender as a category of analysis. But some of the more recent IR scholarship that takes gender into account shows that advancing women's rights has significant positive policy outcomes on democratic development, economic stability, human rights, and reduces terrorism and violence. Understanding how women's rights matter to US foreign policy offers a foundation to evaluate the importance of gender for achieving these broad, liberal internationalist goals. Thus, analyzing the congressional motivations behind and policy objectives of women's rights US foreign policy has research implications for women and politics, American politics, and international relations scholarship.

Chapter 3.

Goals: Assessing Women's Rights Foreign Policy Objectives

The increased acceptance of women's rights around the world is one of the most substantive changes in societal norms in the last 100 years. But what exactly constitutes "women's rights"-- based on national and transnational norms is highly debatable—is highly debatable, especially if these rights are a reflection of societal norms (Risse-Kappen, Ropp, and Sikkink 1999). Each nation-state has its own laws that determine the legal rights of women. Each country has multiple factions contesting the definition, both inside and outside of the national borders. An additional impediment to a universal definition of women's rights is that women-like men- are heterogenous, different, separated by other identity vectors such as race, ethnicity, nationality, religion, economic class, language, sexual orientation, ability, and age (Yuval-Davis 2006), which has an impact on both rights sought and available to women across the globe. But women, as a categorical group, transcend all geopolitical borders and are roughly 50 percent of any nation, hence the world's population. Transnational activists historically organize around group rights for all women, such as the right to vote or right to be free from violence (Keck and Sikkink 1998). Transnational governance forums, such as the United Nations, European Union, and African Union, are also paying greater attention to advancing women's human rights, again with multiple actors competing over what these rights actually imply (Reilly 2009, Joachim 2003, Hawkesworth 2012).

Women's rights are not only a growing focus of domestic policy agendas but they are now on foreign policy agendas as well (Breuning 2001). But which global "women's rights" matter to a specific country and how do these women's rights reflect a country's domestic and foreign policy agenda? In terms of foreign policy, realism and idealism are the two general theoretical explanations for policy objectives. According to realist political theory, foreign policy is the way in which countries engage in the international sphere to gain power (Waltz 2001, Krasner 1978). Placing women's rights on the foreign policy agenda may just be a way to contribute to these objectives of gaining power within the international political order. By this rational, countries are interested in targeting women's rights to advance their own strategic interests abroad. Idealists, on the other hand are driven by moral and ideological objectives, such as liberal internationalism where in all nation-states are governed by liberal values such as democracy, free markets, and human rights (Wendt 1992, Slaughter 1997). Using idealist explanations, promoting women's rights will further the advancement of liberal values worldwide.

In democratic countries, the will of the domestic population matters and elected representatives are motivated to work on policies that ensure their reelection (Mayhew 1974). Domestic divisions over the rights and roles of women may spill over into foreign policy (Carter and Scott 2009). Foreign women's rights can provide a platform to further domestic feminist or anti-feminist positions with greater impunity. Thus, domestic factors may also influence the policy objectives of women's rights foreign policy. In sum, there are several plausible explanations for why women and girls may matter to a country's foreign policy agenda.

In my study, I focus on the United States, one of the greatest world powers, a democracy, and a country that has many longstanding factions arguing over the rights of women in US domestic policy (Huntington 1997, Andersen 1996, Faludi 2009). I ask what are the objectives of women's rights US foreign policy? Which foreign women's rights matter, how do they matter, where do they matter, to whom do they matter, and to what end? These questions are exploratory in nature, considering the limited amount of available scholarship on gender and American foreign policy in both international relations and American Politics scholarship. Foreign women have no electoral constraint over US members of Congress, so members have greater freedom to either ignore the needs of women in US foreign policy (most often the case) or to represent them in a manner that has no democratic accountability. To date, there has been no longitudinal analysis of women's rights in US foreign policy. Scholars have critically analyzed and compared specific moments of time (Ferguson 2005, Leatherman 2003) or specific policies (Crane and Dusenberry 2004).

I examine how members of Congress target "women" and "girls" in their US foreign policy bill language from 1973 to 2010. As discussed in the previous chapter, I consider these bills forms of "women's rights US foreign policy" (WRFP). This time period includes substantial changes in both US foreign policy objectives and rights towards women. The rights of women (in the US, in foreign countries, and as defined by the UN) and broader US foreign policy objectives significantly shifted during this time period. In 1973, Roe V. Wade was decided and the US was just coming out of the War in Vietnam. In 2010, Hillary Clinton was the US Secretary of State (the third

women to hold the position), thousands of US combat troops were in Afghanistan and Iraq, and the US had an expanded military presence in 74 countries worldwide and military bases in over 50 countries (Cooley 2012). I compare how the prevalence of differing types of women's rights US foreign policy bills shift over time and assess the impact of both domestic and global forces. Specifically, I analyze how women's rights US foreign policy shifted during each decade (73-80, 81-90, 91-00, and 01-10) to provide a nuanced picture of women's rights US foreign policy. From this, I suggest how US domestic and global political forces may have shaped how the US defines women's rights as a form of US foreign policy.

My aim in this chapter is to explore how the US constructs the rights of foreign women and girls in US foreign policy legislation. I do this by comparing the bill language of foreign policy bills that specifically address "women" or "girls" in the Congressional Research Service (CRS) summary of the bill. Bill introduction is the legislative process stage when members have the greatest freedom to craft bills that reflect their original ideas (Schiller 1995). Any member can introduce a bill on any topic when elected to office. During my select time period (1973-2010), I identify 317 women's rights US foreign policy bills. Drawing upon domestic women's rights and US foreign policy scholarship, I create a women's rights foreign policy typology that reflects the broader content objectives and intended audiences of women's rights foreign policy (WRFP). I then explore how the different types of WRFP change over time.

I expect that the international women's movement and domestic women's movement may influence the types of women's rights foreign policy bills introduced,

supporting the feminist aim of gender equality and equity. In addition, resistance to these feminist policy objectives may also influence how women's rights in US foreign policy are defined, rejecting these feminist goals. Given that the US Congress is a male-dominated institution and US foreign policy is a realm particularly governed by standards of hegemonic masculinity (Campbell 1998, Hooper 2001, Dean 2003), I also expect that there may be minimal concern for the rights of women. The traditional objectives of US foreign policy are to advance the US national interest, promote democracy, protect free trade, and advance global human rights (Hook 2008). Thus, the women's rights US foreign policy bills that dominate the US foreign policy agenda I argue will likely be bills that satisfy both feminist and traditional US foreign policy objectives.

One goal of my research is to provide richer information so that one can better assess the relationship between gender ideology and international relations. There is no clear agreement on how women's rights matter to US foreign policy. There has been a great deal of media attention directed towards the importance of both saving and/or empowering women in foreign countries. "Saving Women" is an effective trope to galvanize public sympathy and broader support for military action (Carpenter 2013, Abu-Lughod 2002, Young 2003). This is not to discount the millions of women who face bodily harm and oppression based on their gender. "Empowering Women" also has been critiqued as a cloak for achieving neoliberal objectives rather than substantive power for women (Eisenstein 2009, McRobbie 2009, Parpart, Rai, and Staudt 2004, True 2003). This is also not to discount the impact of feminist consciousness raising groups as spaces for women's

empowerment and the importance of empowerment for women's freedom and liberty (Mosedale 2005, Batliwala 1994). There has been no systemic analysis of what the US does in terms of specifically addressing the needs of women (and girls) in foreign countries and, more importantly, no assessment of the broader policy objectives behind these women's rights foreign policies.

My analysis provides one perspective, over time, of how members of the US Congress "represent" the needs, and I argue ultimately, the rights of women in foreign countries. Political theorist Michael Saward (2006) argues that political representation has transformed. He argues that how policies portray and define select groups, regardless of the democratic relationship, is a form of political representation. The depiction and portrayal of others, as Saward argues, has an effect on how interests are legitimized and are highly critical as traditional modes of governance shift away from state-centric modes to informal, more plural forms of local, national, and supranational levels of civic engagement (179).

In this chapter, I first briefly highlight the multiple factors that need to be considered when analyzing women's rights as a form of US foreign policy. Second, I summarize how I developed my typology to categorize the multiple policy objectives behind WRFPP bills, divided by content (State, Economy, Body) and audience (UN, US Foreign Policy Administration, Public Diplomacy). Third, I show how the percentage of women's rights foreign policy increases over time and

describe the trends I found analyzing the 317 WRFPP bills of my sample. Then I compare how these overall trends differ by decade (73-80, 81-90, 91-00,01-10).³⁵

For each time period, I summarize the partisan dynamics between the US executive and the US House and US Senate, the percentage of women in the US House, and several of the significant events relevant to the types of WRFPP introduced. I include the partisan dynamics between the House and Senate because Carter and Scott (2009) show how members of Congress are more active on foreign policy issues when they are in the majority party in opposition to the party of the President. I also include the percentage of women in the US House, given that prior research suggests that women have a substantive impact expanding US legislation to address the needs of women and girls more broadly (Wolbrecht 2002).

As an institutional context factor, I include relevant basic gender and partisan dynamics. I find that as the percentage of women members of Congress increases, so does the percentage of attention towards women's rights in foreign policy-but the relationship is far from linear. I show how under differing partisan executive/legislative dynamics, the percentage of WRFPP almost always increases. More research is needed to assess the causal impact of these institutional dynamics on congressional WRFPP entrepreneurship. Each of these decade sections (70s, 80s, 90s, and 00s) serves as a potential starting point. In my analysis of policy objectives, I provide a grand summary of each type of WRFPP introduced over time in Graph 4.

³⁵ Due to data access limitations, I had to begin my study in the 93rd rather than 92nd congress. Thomas does not have the legislation of the 92nd Congress available in digital format, a necessary condition to ensure equal search conditions for case selection.

With these snapshots of WRFPP objectives, in each decade and overall, I conclude with my argument of how women's rights matter to US foreign policy goals.

Creating a Women's Rights US Foreign Policy Objective Typology

To create the WRFPP typology, I draw on studies of US foreign policy, domestic women's rights, public agenda setting and global human rights legislation in the US Congress (Baumgartner and Jones 1993, Carter and Scott 2009, Apodaca 2006, Swers 2002, Wolbrecht 2002, Forsythe 1988, Brecher, Steinberg, and Stein 1969). I explore how the "policy problem" of foreign women and girls is constructed and show the two overarching ways in which all of the WRFPP bills differ: they differ based on the *content* of the bill and the bill's intended *audience*.

Content

There are many ways in which you could categorize women's rights US foreign policy bills, given their diversity and richness in content. I draw primarily on the Brecher, Steinberg, and Stein (1969) typology of foreign policy. They classify all US foreign policy as either Military-Security, Political-Diplomatic, Economic-Development, or Cultural-Status. The Military-Security issue area comprises all issues that focus on questions pertaining to violence and those perceived by the foreign policy elite as constituting a security threat. The Political-Diplomatic issue area covers the spectrum of foreign policy interaction at each of the three levels of the external environment-global, subordinate, and bilateral- except for those dealing with violence, material resources, and cultural and status relations. The Economic-

Development issue area comprises all those issues that involve the acquisition and allocation of resources, such as trade, aid, and foreign investment. The Cultural-Status issue area consists of foreign policy issues involving cultural, educational, and scientific exchanges. These are the least likely to occur in Congress (more often within the State Department). Carter and Scott (2009), in their study of congressional foreign policy entrepreneurship, also utilize this method of foreign policy classification.

I also draw upon feminist theory and human rights scholarship when analyzing the content of WRFPP bills. Scholars have categorized types of human rights as either civil and political rights (as protected by the UN Universal Declaration of Human Rights and UN International Covenant on Civil and Political Rights) or economic, social, and cultural rights (as protected by the UN International Covenant on Economic, Social, and Cultural Rights). Civil and political rights protect citizens from state intrusion in their lives and are considered less costly as “first generation rights.” Examples of this are; the right to a fair trial, right to vote, right to free speech, etc. Second generation rights are more economic, social, and cultural in scope. These rights aim at protecting quality of life concerns, such as the right to be employed, right to adequate health care, and the right to social security (Donnelly 2013) There is also discussion of third generation rights. These rights are based in environmental concerns, such as the right to natural resources and a healthy environment.

Arguing for women’s rights is not the same as arguing for human rights. Feminist scholars have highlighted how the human rights framework has a male-

bias. This “Universal Human” that the universal human rights frameworks are designed to protect is all too often assumed to be a man (Ife 2012, Bunch 1990). Feminist activists and scholars critique how these universal frameworks do not necessarily address the concerns of women as a population. Being free from gender-based violence and having access to reproductive health are the two primary concerns that transnational activists around the world have drawn attention to as specific women’s human rights issues (Joachim 2007). Feminist theory has pointed out how women are categorized as “other” due to differences between women’s and men’s bodies, the men’s bodies being the norm or standard. This can lead to women being objectified as nothing more than their bodies (Lorber and Moore 2007, Schiebinger 2000). This objectification, primarily sexual objectification, is then amplified by race (Roberts 2014).

Based on prior research and my own observations, I categorized the content of women’s rights foreign policy along three axioms: Body, State, and Economy. Though many of the bills can be classified as more than one of these types, I code each bill for its primary and central content focus. Future research and analysis can examine how these issues overlap and conflict.

Body: Although the Military-Security issue area in the Brecher, Steinberg, and Stein (1969) typology may be primarily associated with organized violence (such as troop deployment and weaponry), I apply this to human security, specifically women’s human security. Bills that focus on preserving women’s bodily integrity and health, such as femicide, gender-based violence against women, honor killings, women

suicide-bombers, maternal mortality, HIV/AIDS, and rape as a weapon of war I categorize as “Body,” since they are aiming to protect foreign women’s bodies from violence and health dangers.

State: Similar to the Political-Diplomatic issue area in the Brecher, Steinberg, and Stein (1969) typology, I classify WRFPP bills that target women’s rights as political actors as “State” bills. For example, these are WRFPP bills that promote women’s rights as voters, applaud women as elected officials, advance women’s right to education, and support UN treaties and conventions as forms of transnational governance.

Economy: Finally, I classify bills that reflect the Economic-Development issue area of the Brecher, Steinberg, and Stein (1969) typology as “Economy” WRFPP bills. This comprises all those issues that involve the acquisition and allocation of resources, such as trade, aid, and foreign investment. These bills are centrally focused on women’s access and participation in the market economy, e.g., issues regarding women and microcredit, women and foreign aid, and women and development.

Audience

Foreign policy is a forum in which the US interacts with the international political sphere. In my study, I find that WRFPP bills substantially differ in whom they are attempting to persuade to take action. WRFPP bills can be spotlighting the actions of specific countries, directing the US foreign policy administration, or targeting the United Nations. Based on my content analysis of the WRFPP bills, I suggest that these

are the three central audiences for women's rights US foreign policy in Congress. These audiences differ primarily in terms of the degree of congressional power. Congress has no direct power over foreign nation-states but can attempt to influence behavior through diplomatic efforts. Congress does have oversight and budgetary power over the US foreign policy administration (how much the US gives to whom and for what causes). Finally, Congress can advance the aims of broader transnational systems of power, such as the UN, that may or may not affect the sovereignty of the US. Though only the Senate has the official power to ratify Treaties, the House can also use legislation as a way to draw attention to an issue and build broader domestic support for their passage.

United Nations: First, the WRFPP bill may be aimed at a transnational audience that supports the United Nations as a form of global governance. Several resolutions and treaties adopted by the United Nations target the rights of women as a global category. WRFPP bills could be ways to bolster US support and promote the legitimacy of the UN for domestic and global interests. Several UN resolutions encourage and advance the rights of women. The WRFPP bills may use these UN resolutions, conventions, and declarations as a way to bolster the rights of women not only in the US but globally.

US Foreign Policy Administration: Secondly, the bill's audience could be the various US foreign policy agencies that execute US foreign policy, such as the US Department of Defense and the Department of State (particularly through foreign aid). Congress has significant foreign policy power in terms of oversight of the agencies and the power of the purse. Bills may be directing the US foreign policy

administration to pay greater attention to women as a group in their substantive work or to allocate more funds to projects that target women.

Public Diplomacy: Finally, the intended audience of the bill may be a specific foreign nation-state or foreign region. One way that members of Congress attempt to influence US foreign policy is by crafting US foreign policy bill language directed at a foreign country. Forsythe (1988), in his study of US human rights legislation, considered these types of bills as forms of public diplomacy. These bills generally “express the sense of the US Congress” regarding a specific issue. Similar to UN bills, these bills are ways in which members draw attention to a specific issue happening in a foreign country. I consider these bills forms of public diplomacy and their audience is country specific.

The audience of the policy is as important as the content of the bill. Bills directed at the UN legitimize transnational governance. Bills directed towards the US foreign policy administration could result in substantive changes in how the US engages abroad. These bills are methods of communication, ways for members of Congress to suggest federal agency reform. Agencies may even adopt these reforms, whether or not the bill ultimately passes Congress. Bills directed at foreign countries aim to draw attention to specific issues, most often to shame or praise behaviors in foreign countries. The audience addresses different stakeholders in the policy process. Bills are ways members of Congress can draw the attention towards a specific issue and influence the foreign policy agenda. Table 1 below describes my resulting typology for women’s rights US foreign policy.

Table 1: Women’s Rights US Foreign Policy Typology by Audience and Content

		AUDIENCE		
		United Nations	US Foreign Policy Administration	Public Diplomacy
CONTENT	State	Bills that target women’s political rights in terms of specific UN documents. An example of this is the bill supporting the ratification of CEDAW. ³⁶	Bills that target women’s political rights in terms of US foreign policy administration. These bills are most often directed towards the Department of State. An example of this is the International Women’s Freedom Act.	Bills that “express the sense of Congress” in relation to women’s political rights in a specific foreign country. An example of this is a bill commending Iraqi women for their participation in Iraqi government and civil society.
	Economy	Bills that target women’s economic rights that draw upon specific UN documents. An example of this is the bill supporting the aims UN conference on Environment and Development.	Bills that target women’s economic rights in terms of US foreign policy administration. These bills are most often directed to USAID (Agency for International Development). An example of this is GROWTH (Global Resources and Opportunities for Women to Thrive) Act.	Bills that “express the sense of Congress” in relation to women’s economic rights in a specific foreign country. Examples of this are bills commending foreign businesses and economies that have taken steps to include women
	Body	Bills that target women’s rights to their body/ health that draw upon specific UN documents, such as the UN Convention on Violence Against women	Bills that target women’s rights to their body/ health in terms of US foreign policy administration. These bills are also most often directed to USAID. An example of this is the Afghan Women and Children Act.	Bills that “express the sense of Congress” in relation to women’s rights to their body/ health in a specific foreign country. Examples of this are bills shaming honor killings or drawing attention to HIV/AIDS in a specific country or region.

Time Line: 1973-2010

There are several reasons why I have chosen to begin this study in 1973. This was an important year for both women’s rights and US foreign policy. First, the early

³⁶ CEDAW refers to the Convention on the Elimination of All Forms of Discrimination Against Women

70s is the moment in time when identity-based interest groups gained legitimacy for influencing not only US domestic policy but also US foreign policy (Nye, Rachman, Mead, and Mearsheimer, 2012, Hook 2008). Second, this is a vital starting point for not only the growth of identity-based interest groups but also shifts in US foreign policy. As the Vietnam War was drawing to a close, the foreign policy establishment was reflecting on the importance of civil society, the “hearts and minds”, for achieving US foreign policy objectives (Hook 2008). Third, this is also the turning point for how the US legitimizes the importance of human rights, which scholars argue began by pressure from Congress (Forsythe 1988). It is also in 1973 that the US Agency for Development (USAID) introduced the Office of Women and Development, in response to pressure from feminist activists (Fraser and Tinker 2004).

Beginning in 1973 is also helpful for comparing the impact of the global women’s movement as a transnational advocacy network. The UN declared 1975 the International Year of the Women and the following ten years (1976-85) as the International Decade of Women. International meetings on global women’s rights have continued every five years since. My study shows how often the United Nations is the audience for US women’s rights foreign policy. The international meetings provided the space for the US to engage in conversations on how women’s rights are defined on a domestic, national, and international context.

In 1973, there were several significant changes in US foreign policy to begin to address the needs and rights of women. The Percy Amendment to the U.S. Foreign Assistance Act was passed in 1973, requiring U.S. bilateral assistance to integrate

women into the market economies of developing countries. Mildred Marcy, former head of the League of Women Voters' Overseas Education Fund, had drafted the resolution and her husband, a US Senate staff member, helped to get the Act introduced. This was a major breakthrough considering that women were essentially invisible prior to this in development policy (Banaszak 2010, Fraser and Tinker 2004). In many rural developing economies women were farmers, yet US foreign aid for agricultural support consistently directed its efforts towards men (Bryceson 1995, Gladwin and McMillan 1989).

Because of this amendment, the first Women In Development (WID) office opened in US Agency for International Development (USAID) in 1974, led by feminist political activist Arvonne Fraser (wife of House Foreign Affairs Committee member Donald Fraser). Fraser states "that most USAID employees worked under the assumptions that economic development was primary, that modern infrastructure was the means to that end, and that women were the dependents of men. A big part of our job was to challenge those assumptions," (Fraser 2004, 169). Though their budget was limited, the USAID WID office expanded greatly during Fraser's reign, where she grew the budget from \$300,000 to \$10 million in 1980 (Banaszak 2010, 157).

The Helms Amendment was also passed in 1973, which blocked the direct use of US foreign assistance for activities by both recipient NGOs and governments that are related to the provision or promotion of abortion. The Helms Amendment was introduced in the wake of the US Supreme Court *Roe V. Wade* decision that granted access to abortion in US domestic policy as women's legal right. The Helms

Amendment also created the statute governing how US foreign assistance would support family planning agencies. Beginning in 1973, foreign women's rights began to draw US foreign policy attention.

Finally, this time frame begins when women are only 3 percent of Congressional members (93rd Congress, 1973-74) and concludes when women constitute only 17 percent (111th Congress, 2009-10). The numbers are even starker for women of color, with only 38 women of color ever serving in Congress during this time frame (roughly 2 percent). Congress clearly remains a gendered and raced institution (Hawkesworth 2003). This is why it is vital to analyze how this white, male-dominated institution has historically represented the needs and rights of foreign women, who most often are not white. This data offers a new platform to assess the impact of colonial gender narratives and the pervasiveness of, as feminist theorist Gayatri Spivak (1988) argues, "white men saving brown women from brown men."

In sum, this time frame begins at critical juncture in US foreign and domestic policy as well as captures several other significant political events that may influence women's rights US foreign policy legislation: the expansion of the global women's movement, shifts in US foreign policy attention to civil society, the War on Terror, differing partisan dynamics, the establishment of identity-based interest groups, changes in the US feminist agenda, and the increase of women in Congress. Each of these factors may affect how foreign women (and girls) are represented in US foreign policy.

Results and Analysis

I find that women's rights in foreign countries matter at different times and in different ways in US foreign policy. Given the extended time frame, there may be multiple explanations as to why certain types of women's rights US foreign policy bills emerge at specific moments. These bills are a reflection of the intersection of both US domestic and US global politics. Table 2 shows the types and audiences of women's rights foreign policy bills between 1973-2010 (as a percentage of all US bills referred to the House Committee on Foreign Affairs, what I consider foreign policy bills). Figure 1 below highlights not only when there is a substantial increase of women's rights foreign policy bills but also how few foreign policy bills overall draw attention to the rights of women.

During the 107th Congress (2001-02), seven percent of all US foreign policy bills drew attention to the rights of women, the greatest percentage in my 19 Congress sample. The 107th Congress is the session that includes the attacks of 9/11, so there was likely increased policy attention towards all forms of US foreign policy by members of Congress after that significant event. Even so, the proportion of US foreign policy bills that address the rights of women and/or girls also substantially increased. Women's rights appear to matter for the "War on Terror," which Bush publicly began after the attack on the World Trade Center and Pentagon on September 11th, 2001.

Policy Objective Trends

Figure 1: Prevalence of Women's Rights Foreign Policy (WRFP) bills out of all US Foreign Policy (FP) Bills, US House of Representatives, 1973-2010

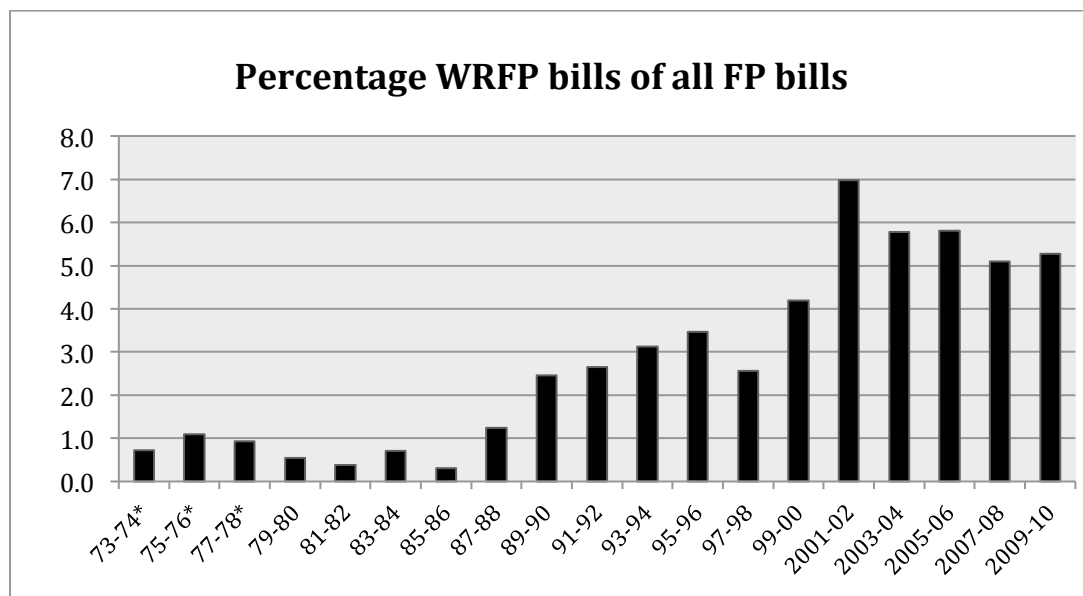


Table 2: Total Number of Each Type of WRFP, 1973-2010
(Percentages in Parenthesis, Mode is in Bold)

	United Nations	US Foreign Policy Administration	Public Diplomacy	Total (rows)
State	45 (14.2)	21 (6.6)	69 (21.8)	135 (42.5)
Economy	2 (0.6)	65 (20.5)	10 (3.2)	77 (24.3)
Body	7 (2.3)	60 (18.9)	38 (13.0)	105 (33.1)
Total (columns)	54 (17.0)	146 (46.0)	117 (37)	317

For the 317 WRFP bills in my study, I find three types of WRFP that are the most prevalent during the entire time period. The most common type of WRFP bill (N=69) is a form of public diplomacy regarding women's political rights, at nearly 22 percent. An example of this would be the bill introduced by Representative Eddie Bernice Johnson (D-TX) "Expressing the sense of Congress that the United States should provide assistance for women and women's organizations in Iraq in order to

strengthen and stabilize the emerging Iraqi democracy” in the 109th Congress (2005-06). Many of these bills commend women in specific countries for their political success or shame countries for abusing women’s political rights.

The second most prevalent type of bill targets women’s economic rights via the US foreign policy administration, at nearly 21 percent of all bills. An example of the type of bill is the Micro-Credit for Self-Reliance Act of 1997 introduced by Representative Amory “Amo” Houghton (R-NY), which had several clauses that described how women in poverty in foreign countries have unique needs and the bill earmarked specific funds for women’s access to microcredit.

WRFP bills that focus on protecting women’s bodies (HIV, maternal mortality, rape, violence, obstetric fistula, honor killings) through the US foreign policy administration are the third most prevalent, with 60 bills- making up roughly 19 percent of WRFPs. An example of this type of bill would be the “Women and Children in Conflict Protection Act of 2003” introduced by Representative Nita Lowery (D-NY) which instructs US embassies abroad to track gender-based violence incidents and provides stricter enforcement mechanisms to protect women and children in conflict-protection zones.

Combined, these three types of bills constitute 60 percent of all women’s rights foreign policy bills introduced between 1973 and 2010. The question remains, are these overall patterns consistent over time or do the types vary by specific time period? To better assess the role of domestic and global politics, I separate the bills by decade. Decades provide a more nuanced “cut” of the data observed. Analysis by decade shows how women’s rights foreign policies vary over

time, how the broader congressional and global political context influence the content of women's rights bills, and the shifting of WRFPP bill audiences.

Figure 2: Trends in the Content of WRFPP, 1973-2010

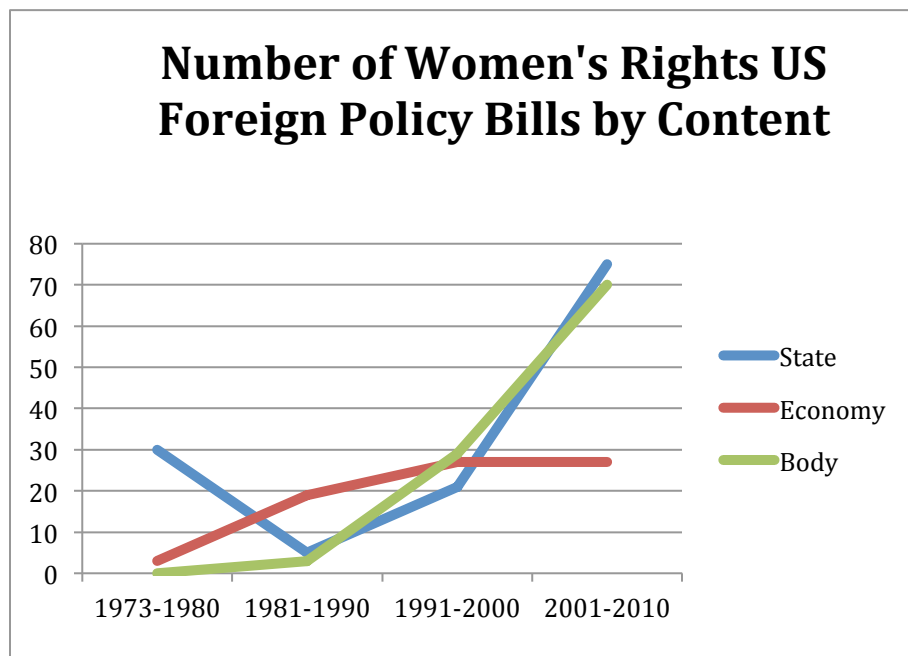


Figure 2 illustrates how the content of WRFPP changed over the 37-year time frame.

There was a steady increase in the number of bills aimed at women's role in economic development through 1990. The introduction of these bills plateaued in the '90s and early 2000s. Women's right to their body drew some policy attention in the '80s, but starkly increased in the '90s and 2000s. What is particularly interesting is the U shape of the trend in women's political rights. There was a great deal of policy attention in the 70s, a clear dip in the 80s, a small increase in the 90s, and a marked increase in the 2000s, with women's political rights again becoming the most common type of WRFPP bill in the 21st century. Over time, the number and

proportion of bills focusing on the body and women's political rights have grown substantially more than bills focusing on women's economic rights.

Figure 3: Trends in the Audience for WRFP Bills Over Time, 1973-2010

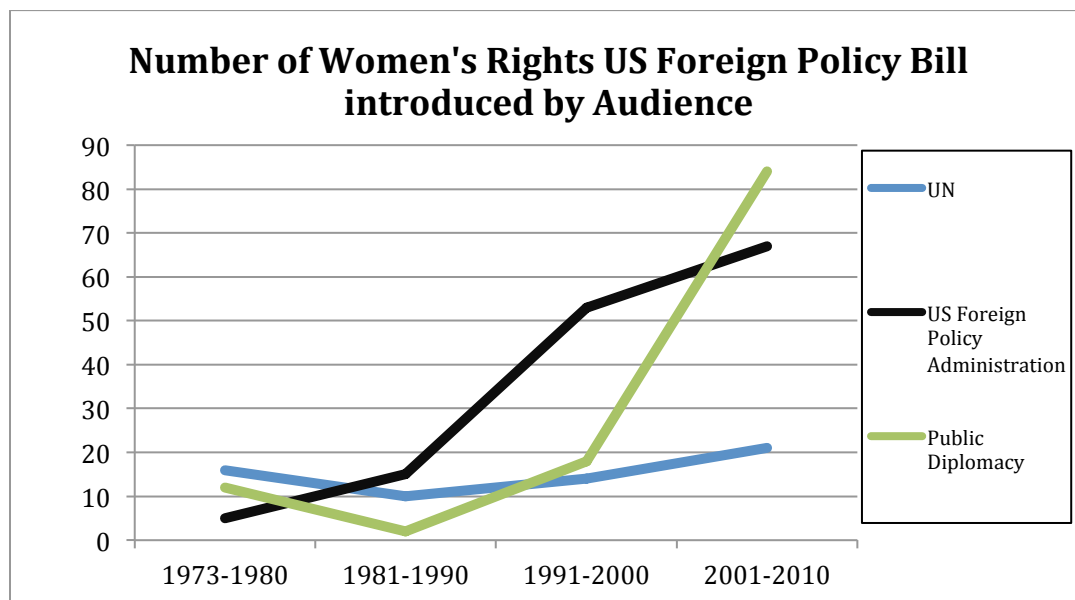


Figure 3 above illustrates how the audience of WRFP also changes over time. In the '70s, the UN is the primary audience for all WRFP bills, and the number of UN WRFP bills remains relatively constant over the entire time period. By the 80s, attention towards the US foreign policy administration increases. In the 90s, there is a surge in addressing how the US foreign policy administration treats women. In the 2000s, there is a dramatic increase in the use of women's rights as a form of public diplomacy, as foreign countries become the dominant audience.

These differing types of WRFP vary by both content and audience over the 37-year time period. In the following sections, I will illustrate the prominence of each type of WRFP during each decade and explore how certain types gain greater prominence than others. Based on these findings, I offer explanations as to how

certain domestic and global events shape the policy objectives of women's rights foreign policy and how women's rights matter to US foreign policy.

1973-1980: Global Sisterhood

Table 3: Types of Women's Rights Foreign Policy, 1973-1980
(Percentages in Parenthesis, Mode is in Bold)

	United Nations	US Foreign Policy Administration	Public Diplomacy	Total (Rows)
State	16 (48.5)	2 (6.0)	12 (36.4)	30 (81.9)
Economy	0 (0)	3 (9.1)	0 (0)	3 (9.1)
Body	0 (0)	0 (0)	0 (0)	0 (0)
Total (columns)	16 (48.5)	5 (15.1)	12 (36.4)	33

The 70s are often characterized as the era when feminist politics resurged, stimulated in part by the treatment of women in the Civil Rights and Anti-War social movements (Evans 1979). At this time, there was an expansion in US domestic legislation to address the rights of women (Wolbrecht 2002). The women's liberation movement was growing in the US and the National Organization of Women (NOW) had grown and had been energized by a campaign to ratify the Equal Rights Amendment (ERA) in the states (Freeman 1995). But also, beginning in January 1973, Phyllis Schlafly organized the national "Stop the ERA" campaign to resist these feminist efforts in the US. This battle over the ERA symbolized the contention within the domestic women's movement. In Congress, Democrats were the majority political party in both the US House and Senate. The President between for the 93rd and 94th Congress (1973-1976) was Republican Gerald Ford. The

President for the 95th and 96th Congress (1977-80) was Democrat Jimmy Carter. Carter was particularly known for his support of the United Nations (Hook 2008). The average percentage of women in the US House was 4 percent, thus men made up 96 percent of the members (CAWP).

Between 1973 and 1980, 33 women's rights foreign policy bills were introduced. The majority of the WRFP bills introduced to Congress focused on women's political rights (over 80 percent) and the dominant audience was the United Nations (nearly 50 percent). The United Nations had declared 1975 the first ever International Year of the Woman and delegates from around the world met to draw attention to how global problems affect women specifically. This culminated in the 1975 International Year of the Woman Conference in Mexico City, Mexico, and was followed by the UN Decade for Women, 1976-1985 (Pietilä and Vickers 1990). After several years of debate and deliberation, the UN global women's human rights treaty, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), was ratified by the UN in 1979 (Joachim 2003). From this point forward, women's rights were a more integrated component of the UN global political agenda.

There were three other types of WRFP bills introduced to Congress in the 70s. There were several bills that congratulated the women's peace movement in Northern Ireland, targeting Northern Ireland as an audience. Representative Helen Milner (D-NJ) introduced a bill in 1977 that "declares that the House of Representatives applauds the efforts of the Women's Peace Movement to end

violence in Northern Ireland,” (H.R. 342). This bill is a form of public diplomacy that focuses on women’s political role in the state.

There were also bills that drew attention to the role of women in development and food assistance. This is particularly important given that development aid prior to this completely overlooked women’s economic role in foreign countries. In the International Development and Food Assistance Act of 1977 introduced by Representative Clement Zablocki (D-WI), then Chair of the House Foreign Affairs Committee, included language that directed “up to \$10,000,000 be made available each fiscal year to encourage and promote the participation and integration of women as equal partners in the development process.” This bill became public law in 1978 (www.thomas.gov). UN agricultural scientist Esther Boserup’s 1970 classic “Women’s Role in Economic Development” fundamentally changed the way development programs viewed women (Mies 1998). This move to include women as active agents to change development models found some support in the US feminist movement but minimal support amongst development agencies (Fraser 2004). There were also several bills that drew attention to the political status of women worldwide via the International Women’s Year but they did not focus on the UN but rather on the US foreign policy administration.

During this time, US Members of Congress most often drafted WRFPP bills in support of the global women’s movement by funding a delegation to attend the UN Conferences in 1975 (Mexico City) and the Mid-Decade Review Conference in 1980 (Copenhagen). These “global sisterhood” bills also served as platforms for members

to demonstrate support for women's rights for both domestic and global audiences. For example, Representative Robert Roe (D-NJ) introduced a WRFPP bill in the 94th Congress (1975-76) that "expresses the sense of Congress that: (1) the designation of 1975 as International Women's Year is welcomed and full support is expressed for the goals for the year as proclaimed by the Secretary General of the United Nations and the President of the United States; (2) cooperation in observance of the year is urged on the part of all concerned people, official and private, men and women, to insure that constructive measures are taken to advance the rights and responsibilities of women during 1975; and (3) a concerted effort should be made to insure that 1975 is a year for the launching of new programs and the forming of new attitudes toward the role of women," (H.R.212).

Other bills introduced at this time illustrate how US strategic interests played a role in setting WRFPP objectives. During the 96th Congress (1979-80) in House Resolution 735, Andrew Maguire (D-NJ) expressed his disappointment that Palestinian women were allowed to be on the UN agenda at the Mid-Decade Conference on Women as an "intrusion of political issues." Chair of the House Committee on Foreign Affairs, Representative Clement Zablocki (D-WI) introduced two similar bills during the 96th Congress. Both resolutions instructed the US delegates to the 1980 UN Copenhagen conference on women to support the goals of advancing women's health, education, and employment. Resolution H.R. 738 instructed these delegates to sign CEDAW. The second resolution, H.R. 748 did not include this provision and it was this version that ultimately passed the House.³⁷ In

³⁷ At the time of this publication, the US Senate still has not been ratified CEDAW.

sum, I find that the majority of the WRFPP bills introduced during this time reflect the transnational attention towards the rights of all women, a global sisterhood of sorts, spurred primarily by the actions of the UN towards promoting women's rights.

The majority of the women's rights foreign policy bills introduced between 1973 and 1980: 1) addressed women's political rights and were directed towards the UN (48.5 percent); 2) addressed women's political rights and were directed towards specific foreign countries (36.4 percent); or 3) focused on reforming the US foreign policy administration to advance women's economic rights (9.1 percent). I refer to this decade as the global sisterhood era due to the propensity of WRFPP bills that responded to the growing UN women's rights agenda. The United Nations, as a transnational governing body, reflects a global, multilateral approach to legislation rather than a country-specific or administrative approach. Beyond their responses to the UN, members of Congress rarely took legislative action to draw attention to women's rights abroad through US foreign policy.

1981-90: Economics and Family Planning

Table 4: Types of Women's Rights Foreign Policy, 1981-1990
(Percentages in Parenthesis, Mode is in Bold)

	United Nations	US foreign policy administration	Public Diplomacy	Total (rows)
State	1 (4.0)	2 (7.4)	2 (7.4)	5 (18.5)
Economy	9 (33.3)	10 (37.0)	0 (0)	19 (70.4)
Body	0 (0)	3 (11.1)	0 (0)	3 (11.1)
Total (columns)	10 (37.0)	15 (55.6)	2 (7.4)	27

Republican President Ronald Reagan was elected at the start of this decade, reflecting a more conservative tone in American politics. In the 97th Congress (1981-82), Republicans gained control of the US Senate, the first time Republicans controlled either chamber since 1953. They kept partisan control until 1987. However, Democrats retained the majority of the seats in the US House throughout the eighties. The decade is noted for President Reagan's economic reforms such as limiting government and neoliberal approaches. The average percentage of women in Congress during this decade was 5 percent (CAWP). Thus, roughly one out of every twenty members of the US House of Representatives was a woman.

During the 80s, there was a decline in the percentage of US foreign policy bills that addressed the needs of women or girls. I argue that this is due to two major reasons. The first is a rules change. Members no longer needed to reintroduce bills to accommodate cosponsors. Prior to the 96th Congress (1979-80), only 25 cosponsors were allowed on a bill.³⁸ Thus, members would reintroduce bills to accommodate more members as bill cosponsors. After this rule change, a bill could have unlimited cosponsors and the need to have duplicate bills to accommodate additional cosponsors was eliminated. Second of all, the Republican party came into greater legislative power. As a result, there was less attention towards both domestic and global women's rights and greater attention towards Cold War politics. Anti-feminist groups and fundamentalist Christian groups, such as the Eagle Forum and the Moral Majority, also held greater political sway in domestic politics.

³⁸ Prior to the 91st Congress (1969-70), only one cosponsor was allowed on a bill. <http://www.congressionalbills.org/trends.html>.

Despite the low numbers of WRFPP bills introduced, the most prevalent type of WRFPP bill in terms of content during this time period is the focus on women as agents of economic development. Over 70 percent of the WRFPP bills introduced during the 80s dealt with women and economic development abroad. During this decade, the first ever “Women in Development Act” was introduced by Representative Mickey Leland on March 1st, 1988. Leland, a Black Democratic congressman from Texas, was known for his world hunger concerns, particularly in the areas of Sudan and Ethiopia. The act, which did not pass, prioritized the Women in Development (WID) office and purposed to switch the WID’s aid maximum allocation of \$10,00,000 (set by prior US Foreign Assistance Acts) to the *minimum* allocation for women in development programs. In addition, members connected women’s economic development to programs that were beginning to be established within the United Nations to provide women with financial resources. Women’s role in economic development became solidified.

In terms of audience, the majority of the WRFPP bills were directed towards reforming the US foreign policy administration. What is also interesting is that during this era, several more WRFPP bills were introduced that reflected public diplomatic objectives. The WRFPP bills that were introduced described the oppressive acts towards women by Soviet Union-occupied Afghanistan and the killing of the nuns in El Salvador. For example, Representative David Dreier (R-CA) introduced a resolution in 1987 that expressed “the sense of the Congress that the Soviet Union’s treatment of women and children in its occupation of Afghanistan is a particularly heinous abuse of internationally recognized human rights,” (H.R.225).

Since the bill prioritized how a specific country abuses the rights of women, I categorize the bill content as connected to the state and the audience is a foreign country (Soviet Union). Thus the bill is a form of public diplomacy. This is the first time the rights of women in Afghanistan are specifically addressed in congressional US foreign policy.

Several bills introduced at this time also target women's bodies, more specifically how the US foreign policy administration treats access to family planning services in foreign countries. President Ronald Reagan put into place the Mexico City policy in 1984. This policy expanded the Helms Amendment and directed the United States Agency for International Development (USAID) to withhold funds from non-governmental organizations in foreign countries that had anything to do with abortion, even as little as providing advice or information. Feminist activists often refer to this policy as the "Global Gag Rule." Opponents of this policy introduced legislation in Congress to repeal this Act but failed. In 1988, Republican President George Bush was elected and he kept these protocols in place. Members of Congress responded by introducing a few WRFPP bills that either supported or opposed this executive decision. This introduced women's bodies as a content focus for congressional US foreign policy.

In sum, the majority of the women's rights foreign policy bills introduced between 1981 and 1990: 1) focused on reforming the US foreign policy administration to advance women's economic rights (37.0 percent); 2) addressed how the UN supported women's economic rights and role in development (33.3 percent); or 3) drew attention to the health and bodily integrity of women and girls

in specific nation-states as a form of public diplomacy (11.1 percent). I refer to this era as the decade of economics and family planning because during this time, though the numbers of WRFPP declined, the objectives of those WRFPP introduced reflect a dedicated interest in women as agents of economic development. This is also the time period when foreign women's bodies first are introduced as targets of policy, and this is in reference to how US foreign aid addresses family planning, abortion access, and reproductive health abroad.

1991-2000: Women's Health, Development, and Freedom

Table 5: Types of Women's Rights Foreign Policy, 1991-2000
(Percentages in Parenthesis, Mode is in Bold)

	United Nations	US foreign policy administration	Public Diplomacy	Total (rows)
State	12 (15.6)	1 (1.3)	8 (10.4)	21 (27.3)
Economy	1 (1.3)	26 (33.8)	0 (0)	27 (35.1)
Body	2 (2.6)	17 (22.1)	10 (13.0)	29 (37.7)
Total (columns)	15 (19.5)	44 (57.1)	18 (23.4)	77

In the 102nd Congress (1991-92), Democrats were the majority in the US House and Senate with Republican President George H.W. Bush. In the 103rd Congress (1993-94), Democrats were the majority in the US House and Senate with the Democrat President Bill Clinton. From the 104th Congress (1994-95) until the 106th Congress (1999-00), Republicans were the majority of the both the US House and Senate with the Democrat President Bill Clinton. During this time period, the percentage of women in Congress rapidly increased (particularly with the 103rd

Congress after the “Year of the Woman” 1992 elections) and the average percentage of women in Congress was 10.7, more than double what it was from the prior decade (CAWP). Roughly, one in ten members of the US House were women. In terms of foreign policy, the end of the Cold War had repositioned the US as a hegemonic global power (Cameron 2005).

In the 90s, the global women’s movement, particularly via the UN, was making great strides drawing US policy attention to women’s human rights. In 1995, First Lady Hillary Clinton attended the UN Fourth World Conference on Women in Beijing, China, despite domestic concerns of China’s human rights abuses. The US delegation included Madeleine Albright, US Ambassador to the UN, Donna Shalala, US Secretary of Health and Education, as well as 7,000 US citizens attended the conference alongside her (US Briefing Report 1996). The twelve-point platform of action included: 1) women and poverty; 2) education and training of women; 3) women and health; 4) violence against women; 5) women and armed conflict; 6) women and the economy; 7) women in power and decision-making; 8) institutional mechanism for the advancement of women; 9) human rights of women; 10) women and the media; 11) women and the environment; 12) the girl-child. Clinton made the iconic speech where she used the phrase “women’s rights are human rights,” which she is still known for to this day.

Within this broader political context, I find that congressional US foreign policy also expanded its attention towards foreign women’s rights and the number of WRFPP bills introduced during this decade substantially increased. During the 70s, there were 33 WRFPP bills and during the 80s, there were 27 WRFPP bills introduced

to Congress. During the 90s, there were 77, more than the two previous decades combined. Global women's rights significantly emerged on the US foreign policy agenda during this decade. The primary interest in addressing women as agents of economic development remained and expanded, emphasizing the crucial role of women for developing economies. Similar to the 80s, the most dominant type of WRFP bill focused on women's economic rights in content and the US foreign policy administration was the audience, making up nearly 34 percent of all WRFP bills introduced.

The second most prevalent type of WRFP bill introduced during this decade focused on women's bodily integrity and was directed towards the US foreign policy administration. In the 80s, this type made up roughly 11 percent of all WRFP bills introduced. In the 90s, this proportion doubled to roughly 22 percent of all WRFP bills introduced. Bodily integrity began to matter. Across all audiences (UN, US foreign policy administration, and foreign countries), bills with a content focus on women's bodies made up the majority of WRFP bills introduced at nearly 40 percent. Women's political rights were roughly 35 percent of all WRFP bills introduced and women's economic rights made up around 27 percent of the bills.

Thus, during the 90s, there was a significant increase in bills that prioritized women's health and human safety, particularly in those aimed at US foreign policy administrative efforts overseas. Bills targeted the needs of women in terms of their safety as refugees, victims of HIV/AIDS, honor killings, systematic rape, and as victims of human trafficking. The phrase "women's human rights" is first introduced into US foreign policy bill language. In the 103rd Congress (1993-94),

Representative Olympia Snowe (R-ME) introduced the “Women’s Human Rights Acts of 1993,” a bill that aimed at expanding the Department of State to track and advocate for women’s human rights within its existing human rights infrastructure. Additionally, several WRFPP bills were introduced during this time in support of the UN’s work to advance women’s movement and called for the US Senate to ratify CEDAW.

In comparison to the previous decades, there was also an increase in WRFPP public diplomacy bills in the 90s. In two areas of US military intervention (Iraq and the former Yugoslavia) at this time, women’s rights drew US foreign policy attention- as well as in Afghanistan. For example, during the 105th Congress (1997-98), there were three separate bills introduced as forms of public diplomacy that condemned the violence in Afghanistan and, more specifically, how the Taliban systematically violated the human rights of women. The 90s cemented the various types of US foreign policy bills that targeted the rights of women. Many of these bills initially were introduced during the 90s, and if not passed, were reintroduced each Congress following as efforts to continue to influence the US foreign policy agenda. During this time period, women’s rights to be free from violence, to be agents of economic development, and to exercise their political freedoms under repressive regimes were all cemented as goals of US foreign policy.

The majority of the women’s rights foreign policy bills introduced between 1991 and 2000: 1) focused on reforming the US foreign policy administration to advance women’s economic rights (33.8 percent); 2) focused on reforming the US foreign policy administration to protect women’s health and bodily integrity (22.1

percent); or 3) drew attention to the health and bodily integrity of women and girls in specific nation-states as a form of public diplomacy (13.0 percent). I refer to this era as the Women's Health, Development, and Freedom decade since again, women's role as agents of economic development in the administration of US foreign policy still dominates. In addition, during the 90s, there is a substantial growth in WRFPP bills that target women's right to health and bodily integrity as an objective, both in the administration of US foreign policy abroad and as a form of public diplomacy. Women's freedom from gender-based violence became a goal within US foreign policy, similar to the expansion of women's right to be free from gender-based violence in US domestic policy.³⁹

2000-2010: Strategic Feminism

Table 6: Types of Women's Rights Foreign Policy, 2000-2010
(Percentages in Parenthesis, Mode is in Bold)

	United Nations	US foreign policy administration	Public Diplomacy	Total (rows)
State	16 (9.3)	12 (7.0)	47 (27.3)	75 (43.6)
Economy	0 (0)	17 (9.9)	10 (5.8)	27 (15.7)
Body	5 (2.9)	38 (22.1)	27 (15.7)	70 (40.7)
Total (columns)	21 (12.2)	67 (39.0)	84 (48.8)	172

During the first ten years of the new millennium (2000-10), US foreign policy was significantly affected by the attacks of September 11th on the US homeland.

After 9/11, the US engaged in the "War on Terror" and led military interventions in

³⁹ For example, the US Violence Against Women Act was ratified into public law in 1994.

Afghanistan and Iraq (Hook 2012). All members of Congress felt domestic pressure to show a greater interest in national defense and foreign affairs. This might predict that there would be less interest in civil society issues and more interest in weapons of warfare in US foreign policy, but this was not the case. It was during the 107th Congress (2001-02), that I found that the greatest percentage of US foreign policy bills targeting the rights of women abroad (7 percent), a greater proportion than any other Congress in my study. Numerically, there was a total of 172 WRFPP bills introduced, an increase of over 100 percent from the 90s at 77 WRFPP bills. Both in terms of percentages and raw numbers, women's rights were a growing foreign policy concern for members of Congress.

For the majority of this decade, Republicans were in control of the legislative and executive branches (2000-2006). Republicans were the majority political party of the US House and US Senate from the 107th to the 109th Congress (though the US Senate was split 50/50 during the 107th session). Between 2000 and 2008, the US President was Republican George W. Bush. During the 110th Congress (2007-08), Democrats regained majority of both the US House and US Senate and in the 111th Congress, Democrats were in control of the House, Senate, and the executive branch with the election of Democrat President Barack Obama. The average percentage of women in Congress was 15.3, so roughly one in six members of the US House were women (CAWP).

There was a significant shift in WRFPP during this decade. The most prevalent type of women's rights foreign policy was no longer women's economic right to be agents of development aimed at the US foreign policy administration. Rather, the

use of women's political rights as a form public diplomacy is the most common, making up nearly a third of all bills introduced (27.3 percent). Women's rights as a form of public diplomacy, what I call "strategic feminism," emerges with nearly half of all WRFPP bills (48.8 percent) having foreign countries as their primary audience during this time. During the 90s, foreign countries were the audience for 23.4 percent of all WRFPP bills, roughly half.

These "strategic feminist" bills use women's rights to both shame, such as the a bill condemning China's one-child policy, and applaud, such as a bill commending the state of Kuwait for granting women political rights, the actions of foreign nation-states as a form of public diplomacy. In this decade, members of Congress are drawing attention to women's political rights in their strategic relations internationally. Though women's political rights dominated the "strategic feminist" WRFPP bills, there was also an increase in policy attention towards how foreign countries protect women's bodies, making up nearly 16 percent of all WRFPP bills introduced. At this time, women's rights emerged as a contested terrain where foreign nation-states, primarily countries in the Middle East, are shamed or applauded by Congress in US foreign policy.

During this era, more bills were introduced that focus on women's rights in relation to their bodies, going from 29 bills in the 90s to 70 bills in 2000s. Though the percentage increase of all WRFPP was only 3 percent, the range of issues expanded. There was now greater WRFPP attention towards how militarized conflicts affect the health and well being of women and children. More WRFPP bills were introduced that attempt to reform and expand the US foreign policy

infrastructure by taking greater measures to prevent child marriage, improve access to reproductive health, and expand measures to combat violence against women globally.

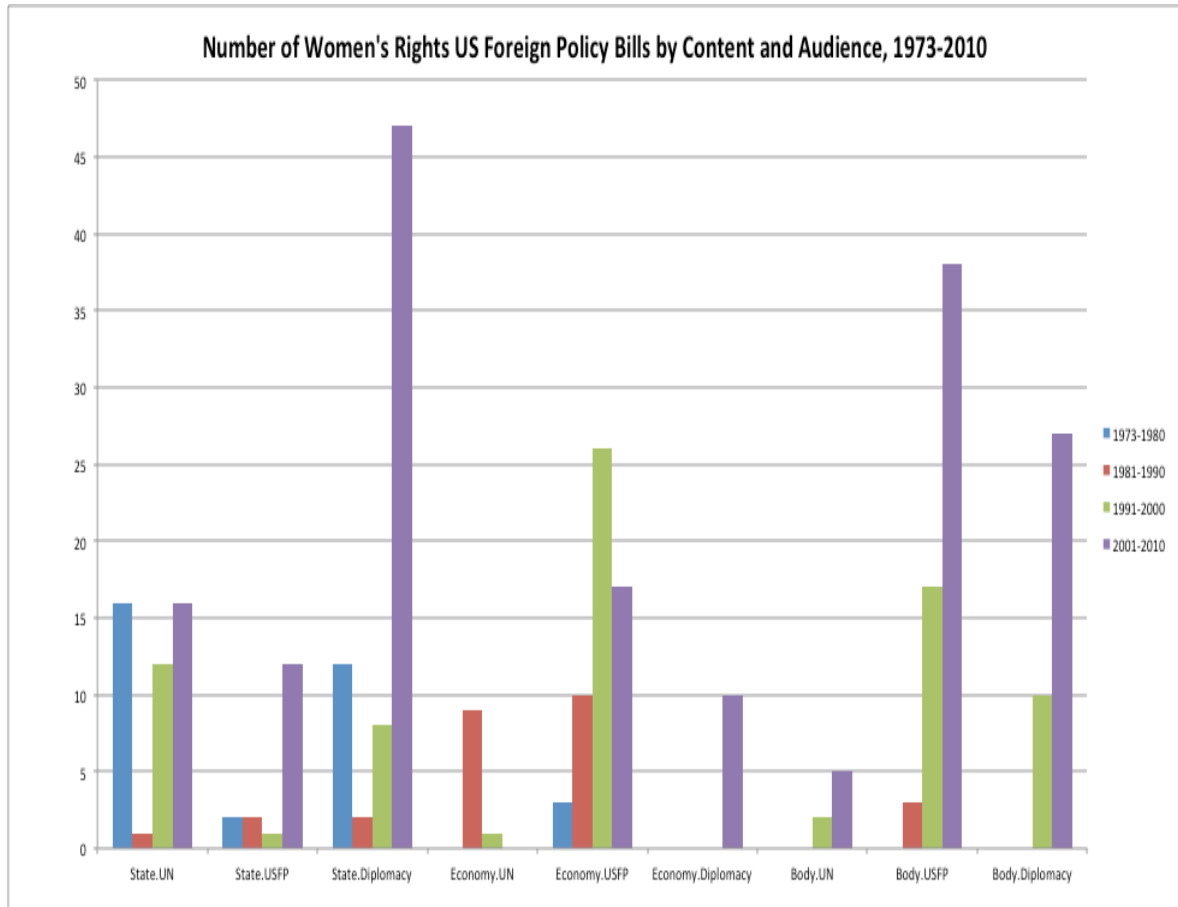
There was also a decline in the percentage of bills that focused on women's economic rights, specifically with the US foreign policy administration as the audience. In the 90s, this made up roughly 34 percent of all WRFPP bills. In the 00s, this type was slightly less than 10 percent. Bills supporting the UN were also less prevalent than they were in prior decades. WRFPP bills that were introduced targeting UN that supported ratification of the UN's CEDAW and UN's Security Resolution 1325. Resolution 1325 passed the UN in 2000 and acknowledges the critical role women play in the peace-building process and mandates that women participate in the peace process.

The majority of the women's rights foreign policy bills introduced between 2000-10: 1) drew attention to women's political rights in foreign nation-states as a form of public diplomacy (27.3 percent); 2) focused on reforming the US foreign policy administration to take action to protect the bodily integrity rights of women and girls abroad (22.1 percent); or 3) drew attention to the health and bodily integrity of women and girls in specific nation-states as a form of public diplomacy (15.7 percent). As discussed earlier, this decade is the era of *strategic feminism* due to the significant increase of women's rights as a form of public diplomacy, focusing on women's political and bodily integrity rights. There is also a much greater interest in reforming US foreign policy administration to address women's rights to

their health and bodily integrity, far more than women's access to economic resources in US development projects abroad.

How Women's Rights Matter to US Foreign Policy

In Figure 4 below, I show the distribution of the numerous types of women's rights foreign policy bills introduced to Congress between 1973-2010. Each bar represents the number of that select type of women's rights foreign policy bill introduced during that decade. There are nine different types that differ based on content and audience, as detailed earlier in the chapter: 1) bills that support women's political rights via the UN; 2) bills that support women's political rights via the US foreign policy administration; 3) bills that support women's political rights as a form of public diplomacy; 4) bills that support women's economic rights via the UN; 5) bills that support women's economic rights via the US foreign policy administration; 6) bills that support women's economic rights as a form of public diplomacy; 7) bills that support women's bodily integrity rights via the UN; 8) bills that support women's bodily integrity rights via the US foreign policy administration; 9) bills that support women's bodily integrity rights as a form of public diplomacy.

Graph 4: Women's Rights Foreign Policy Bill Types by Decade

There are a fairly consistent number of WRFPP bills that target women's political rights via the UN. This is particularly important in the 70s, when few other WRFPP bills are introduced. These transnational meetings, such as the UN First World Conference on Women in 1975, provoked legislative action by a foreign policy infrastructure in Congress that was primarily gender-blind. Between 2000 and 2010, there was a massive increase in the number of bills targeting women's political rights as a form of public diplomacy and in the US foreign policy administration. Women's access to democratic political rights, such as the right to

vote, run for office, and organize public protests, were prioritized as a form of congressional US foreign policy. Considering public diplomacy has only symbolic impact, these types of women's rights foreign policy bills offer minimal risk to members of Congress but can be effective ways to draw both domestic and international attention to women's rights.

There is also consistent interest over time in women as agents of economic development. In the late 1970s, the role of women as economic agents began to surface. During the 80s, this was the primary way women's rights abroad mattered. As the role of women in the US economy grew in the 90s, there was also greater recognition of how women mattered to economic development globally. I found a dramatic increase of bills aimed at establishing more microcredit programs for women as a part of US Agency for International Development (USAID). Many of these development programs were established and this may have led to the decline in their legislative attention between 2000-2010. The US foreign policy infrastructure was also less focused on investing in development and civil society measures but rather more concerned with combatting terrorism at this time.

In terms of women's human security- their right to their own bodily integrity and health- this type of women's rights foreign policy began to surface on the agenda in the mid-80s. This interest was mostly in response- either favoring or opposing- Reagan's stance against funding women's health centers abroad that provided abortion advice. This type of WRFPP greatly expanded in the 90s, with the Beijing Fourth World Conference on Women showcasing human rights abuses towards women around the world. Domestic feminist groups took greater notice of

these issues and worked with allies in the legislature to draw attention to women's human rights, as both forms of public diplomacy and as a priority within the US foreign policy administration (Department of State and Department of Defense). This trend continued and expanded into 2000-10. There appeared to be greater recognition that advancing women's health and bodily integrity rights will also contribute to achieving the broader US foreign policy objectives of promoting democracy and capitalism.

Women are an important, critical group oppressed based on their gender. Women constitute over 50 percent of the world's population and women's bodies are the central mechanism for human reproduction. Systems of patriarchy around the world have controlled and repressed women's political, economic, and bodily integrity rights (Seager 2003). Divisions amongst women, such as race, ethnicity, class, nationality, religion, sexual orientation, ability, gender expression, and age, affect the impact of patriarchy but do not eliminate it. Women are disadvantaged worldwide due to their sex and they are disproportionately the populations in poverty, victims of violence, and have less political and economic power than men in any given nation-state worldwide.

American foreign policy, by its very definition, is a way for the US to try to influence the behavior of foreign nation-states. It is not a form of democratic decision-making, where members face electoral constraint from foreign countries but rather, members of Congress making foreign policy decisions based on what they feel best serves the US nation as a whole (or will at least protect their chances of reelection in the US). Given the role of the US in the global political arena,

particularly post World War II, these foreign policy decisions have significant impact on the lives of people living outside of the US. Women's rights are a controversial topic, in domestic and transnational political arenas. Thus, understanding the policy objectives behind women's rights in US foreign policy provides new insight into the relationship between women's rights, American politics, and international relations.

The rights of women and girls are on the American foreign policy agenda. By comparing the policy objectives of WFRP over different decades, I show how these women's rights vary and expand over time. I find evidence supporting that the global women's movement (via the UN) has had consistent yet minimal support over time from members of Congress. Women's economic rights have been of considerable importance to the US, particularly in 80s and 90s. Members of Congress often would earmark specific aid funds to support women's access to credit and finance. Finally, women's rights have been used as a means to conduct public diplomacy. The US has drawn attention to women in foreign countries, particularly Muslim women in the Middle East, as a form of applauding and shaming nation-states, similar to human rights.

The international women's movement and domestic women's movement seems to have influenced the types of women's rights foreign policy bills introduced, supporting the feminist aim of gender equality and equity. In addition, resistance to these feminist policy objectives also seemed to influence how some women's rights in US foreign policy are defined, particularly dealing with women's reproductive health. Overall, relatively few US foreign policy bills have addressed the rights of women. During the time period of my study, 1973-2010, 97 percent of the US

foreign policy bills made no mention of foreign women or girls in their policy language. However, I found that during 2000-10, there was a significant growth in US foreign policy interest in women's rights.

One central aim of my research is to understand the multiple policy objectives behind women's rights foreign policy. The traditional objectives of US foreign policy are to advance the US national interest, promote democracy, protect free trade, and advance global human rights (Hook 2008). I suggest that the traditional objective behind domestic women's rights policy is to advance and promote the status of women. By examining women's rights foreign policy over time, I show how these objectives intersect. I find that the policy objectives of women's rights US foreign policy bills that dominate the US foreign policy agenda are the bills that satisfy traditional US foreign policy objectives; promoting women's economic rights, primarily with microfinance through USAID, and advancing women's political rights, primarily through methods of public diplomacy directed at countries of US strategic interest. Bills that prioritize women's human rights to health and bodily integrity as policy objectives are present but are less prominent. There are even fewer WRFPP bills that advance transnational women's rights policy objectives, as articulated by the UN.

As women's rights continue to grow as a portion of the US foreign policy agenda, advocates for women's bodily integrity rights may try to situate these bills as contributing to the US national interests of advancing democracy, free markets, or reducing terrorism abroad. By this rationale, women's human security is important because women who are victims of gender-based violence may be less

effective as business owners and civic participants. This may be more effective within the walls of the US Congress but it diminishes the merit of women's rights to health and bodily integrity as an independent cause of merit. Furthermore, domestic US feminists may then abandon their support for these WRFPP bills that place women's rights as instrumental to broader US foreign policy objectives. This can also induce backlash against women in foreign countries partaking in US funded-programs as they may be construed as supporting the broader US foreign policy agenda. Thus, the WRFPP bills that legitimize the UN women's rights policy objectives can advance global women's rights (in a manner where foreign women have some say, albeit limited, in how these rights are defined) and draw less skepticism from both domestic and global forces. Though this was how WRFPP initially was introduced to the US Congress, at present, these WRFPP objectives seem to be the least supported and US exceptionalism pervades.

Chapter 4.

Incentives: Comparing Congressional Women's Rights Foreign Policy

Entrepreneurship

What motivates a member of Congress to dedicate her or his limited time and resources to sponsor a bill on women's rights in a foreign country? Who in Congress wants to address women's rights abroad and why? If there is no clear electoral connection between a House member's district and the rights of women in a foreign country, then why do certain members care? Prior research offers several potential explanations for congressional foreign policy entrepreneurship on women's rights. Perhaps legislating for women abroad is similar to legislating for women domestically (Swers 2002), and women members of Congress are expanding US foreign policy to include women's rights overseas. Or perhaps this legislation is more akin to traditional US foreign policy legislation (Carter and Scott 2009), such as global human rights. Or perhaps this is all just a show to excite domestic audiences or a poker chip for partisan politics. Since foreign women have no electoral constraint, the motivations and incentives for US members of Congress to act on their behalf are particularly murky.

Understanding who in Congress sponsors bills targeting women's rights in foreign countries offers new insight into the relationship between domestic US politics and US foreign policy, how women's rights map onto US foreign policy goals, and how members of Congress make decisions. This research also offers new insight into congressional motivation behind transnational issues in the US. Transnational

issues, such as human rights, the environment, and trade, are critical and growing portions of the American political landscape. In this global, interconnected world, we need to improve our understandings of how members of Congress legislate on issues that transcend national borders.

The aim of this chapter is to empirically test which factors increase the probability of members of Congress sponsoring a US foreign policy bill on women's rights and analyze their motivations to do so. Considering the dearth of research on women's rights in US foreign policy entrepreneurship, this is a necessary first step. Congressional scholarship has begun to analyze what motivates members of Congress to represent transnational issues, like human rights (Uscinski, Rocca, Sanchez, and Brenden 2009, McCormick and Mitchell 2007), specific ethnic and racial groups (Tillery 2006, Shain 1995, DeConde 1992), and religion (Mearsheimer and Walt 2006). Policy attention towards global women's rights has yet to be empirically examined.

As discussed earlier, research shows that the rights (and roles) of women is one of most fundamental dimensions of a nation-state, particularly in terms of political stability, economic growth, and human rights broadly speaking. Improving the rights of women advances traditional US foreign policy interests yet few members are putting this evidence that gender matters into policy practice. Despite the importance of women's rights for achieving US foreign policy goals and the growth in US public sentiment towards global women's rights, no study has systemically examined who in Congress is drawing legislative attention towards women's rights abroad and analyzing what factors are motivating these members.

To best assess women's rights US foreign policy entrepreneurship, I create my own dataset to test how district, individual, and institutional factors affect the probability that a member of Congress will sponsor a women's rights foreign policy bill over three separate Congresses (109th, 110th, and the 111th). I use a logistic regression analysis to analyze whether a member sponsors any WRFP bills and negative binomial regression analysis to see which factors influence the degree of activity (number of WRFP bills introduced). By comparing across three Congresses with differing partisan dynamics, I can offer more robust results.

Congressional Motivation: Entrepreneurship

One way to assess what motivates congressional decision-making is to look through the lens of entrepreneurship. Congressional entrepreneurship is defined as initiating, sponsoring, and/or advocating policy proposals (Wawro 2001, Mintrom 1997, Sheingate 2003, Kingdon 1989). Studies have investigated with relatively mixed results, which factors encourage a member to be a policy entrepreneur rather than a free rider on the policy entrepreneurship of others (Woon 2004, Anderson, Box-Steffensmeier, and Sinclair-Chapman 2003, Wawro 2001, Hall 1996, Mayhew 1974). Fenno (1973) shows that members of Congress dedicate their limited time and resources to an issue for three reasons (that are not mutually exclusive): 1) to gain electoral support; 2) to improve one's status in the institution; 3) to fulfill a personal commitment to the issue (make "good public policy"). Adler and Wilkerson (2005) build upon this argument and show that the type of issue determines the

degree of congressional activity. I analyze congressional entrepreneurship on women's rights in US foreign policy, an issue that has been unexamined thus far.

To situate my study, I draw from legislative studies that analyze congressional entrepreneurship towards either *US foreign policy* or *domestic women's rights* policy. I look at bill introduction as a form of congressional entrepreneurship because members face minimal barriers and can create their own vision of governance (Schiller 1995).

Foreign Policy Entrepreneurship

Congressional foreign policy entrepreneurs are most often the members who seek to establish their reputation as leaders of the nation, protect US strategic interests, and promote their own worldview (Fenno 1973, Lindsay 1994, Carter and Scott 2004; 2009). Studies consistently find that members of the Foreign Affairs committee are more likely to be congressional foreign policy entrepreneurs (Kingdon 1989, Carter and Scott 2009, Uscinski et al 2009, McCormick and Mitchell 2008). Research shows that members of Congress are interested in joining the House Foreign Affairs Committee to promote their view of America's role in the world and to achieve strategic partisan ends. In their study of congressional foreign policy entrepreneurship between 1945-2000, Carter and Scott (2009) find that being a member of the political party in opposition to the party of the President significantly increases the likelihood of congressional foreign policy entrepreneurship. They argue that this activity challenges the President's legitimacy. Institutional and individual incentives carry greater weight in

congressional foreign policy decision-making because the electorate only cares about a few, highly salient foreign policy issues (war and military intervention) versus all the nuances of US diplomacy, foreign aid, and global development (Jacobs and Page 2005).

Women's Rights Policy Entrepreneurship

One of the questions examined by scholars of women and politics is whether or not women improve the substantive representation of women's rights in public policy. Underlying this question is how to define a policy as "women's issue" or a "women's rights" issue (as discussed in Chapter Two). Although definitions have varied, there is general agreement that women in elected positions improve the substantive representation of women's rights in public policy (Poggione 2004). Scholarship examining domestic women's rights policy entrepreneurship show that as the number of women Members of Congress increased, the US legislative agenda expanded to represent issues that matter to women as a group (Carroll 2002; Dolan 1998, Dodson 2006, Frederick 2011, McDonald and O'Brian 2011; Reingold 1992; Swers 1998, 2002, 2005, 2013, Volden, Wiseman, and Wittmer 2013). Certain women members of Congress are committed to substantively improving the lives of women as a group and may have expanded their domestic women's rights agenda into US foreign policy, acting as global surrogate representatives (Carroll 2002).

Women's Rights in US Foreign Policy: Conflicts of Gender and Party

Women's rights foreign policy bills rest at the intersection of two traditionally separate issue domains, domestic women's rights policy and US foreign policy, with opposing gender and party cues. Republicans are rated as stronger foreign policy decision-makers than Democrats (Petrocik 1996). Similarly, male candidates are considered more competent foreign policy decision-makers than female candidates (Lawless 2004, Huddy and Terkildsen 1993).

But both of these partisan and gender cues reverse for women's rights legislation. After the second wave of feminism, studies show that Democrats have been closer aligned with advancing women's rights than Republicans (Freeman 2002, Petrocik 1996). Similarly, women candidates are often evaluated as more competent on women's rights policy than men (Lawless 2004, Huddy and Terkildsen 1993). This is primarily due to gender role congruence. Recent studies highlight how these gender and party divisions are also overlapping, with US political parties increasingly characterized along stereotypical gender lines with Republicans as masculine and Democrats as feminine (Hayes 2011, Winter 2010, Lawless 2007).

Thus, it seems that both men and women of both political parties have an incentive to introduce women's rights US foreign policy bills. Republicans and men may introduce these bills to gain leverage as women's rights advocates in a favorable policy domain (US foreign policy). In contrast, Democrats and women may introduce these bills to gain leverage as foreign policy decision-makers in a favorable policy domain (women's rights).

Considering that issues of national security and foreign policy have greater salience in the US electorate post 9/11 (Holsti 2009), Democrats and women have an increased incentive to sponsor WRFPP bills to improve their leverage on foreign policy issues. As such, Democratic women may be particularly active as women's rights US foreign policy advocates. Alternatively, in order to defy gender stereotypes, Democratic women may want instead to focus on own more masculine foreign policy issues, such as weapons and trade, and distance themselves from women's rights abroad.

Hypotheses

Based on Fenno's (1973) original theories of congressional motivation, I compare the effect of electoral, institutional, and individual incentives on WRFPP bill sponsorship and degree of WRFPP participation under varying partisan contexts in the US House of Representatives.

Electoral Incentive

H1: Members of Congress are more likely to sponsor women's rights foreign policy legislation because of the demands from their district (i.e. rational reelection).

One of the most dominant explanations for congressional behavior is that of rational reelection (Mayhew 1974). Since these are relatively low-profile US foreign policies (in contrast to high-profile issues like troop withdrawal or trade sanctions), I argue that members may be responding to the specific interests of their foreign-born constituents. McCormick and Mitchell (2007) find that members from districts

with a larger percentage of foreign-born residents are more likely to be members of the Human Rights Caucus in the US House. Similarly, I test if members from districts with larger percentages of foreign-born constituents are more likely to draw attention to women's issues in foreign countries.

I also include several other district level variables that have been shown to increase domestic women's rights policy entrepreneurship or congressional foreign policy entrepreneurship. Swers (2002) finds that as the percentage of the district living in urbanized settings increases, the probability that the member will sponsor a women's rights bill also increases. She illustrates that members from wealthier districts were also more likely to sponsor domestic women's rights bills during the 103rd Congress (1993-94). Similarly, the median income of a member's district has also been shown to affect congressional foreign policy entrepreneurship. In the 109th Congress (2005-06) Uscinski, Rocca, Sanchez, and Brenden (2009) find that as the median income of a district increases, so does the probability of that district's member taking action against the Darfur genocide (as an indicator of support for global human rights).

Institutional Incentive

H2: Members of Congress are more likely to sponsor women's rights foreign policy legislation because of their desire to increase their status within the institution (i.e., gain greater credibility in US foreign policy and improve national credibility).

Members may be sponsoring these bills due to their institutional position. If legislative entrepreneurship on women's rights in US foreign policy reflects

legislative entrepreneurship on traditional US foreign policy, then members of the House Foreign Affairs Committee will be more likely to sponsor the women's rights foreign policy bills. These WRFPP bills fit clearly in their committee jurisdiction and thus they are more likely to be the bill sponsor (Kingdon 1989). Interest groups have an incentive to target members of Congress with strong institutional position to sponsor the bills that reflect their policy objectives because these are in a better position to advance the bill through the legislative process. But since any House member can introduce a bill on any topic, women's rights foreign policy bills do not necessarily need to be introduced by members of the Foreign Affairs committee.

I also control for the rank of the member and the safety of his or her congressional seat, as measured by margin of winning in the prior election. Members of higher rank may be interested in sponsoring these bills to challenge the foreign policy authority of the President or leaders of the opposition party (Carter and Scott 2009). Similarly, members with larger victory margins (in safer seats) have a lessened electoral constraint and may work on these issues to gain greater status and influence in the institution (Burgin 1991).

Individual Incentive

H3: Members of Congress are more likely to sponsor women's rights foreign policy legislation because of their individual preferences (i.e. because supporting global women's rights is a form of good public policy).

Lastly, members of Congress may introduce women's rights foreign policy bills due to their own individual preferences. Studies show that individual

experiences have contributed to congressional foreign policy entrepreneurship (Fenno 1973, Lindsay 1994, Carter and Scott 2009) and domestic women's rights policy entrepreneurship (Washington 2005, Swers 2002) as well as the degree to which a member is committed to any issue (Hall 1996, Burgin 1991).

If legislative entrepreneurship on women's rights in US foreign policy reflects legislative entrepreneurship on domestic women's rights, then the women members of Congress will be considerably more active as women's rights foreign policy entrepreneurs. Prior research indicates that women members of Congress are most often motivated to introduce bills that prioritize women's interests (Swers 2002, Carroll 2002, Dodson 2006) out of the need to make good public policy for women. Similar to Swers (2002), I include Democratic women, Republican women, and Republican men in my model, comparing their behavior to Democratic men as the outgroup.

I also control for other individual factors that may increase the likelihood of WRFPP bill sponsorship. Swers (2002) finds that the member's political ideology, as measured by Poole and Rosenthal DW-Nominate scores, significantly increased support for feminist domestic women's issue bills during the 104th Congress (1995-96). McCormick and Mitchell (2007) show that the more liberal the member's political ideology, the more likely the member was a member of the Congressional Human Rights Caucus in the 107th and 108th Congresses (2001-2004). I measure political ideology using DW-Nominate scores, on a scale ranging between -1 (most liberal voting record) to +1 (most conservative voting record).

The race of the member may also affect advocacy for women's rights in US foreign policy. Studies exploring the impact of ethnicity on setting foreign policy priorities suggest that members of Congress are more active on US foreign policy issues connected to countries that they share racial and ethnic ties (Hamm 2004, DeConde 1992, Shain 1994). For example, Uscinski, Rocca, Sanchez, and Brenden (2009) find that Black members of Congress were significantly more likely to take action to against the Darfur genocide. Specifically, women of color in Congress may be more inclined to work on the women's rights in foreign countries, based on their shared gender and potential shared ethnicity (Carroll 2002). I code race as 0 for white members and 1 for members of color in Congress.⁴⁰

In my dataset, I include Congresses under two different Presidents. As political party leaders in executive office, both President George W. Bush (R) and President Barrack Obama (D) have drawn attention to women's rights in foreign countries. Thus, members of both political parties have reason to introduce bills that either support or counter the position of the executive. Carter and Scott (2009) find that being a member of the majority political party in opposition to the party of the president increases congressional foreign policy entrepreneurship.

Analysis

To test my three alternative hypotheses, I create an original dataset that includes information on the 435 House Representatives and their districts for each of the three different Congresses (109th, 2005-06; 110th, 2007-08; 111th, 2009-10). As

⁴⁰ I also test if women of color in Congress are significantly more active as women's rights foreign policy entrepreneurs.

mentioned earlier, I define a women's rights foreign policy bill as any bill referred to the US House Foreign Affairs committee that mentions the word *women*, *females*, *mothers*, or *girls* in either the bill title or Congressional Research Service (CRS) summary, such as the Afghan Women Empowerment Act of 2007 or International Violence Against Women Act (IVAWA) of 2009.⁴¹ Because this study focuses on the use and circulation of the term "women" in the language of the bill, I code a bill as a women's rights foreign policy bill only if it *explicitly* targets foreign women (mothers, females, or girls).⁴² There are many policies that disproportionately affect women, and all policies in one way or another can have an impact on the lives of women. In sum, I review all House foreign policy bills introduced during the past three Congresses that met my search criteria and have included only the bills that refer to foreign women in foreign countries as WRFPP bills in my dataset.

I focus on the US House for two reasons. First, I select the House to ensure a stronger test on how US domestic politics may influence a member's interest in foreign women's rights. House members have smaller constituencies and a shorter reelection cycle than Senate members and thus, are under greater electoral constraint. If domestic politics do contribute to women's issue foreign policy entrepreneurship, the effects of this are more likely to be evident in the House than

⁴¹ There are many ways to define women's issues in policy language. Since my project is centered on how women as a group are written into foreign policy bill language, I opt to follow Celis's (2008) model where women need to be explicitly targeting in the legislation. This is not to deny that certain foreign policy issues, such as reproduction and rape, have a disproportionate impact of women. But, if the sponsor decides not to mention women as a group in the context of the bill language- even if this issue disproportionately affects women, than I do **not** include this bill as a women's rights foreign policy bill. After all, this was likely a choice to reduce the role of gender in the issue frame. This is discussed at length in Chapter Two. Since an important control of my study is the absence of an electoral connection between the member of Congress and foreign women, I select only those bills where foreign women are directly targeted in the bill. These bills are stronger cases of how the members of Congress decide to "represent" foreign women. There are some US foreign policy bills that target American women in foreign countries. I excluded them from this data set but it is a subject of future research.

the Senate. Second, members of the House have foreign policy powers over US development aid, military resources, department oversight, legislative agenda setting, and foreign diplomacy.

House members can also have a significant impact on the framing of US foreign policy issues and prod the executive to take foreign policy action (Burgin 1991, Lindsay 1994). House members have great authority to improve the lives of foreign women but little clear incentive to do so. Lastly, there is greater diversity in terms of race and gender in the membership of the US House. To test the potential impact of how the race, gender, and political party of a member may affect their likelihood to sponsor WRF, I need women of color in both political parties to be a part of the sample. During the Congresses of my study, there are no women of color in the US Senate (CAWP).

Since research shows that being a member of the party in opposition to the President increases US foreign policy entrepreneurship (Carter and Scott 2009), I compare the effects of my model under differing partisan dynamics. I select three recent Congresses to ensure a robust test of my competing hypotheses under varying partisan dynamics. Using quantitative analysis, I compare the effects of my model in the 109th Congress (2005-06), when Republicans were the majority political party in the House, Senate, and President [Unified-Republican], and in the 110th Congress (2007-08) when Democrats were the majority political party in the House and Republicans were the majority political party in the Senate and the party of the President [Divided]. Lastly, I test the effects of my model in the 111th

Congress (2009-10) when Democrats were the majority political party in the House, Senate, and party of the President [Unified-Democratic].

Dependent Variables:

To test my hypotheses, I measure not just whether or not a member sponsors a WRFB bill but also how many WRFB bills a member sponsors in each Congress. This demonstrates both the member's commitment to WRFB and their degree of activity. Bill sponsorship is a strong measure of congressional entrepreneurship because the bill sponsor faces the fewest barriers in terms of the legislative process (Swers 2002) but it requires the greatest amount of effort by the bill sponsor for broader legislative success. Thus, I argue that this measure of WRFB entrepreneurship demonstrates which members of Congress are willing to make the greatest time and resource commitment, particularly in placing their name as the lead sponsor, to push women's rights forward on the US foreign policy legislative agenda (Schiller 1995, Kingdon 1989).

Independent Variables:

I test how institutional, electoral, and individual incentives affect the likelihood of sponsoring a WRFB bill and the number of WRFB bills introduced in each of the three Congresses. I select my independent variables based on prior women's rights and US foreign policy congressional entrepreneurship scholarship. I test whether being a member of the House Foreign Affairs committee, the rank, the electoral safety of congressional seat, the district median income, the percent foreign-born in a district, the percent urban in a district, the race of the member, political party, political ideology, and the gender of the member affect WRFB bill

sponsorship. I gather the data for these measures from the US Census, the Almanac of American Politics, the Center for American Women and Politics, and from Poole and Rosenthal's DW-Nominate Scores.

Results

Table 7: Description of US House Districts, US House Members, and Women's Rights Foreign Policy Entrepreneurship for 109th, 110th, and 111th sessions (2005-2010)

	Mean (Standard Deviation)
Member of House Foreign Affairs Committee (0= no, 1=yes)	0.11 (0.31)
Rank of the Member (1 to 435)	220.04 (126.86)
Percent of Victory	68.14 (13.12)
Adjusted Median Income (in \$10,000)	3.17 (2.48)
Percent Foreign Population In District	12.04 (11.35)
Percent Urban In District	78.99 (19.82)
Political Ideology Liberal → Conservative (-1 to +1)	0.07 (0.51)
Race (0=white, 1= not white)	0.16 (0.37)
Republican Man (0= no, 1=yes)	0.42 (0.49)
Democratic Man (0= no, 1=yes)	0.42 (0.49)
Republican Women (0= no, 1=yes)	0.05 (0.21)
Democratic Woman (0= no, 1=yes)	0.11 (0.32)
WRFP Bill Sponsor? (0= no, 1=yes)	.05 (.22)
How Many if a WRFP Sponsor? (1 to 6)	1.62 (0.13)
N	1305

To provide an overall sense of the data, I show the average values for each of my independent variables for all members of Congress (2005-2010) in Table 7.

During this time, Republican men were 42 percent of Congress, Republican women were 5 percent, Democratic men were 42 percent and Democratic women were 11 percent of Congress. There are over twice as many Democratic women as Republican women in my study. On average, 16 percent of the members were non-white. Eleven percent of the members in the dataset were on the House Foreign Affairs Committee. Only five percent of the members had ever sponsored a women's rights foreign policy bill. Of those members who did sponsor WRFP, on average they sponsored 1.62 WRFP bills.

Women's Rights Foreign Policy Bill Sponsors

Below, Table 8 shows the results of the logistic regression analysis for the 109th, 110th, and 111th Congresses on women's rights foreign policy entrepreneurship. In the 109th Congress (2005-06), members introduced 39 women's rights foreign policy bills. In the 110th Congress (2007-08), members introduced 40 WRFP bills and in the 111th (2009-10), 34 WRFP bills.

Table 8: Likelihood of Initial Women's Rights Foreign Policy Bill Sponsorship, Logistical Regression Analysis, US House of Representatives, 2005-2010

	(109th: 2005-06)	(110th: 2007-08)	(111th: 2009-10)
1= yes 0= no	Unified-Republican House and President	Divided- House (D); President (R)	Unified-Democratic House and President
Member of Foreign Affairs Committee	2.275*** (0.622)	2.114*** (0.589)	2.568*** (0.658)
Rank of the Member	-0.004 (0.002)	0.001 (0.002)	-0.001 (0.002)
Percent of Victory	0.047* (0.021)	-0.001 (0.021)	0.037 (0.027)
Adjusted Median Income	0.373 (0.259)	2.167 (2.40)	0.232 (0.218)
Percent Foreign Population	0.022 (0.024)	0.022 (0.023)	-0.043 [^] (0.027)
Percent Urban	-0.012 (0.024)	0.033 (0.029)	0.169* (0.076)
Political Ideology	-1.965 (2.069)	-4.917** (1.688)	-5.356* (2.320)
Race	0.258 (0.789)	-0.667 (0.661)	-0.098 (0.809)
Republican Man	1.073 (2.159)	4.137* (1.676)	6.236* (2.519)
Republican Woman	3.199 (2.111)	#	8.398** (2.830)
Democratic Woman	2.448*** (0.670)	1.953*** (0.555)	1.855** (0.680)
_cons	-8.569** (2.930)	-9.900** (3.106)	-25.84** (8.268)
N	435	435	435
Log Likelihood	-60.08	-68.26	-46.22
Pseudo R ²	.333	.325	.408

Standard errors in parentheses [^] p < 0.10, * p < 0.05, ** p < 0.01, *** p < 0.001

#= Republican women did not sponsor any WRFPP bills in the 110th session, thus predicted perfect failure and are dropped from the maximum likelihood estimation.

Democratic men are the comparison category.

I find that legislative entrepreneurship on women's rights in US foreign policy reflects patterns of legislative entrepreneurship on *both* domestic women's

rights and traditional US foreign policy. Democratic women and members of the House Foreign Affairs committee are significantly more likely to sponsor WRFP across all three Congresses. Thus, both institutional and individual incentives increase the probability of WRFP entrepreneurship.

I then tested how changing the values on the independent variables significantly affected the predicted probability of women's rights foreign policy bill sponsorship, while all other variables in the model are held constant. The results of these tests are presented in Table 9.

Table 9: Predicted Change in the Probability of Initial Women's Rights Foreign Policy Bill Sponsorship, US House of Representatives, 2005-2010

	(109th: 2005-06) Unified-Republican House and President	(110th: 2007-08) Divided- House (D); President (R)	(111th: 2009-10) Unified-Democratic House and President
1= yes 0= no			
Member of Foreign Affairs Committee (0→1)	+0.097	+0.081	+0.013
Percent of Victory Margin (minimum to maximum)	+0.058	.	.
Percent Urban (from the minimum to the maximum)			+0.041
Political Ideology (across spectrum, from most liberal to the most conservative)	.	-0.476	-0.083
Republican Man	.	+0.145	+0.069
Republican Woman	.	.	+0.824
Democratic Woman	+0.117	+0.069	+0.006
N	435	435	435

Members of the House Foreign Affairs committee are always more likely to sponsor a women's rights foreign policy bill, but the magnitude of their predicted probability decreases over time. When examining the individual factors, it is clear that the political ideology, gender, and party of the member also matter in Table 8. In both the 110th and 111th Congress, the more conservative members are less likely to sponsor a WRF. The most liberal member of Congress has a predicted probability of sponsoring WRF that is .48 greater than the most conservative member in the 110th session and .08 greater during the 111th session. But during the 109th (under unified Republican control), political ideology has no significant effect on WRF bill sponsorship.

In all three congresses, Democratic women are significantly more likely to sponsor a WRF bill. However, they were most likely to be WRF bill sponsors during the 109th Congress, when Republicans were the majority in the House and controlled the Presidency. Democratic women have a predicted probability of WRF bill sponsorship .12 greater than Democratic men in the 109th Congress and .07 greater in the 110th Congress, but it drops to .006 in the 111th Congress.

In the 111th Congress, Republican women take a far more active role as WRF advocates, when Democrats are in the majority and the Presidency in controlled by the Democrats. They have a predicted probability of WRF bill introduction that is .82 greater than that of Democratic men. Although there are far fewer Republican women (17) than Democratic men (201) in the 111th Congress, these Republican women are significantly more likely to sponsor WRF bills than the Democratic men- but only during the 111th Congress. Republican men, in

comparison to Democratic men, are also more likely to sponsor WRFP when Democrats are the majority political party, with a predicted probability .15 greater in the 110th and .07 greater in the 111th. This offers support for the Carter and Scott (2009) theory that congressional foreign policy entrepreneurship is contingent upon partisan dynamics, namely as a way to challenge the sitting President of the opposite political party. More data are needed to assess if how consistent this pattern is over time for WRFP.

In sum, my results show that being a Democratic woman and a member of the House Foreign Affairs committee significantly increases the predicted probability of WRFP bill sponsorship under all partisan contexts. I also find that being a member of the minority party of the House increases the likelihood of WRFP bill sponsorship activity.

The electoral factors have slight, negligible effects on WRFP bill sponsorship and only under specific partisan contexts. In the 109th Congress, the members in safer seats are slightly more likely to sponsor WRFP bills. In the 111th, as the percent urban in a district increases, so does the probability of WRFP bill sponsorship. Overall, these findings indicate that electoral factors included in the model on WRFP bill sponsorship have a no consistent significant effect on WRFP bill sponsorship. This supports both Fenno (1974) and Lindsay (1994), who argue that the electoral constraint is minimal on US foreign policy matters unless the issue is of great significance, such as war.

Degree of WRFP Activity

Table 10: Negative Binomial Regression Results predicting the Number of Women's Foreign Policy Bills Sponsored, US House of Representatives, 2005-2010

	(109th: 2005-06) Unified-Republican House and President	(110th: 2007-08) Divided- House (D); President (R)	(111th: 2009-10) Unified-Democratic House and President
Member of Foreign Affairs Committee	2.490*** (0.624)	1.731*** (0.517)	2.129*** (0.550)
Rank of the Member	-0.005* (0.002)	-0.000 (0.002)	-0.002 (0.003)
Percent of Victory	0.045* (0.021)	0.007 (0.019)	0.045^ (0.024)
Adjusted Median Income	0.238 (0.268)	1.908 (2.134)	0.162 (0.187)
Percent Foreign Population	0.027 (0.025)	0.023 (0.020)	-0.055** (0.021)
Percent Urban	-0.012 (0.024)	0.040 (0.029)	0.233** (0.077)
Political Ideology	-1.569 (1.931)	-3.441* (1.616)	-3.089^ (1.926)
Race	-0.392 (0.779)	-0.726 (0.571)	-0.474 (0.710)
Republican Man	0.567 (1.960)	2.755^ (1.624)	4.120* (2.121)
Republican Women	2.547 (2.032)	-10.74 (1273.0)	6.745** (2.344)
Democratic Woman	2.597*** (0.655)	1.892*** (0.478)	2.068*** (0.566)
_cons	-7.229** (2.813)	-9.906** (2.977)	-30.53*** (8.373)
Lalpha	0.914 (0.474)	0.180 (0.626)	-0.045 (0.936)
N	435	435	435
Log Likelihood	-86.14	-91.28	-66.50
Pseudo R ²	.260	.278	.341

Standard errors in parentheses ^ p < 0.10, * p < 0.05, ** p < 0.01, *** p < 0.001
Democratic men are the comparison category.

When analyzing congressional WRFP entrepreneurship, one needs to assess not only whether or not a member sponsors a women's rights foreign policy bill, but

also the degree of their legislative activity as a WRFPP entrepreneur (Hall 1996, Burgin 1991). Table 10 above presents the results of my negative binomial regression analysis.⁴³ I apply a negative binomial regression analysis because it is the best fitting model within the parameters of estimation, given the dispersion of zeros in my count data. Parallel to patterns of initial WRFPP bill sponsorship, I find that being a member of the House Foreign Affairs committee and being a Democratic woman increases the number of WRFPP bills sponsored. Ideology, safety of seat, and being a Republican man also significantly increase the probability of WRFPP sponsorship but only in two out of the three Congresses, showing that partisan dynamics mediate the effect. Democratic men again serve as the comparison group.

⁴³ Akaike Information Criterion prefers the negative binomial distribution over the Poisson or a Zero-inflated distribution.

Table 11: Predicted Change in Number of Women's Foreign Policy Bills a Member Sponsors, US House of Representatives, 2005-2010, Negative Binomial Regression

Count	(109th: 2005-06) Unified-Republican House and President	(110th: 2007-08) Divided- House (D); President (R)	(111th: 2009-10) Unified-Democratic House and President
Member of Foreign Affairs Committee (0→1)	+0.152	+0.042	+0.004
Rank of the Member (from the lowest to highest)	-0.047	.	.
Percent of Victory Margin (for each 13% increase)	0.011	.	+0.0004
Percent Foreign Population (for each 11% increase)	.	.	-0.0004
Percent Urban Population (for each 20% increase)	.	.	+0.007
Political Ideology (across spectrum, from most liberal to the most conservative)	.	-0.187	-0.009
Republican Man	.	+0.051	+0.009
Republican Woman	.	.	+0.46
Democratic Woman	+0.176	+0.049	+0.004
N	435	435	435

Table 11 shows the degree to which my independent variables affect the predicted change in the number of women's rights foreign policy bills sponsored per Congress. During the 109th Congress, the predicted change in the number of WRFP bills sponsored is .15 greater for members of the House Foreign Affairs committee than for those who are not part of the committee. In the 110th Congress, the rate is .04 greater and during the 111th, the rate of WRFP bill sponsorship of Foreign Affairs committee members is less than .01 greater than for other members. But it is always statistically significant. We also see the same decline in the predicted rate of WRFP bill sponsorship for Democratic women, though Democratic women are still significantly more active as WRFP sponsors in all three congresses. The rate of WRFP bill sponsorship for Democratic women is .18 greater than Democratic men in the 109th, .05 in the 110th, and is less than .01 during the 111th Congress.

Thus, being on the House Foreign Affairs committee and being a Democratic woman are the two consistent factors that increase the number of WRFP bills a member sponsors during both the 109th (when Republicans are the majority political party in the House) and the 110th and 111th (when Democrats are the majority political party in the House).

During the 110th Congress, Democrats are the majority political party in the House but Republicans are the party of the President, considered divided government. In the 110th, I find that political ideology, gender, party, and being a member of the Foreign Affairs committee all significantly affect the rate of WRFP sponsorship. Political ideology is also a strong predictor of the amount of WRFP bill

sponsorship during the 110th (but insignificant for both the 109th and 111th). Between the most conservative and the most liberal member, the predicted rate of WRFPP decreases by over .18. Republican men and Democratic women have a predicted rate of WRFPP bill sponsorship .05 greater than Democratic men. Perhaps under divided government, the incentive to oppose the majority party is lessened and a member's ideology plays a greater role.

During the 111th Congress, Democrats are the majority political party in the House and the party of the President (Unified Democratic government). I find that during the 111th Congress, being a member of the minority political party is a clear predictor affecting the degree of WRFPP legislative activity. Republicans, both men and women, have a greater rate of WRFPP bill sponsorship than Democratic women in this session in comparison to Democratic men. Republican women are particularly active as WRFPP entrepreneurs and their rate of WRFPP is .46 greater than Democratic men (the comparison category). Electoral incentives have a significant but minimal effect on the degree of participation during this Congress.

In conclusion, I find that Democratic and Republican women are the most active WRFPP entrepreneurs when they are in the minority party and in the party opposed to the party of President. Members of the House Foreign Affairs committee are the most active WRFPP entrepreneurs when Republicans are the majority party in the House and the party of the President. Lastly, I find that political ideology plays a greater role in WRFPP activity under divided government.

Discussion

These results illustrate that legislative entrepreneurship on women's rights in US foreign policy reflects patterns of legislative entrepreneurship on both domestic women's rights and legislative entrepreneurship on traditional US foreign policy. I had also expected that electoral factors, namely the percentage foreign-born in a district, could increase congressional foreign policy entrepreneurship on women's rights abroad. The evidence in my study suggests that these electoral incentives are slim to none. Prior studies suggested that race may also be an important factor but, in my study it clearly was not the only driving motivation behind WRFPP entrepreneurship. Based on my results, I draw three general conclusions about what motivates members of Congress to legislate on behalf of women's rights in foreign countries.

First, my data show that the women in Congress are shaping the US foreign policy agenda. I find that Democratic women are consistently active as congressional women's rights foreign policy entrepreneurs and Republican women, when in the party minority, are also active WRFPP sponsors. Democratic women are consistently motivated to introduce bills that target foreign women's rights without any clear electoral or institutional incentive. They introduce WRFPP bills even though they are not on the appropriate Foreign Affairs committee and regardless of whether they are in the majority or minority political party. Similar to Swers' (2002) findings on women's issues bills in domestic policy, I show that women members of Congress are drawing attention to women's rights, this time in US foreign policy, and it appears that the Democratic women are leading this policy expansion.

Second, I also find that women's rights foreign policy entrepreneurship parallels traditional US foreign policy entrepreneurship. Both Democratic and Republican women are more *active* as women's rights foreign policy entrepreneurs when they are in the minority political party of the House and in opposition to the party of the President. Studies of legislative entrepreneurship on traditional US foreign policy find that members of the political party in opposition to the President and members of the Foreign Affairs committee are more likely to be congressional foreign policy entrepreneurs (Carter and Scott 2009). This indicates that both gender and partisan dynamics affect WRFPE entrepreneurship.

Additionally, as a third conclusion, I find that across all three partisan contexts, members of the House Foreign Affairs committee (a committee disproportionately consisting of men) are significantly more likely to sponsor and advocate for WRFPE. This suggests that traditional foreign policy entrepreneurs in Congress are also interested in women's rights as a form of foreign policy.

In sum, my results suggest three reasons why members of Congress address women's rights in US foreign policy. First, members of Congress who have been historically active on women's rights in US domestic policy are extending their domestic women's rights agenda to US foreign policy (Democratic women). Second, members of Congress who typically specialize in US foreign policy are extending their US foreign policy agenda to address women's rights (Foreign Affairs committee members). Third, members of the minority party are more likely to introduce women's rights foreign policy to challenge the authority of the majority political party.

Historically, women's rights have been overlooked in American public policy. Additionally, the US Congress is a gendered institution (Duerst-Lahti 2002), where women have historically been a small minority of the members, if at all, and masculine values like competition and toughness are prized over feminine values such as cooperation and tenderness (Kathlene 1994, Kenney 1996, Jeydel and Taylor 2003, Rosenthal 1998, Hawkesworth 2003).

As more women have entered Congress, US domestic policy has expanded to better protect the legal rights of women by providing access to credit, protection from domestic violence, easier access to divorce, and better research on women's health (Wolbrecht 2002, Swers 2002). As more people of color have entered Congress, US domestic policy has also expanded to better protect the rights of people of color, particularly with immigration, crime, and welfare policy (Swain 1993, Hero and Tolbert 1995, Wallace 2010). Studies also show how US foreign policy has been affected by the changing race and ethnicity of the members of Congress (DeConde 1992, Tillery 2011, Uscinski, Rocca, Sanchez, and Brenden 2009). The analysis in this chapter adds to these findings by showing how gender matters in the construction of US foreign policy. I find that women members of Congress include advancing the rights of women as matter of US foreign policy in their US legislative agenda. How the policy objectives of these women's rights foreign policy bills are defined is equally important and discussed at length in the other chapters.

The inattention towards women's rights remains particularly true in policy domains strongly associated with masculinity, such as US foreign policy (Sapiro

1981). Over the 109th, 110th, and 111th Congress, only roughly five percent of all US foreign policy bills address the rights of women, a substantial improvement from years past, but still the remaining 95 percent of these bills are gender-neutral or gender-blind. Considering the importance of gender dynamics for achieving US foreign policy objectives and the degree to which women are oppressed worldwide, it is all the more important to improve our understanding of who in the US Congress is motivated to take women's rights into account and why.

Based on my findings, I analyze what motivates specific members to sponsor WRFP bills in Congress. I find that men and women of both political parties sponsor WRFP but members of the House Foreign Affairs committee and Democratic women are consistent sponsors of WRFP. Electoral politics have a minimal effect. In sum, I suggest three potential explanations for what motivates members of Congress to sponsor women's rights foreign policy.

First, some congressional US foreign policy entrepreneurs (members of the House Foreign Affairs committee) now consider women's rights as a component of their US foreign policy agenda. Women's rights in foreign countries may be contributing to a members' strategic or global development US foreign policy objectives. Additionally, interest groups that focus on global women's rights may be targeting members of the House Foreign Affairs as WRFP bill sponsors because their committee membership ensures that they have a stronger institutional position to advance the WRFP bill. These interest groups can then provide a "legislative subsidy" for committee members by working to build broader congressional support for the WRFP bill and provide new opportunities for the member to claim

credit for successful legislation (Hall 1996). Women's rights are on the legislative agenda of some congressional foreign policy entrepreneurs.

Second, Democratic women are advocating for women's rights in foreign countries, with no clear institutional position or electoral incentive to do so. These women may be motivated to sponsor WRFPP bills due to an interest to represent domestic women's rights on a global scale (Carroll 2002, Swers 2002) as transnational surrogate representatives or perhaps to access a policy domain typically associated with Republicans and men (Lawless 2004, Petrocik 1996, Huddy and Terkildsen 1993). Through robust empirical tests, I show that gender matters and that the Democratic women in Congress are more likely to draw attention to women's rights in foreign countries, regardless of other institutional or electoral incentives. These women expand traditional US foreign policy to include the specific rights of women as a group, drawing light on the gender-blind nature of US foreign policy.

Finally, I find that WRFPP entrepreneurship is subject to structural partisanship dynamics. Both Republican and Democratic women were significantly more active as WRFPP entrepreneurs when they were in opposition to the party of the President. Republican men were the most active as WRFPP entrepreneurs when a Republican was President and Democrats were the majority of the House. Presidents are also including women's rights in their US foreign policy agenda, such as by reinstating and abolishing the Mexico City Policy (or "Global Gag Rule") or creating an Ambassadorship of Global Women's Rights. Members of Congress may be trying to challenge (or support) the President's authority over how the US

defines and advocates global women's rights. Similarly, both Democratic women and Republican men are likely to introduce WRFPP bills when they are in the minority party, perhaps to challenge the legitimacy of the majority political party over the representation of foreign women's rights.

Chapter 5:

Global Women's Rights: The UN Convention On The Elimination Of All Forms Of Discrimination Against Women (CEDAW)

Today we focus on a treaty that the United States has not yet ratified--CEDAW. This is the first Senate hearing on CEDAW in 8 years, and this is the first time the Judiciary Committee has ever held a hearing on whether to ratify a human rights treaty. This is usually the province of the Senate Foreign Relations Committee, and I would like to say on the record that I have spoken to Senator Kerry, who is totally supportive of our efforts. CEDAW is the only treaty to focus primarily on the human rights of women. . . Let us be clear. The United States does not need to ratify CEDAW to protect our own women and girls. (Senator Dick Durbin, (D- IL), CEDAW Hearing Testimony, November 18th 2010).

Quantitative studies rarely tell the entire story. These studies are helpful in showing consistent trends in behavior but what they add in generalizability they lose in nuance (Eckstein 2000). Consequently, I conduct three case studies of specific women's rights foreign policy (WRFP) bills to deepen our understanding of how congressional motivations originate, compete, and interact as well as to enrich my analysis of how WRFP policy objectives are initially formed and challenged. I examine which objectives foster greater collaboration and which objectives trigger conflict. Each of these cases is a WRFP bill introduced during the 111th Congress (2009-10) that was widely supported (greatest number of legislative cosponsors). These case studies provide a more complete picture of the congressional motivations behind and policy objectives of women's rights US foreign policy. Through this analysis, I offer new information on how domestic politics influence US

foreign policy decision-making, the impact of women in Congress, and the meaning of women's rights for US domestic and foreign policy.

Expectations

Based on my quantitative findings on policy objectives over time, I imagine that in the post 9/11 political context many of the policy objectives of WRFPP will be framed in the language of advancing US national security and strategic goals abroad (Strategic Feminism). This, in turn, may affect congressional motivation. I expect that traditional congressional US foreign policy entrepreneurs will be motivated to integrate women's rights into their broader foreign policy agenda. I imagine that they will focus on women's political and economic rights as policy objectives. I expect that Democratic women, a substantial percentage of the US House in the 111th Congress, will be motivated out of a sense of surrogate representation to all women to advocate for women's rights in foreign countries. Based on studies of domestic women's rights advocacy (Swers 2002), I expect that these women will draw attention to women's bodily integrity in their objectives.

The case studies provide richer insight into not only congressional motivation to sponsor WRFPP but also who in Congress is *opposing* WRFPP legislation and why. I expect that members of Congress who oppose domestic women's rights and those members who oppose interventionist US foreign policy will be more committed to opposing women's rights US foreign policy legislation. What I find particularly interesting is the behavior of members of Congress who typically favor interventionist US foreign policy (hawks) but oppose advancing women's rights in

domestic policy, most often Republican men. Also fascinating are the members of Congress who typically oppose US foreign policy intervention (doves) but support advancing women's rights in domestic policy, most often Democratic women. These groups are in a unique policy bind when it comes to advancing global women's rights, a policy intersection. These case studies indicate which global women's rights are the more acceptable and perhaps necessary, according to the US. The political obstacles and opposition these bills face also clearly indicate the pitfalls of walking this fine intersectional line, complete with partisan politics, congressional legacies, and moral high (and low) grounds.

Through this case study analysis, I gain a richer perspective into how multiple policy objectives compete and overlap. Specifically, I expect that the cases will highlight the critical role interest groups play in the construction of WRFP and the general legislative process. Again, since foreign women have no direct electoral claim on US policy makers, divergent interest groups- from US-based transnational women's rights organizations to the US Catholic Bishops- can lobby on behalf of foreign women without repercussion. Foreign women are not paying US union dues, hiring US lobbyists, or conducting letter-writing campaigns to target US members. Thus, these interest groups that "represent" foreign women are particularly important to examine when attempting to analyze the construction of women's rights US foreign policy objectives (Strolovitch 2008).

Interest groups are not only limited to constructing WRFP objectives. Additionally, I expect that interest groups will play a substantial factor in motivating members of Congress to sponsor WRFP legislation. Given the institutional power of

members of the House Foreign Affairs committee, these members have the greatest chance of moving the bill through the legislative channels and ultimate passage. Hence, I expect that interest groups may be more likely to target these members to ensure the greatest chances of their bill's success.

CEDAW: A Global Women's Rights Treaty (that the US thinks is Wrong)

The United Nations (UN) Convention on the Elimination of Discrimination Against Women (CEDAW), ratified by the UN in 1979, is considered by many to be the "global women's rights treaty." CEDAW is a unique example of women's rights US foreign policy because it applies to women as a transnational group, both within and outside of the US. In my first case study, I analyze the congressional motivations behind and the policy objectives surrounding the bill introduced to the US House urging the US Senate to ratify CEDAW during the 111th Congress (2009-10). This WRFPA bill had the most legislative cosponsors in the US House (136) but still did not pass in the 111th Congress. Although my interviews are based on legislative activity of this specific Congress, I trace and analyze the legislative history up to this point. CEDAW, broad in scope, focus, and in its jurisdiction to advance women's human rights worldwide, has not been ratified by the US Senate and remains still an ideal in the US Congress.⁴⁴

Based on my earlier findings, I expect that the Democratic women and the members of the House Foreign Affairs Committee will be the most likely to work on the ratification of CEDAW. I also expect that, given the broad scope of CEDAW's

⁴⁴ At the time of this writing in the Fall of 2014.

policy objectives, members will be motivated to oppose CEDAW based on an interest to preserve more traditional women's rights/roles and/or an opposition to forms of transnational governance (UN). Thus, I anticipate that Republican men will be more likely to thwart CEDAW's legislative advancement due to their partisan opposition to transnational governance and their interest in preserving traditional women's rights (without being held to a different standard due to their gender). Republican women I expect will be more sensitive to protecting the global rights of women since they have shared group membership but they will also reject forms of transnational governance due to their partisan beliefs. These women have a more difficult time navigating conflicting gender and party incentives for CEDAW.

Research suggests that women members of Congress will be motivated to ratify CEDAW in order to: 1) demonstrate a commitment to substantively improve the rights of women as a group (Carroll 2002, Swers 2002) and 2) to gain access to the masculine US foreign policy domain (Huddy and Terkildsen 1992, Lawless 2004). As discussed earlier, women members of Congress are expected to be more attentive to the rights of women in order to maintain role congruence with their electorate (Sanbonmatsu 2002). Given the progressive nature of CEDAW, I expect that Democratic women will be more likely to work on this policy because of the feminist objectives that challenge traditional oppressive gender roles (Swers 2002).

Additionally, any member of Congress, man or woman, may be interested in supporting CEDAW based on their broader US foreign policy agenda, i.e. liberal internationalism and support for global human rights or strategic interests with the idea that improving women's rights ultimately advances US national security

(Apodaca 2006). House Foreign Affairs committee members may work towards CEDAW ratification as another instrument to advance global human rights.

Though the original policy language of the UN Convention remains the same, nation-states can attach Reservations, Understandings, and Declarations (RUDs) that modify the impact of CEDAW on US domestic law. The RUDs that American Presidents have attached to CEDAW over time indicate which global women's rights policy objectives are particularly problematic for defining women's rights in the US. During the 111th Congress, I also expect that CEDAW's policy objectives will be framed in the language of strategic feminism, based on my earlier findings from chapter 3.

An examination of the domestic politics surrounding CEDAW offers a glimpse into the dynamics of how transnational advocacy groups work with members of Congress to achieve US foreign policy goals, building from the work of Keck and Sikkink (1998) on transnational activist networks. Since CEDAW targets women's rights on a transnational level, I believe that domestic US women's rights, US-based global women's rights, and US-based international human rights interest groups will collaborate to advance the US ratification of CEDAW due to their overlapping shared interests. But I anticipate that US exceptionalism, the theory that the US is the exception to transnational forms of governance, will pervade this advocacy community and hinder coalition formation.

In this chapter, I first provide a brief summary of the policy language of CEDAW within the United Nations. Then, I outline the salient moments for CEDAW in US legislative history. Following this background, I illustrate the multiple

motivations for members of Congress to advance and oppose CEDAW ratification over time and more specifically, during the 111th Congress. I then illustrate the competing policy objectives that surround CEDAW and show how this has an impact on congressional motivation. Additionally, I address how the post 9/11 political context has had an impact on these objectives and motivations and the role of strategic feminism. I conclude with a broader analysis of what an analysis of the US politics surrounding CEDAW tells us about US congressional motivations behind and policy objectives of women's rights foreign policy.

CEDAW Summary

The UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) has 30 specific articles and a preamble. What makes CEDAW unique as a UN Human Rights treaty is that it requires states to take proactive action to protect the rights of women (Baldez 2011). The preamble establishes the warrant for the Convention, outlining the difficulties women face worldwide in terms of oppression and the vital role women play in development. The first Article defines discrimination against women as "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field," (CEDAW 1979). The definition is broad and the emphasis is on how sex (being a female) is applied to discriminate, and ultimately oppress women.

The second Article specifies the obligations of nation-states that ratify or accept CEDAW. Nation-states that accept the Convention must then undertake a series of measures to end discrimination against women in all forms, including:

- to incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women;
- to establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and
- to ensure elimination of all acts of discrimination against women by persons, organizations or enterprises, (CEDAW 1979).

Article 3 argues that women are equal to men in all spheres of life and that state governments need to protect women's equality in political, social, economic, and cultural fields. Article 4 advises countries to take special measures (such as quotas) to hasten women's equality to men. Article 5 addresses the general prejudice against women and states that countries need to change traditional practices that are based on assumptions about the inferiority or superiority of either sex.

Articles 6 through 13 focus on specific issues that have been locations of discrimination against women, such as trafficking, political and public life, international work, nationality, education, employment, health, and economic and social life. More specifically, CEDAW guarantees that women have the equal right to vote, hold office, gain education, retain citizenship, civic participation, be free from maternity or marital employment discrimination, access to affordable health care, financial credit, family benefits, and basic economic participation. The 14th Article specifies the rights of rural women to adequate living conditions, participation in development planning, and access to health care and education.

What follows are guidelines for further codifying gender equality. Article 15 explicitly lays out the parameters of women's equality under the law to legally enter into contracts, own property, and choose their place of residence. Marriage is a fundamental institution in the lives of many women worldwide and Article 16 states that women will have equal rights with men in all matters related to marriage and family relations. Women shall have the same rights as men to choose their spouse, to make decisions regarding their children, in matters of property, occupation choice, and gaining information on the spacing of children.

The next set of Articles (17-24) explicitly lay out the infrastructure of the Committee on CEDAW within the UN. This is where grievances are officially heard and evaluated. The outcomes of these proceedings are then submitted to the UN Economic and Social Council to be included in their ultimate report to the broader UN body. These Articles create the infrastructure of the Committee but also detail the limits of the powers of the Committee. The Committee can make policy recommendations but has no punitive authority over sovereign nation-states.

The final Articles (25-30) outline the administration of the Convention within the UN. Countries that place their own reservations (similar to exceptions to these broad rules) that are incompatible with the aims of CEDAW will not be accepted. Nation-states can also petition to revise the Convention. Disputes between two or more State Parties that are not settled by negotiation can be settled by arbitration. If this does not resolve the dispute, "any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court," (Article 29, CEDAW 1979). Considering one of the principle critiques lodged

against US ratification is the challenge to US sovereignty, it is important to highlight the grievance procedure.

In sum, CEDAW asks nation-states, upon ratification of the Convention, to undertake a series of measures to end discrimination against women within their own borders. CEDAW, the “global women’s rights” treaty, lays a foundation to measure discrimination against women that can be applied worldwide. The language targets the nation-state as ultimately being responsible for ensuring and protecting women’s political, economic, and social rights in a given nation-state. The UN CEDAW Committee then assesses violations of the Convention brought to the Committee and makes recommendations.

CEDAW’s central aim is to urge countries to place legislative provisions to protect the rights of women in their own nation-state and set up a framework for global norms on what constitutes women’s human rights. In the UN, constructing each of these Articles, essentially the terms of transnational women’s rights, required building a broad coalition of advocates from around the world.

Policy History

United Nations and CEDAW

The United Nations (UN) was formed after the end of World War II to create a form of international governance that could help maintain global peace and achieve the four freedoms that the Allies⁴⁵ had placed in their mission: the freedom of speech, the freedom of worship, the freedom from want, and the freedom from

⁴⁵ US, Britain, France, Poland, Brazil, Denmark, Greece, Netherland, New Zealand, Norway, South Africa and the former Yugoslavia.

fear (Shulman 2008). The United Nations also laid the groundwork for longstanding Cold War politics, with the US and Soviet Union coming out as relative victors of World War II (Hawkesworth 2012). The original charter of the United Nations laid out the principles of universal human rights, which some member states felt did not go far enough in protecting the universal human rights of women.

Although women were eventually included as a group in the Universal Declaration of Human Rights, advocates felt that the specific discrimination women faced needed greater attention in the policy language. Thus, the Sub-Commission on the Status of Women was formed under the UN Commission on Human Rights, (CSW History), the first chair of the Sub-Commission, Bodil Begtrup (Denmark) requested in May 1946 to change the sub-commission to full commission status in the UN. The following June, the United Nations Commission on the Status of Women (CSW) emerged. The CSW was one of the first global bodies where women from around the world worked together to determine their own vision of rights for women and to articulate a global gender equality policy. To this day, the CSW mission is still dedicated to ensuring women's equality and promoting women's rights worldwide.

The initial order of business of the CSW was to define and ensure women's equal political rights. The UN Convention on the Political Rights of Women in 1952 was the very first Convention that specified women's rights in terms of citizenship, specifically voting.

In 1945, only 25 of the original 51 United Nations Member States allowed women equal voting rights with men. After an extensive debate, the Convention on the Political Rights of Women, drafted by the Commission, was adopted by the General Assembly on 20 December 1952. It was the first international law instrument to recognize and protect the political rights of women everywhere by spelling out that women, on an equal basis with men,

were entitled to vote in any election, run for election to any office, and hold any public office or exercise any public function under national law, (A Brief History of the CSW, UN Women).

Groups around the world then applied this Convention to pressure their state governments to grant women the right to vote. At the time of this writing, of the now 192 nation-states recognized by the UN, only two still do not permit women to vote: Saudi Arabia and the Vatican.⁴⁶

This convention was then followed by the Convention on the Nationality of Married Women in 1957. Marriage is an important structure in determining the rights of women in any nation-state. Marriage, in theory, is rooted in the private or domestic sphere but is also a highly regulated state institution (Cott 2009). The United Nations had served as a venue to regulate marital citizenship between people of differing nationalities. Prior to the Convention, women were forced to lose their national citizenship and take on the citizenship of their husband. This convention drafted by the CSW stated that, when a woman marries a man of a different nationality, she did not automatically lose her national citizenship but rather it was her own choice. In 1962, women gained additional rights as married citizens through the Convention on a Minimum Age of Marriage, Free Consent to Marriage, and the Registration of Marriage. These Conventions gave women greater freedom of choice (a critical liberal value) in whom they married, when they married, and how their marriage ultimately affected their citizenship. Marital policy remains a critical issue for global women's rights advocates, over fifty years later.

⁴⁶ By royal decree, Saudi Arabia will be allowing women the right to vote in the 2015 elections. In the Vatican, women cannot vote for the Pope, UN Women 2014.

Within the UN, the CSW was the organization where women (and men who were interested in participating) were funneled to address issues identified as affecting women as a specific group. Considering the importance of race, class, ethnicity, nationality, religion, sexuality, political ideology, and status on a woman's identity, there were manifestations of power differentials amongst these women when they came together to organize to define and protect global women's rights (Joachim 2007). In 1965, the CSW began to draft another document to expand and protect women's human rights more directly, the initial frameworks of CEDAW.

The status and human rights of women were also contentious terrain for Cold War politics. The underlying question was whether democracy or socialism ultimately improved women's quality of life. Women from the "global south" and Eastern Europe led the initial push for a UN transnational women's human rights declaration (Hawkesworth 2012).

In 1963, twenty-two developing and Eastern European nations, including Afghanistan, Algeria, Argentina, Austria, Cameroon, Chile, Colombia, Czechoslovakia, Gabon, Guinea, Indonesia, Iran, Mali, Mexico, Mongolia, Morocco, Pakistan, Panama, the Philippines, Poland, Togo, and Venezuela, introduced a resolution calling for a UN declaration condemning all forms of violence against women. The resolution itself was a product of Cold War positioning, introduced as a strategic intervention to demonstrate that (1) legal equality alone could not emancipate women, (2) socialist states were more committed to the promotion of women's rights than were liberal democratic states, and (3) developing nations embraced "modern" principles of gender equality and were prepared to combat customs and traditions that thwarted the advancement of women, (Hawkesworth 2012, 253).

Thus, *women's rights* are embedded within the socio-political economic structures that create and protect these rights.

Considering that women constitute roughly half of any nation's population and their ability to reproduce future citizens as well as produce for the formal

economy are vital for national prosperity, countries have a rational incentive to preserve national autonomy in how the rights of their women are determined. This document was meddlesome from the perspective of nation-states. The UN CSW served as an external political structure where people, particularly women's rights activists, could challenge national policies that they felt oppressed women.

In 1967, after much deliberation, the CSW drafted the first Declaration on the Elimination of the Discrimination Against Women. But the Declaration was not a legal document. Following this, the CSW then began to craft the policy language for the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in 1974. The official CEDAW language was adopted in 1975 at the International Women's Year Conference in Mexico City, Mexico. After several years of negotiations, the UN General Assembly ultimately approved the language in 1979.⁴⁷ CEDAW, from this point forward, was considered the foundational global women's rights treaty supported by women's rights activists worldwide.

United States Congress and CEDAW

The US government has held divergent positions on CEDAW since its UN ratification in 1979. These conflicts are the result of tensions between the US executive and legislative branch powers, domestic and global politics, and different opinions regarding the rights of women and their importance. On July 1, 1980, Representative Clement Zablocki (D-WI) introduced legislation urging the US to sign CEDAW at the Copenhagen Conference on Women. A few weeks later, US President Jimmy Carter, a staunch global human rights advocate, signed CEDAW on July 17,

⁴⁷ For a more detailed account, please see Joachin 2007, Hawkesworth 2012.

1980 and sent the Convention to the Senate Foreign Relations Committee (SFRC) to advise and consent for official US ratification. But President Reagan staunchly opposed CEDAW and for the next eight years, there was no substantive legislative activity in the US. During the early to mid-80s, women's rights continued to grow as a partisan issue that aligned more closely with the Democratic Party (Wolbrecht 2010). The Democratic men and women in Congress were the clear majority of the voices speaking out for CEDAW ratification, with a few Republican men and women still supporting it.

The Senate Foreign Relations Committee held the first ever hearings on CEDAW in 1988, led by Senator John Kerry (D-MA), and again in 1990. During both Congresses, Democrats were the majority party in the Senate. Concerns over US sovereignty and policing procedures were raised but there was general support behind protecting women's legal rights worldwide. The major obstacles for moving to a Senate vote were: 1) the fact that the US State Department had not yet prepared a full legal impact analysis and, 2) the lack of executive support from President George Herbert Walker Bush.

The US House, a larger body with a wider dispersion of political ideologies, continued to urge the US Senate to take legislative action on CEDAW. House Representative Gus Yatron (D-PA) introduced legislation urging Senate ratification of CEDAW during both the 101st (1989-1990) and 102nd (1991-1992) Congresses. At the time, Yatron was the House Chair of the Subcommittee on Human Rights and International Organizations. In the 102nd Congress, Yatron held a hearing on his bill, House Resolution 116, and was able to pass the bill out of the general House

Foreign Affairs Committee. He had several Republican allies supporting CEDAW. House Foreign Affairs committee members Congressman William Broomfield (R-MI) and Congresswoman Jan Meyers (R-KS) both spoke on the House floor in support of Yatron's bill advocating CEDAW ratification. Due to procedural regulations, the vote was taken the next day, October 22, 1991, as a matter of unfinished business. The House, with a Democratic majority at the time, passed the bill with strong bipartisan support: 374 Yays to 48 Nays. This was the greatest legislative victory CEDAW received in the US House.

However, two days later, October 24, 1991, Representative Chris Smith (R-NJ) introduced a bill urging the President to add a reservation to CEDAW, specifying that it cannot be used to promote abortion. This legislative action escalated the firm resistance to CEDAW based on social and cultural values in addition to resisting UN transnational policy jurisdiction, particularly within the Republican Party. As the possibility of US CEDAW ratification grew, so did the social conservative resistance.

The 1992 November elections in the US substantially changed the partisan power dynamics in Washington DC. President Bill Clinton was elected, the first Democratic candidate elected US President in twelve years. Often noted as the "Year of the Woman," more women ran and won as federal legislators in 1992 than ever before. In the 102nd Congress (1991-92), there were 28 women out of the 435 House Representatives and this number grew to 47 in the 103rd (1993-94), close to doubling. Similarly, the number of women in the Senate jumped from 4 to 7 out of the 100 Senate seats (CAWP 2014).

In the spring of 1993, sixty-eight US senators signed a letter to President Clinton requesting that he take proactive steps to ratify CEDAW. In June of 1993, former Secretary of State Warren Christopher announced at the World Conference on Human Rights in Vienna that the Clinton Administration would move forward with CEDAW, with several Reservations, Understandings, and Declarations aimed to protecting US sovereignty and preserving several legal gender discriminatory practices surrounding the rights of women in combat, in the workplace, and in terms of reproductive health (which I address in the policy objectives section).

During that 103rd Congress (1993-94), newly elected Representative Lynn Woolsey (D-CA) stepped up as the vocal CEDAW proponent in the US House, even though she was not on the House Foreign Affairs Committee. Introducing her bill encouraging the Senate to ratify CEDAW was her first legislative act in Congress. Representative Woolsey was personally committed to CEDAW's success and worked to build greater momentum amongst members of Congress, particularly the women, and amongst US women's rights grassroots organizations. Woolsey's bill resolved that it is the sense of the US House of Representatives that:

(1) the full realization of the rights of women is vital to the development and well-being of people of all nations; and (2) the President should, therefore, promptly complete the review of the Women's Human Rights Convention and submit to the Senate any reservations, understandings, or declarations that he considers necessary in order that the Senate may give its advice and consent to ratification, (H.R. 38).

Representative Olympia Snowe (R-MA) introduced a similar bill, the Women's Human Rights Act of 1993, urging Senate action on CEDAW later that same year. She was showing bipartisan support from the women of the US House. But as CEDAW

gained greater momentum in Congress, the opposition amplified.⁴⁸ Senator Jesse Helms (R-NC) emerged as the central voice opposing CEDAW from that point forward and he increased legislative activity in opposition.

With the firm support of the Clinton Administration, the Senate Foreign Relations Committee was able to hold a round of hearings on CEDAW ratification in June 1994 (Blanchfield 2011). CEDAW passed favorably through the Senate Foreign Relations Committee in September of that year with a 13 to 5 vote (with one abstention). Helms, strongly opposed to CEDAW, stirred public opposition to the Convention and framed it as a reflection of radical feminist ideals. He proposed policy language ensuring that CEDAW does not “create any right to abortion.”⁴⁹ Due to these roused political reservations to abortion and time constraints, CEDAW was never ultimately brought to the Senate floor for a vote. Newspaper accounts suggested that several Senators put a hold on CEDAW during the last days of the 103rd Congress, blocking it from going to the Senate floor for a vote.⁵⁰

Democrats lost the majority of the US House and Senate during the midterm elections in 1994. Hence, the new Senate Foreign Relations Committee (SFRC) Chair Jesse Helms (R-NC) sent CEDAW back to the Senate Foreign Relations Committee for consideration, tabling it indefinitely.⁵¹ There was little US action on CEDAW for the next several years. In 1999, Senator Barbara Boxer (D-CA) introduced legislation to

⁴⁸ This follows Baumgartner, Berry, Hojnacki, Leech, and Kimball’s argument regarding policy equilibriums. As one side gains greater attention on the public agenda, opposition is then activated to resist a push for policy change (2009).

⁵⁰ A Senate hold is “an informal practice by which a senator informs his or her floor leader that he or she does not wish a particular bill or other measure to reach the floor for consideration,” (US Senate reference glossary).

the Senate requesting CEDAW ratification but Helms still refused to hold a Committee hearing in the SFRC.

President George Walker Bush, elected in 2000, held a more favorable opinion towards CEDAW ratification than his father, President George Herbert Walker Bush. The second Bush administration did not take public positions on the global women's human rights treaty until after the events of September 11, 2001. On this date, two planes hit the World Trade Center twin towers in New York City and a third plane hit the Pentagon in Washington, DC. In response to this attack, the US began deploying troops in Afghanistan and attacking the terrorist organization Al-Qaeda, led by Osama Bin Laden. The treatment of women in Afghanistan by the Taliban government had long been on the women's rights US foreign policy congressional radar, led chiefly by Representative Carolyn Maloney (D-NY), Senator Barbara Boxer (D-CA), and the US-based Feminist Majority Foundation (Basu 2000). After the events of 9/11, advancing women's rights in foreign countries gained some support from members of Congress who considered the goal as contributing to strengthening US strategic interests abroad.

Senator Joseph Biden, Chair of the Senate Foreign Relations Committee at the time, had prioritized CEDAW ratification prior to the events of September 11, 2001. In a letter dated June 29, 2001, Biden wrote the US Secretary of State that he planned to conduct a hearing on CEDAW in the following year and the US Department of State would be invited to testify. In February 2002, the US Department of State responded and categorized CEDAW as category III, treaties that

“are generally desirable and should be approved.”⁵²

The political opportunity structure seemed receptive and because of this, Biden proceeded with his plan to hold a hearing on CEDAW. He wrote in March that the hearing would be held after the Easter recess and that a State Department representative would be invited to testify (Senate Executive Report 107-9, 2002). Thus, the Senate Foreign Relations Committee held a public hearing on June 13, 2002, the first in twelve years. The hearing itself had been postponed several times due to resistance from the US State Department. Though the Bush administration initially voiced support of CEDAW, they were being pressured to withdraw support over concerns that the UN CEDAW Committee had made recommendations that challenged traditional gender roles. Biden thus held the important CEDAW hearing without full executive support and as he pushed forward, the favorable bipartisan alliance evaporated.

After the CEDAW hearing on July 8, 2002, Secretary of State Colin Powell wrote to Biden expressing the need for the Executive Branch to “determine what Reservations, Understandings and Declarations may be required as part of the ratification process”.⁵³ Additionally, Senator Helms wrote to Biden requesting that SFRC action on CEDAW be deferred. According to the SFRC Committee Report, on July 26, 2002,

Assistant Attorney General for Legislative Affairs Daniel J. Bryant wrote to the Chairman, referencing Secretary Powell's July 8 letter, to request that the Chairman [Biden] await completion of the Administration's review [of the Convention] `before commencing a committee vote on CEDAW.' In the

⁵² U.S. Congress. Senate. Committee on Foreign Relations. 2002. *Convention On The Elimination Of All Forms Of Discrimination Against Women*. 107th Congress, 2nd Session, S. Rept. 107-9.

⁵³ Ibid.

alternative, Assistant Attorney General Bryant urged Committee members to vote against ordering the Convention reported until completion of the review, (Senate Executive Report 107-9, 2002)

Following this advice from the Republican executive branch, many more US Senators, all Republican men, submitted letters opposing further Senate action on CEDAW. As Senator George Allen (R-VA) argued, “the vote to order CEDAW reported was premature, particularly in light of the more than thirty other treaties currently before the Foreign Relations Committee that are higher priorities for our national security and foreign policy,” (Senate Executive Report 107-9, 2002).

But Senator Biden persistently pushed CEDAW forward and on July 30, 2002, he held a Senate Foreign Relations Committee vote on CEDAW and it reported favorably by a 12 to 7 vote, subject to the four Reservations, five Understandings, and two Declarations (RUDs) put into place originally by the Clinton administration. In addition to these RUDs, there were two new Understandings added. The first Understanding included a proposal from Senator Helms (then ranking minority member) that “nothing in this Convention shall be construed to reflect or create any right to abortion and in no case should abortion be promoted as a method of family planning,” (Senate Executive Report 2009) The second Understanding specified the impact of the CEDAW Committee on U.S. law, stating “the CEDAW Committee has no authority to compel parties to follow its recommendations,” (Blanchfield 2006).

Though CEDAW passed favorably out of the SFRC committee, the tense coalition of members were not satisfied with the compromises made in the RUD process. Though the RUDs had created the political cover for some Republicans to show support for CEDAW by neutralizing some of the concerns regarding

jurisdiction and abortion, for many CEDAW was still not far reaching enough in terms of global women's rights. Some women's rights advocates felt the RUDs eroded some of the more important policy objectives of the document on the rights of women (Benshoof 2009).

Since the Executive Branch had not completed its legal review, the bipartisan support was also under question. The Bush administration had several concerns about the "vagueness of the text of CEDAW and the record of the official U.N. body [the CEDAW Committee] that reviews and comments on the implementation."⁵⁴ Thus, ultimately at the end of 2002, there was not enough time and broad based support (two-thirds support of the chamber is needed to ratify) to risk placing CEDAW up for a general vote in the Senate.

In sum, CEDAW has been pending in the Senate Foreign Relations Committee for over 25 years. In each of these Congresses since her initial 1992 election, House Representative Lynn Woolsey (D-CA) introduced legislation urging the US Senate to ratify CEDAW. The next favorable political opportunity structure emerged in the 111th Congress, after the 2008 election of President Obama. Woolsey again introduced her bill urging Senate ratification of CEDAW. Obama campaigned that he firmly supported CEDAW ratification and selected longtime CEDAW advocate Senator Biden as his Vice-President and Hillary Clinton, vocal global women's rights defender, as his Secretary of State.

During the 111th Congress, there was a hearing held on CEDAW in the Senate, but not in the Senate Foreign Relations Committee. On November 18, 2010,

⁵⁴ Ibid.

the Senate Judiciary Committee's Subcommittee on Human Rights and the Law held a public hearing, "Women's Rights Are Human Rights: U.S. Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)." This was the first time the Senate Judiciary Committee ever held a hearing on CEDAW. Senator Dick Durbin (D-MI), another vocal supporter of women's human rights in the Senate, held the hearing on CEDAW in an effort to draw greater public attention to the legalities and importance of CEDAW. At the hearing, the newly created Ambassador for Global Women's Issues in the Department of State Melanie Verveer testified. Verveer argued that the ratification of CEDAW by the US is important for: 1) sending a global message regarding US commitment to global women's human rights and 2) advancing U.S. foreign policy and national security interests. She then followed with evidence of how other countries have applied CEDAW to improve the treatment of women. Verveer referred to American women as the example of freedom.

And it is long overdue for the United States to stand with the women of the world in their effort to obtain the basic rights that women in this country enjoy, (CEDAW Hearing, 2010).

This framing reflects strategic feminist aims that, post 9/11, were a compelling justification for the US to advance global women's rights, more so than arguments that American women would gain greater human rights if the US ratified CEDAW.

The 2010 CEDAW hearing in the 111th Congress brought US public attention back towards the Convention but little more legislative action occurred beyond that. During the 111th Congress, the Senate Foreign Relations Committee did not hold any CEDAW hearings and CEDAW was not brought to the floor of the Senate for a

vote. The strong combination of an executive branch that supported global women's rights and a Democratic majority in both the House and Senate still was not enough to facilitate the ratification of CEDAW in the 111th Congress. Up until the time of this writing (2014), there have been no other Senate hearings or votes held on CEDAW in the US Congress.

Congressional Motivations

There are several reasons why US members of Congress may be motivated to either oppose or support CEDAW ratification. In terms of opposing CEDAW ratification, the US has minimal incentive to surrender sovereignty to the United Nations as a form of international governance. More specifically, members of Congress are focused on providing for the needs of their US constituents and ensuring their own reelection more so than strengthening forms of global governance (Mayhew 1974). Second, the tense relationship between women's rights and cultural values amplifies the aversion to any foreign interfering governance. Members may perceive global women's rights as an infringement upon a foreign country's domestic politics and/or private sphere. I suggest that members of the US Republican Party, often opposed to both feminist policy and international forms of governance, have even greater incentive to oppose the ratification of CEDAW, a UN convention with the objective of advancing women's rights. However, as I described earlier, these are the very same reasons that Democratic women have a dual incentive to support CEDAW: 1) Democratic candidates are more favorable to transnational systems of governance; 2) Democratic women in Congress are more

supportive of feminist policy objectives (by this I mean policy objectives that support gender equality) and reject traditional oppressive gender policies, and aim at improving the quality of women's lives as a group.

Support CEDAW: Democratic Women as Surrogate Representatives

On October 21, 1991, Representative Gus Yatron (D-PA) brought his resolution that urged the US Senate to ratify CEDAW to the House floor. After the supportive speeches by members of the House Foreign Affairs Committee, it was Congresswoman Patricia Schroeder (D-CO) and Congresswoman Patsy Mink (D-HI) who spoke to the positive impact of this legislation on the lives of girls and women in the US and worldwide.⁵⁵ They worked on this legislation not because of their committee jurisdiction, which is the general practice in Congress, but rather based on their own personal interest in seeing CEDAW ratified. The congresswomen highlighted the importance of the legislation for advancing the lives of women as a transnational group. I find in my analysis of the legislative history of CEDAW that Democratic women are the group most consistently pushing for CEDAW ratification, even outside of traditional electoral and committee incentives.

As highlighted earlier, 1992 was a record electoral year and women nearly doubled their seats in the US House, going from 28 to 47 (CAWP 2012). Upon her initial election to the House in 1992, Representative Lynn Woolsey (D-CA) introduced a House bill supporting the ratification of CEDAW. Woolsey reintroduced the bill in each Congress following during her tenure in Congress. By the end of the

103rd Congress, Woolsey's bill had 53 cosponsors, many of them being the Democratic women in Congress. Additionally, a greater number of US feminist organizations were vocal in their support of CEDAW, which likely triggered a growing number of anti-feminist organizations to increase their opposition, led chiefly of Phyllis Schlafly. The close connection between the Equal Rights Amendment (ERA), a US Constitutional Amendment to prohibit discrimination based on sex, and CEDAW made it easier for the US-based conservative women's groups to expand their policy agenda to include opposition to CEDAW. Thus, positions on CEDAW in the US Congress were also now firmly entrenched in divisive domestic gender politics.

President Clinton, having won the majority of the US women's vote in the 1992 election, worked diligently to move CEDAW forward in Congress. His wife, Hillary Clinton, was also a vocal proponent. At the UN Beijing 1995 conference on Global Women's Rights, then First Lady Hillary Rodham Clinton declared "women's rights are human rights."⁵⁶ Thus, CEDAW remained a politically important vehicle for members of Congress to demonstrate a commitment to women's equal rights-both in the US and worldwide.

Though the number of women in Congress slowly increased (CAWP), there was minimal legislative action on CEDAW for the next several years, primarily due to Senator Jesse Helms' resistance to the bill. Helms held an institutional position of power, as Chair of the Senate Foreign Relations Committee, to effectively prevent a CEDAW hearing despite repeated pressure by many women in Congress (Baldez

⁵⁶ Though the argument had arisen much earlier in Central America (Bunch 2013)

2014). Representative Woolsey, ideologically driven to advance women's rights and particularly sensitive to the needs of women in poverty, was irritated by the political impasse and opted to utilize less traditional politics to make her point.

In the 106th Congress (1999-2000), Representative Woolsey organized ten supportive Democratic congresswomen and marched to where the Senate Foreign Relations Committee was holding a hearing on trade relations with China on October 27, 1999. The Democratic congresswomen who made up the group were; Nancy Pelosi and Barbara Lee of California; Nita M. Lowey of New York; Tammy Baldwin of Wisconsin; Eddie Bernice Johnson of Texas; Corrine Brown of Florida; Janice Schakowsky of Illinois; Patsy T. Mink of Hawaii and Delegate Donna M. Christian-Christensen of the U.S. Virgin Islands. The women carried 3 by 4 foot placards of the letter Mrs. Woolsey had sent to Helms requesting a Senate hearing on CEDAW. Senator Helms was very disturbed by their action.

These Democratic women members of the House were highly motivated to move CEDAW forward. Woolsey described the situation as follows:

We were delivering a letter to his (Helms) office, after trying for months to get an appointment with him so I could hear him and talk to him about CEDAW. But when he wouldn't see us – in fact his staff denied knowing where he was, and we were told by someone else that he was chairing a hearing two doors down the hall – we just walked in, and there was no place to sit. So it wasn't until he gaveled and started telling me to sit down and “act like a lady” that I spoke to him. And I told him we had the letter and we would like to talk to him about the process of ratification of CEDAW. It was then he said we should leave his hearing or we would be escorted out by the Capitol Police, (Washington Post, 1999).

The congresswomen did not leave and were then escorted out of the hearing by the capital police and, according to news reports, slightly rattled by the incident.

Lieutenant Dan Nichols, then spokesperson for the Capitol Police, remarked that he

could not recall any similar incident where members of Congress were “thrown out of a hearing in his 13 years on the force.” (Schmitt 1999, Boyer 1999).⁵⁷ Helms had little hesitation in dismissing the congresswomen advocating for the global treaty to protect the rights of women worldwide. Following the incident, then House Minority Leader Richard A. Gephardt (D-MO) argued that any member of Congress ought to have the right to enter a hearing and be heard. Although this is a partisan issue, Gephardt stated that Helms’s actions were wrong and never should have happened.⁵⁸

The incident shows how little institutional power the Democratic women in the House held and the degree to which sexism pervades congressional discourse. Helms asked the congresswoman to “act like a lady,” essentially to be more reserved and stereotypically feminine rather than barging into the hearing in angry protest. These Democratic women would not need to resort to such measures if they had the institutional power or if their allies in positions of power had effectively convinced Helms to hold a SFRC hearing on CEDAW. As of 2014, no Democratic woman has ever chaired the Senate Foreign Relations Committee. Senator Barbara Boxer (D-CA) is the second highest in rank on the Committee at this time and continues to support CEDAW ratification to this day.

The next time Democratic women showed their support was at the 2002 Senate Hearing on CEDAW. Senator Biden, chair of the hearing, passed the gavel to Senator Barbara Boxer (D-CA) in order to pay homage to her persistent work to advance this legislation. Biden stated that “The reason that the Senator from

⁵⁷ Boyer, D. 1999. “Helms gives heave-ho to female colleagues; Capitol cops oust ‘ladies’ from hearing,” *The Washington Times*, Part A; Pg. A1, October 28.

⁵⁸ Schmitt, E. 1999. “Helms Orders 10 Women From House Out of a Senate Hearing,” *New York Times*, October 28.

California is going to chair this is she knows more about this than most people know. She cares more about it than anybody else in the Senate, and it should be viewed in the way it is intended. This is a symbolic gesture as well to indicate just how important this committee, speaking for myself and I think the majority of this committee, believes this treaty is," (CEDAW, 2002).

At the 2002 CEDAW Senate hearing, Democratic women in the US House lined up to speak in support of ratification. House Representatives Carolyn Maloney (D-NY), Juanita Millender-McDonald (D-CA), Constance Morella (D-MD), and Lynn Woolsey (D-CA) were the first witnesses scheduled to testify. Woolsey, the longtime sponsor of the House bill urging CEDAW ratification (including in the 111th), was the first to speak at the hearing. She briefly pointed to how her very first act in Congress was to submit a resolution urging the Senate to ratify CEDAW and the significant importance of CEDAW for improving the lives of all women everywhere.

Representative Carolyn Maloney (D-NY), another vocal women's rights advocate, stated "On behalf of the U.S. House of Representatives, and especially on behalf of the women Members and supporters of the rights of women worldwide, I commend you for holding this hearing on CEDAW, the treaty for the rights of women," (CEDAW, 2002). Congresswoman Miller-McDonald stated "It is good to see you [Boxer] in the seat [Chair]. You have absolutely been tenacious on behalf of women in trying to pass this treaty. I also would like to thank my dear friend and colleague, Congresswoman Lynn Woolsey, who, too, has been tenacious and has had a commitment to passing CEDAW," (CEDAW, 2002). One House Republican woman, Jo Ann Davis (R-VA), spoke in opposition at the 2002 Hearing, arguing that CEDAW

was not necessary and will harm women's rights in the US. Some Republican women no longer stood with the Democratic women on the issue of CEDAW. Democratic women, however, were still united in their support.

Additionally, the multiple organizations in the US that supported the ratification of CEDAW, primarily US-based international domestic women's rights groups, commended the Democratic women for their efforts in pushing for CEDAW ratification. Groups such as the Feminist Majority Foundation and the National Women's Law Center framed the policy objectives of CEDAW as a transnational women's rights policy that would uplift the status of women in the US. Democratic women worked alongside these groups to push CEDAW ratification forward.

Looking at which members were motivated to work on CEDAW up to the 111th Congress, I find that there was much stronger bipartisan support up through to the early 90s. After that, Democratic women repeatedly made the extra effort to advance CEDAW's ratification, working on both the grassroots and elite policy levels. Primarily after the 1992 and 1994 elections, support for the ratification of CEDAW followed strong partisan and gender political divisions with Democratic women vocally pushing for CEDAW ratification, Democratic men still in support, most Republican women no longer in favor, and Republican men (as I will detail later) exerting resources to halt CEDAW's legislative progress.⁵⁹

Favorable Political Opportunity Structure: 111th Congress (2009-2010)

⁵⁹ The exception being Republican Senator Olympia Snowe and Susan Collins, who have historically remained in support of the treaty.

According to my interviews, at the beginning of the 111th Congress, members of Congress, legislative staffers, and issue advocates felt that a favorable political opportunity structure again existed for considering CEDAW.

[There was] a lot of momentum at the time and that was when Obama was elected and Secretary Clinton was named Secretary of the State, and [Susan] Rice as Ambassador to the UN. And there was a tremendous amount of optimism among the women's rights community that this was the time to make it happen. I mean starting late in 2009, there was a lot of kind of coming together, talking about strategies, how to move forward with CEDAW, (Issue Advocate).

During the 111th Congress, Democratic women again emerged as the force behind CEDAW ratification. Woolsey introduced House Resolution 22, a bill urging the Senate to ratify CEDAW on January 6th, 2009. By the end of the 111th Congress in December 2010, the bill had 136 cosponsors (135 Democrats, 1 Republican), more than any other women's rights US foreign policy bill in the Congress. Nearly all of the Democratic women in Congress had signed on as legislative cosponsors.

By the end of the 111th Congress, these vocal Democratic women champions of CEDAW felt let down by the way other branches of the US government did not forcefully push for ratification. When issue advocates interested in moving CEDAW forward conferred with members of the US State Department and the White House at the beginning of the 111th Congress, they were told that CEDAW is a priority for President Obama but soon discovered that it was not his top priority, which made a tremendous difference. "We were just told quite clearly that CEDAW was not the first priority," lamented one Issue Advocate. The New START (Strategic Arms Reduction) Treaty took greater precedence on the executive foreign policy agenda. Respondents described how the executive faced greater resistance to the START

treaty than anticipated.⁶⁰ Thus, it absorbed more of the administrative resources. “Well, it was really a question of sequencing. The New START Treaty was the number one priority,” stated another Issue Advocate. This feeling was echoed by other respondents, “I think that the President has supported CEDAW but he could say more,” remarked another Issue Advocate.

Some respondents also questioned President Obama’s overall commitment to women’s rights, in both US domestic and global policy. They described rhetorical assertions that were not placed into action. Although the President took several steps to create a stronger infrastructure to advance women’s rights by creating an Office for Women and Girls and an Ambassadorship for Global Women’s Issues, respondents felt that these resources were not maximized for political impact. One staffer perceived that the executive branch had taken women’s rights for granted.

Some of the women’s leaders, they were disappointed by the President and his commitment to women in the first Congress, as well as the Speaker’s [Nancy Pelosi]. . . . I mean, it was very clear like, who women were voting for, and who they weren’t voting for. You know what I mean? So, in other words, were they taking the women for granted- the women’s vote for granted? (Legislative Staff).

Global women’s rights, and the Democratic women who fought for them, were not a policy priority that the executive was willing to use political capital to support.

Without firm electoral accountability, CEDAW could again be tabled for a later date.

Based on my interviews and analysis of the historical documents surrounding CEDAW, I find that the Democratic women and the grassroots women’s rights groups that subsidize their legislative activity (Hall 2006), are motivated to

⁶⁰ The New START was a treaty between the United States and the Russian Federation that would facilitate the inspection of nuclear weapons facilities in Russia, with the ultimate aim of limiting the nuclear arsenals of the world’s two largest nuclear powers.

work on Senate ratification of CEDAW to satisfy both individual (interest to represent all women) and electoral incentives (support from the women's rights communities). Although these women do not have the institutional power to ensure that Senate CEDAW hearing and ultimate vote occurs, they will likely continue to agitate from the outside.

Oppose CEDAW: Republican Men as Protectors of Traditional Women's Roles and US Sovereignty

In my analysis of CEDAW, both in the 111th Congress and over the years, Republican men consistently surface as the lead opponents of ratification in Congress. Considering that gender is such a critical component of the policy objectives as well as the importance of gender for CEDAW advocacy, I would be remiss if I did not point out the partisan gender patterns that consistently appear in opposition. Congruent with partisan expectations, I suggest that Republican men oppose CEDAW to protect traditional women's roles ("from the radical feminist agenda"⁶¹) and to preserve US sovereignty.⁶² Additionally, as men in Congress, they are not expected by their constituents to represent the interests of women the same way as women in Congress (Sanbonmatsu 2002).

Senator Jesse Helms (R-NC) was a formidable political challenge to CEDAW's ratification for many years. Senator Helms, a Republican man, chaired the Senate Foreign Relations Committee between 1995-2001. Senator Helms is considered one

⁶¹ Senator Jesse Helms, 2002

⁶² Though this is an area of contestation, numerous reports affirm that the CEDAW committee has no jurisdiction over US domestic law (Baldez 2011).

of the most vocal opponents of many socially progressive issues in US domestic policy, thus opposing CEDAW aligned well with his broader political agenda. He had opposed the Civil Rights Act, Voting Rights Act, desegregation, gay rights, women's rights, and labor unions. On March 8, 1999, International Women's Day, Senator Helms (R-NC) took the opportunity to make a statement on the Senate Floor expressing his opposition to a CEDAW hearing and potential ratification. "CEDAW ratification is about furthering an agenda which seeks to ensure abortion on demand, and which refuses to recognize any legitimate distinctions between men and women," stated Helms.⁶³

Again, at the historic 2002 CEDAW Hearing, it was Senator Mike Enzi (R-WY) and Senator Samuel Brownback (R-KS), two Republican men, that expressed that the Convention is ineffective and a challenge to US sovereignty. Enzi pointed to how signing CEDAW did not help the status of women in specific countries, or even the American women abroad who were affected by the actions of these foreign countries that were signatories.

Senator Enzi argued that he did "not want the United States' prestige to suffer by association with this group of anti-women rogues, and so I subscribe to the views that the ratification of CEDAW is not in the interest of the United States," (CEDAW, 2002). Senator Brownback, a vocal advocate for the rights of women in Afghanistan, highlighted how Afghanistan as a CEDAW signatory did not protect the rights of Afghani women and girls. He stated that the actions of the US, via US foreign policy administration, matter far more than an "outdated" treaty.

⁶³ Congressional Record, March 8, 1999 available at www.thomas.gov.

In my interviews between 2010-2012, issue advocates highlight how, in prior Congresses, they had greater bipartisan support on Capitol Hill. In at present, CEDAW is now framed as both a challenge to US sovereignty and a challenge to Republican social values on the rights and roles of women. Much of this connects to the growth of divisive identity politics in Congress along partisan lines. Women's rights, gay rights, and the rights of immigrants and people of color in the US are particularly more salient just as the elected representatives of the Democratic Party continue to expand along these exact identity characteristics. In the 111th Congress, the majority of women in Congress were Democratic, the majority of people of color in Congress were Democratic, and the majority of homosexuals in Congress were Democratic. The majority of white men in Congress were Republican. CEDAW aims to advance the rights of women, as a transnational category and the majority of the world's women are not white.

The polarization of the US Congress, particularly in terms of identity politics, creates a challenging climate to move legislation through that targets women as a transnational group. Since the mid 90's, Republicans have continued to drop off as CEDAW supporters. CEDAW, as a UN Convention, requires a 2/3 favorable Senate vote for US ratification, thus the political opportunity structure is even more challenging in a highly polarized environment.

In the past, there were more Republicans that were in favor of CEDAW...But as the years went by and everything became polarized. . . It just became clear that they couldn't even keep the Republicans that were in favor of CEDAW...It's a 2/3 vote, (Issue Advocate).

As highlighted earlier, the lack of incentive to partake in systems of international governance is one of the major hesitations for members of Congress.

The US has the largest military in the world, donates more foreign aid than any other country, and the US economy is also one of the largest in the world. (Hook 2010). When one introduces a form of global governance in concert with the controversial notion of women's rights, there is even greater reason for the US as a sovereign nation to steer clear. Determining what should constitute women's rights is a divisive domestic political issue, particularly on issues that can connect to abortion. Thus, members would rather avoid taking a position on a contentious issue in order to ensure broader appeal amongst their electorate and not alienate supporters (Mayhew 2004).

In my interviews, respondents noted that Republican members of Congress are particularly averse to CEDAW ratification in the 111th Congress.

CEDAW is like horrifying to Republicans. . . And even partial references to it, are just—people are terrified...They don't want to be seen with it. And part of it is just from the U.N. It shouldn't---you know, people believe that they shouldn't have any authority here, (Legislative Staffer).

The Republican Party in Congress has historically held foreign policy positions that prioritize US sovereignty and independence (Lindsay 1994). One legislative staffer mentioned that CEDAW is the “worst issue” for any Republican and that if “you mention it, and they will run screaming in the other direction.” The Convention, at this moment, appears to be toxic for Republicans to support.

Additionally, one legislative staffer emphasized the utility of framing CEDAW not just in terms of the dangers of UN governance, but also in terms of “saving” the US moral autonomy and values.

Respondent: Whoever decides to take up their [Senator Helms] mantle, or whatever you call it- I mean, those issues, even though no one is out there

saying CEDAW is going to legalize prostitution and abortion, someone's going to pick it up.

Angevine: Do you think so?

Respondent: Why wouldn't they? They'll campaign on it. . . [impersonating politician] "I saved the United States Senate from ratifying a treaty, saying the United States would support—would legalize prostitution and abortion." I mean, they'd get tons of money from that, (Legislative Staff).

The resistance to CEDAW within the Republican Party is so great at this moment that many respondents noted that opposition to CEDAW is a "great fundraiser for the right-wing," (Issue Advocate). Another legislative staffer who had worked on CEDAW ratification for several years argued that "[I]f you want one single fundraising issue, bring up CEDAW. And the money will flow in." These sentiments show that Republicans have a strong electoral incentive to be vocal opponents of CEDAW ratification and that the US electorate will even help finance US candidates that promise to work to prevent CEDAW ratification.

I find that Republicans, and consistently Republican men, are motivated to oppose CEDAW to preserve US autonomy from the United Nations and promote more traditional roles for women. Republican women have had a far more varied history in relation to CEDAW. Their declining numbers in the Congress (CAWP) and their declining numbers as CEDAW supporters reflect how the party has shifted its position towards women's rights overtime. Republican women who had supported CEDAW ratification in early '90s, such as Representative Lynn Martin (R-IL) and Claudine Schneider (R-RI) in the 101st Congress are no longer in office. As party polarization widened overtime, there have been far fewer moderate Republican women elected to Congress (Thomsen 2014). The select Republican women who

still do advocate for CEDAW ratification, such as Senators Susan Collins (R-ME) and Olympia Snowe (R-ME), are the most moderate of the Republicans.

The current resistance to CEDAW ratification is so great within the Republican Party that vocalizing opposition to CEDAW can serve as a way to raise campaign funds in US domestic politics, particularly amongst the pro-life community. Ironically, one of the lead members of the US delegation to help construct the language of CEDAW was a Republican woman, Patricia Hutar, appointed by Republican President Richard Nixon (Baldez 2014). But, in the strong partisan environment of the 111th Congress, Republican men and women face strong electoral risks if they individually decide to support CEDAW ratification.

The partisan polarization of Congress in the 111th made it difficult for any bill to move forward, let alone bills that would require a super majority. As one member of Congress stated, "You cannot get the majority vote on anything." A legislative staffer lamented "Right now (111th Congress) the make-up of Congress is really- you know it's really bizarre, just because of the numbers... there are no moderates really." Considering that a 2/3 favorable vote in the Senate is necessary for CEDAW ratification, the divisive context preserves the existing status quo of US non-ratification.

In sum, I find that CEDAW illustrates the stark division between these two groups in Congress who are motivated to work on women's rights in US foreign policy, Republican men and Democratic women. This supports findings by Swers (2002) in her analysis of feminist US domestic policy issues, where Democratic women most often support and Republican men most often oppose these policy

proposals. Democratic women have the greatest to gain electorally by working to advance transnational women's rights, congruent with both their political party and gender role expectation amongst the US electorate. Additionally, Democratic women repeatedly express an internal motivation to represent the rights of all women as transnational surrogate representatives.

In direct contrast, Republican men have the greatest incentive to oppose transnational women's rights, consistent with their political party positions (protectors of traditional women's roles and US sovereignty) and under no additional expectation to represent women.⁶⁴ Republican women, the few that remain in Congress, are caught in a policy quagmire by being women in their personal identity and the partisan divisions on what constitutes the rights of women as a group. They have greater pressure to symbolically and substantively represent women's interests for their party, on a domestic and global scale. When there were more moderate Republicans in Congress, there were more Republican women and greater support for CEDAW from the Republican party. As partisan gender divisions hardened over the rights and roles of women, the support for CEDAW from the Republican women (and some men) diminished in each election cycle. At the 2002 CEDAW Senate hearing, the sole congressional voice in opposition to ratification was a Republican woman (Representative Jo Ann Davis R-VA).

Issue spokesmen Senator Jesse Helms (R-NC) and Representative Chris Smith (R-NJ) point to how they are also individually motivated to prevent these "radical

⁶⁴ Research on gender and party show that female candidates, regardless of political party, are assumed to better represent the interests of women (Sanbonmatsu 2002).

feminist” bills from moving forward in Congress.⁶⁵ Democratic men have historically worked to push CEDAW forward, alongside Democratic women, and Republican women, a group who spoke in favor early on, also now stand alongside Republican men in opposition. The battle over the definition and meaning of women’s rights, on a domestic and global scale, has clear partisan lines that the lens of CEDAW reveals with sharp clarity.

Policy Objectives

Based on my typology, the central policy objective of CEDAW is to advance women’s political rights (State), and the explicit audience is the United Nations. In terms of the policy objectives, CEDAW is unique for several reasons. First, it targets women and their rights on a global scale, both in the US and abroad. I expect that this will affect how issue advocates build coalitions to support and oppose US ratification. Second, as a UN document the policy language is fixed, i.e. no amendments can be made, but Reservations, Understandings, and Declarations (RUDs) can be attached to clarify points of uncertainty and anxiety along US lawmakers. These RUDs reflect debates of policy objectives of global women’s rights and show how the US demarcates the rights of women as a group.

Organizing in the US on Behalf of the Transnational Category of Women

At the 2010 CEDAW Hearing, Senator Dick Durbin (D-IL) stated that “CEDAW is about giving women all over the world the chance to enjoy the same freedoms and opportunities that American women have struggled long and hard to achieve.” This

⁶⁵ Representative Smith even bulked his party to prevent a Foreign Aid bill that he felt did not have enough policy provisions to prevent US foreign Aid from supporting access to abortion (Carter and Scott 2009)

framing creates a division between women of the US and women abroad. By separating the target of the policy from women as a global category to foreign women, Durbin minimizes the challenges American women still face as a marginalized group. The interest group community advocating for CEDAW's passage faced similar difficulties uniting behind advancing women's rights as a transnational policy objective- one that helps both US women and women abroad.

The policy objectives of CEDAW bridge three communities that have organized separately for years: domestic US women's rights advocates, international women's rights advocates based in the US, and international human rights advocates based in the US. Several issue advocates described the difficulty of building a coalition with the international human rights community.

More specifically, they argue that the international human rights advocacy community is better institutionally structured and financially supported than the global women's rights movement. Though these global human rights organizations were interested in protecting *women's* human rights, my respondents felt that in general, human rights organizations were not well-versed in how gender shapes and mediates the definition of human rights. In contrast, domestic US women's rights groups, even those interested in global women's rights, were not as well versed in the dynamics of international human rights law.

The other parallel problem is that human rights people are bad on the question of women and have never been allies around CEDAW. And then the domestic women's movement has not really paid attention to CEDAW either. So it has always been this little possible point of coalition and coalescing but never in the full on movement to ratify CEDAW as a rallying cry for social movement. . . The upshot of all this is that we have not ratified CEDAW, (Issue Advocate).

CEDAW could potentially create a broader understanding of the rights of women as a transnational group, improve the gender-blind nature of international human rights advocacy, and challenge the separation between domestic and international-focused US based women's rights groups. But my evidence from the 111th Congress indicates that this transnational grassroots coalition has not yet solidified.

Even though over 185 US-based organizations and groups have officially endorsed CEDAW, my respondents felt that there has not been enough public pressure to overcome policy opposition. As one legislative staffer stated, "no one cares." Issue advocates working on other women's rights foreign policy bills felt that "the CEDAW community, NGO kind of, you know, community, fumbled that one big time." The lack of a cohesive strategy and grassroots pressure were continually described as justifications for CEDAW's failure, particularly in the 111th Congress.

You can get a bill introduced without grassroots. . . . But you're never going to get broad support without grassroots. You need, you know, especially on international issues....[I]f you don't have broad support for it, you are not going to get the number of cosponsors that you need to create critical mass to get the committees to do anything on it, (Issue Advocate).

At other points in the legislative history of CEDAW, there was stronger grassroots support for CEDAW and the policy objectives were closely linked to the aims of the Equal Rights Amendment in US domestic policy. CEDAW was framed as a vehicle to advance the rights of women in the US and, as such, this invoked greater resistance from domestic anti-feminist groups. I find upon review of the CEDAW 2002 and 2010 hearing testimonies that CEDAW was most often framed as a vehicle to help foreign women rather than US women. This likely contributed to the weak public pressure from domestic women's groups. Respondents pointed to the

division between US women and foreign women in US-based advocacy groups on how to target women's rights. One issue advocate firmly believed that this was a critical hindrance to CEDAW's ratification.

There has been a huge split in the women's movement in the United States around those that work on domestic issues and those that work on global issues. And one of the few places where people have tried to make the connect is around the ratification of CEDAW in the United States, where the most sort of concrete manifestation of international human rights law being applied to what is happening to women domestically has come together, (Issue Advocate).

This distance between the two factions advocating for women's rights is problematic for building a transnational women's rights political agenda as well as for political organizing in the US. As a form of US women's rights foreign policy, CEDAW is a more accurate reflection of how foreign women would prioritize and define their own rights. The policy objectives of CEDAW represent how women from around the world define global women's rights rather than specific US-based actors.

Considering that the US is a global power (Hook 2013), this privileged positioning can lead to potential imperial and biased relationships. My respondents discussed how US exceptionalism even pervades the US-based global feminist community.

The way in which global organizations have gotten instructed in the politics of all of this [global women's rights], particularly those that are based in the global north or that are based in the United States, is that "international" means that you sit in the United States and you work on the rest of the world but not that you make the US part of the 'international' or 'the global,'" (Issue Advocate).

Thus, the policy objective of CEDAW to protect the rights of women, both in the US and abroad, remains entrenched within preexisting global political dynamics. Once seen as a way to advance the rights of women in the US, CEDAW is now primarily

pushed as an effective method to improve the lives of women abroad. This may be an effective strategy to circumvent conservative resistance in the US but it also perpetuates the power dynamics of US exceptionalism and overlooks the impact of CEDAW on improving the lives of US women, a group that could place greater electoral pressure on Congress to ratify.

Reservations, Understandings, and Declarations on CEDAW's Policy Objectives

By examining the US Reservations, Understandings, and Declarations (RUDs) on CEDAW, one can see how transnational governance can clarify nuances in US domestic law on the rights of women. In 1994, President Clinton sent a CEDAW treaty package to the Senate for advise and consent with nine proposed RUDs attached. *Reservations* are specific qualifications that modify US obligations without changing the treaty language and are ways for nation-states to negotiate transnational forms of governance with domestic law. *Understandings* are interpretative statements that clarify policy provisions but do not change the intent of the treaty. *Declarations* are statements of purpose, policy, or position on issues that are raised by the treaty. Clinton attached these RUDs to ensure that CEDAW and US domestic law did not conflict on specific definitions of women's rights. Detailed below, these RUDs show how the US identified and limited the interpretation of the policy objectives of CEDAW on domestic law (Blanchfield 2011).

Clinton's first reservation was aimed at the scope of jurisdiction. The reservation emphasized that the US Constitution is the supreme law of the land governing privacy and "private conduct." Many opponents of CEDAW argued that

the document was designed to socially engineer how people behave in their homes, particularly since women (and their rights) are connected to the domestic sphere. Opponents were concerned that one of the policy objectives was to change people's opinions and principles. The reservation was attached to comfort those in the US who wanted to preserve traditional and religious beliefs around parenting and regarding the rights and role of women in the private sphere.

The second reservation claimed that the United States “does not accept an obligation under the Convention to put women in combat positions,” (Blanchfield 2011). Though women in the US now have that right to be in combat, in the mid-90s it was one of the few places where the state was allowed to discriminate against women. The next two reservations dealt with gender and the economy. It specified that the US would not accept the CEDAW definition of comparable worth for women's labor. In the same vein, the US would not guarantee, “paid maternity leave” because it did not correspond with US domestic law. These were forms of gender discrimination (as outlined by CEDAW) that the US government desired to keep in place.⁶⁶ These reservations reflect the ways in which gender discrimination was codified under US law.

The three understandings Clinton attached to CEDAW prioritized maintaining US sovereignty and defining family planning. The first understanding attached by the Clinton administration assured that no new laws would be created as a result of CEDAW. The US education system would not be affected and neither

⁶⁶ Women's rights groups in the US are still working to strengthen federal and state laws to ensure women are paid the same as men in the formal economy and to create paid maternity leave policies, an issue that centrally affects the lives of American women.

would the right to free speech or expression be challenged in the US. The second understanding argued that, “the United States and other States Parties may decide the nature of the health and family planning services referred to in the Convention, and may determine whether they are ‘necessary’ and ‘appropriate’” (Blanchfield 2011). This understanding was an attempt to distance CEDAW from domestic abortion debates.

The final understanding stated that the US would not be bound by the jurisdiction of the International Court of Justice, another way of explicitly preserving US sovereignty. Thus, Clinton was able to deliver a version of CEDAW to the Senate Foreign Relations Committee that would not challenge US sovereignty, would preserve existing US gender norms and legal rights, and would still demonstrate the US commitment to ending discrimination against women worldwide. But the resistance to these policy objectives was still too great.

Though abortion is not specifically mentioned in CEDAW, opponents of US ratification argue that parts of the Convention could be interpreted as supporting abortion access, namely the phrase “access to health care services, including those related to family planning,” (Blanchfield 2011). As mentioned earlier, Senator Helms proposed an amendment with a fourth understanding that “nothing in this Convention shall be construed to reflect or create any right to abortion and in no case should abortion be used as a method of family planning” (Blanchfield 2011). In 2002, the Helms understanding officially was attached to the Convention. Though

this language helps create a more neutral ground for opponents of abortion, it also sets a precedent that some reproductive rights advocates are uncomfortable with.⁶⁷

The political debate over the policy objectives of CEDAW also reveals several other tensions over the rights of women in the US. The definition of discrimination in CEDAW has been critiqued as too broad. Preventing discrimination against women may create space to permit same-sex marriage, since preventing a woman from marrying another woman could be understood as discrimination. Additionally, critics argued that guaranteeing the equal access of men and women to education will challenge the right of US families to home school (Blanchfield 2011). Also, the question has been raised of whether or not CEDAW favors decriminalization of prostitution. Baldez (2011) argues that these critiques of the impact of CEDAW on US law are unfounded since the CEDAW Committee in the UN only makes recommendations and has no authority. Nevertheless, debates over CEDAW agitate domestic conversations on what types of gender-based discrimination the US wants to preserve and/or challenge.

CEDAW and Strategic Feminism

I think that is one of the things that has really changed since the time when CEDAW was first introduced- that there is much more recognition of how central women are to advancing democracy and development, and also to national security, (Issue Advocate).

The connection between advancing women's rights and improving political stability had been made on Capital Hill in Washington DC and this presented a more favorable political opportunity structure for proponents of CEDAW. Advancing

⁶⁷ Pozen, J. 2007. "The High Price of Compromise." RH Reality Check

global women's rights has been shown to reduce terrorism and violence, contributing to US national security.⁶⁸ After 9/11, President Bush, a Republican man, initially supported the aims of CEDAW (with some clear reservations). The long-term advocates for CEDAW passage were still the women of the Democratic party but this argument appeared to create a favorable space for bipartisan support. Global women's rights and US strategic interests abroad seemed to align for a broader coalition.

After 9/11 it became apparent of what was happening to women in the Middle East and how important they could be in making this difference. It became known to those of us who already care about women, (Member of Congress).

This connection between advancing women's rights and US military intervention drew heavy critique from the global feminist activist and academic community. Feminists, both in the US and abroad, argued that global women's rights were being used as a distraction from the violent acts of war and US-led military domination (Young 2003, Ferguson 2005). Additionally, US-based feminist organizations were critiqued as not engaging with the local women's activist groups abroad, like RAWA (Revolutionary Association of Women in Afghanistan) (Fernandez 2006). Nevertheless, this connection created new arguments for the importance of US CEDAW ratification in the halls of the US Congress.

Post 9/11, the American public also cared more about women's rights in foreign countries- for both humanitarian and strategic interests.⁶⁹ Prominent US

⁶⁸ Valerie Hudson, Bonnie Balilif-Spanvil, Mary Caprioli, and Chad Emmett in *Sex and World Peace* (2012), shows how gender-based violence is highly correlated with violent, unstable societies and is more likely to produce terrorism.

⁶⁹ Roper public opinion poll data gathered by author

political leaders, First Lady Laura Bush as well as several women members of Congress, Senator Barbara Boxer (D-CA) and Senator Kay Bailey Hutchinson (R-TX), drew US public attention to the rights of Afghani women and connected their oppression under the Taliban government to the need for stronger global women's rights legislation. CEDAW was framed as a critical method to legitimize the US position as a defender of women's human rights.

As mentioned earlier, CEDAW is unique in that it targets women as a transnational category (including women abroad and in the US). But, post 9/11, the Convention was largely framed as a vehicle that will advance the rights of women in foreign countries. Though this may have been problematic for building a broader grassroots support network, respondents highlighted how support for advancing foreign women's rights had vastly improved in the post 9/11 political climate. In congressional hearings aimed at discussing stability and peace in the Middle East, witnesses highlighted the importance of US CEDAW ratification for the legitimacy of the Convention in countries such as Afghanistan. Similarly, my respondents highlighted this shift. Nevertheless, the lack of grassroots support in the US remains the central obstacle for CEDAW ratification by Congress.

In this chapter, I provide a brief history of how CEDAW was initially constructed and passed by the United Nations in 1979, how CEDAW has fared in the US Congress, and offered a richer understanding of the legislative dynamics surrounding CEDAW. Based on interviews with issue advocates, legislative staff, and members of Congress in addition to congressional testimony, newspaper articles,

and congressional research reports, I show how the divergent policy objectives and congressional motivations both propel and constrain CEDAW's legislative progress.

In terms of congressional motivation, I show how Democratic women in Congress are motivated to ratify CEDAW and that Republican men are motivated to oppose. Republican men gain political capital by opposing CEDAW, since they are seen as both protecting US state sovereignty as well as preserving the traditional roles of women in the US. Democratic women, in contrast, have both electoral and individual incentives to see CEDAW ratified by the US. Given the importance of institutional power to ensure CEDAW's ratification, until Democratic women hold higher institutional positions- such as Chair of the Senate Foreign Relations Committee- they will likely continue to be unsuccessful. A divisive, polarized Congress and a President on his first term in office laid a shaky foundation for motivating members of Congress to push for CEDAW ratification in the 111th Congress, despite other favorable political conditions.

In terms of policy objectives, I find that the bill was primarily framed as a women's human rights treaty for *foreign women*, despite the transnational language. As such, US grassroots advocacy was limited. Issue advocates were able to capture some of the political momentum that supports women's rights as a mechanism for democracy, economic stability, and peace in foreign countries, i.e. a form of strategic feminism. In this shift, they appeared to have weakened the strength of the transnational connection to and solidarity with American women, a group who share political interests as women.

American women have many more similarities with their sisters around the world as an oppressed group than they may care to admit. The distraction of gender oppression abroad may even serve to perpetuate US domestic compliance with forms of sexism and gender oppression at home. Advocates suggest that if US women perceived CEDAW as a vehicle to advance their *own* rights as women, rather than as a vehicle to advance the rights of women in foreign countries, there may have been broader US support for treaty ratification.

In sum, I show that CEDAW is a form of transnational women's rights US foreign policy because; 1) it applies to women as a transnational category and 2) women from around the world drafted the treaty. The transnational nature of this piece of women's rights US foreign policy is a strength and a weakness for building broader political support. I find that the weak domestic pressure behind CEDAW ratification illustrates the division between the "domestic" and "international" focus in the women's rights community and splinters issue advocacy for transnational women's rights legislation, such as CEDAW.

While CEDAW continues to sit in the US Senate Foreign Relations Committee, some US-based global feminist actors are working on applying the principles of CEDAW to local levels of US politics. CEDAW is broader than existing women's rights legislation in the US and thus, can do more to advance the rights of women in America. This may lead to greater US support and unification of the US international and domestic women's rights advocacy community in the future.

Chapter 6:

Strategic Feminism: The International Violence Against Women Act Of 2010

Now it is time for Congress to act. That is why in the coming weeks I plan to introduce, with my colleagues, the International Violence Against Women Act. This legislation would systematically integrate and coordinate efforts to end violence against women in our foreign policy, promote women's human rights and opportunities worldwide, support, and build the capacity of local NGOs working to end the violence, and finally, enhance the training in humanitarian relief in crisis settings. This legislation, as I suggested, is the right thing to do, it is the moral thing to do, and it is the smart thing to do (Congresswoman Janice Schakowsky, D-IL, IVAWA testimony, 10/21/2009).

The International Violence Against Women Act (IVAWA) is cited as the most comprehensive commitment by the US state government to combat violence against women around the world.⁷⁰ The International Violence Against Women Act of 2010 is the second most widely supported US foreign policy bill that targets women's rights abroad, garnering 134 bill cosponsors in the US House (127 Democrats, 7 Republicans) and 35 cosponsors (32 Democrats, 2 Republicans, 1 Independent) in the US Senate during the 111th Congress (2009-10). In terms of my women's rights foreign policy typology, IVAWA targets women's bodily integrity, their right to be free from violence and the right to human security. The audience of the bill is the US foreign policy administration.

Analyzing the legislative dynamics surrounding the International Violence Against Women Act of 2010, a bill with widespread support as well as resistance,

⁷⁰ Congressional Research Summary, 2007

provides insight into the multiple policy objectives of and the congressional motivations behind women's rights foreign policy in Congress. The policy objectives of IVAWA target all foreign women and are broad in scope. This is both a strength and weakness for building broad-based support on the Hill. The bill language sets aside millions of US foreign aid dollars to improve treatment for victims of gender-based violence, institutionalizes an Office of Global Women's Issues in the Department of State, prioritizes gender-sensitivity training, and mandates the construction of a US foreign policy strategy to reduce gender-based violence.

I find that a strategic partnership is formed between congressional foreign policy entrepreneurs and women's rights policy entrepreneurs to support IVAWA. In this chapter, I show how this strategic feminist partnership is tested when the definitions of empowerment, violence, and health are challenged as contentious policy language. The bill substantively and comprehensively prioritizes women's human rights in the administration of US foreign policy. As of this writing, the bill has failed to pass since its first introduction in 2007.⁷¹ IVAWA has been introduced by different House and Senate members each Congress but most often by congressional foreign policy entrepreneurs (members of the House Foreign Affairs Committee).

In contrast to CEDAW, IVAWA maintains US sovereignty while combatting gender-based violence globally. In contrast to the International Protecting Girls from Child Marriage Act (IPGCM), IVAWA targets numerous forms of gender-based violence and restructures the entire US foreign policy administration. In sum,

⁷¹ In 2014, select pieces of IVAWA have been adopted by the Department of State.

IVAWA is broader than the IPGCM Act, but not as expansive as CEDAW in terms of global governance. I find that the size of IVAWA encourages a broad interest group coalition (over 200 groups endorsing) but that this also invites greater conflict (particularly amongst the organizations) and resistance (due to the rigid strength of the status quo and degree of change desired in policy).

In this chapter, I first discuss the policy construction of International Violence Against Women Act and summarize the bill. I then outline how transnational advocacy interest groups came together to combat gender-based violence as a matter of woman's *human rights*. Then, from the perspective of the US Congress, I review the development of the Violence Against Women Act (VAWA) in domestic policy and provide a brief overview of IVAWA's legislative history. IVAWA is in many ways an extension of the Violence Against Women Act (VAWA) in US domestic policy, and thus preventing gender-based violence is a consistent policy goal.⁷² During the 111th Congress (2009-10), Senate and House congressional hearings were held on IVAWA for the first time. On December 14th 2010, the Senate Foreign Relations Committee passed IVAWA (11-8) but there was not enough time for a vote on the Senate Calendar. In the House, IVAWA remained in committee.⁷³

Following this historical policy narrative, I analyze the multiple motivations behind working to support and oppose IVAWA in Congress. I show how interest groups help create a strategic coalition of members with institutional US foreign

⁷² The strong resistance to VAWA reauthorization in 2012, primarily due to concerns over population eligibility and reproductive health, were the same arguments brought against IVAWA two years prior in 2010. VAWA was reauthorized in 2013.

⁷³ <http://feministing.com/2010/12/15/international-violence-against-women-act-ivawa-passed-by-senate-foreign-relations-committee/>

policy power and members committed to advancing women's human rights. I then examine of the policy objectives of IVAWA and I discuss the different ways that international women are symbolized as the target population of the bill. I also illustrate how debates over terminology create friction and are perceived as loopholes for supporting abortion. This policy language stand off over between divergent issue advocates, namely the US Catholic Bishops and WomenThrive Worldwide, hampered the bill's progress. I conclude by showing the strengths and weaknesses of applying strategic feminism to women's rights foreign policy.

International Violence Against Women Act of 2010 Policy Summary

The International Violence Against Women Act (IVAWA) directs US foreign aid towards eliminating gender-based violence. It creates a 5-year strategy to reduce violence in specific countries that have severe levels of violence against women and girls. At present, USAID (United States Agency for International Development) has many programs that address gender-based violence but this Act consolidates these fractional efforts and creates a more systemic, comprehensive, multi-sector approach. IVAWA also expands financial support to local NGOs working to end violence against women in their own countries.

The first section of the IVAWA of 2010 highlights the multiple ways in which women are targeted for violence (femicide, dowry deaths, female genital mutilation, rape, wartime rape, domestic abuse, sexual exploitation, honor killings) and how these forms of gender-based violence impede global health and economic development objectives. The second section specifies what will constitute US foreign

policy towards violence against women. The aim of IVAWA is to integrate, coordinate, and expand US foreign policy and US foreign assistance programs that prevent and respond to violence against women and girls.

The bill language states that the policy of the United States will be to “promote women's political, economic, educational, social, cultural, civil, and human rights and opportunities throughout the world” (IVAWA). This marks a strong, clear US stance towards women’s human rights. IVAWA will provide financial aid to indigenous NGOs combating gender-based violence and support US organizations which partner with them. The multi-sector approach is defined as “working at individual, family, community, local, national, and international levels and incorporating service, prevention, training, and advocacy activities and economic, education, health, legal, and protective intervention services” (IVAWA). This comprehensive method addresses how multiple structural factors contribute to violence against women and, in turn, creates a systemic model to ending these abuses of “women’s human rights.”

The inclusion of instruction on preventing and responding to violence against women as a part of the training of professional foreign military, police forces, and judicial officials by US personnel (as well as contracted security forces) is also a priority of the bill. IVAWA highlights how the very people that have been charged with protecting women’s human rights can be the perpetrators. Engaging men and boys as community leaders to end violence against women is also an explicit policy objective, reflecting a preventative approach that does not only target the victims of gender-based violence.

The IVAWA policy section concludes by referencing the relationship between the US and the United Nations, urging the UN member states to fully implement the provisions of UN Security Council Resolutions 1325, 1820, and 1888- all of which expand and protect women’s human rights.⁷⁴ This clause indicates that the policy ideas in IVAWA draw from the global movement to end violence against women movement in the UN. The bill does not target any specific country or region but rather attempts to institutionalize these goals of ending gender-based violence within the broader US foreign policy administration and applies to women as an international category.

What is unique about IVAWA in comparison to other US foreign policy bills that target women’s rights (and what also makes the bill more controversial) is that the bill has “teeth.” IVAWA sets up a central infrastructure within the Department of State to end violence against women and appropriates the necessary funds to do so. IVAWA installs three institutional changes to prioritize combating violence against women. First, it establishes the Office of Global Women’s Issues in the Department of State in statute and appropriates \$10,000,000 for the office to carry out its objectives. Second, it creates the Office for Women’s Global Development in the United States Aid for Development (USAID) and appropriates \$15,000,000 for the office to fulfill its mission. Finally, it requires that one year after the bill is enacted, the Ambassador-at-Large for Global Women’s Issues and the Director of Women’s

⁷⁴ UN Resolution 1325 advocates for women to be included in the peace building process, from negotiations to post-war reconstruction. UN Resolution 1820 specifically address how sexual violence is a tactic of war and requires a planned and trained military and police reaction to sexual violence. UN Resolution 1880 requires high-level leadership on prevention of sexual violence, such as judges, women protection officers, and improving the methods of reporting.

Global Development present a five-year strategy to prevent and respond to violence against women and girls in the 5 to 20 countries that are the most dangerous states for women as a group.⁷⁵

In sum, IVAWA is considered by its advocates as a piece of groundbreaking legislation that would place stopping violence against women as a priority in both US diplomacy and US foreign aid. According to the Congressional Research Service (CRS) summary of this bill, ending violence against women is already a component of several US foreign aid initiatives, such as reducing the spread of HIV/AIDS, improving maternal mortality, eliminating human trafficking, and country-specific initiatives to educate women on their rights (H.R. 4594, 2010). This bill would facilitate stronger channels of communication and cooperation on these initiatives, from supporting the best practices of local NGOs on the ground to the transnational efforts led by the United Nations. In sum, IVAWA is a comprehensive bill that instills a US foreign policy infrastructure to measure, evaluate, improve, and expand all of these efforts to eliminate violence against women globally.

Policy History

United Nations and Gender-Based Violence

According to the United Nations (UN) 2010 report, one in every three women around the world will be beaten, coerced into sex, or physically abused during her

⁷⁵ To place this in the broader context of US foreign aid, the US international affairs budget is, on average, roughly 50 billion dollars (excluding defense operations) and has generally consisted of 1 to 2 percent of the entire US federal budget.

lifetime.⁷⁶ The UN reports that in the Democratic Republic of Congo, 36 women and girls are raped on average each day. In Columbia, one woman is reportedly killed by her partner (or former partner) every six days. The United Nations Population Fund estimates that the victims of “honor killing” may be as high as 5,000 women per year worldwide. The Geneva Center for the Democratic Control of Armed Forces reports that the number of women who die because of gender-related violence, deprivation, and discrimination is larger than the casualty toll in all the wars of the 20th century combined (United Nations 2010). Gender-based violence is a clear human security issue for women and girls and some would argue, a violation of global human rights.

When a group of people are targeted based upon a specific identity factor, such as gender, the violence is no longer random but systematic. Despite its detrimental effects on women, families, the economy, and overall security, violence against women has long been considered a private issue, outside the jurisdiction of the public sphere, and thus legal. In recent years, issue advocates have successfully argued that violence against women needs to be considered a violation of human rights (Joachim 2007). Advocates posit that states and governments must intervene to protect women’s human rights to be free from physical harm inside the household. Many state governments have begun to take positions against gender-based violence on both the local and global level, including the United States.

In Joachim’s (2007) history of women’s rights agenda setting within the United Nations (UN), women’s non-governmental organizations (NGO) successfully drew attention to violence against women as a transnational women’s rights issue at

⁷⁶ Violence Against Women, UN Department of Public Information, DPI/2546A, November 2009
http://www.un.org/en/events/endviolenceday/pdf/UNiTE_TheSituation_EN.pdf

the UN women's world conferences in Copenhagen (1980), Nairobi (1985), and Beijing (1995). At the 1993 UN World Human Rights Conference in Vienna, women's groups from around the world mobilized to link women's rights to the universal human rights framework. The article "Women's Rights as Human Rights" (Bunch 1990) is cited as a key piece of literature that framed gender-based violence as a human rights violation (Keck and Sikkink 1998). Soon after, the UN General Assembly adopted a Declaration on the Elimination of Violence Against Women, a non-binding resolution stating that *violence against women is a violation of human rights* (UN, December 1993). As the legal protection of human rights expanded, women gained access to more channels of legal protection. Victims of gender-based violence now have new avenues of recourse to ensure their right to be free from harm in the era of supra-governance structures.⁷⁷

US Congress and Violence Against Woman

Violence Against Women Act (VAWA): A Domestic Issue in Congress

Declaring spousal abuse a crime is a relatively recent phenomenon in the US. The first bill to address physical abuse in the private sphere was the "Domestic Violence Prevention and Treatment Act" introduced June 21, 1977. But not until 1984 did this legislation become public law in the US, with the passage of "The Family Violence Prevention Services Act." This Act authorized federal funds for US states to develop programs and projects to reduce violence in families. This was the

⁷⁷ In 1991, the Council of Europe issues a Solemn Declaration on the Elimination of Sexual Violence. In 1995, the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women went into effect, giving women the right to file grievances in either the Inter-American Court or the Inter-American Commission on Human Rights.

first time funds were specifically designated for programs serving abused women and their children.

In 1994, ten years later, Congress explicitly addressed violence against women. The first Violence Against Women Act (VAWA) was introduced to the US Senate by Senator Joseph Biden (D-DE) on January 21, 1993 and to the US House by Representative Patricia Schroeder (D-CO) on February 2, 1993. Biden had begun his exploration of violence against women as a US policy issue in 1990. VAWA was added to the 1994 Crime Act, which President Clinton signed into law on September 13, 1994. US feminist groups, such as Legal Momentum and the National Organization of Women, claim that the Violence Against Women Act was one of the greatest civil rights battles won for women (Laney 2008).

Years later, Representative Christopher Smith (R-NJ) introduced the Victims of Trafficking and Violence Protection Act of 2000. Division B of this legislation reauthorized VAWA, which President Clinton then signed into law. VAWA of 2000 expands the original provisions to protect immigrant victims, elderly victims, victims with disabilities, and victims of dating violence. In 2005, Representative Mark Green (R-WI) introduced the Violence Against Women Reauthorization Act of 2005, which President Bush then signed into law.

Historically, there has been bipartisan support in Congress for this legislation to protect women. But a more partisan Congress failed to reauthorize VAWA in 2012. After significant political debate and successful Democratic 2012 election outcomes, VAWA was again reauthorized in 2013. The Act expanded to include low-income women, lesbian women, undocumented immigrant women, and Native

American women.⁷⁸ Both Republicans and Democrats have worked to reduce violence against women in the US but exactly what constitutes “violence”, “rights”, and “which” women deserve the protective services of the state has been contested. These ideological divisions continue to manifest when working to reduce violence against women overseas, as members of Congress again debate the meaning of women’s human rights.

International Violence Against Women Act: A Foreign Policy Issue in Congress

In 2005, the idea for an International Violence Against Women Act (IVAWA) began amongst several leaders of the transnational NGO community in the US that had worked on violence against women in foreign countries. Seeing the success of the domestic Violence Against Women Act (VAWA) years earlier, leaders from Amnesty International, Women Thrive Worldwide (formerly Women’s Edge Coalition) and Futures Without Violence (formerly the Family Violence Prevention Fund) came together and began discussing what the US could do to combat violence against women globally. According to one legislative staffer, this “coalition of organizations” was primarily responsible for drafting the bill’s original content.

The central mission of Amnesty International is to ensure that “every person – regardless of race, religion, ethnicity, sexual orientation or gender identity – enjoys all of the human rights enshrined in the Universal Declaration of Human Rights (UDHR) and other internationally recognized human rights standards.” (amnestyusa.org). The mission of Futures Without Violence is foster a society free

⁷⁸ “A Shift on Violence Against Women” 2013. New York Times Editorial, February 2. http://www.nytimes.com/2013/02/28/opinion/a-shift-on-violence-against-women.html?_r=1& accessed April 4, 2014.

from violence and aims “to end violence against women, children and families around the world,”(futureswithoutviolence.org). Women Thrive Worldwide “advocates for change at the U.S. and global levels so that women and men can share equally in the enjoyment of opportunities, economic prosperity, voice, and freedom from fear and violence,” (womenthrive.org). These three organizations are committed to protecting women’s human right to be free from violence.

The meeting of these three organizations led to the formation of a tight issue network and the seeds of the International Violence Against Women Act. They then consulted with policy experts and the broader women’s human rights NGO community to craft a comprehensive, clear, and globally supported bill. As one issue advocate summarized the IVAWA legislative process, “It is the coalition of organizations, in this case NGOs, around the bill who really think about and garner the expertise of their organizations, reach out to other organizations and partners around the world to think about what’s needed [in the bill content].” Interest groups often work with members of Congress to shape the language of a bill but I find that in the case of IVAWA, this lead issue network was particularly influential.

The sponsors of IVAWA in Congress have varied. In 110th Congress (2007-08), IVAWA was first introduced by Senator Joseph Biden (D-DE) in 2007 to the Senate and, later that year, introduced by Representative Howard Berman (D-CA) to the House. Senator Joseph Biden, referred to as the “grandfather” of IVAWA by some issue advocates, initially introduced IVAWA on October 31st, 2007 in the 110th Congress. Representative Howard Berman (D-CA), high-ranking member of the House Foreign Affairs Committee in the 110th, introduced the same version of

IVAWA several months later to the US House (April 30th, 2008). Both were members of the Foreign Affairs Committee in the House and Senate, respectively.

In 111th Congress (2009-10), Representative William “Bill” Delahunt (D-MA) reintroduced IVAWA in the House and Senator John Kerry (D-MA) reintroduced IVAWA to the Senate. In the 112th Congress (2011-12), IVAWA was reintroduced by Representative Janice Schakowsky (D-IL) but not reintroduced to the Senate. In the 113th Congress (2013-14), Representative Janice Schakowsky (D-IL) again reintroduced IVAWA and Senator Barbara Boxer (D-CA) is likely to reintroduce IVAWA to the Senate. As mentioned earlier, I focus my analysis on the legislative activity of the 111th Congress.

Focusing on the 111th Congress

Though the bill ultimately died in committee during the 110th Congress (2007-2008) and never moved to a vote, IVAWA served as a platform for transnational interest advocacy groups to educate other members of Congress on the prevalence of gender-based violence and why it needed to be prioritized as a matter of US foreign policy. By the end of the 110th Congress, IVAWA had 30 cosponsors in the House (27 Democrats, 3 Republicans) and 21 cosponsors (14 Democrats and 7 Republicans) in the Senate.⁷⁹

During the 111th Congress, the new Democratic majority in both the legislative and executive branches provided a ripe political context for advancing women’s human rights. But IVAWA’s lead Senate sponsor Joe Biden (D-DE) had been elected

⁷⁹ Congressional Record, www.thomas.gov.

to the executive office of Vice-President and could no longer introduce it. Senator John Kerry was appointed the new chair of Senate Foreign Relations Committee. Kerry agreed with the objectives of IVAWA and respondents mentioned how in the outgoing memo to the Foreign Relations committee, IVAWA was prioritized. Additionally, several of the organizations that Kerry worked closely with in the past were working hard on it and thus, he decided to be the lead sponsor of IVAWA in the 111th, according to my respondents.

Kerry held an IVAWA hearing in the Senate Foreign Relations Committee, titled "*Violence Against Women, Global Costs and Consequences*" on October 1, 2009. According to Kerry, this was "the first time that violence against women on a global scale has been the subject of a hearing of the full Senate Foreign Relations Committee" (Kerry 2009). On October 21, 2009, a few weeks later, the House Foreign Affairs Committee also held an IVAWA hearing titled "*International Violence Against Women: Stories and Solutions.*" The hearing was before the House Committee on Foreign Affairs, Sub-Committee on International Organizations, Human Rights, and Oversight chaired by Representative Bill Delahunt (D-MA), IVAWA's lead House sponsor.

After the Senate and House hearings, the interest group coalition prioritized building legislative momentum. On October 22, 2009, the morning after the House hearing, the Congressional Caucus for Women's Issues held a breakfast briefing on IVAWA in the House.⁸⁰ Representative Gwen Moore (D-WI) met with Amnesty International's Secretary General, Irene Zubaida Khan, to discuss the dynamics of

⁸⁰ "Moore Highlights Need For International Violence Against Women Act" 2009. Press Release. October 22.

IVAWA and promote the legislation specifically to the other women members of Congress. During the next few months, the coalition pushed to gain as many Congressional cosponsors as possible to be signed on to IVAWA at the outset.

On February 4, 2010, the lead sponsors of IVAWA held a bill introduction press conference. At the press conference, Senator John Kerry (D-MA), Senator Barbara Boxer (D-CA), Representative Bill Delahunt (D-MA), Representative Ted Poe (R-TX), and Representative Janice Schakowsky (D-IL), along with Humaira Shahid, a women's rights advocate in Pakistan, and Irene Safi Turner, a women's rights activist in the Democratic Republic of Congo, all spoke on behalf of IVAWA.

That morning an editorial titled "Protection for Women a Top Foreign Policy Priority" written by Senator Kerry, Representative Delahunt, Kerry Kennedy (Chair of the Amnesty International Leadership Council), and Larry Cox, (then Executive Director of Amnesty International) was published in Politico- the widely read DC newspaper. The editorial emphasized both the moral and strategic outcomes of passing IVAWA. The authors argued that passing IVAWA "isn't just the right thing to do - it's in our own interests. Investing in women makes sense because when they are safe and free to earn a living they invest in education and grow economies - making U.S. assistance dollars go farther. And, U.S. security benefits from the elevated status of women" (Kerry, Delahunt, Kennedy, and Cox, 2010).

IVAWA was reintroduced to the US House with 25 cosponsors (12 Democratic men, 12 Democratic women, and 1 Republican man) and in the Senate with 25 cosponsors (15 Democratic men, 8 Democratic women, and 2 Republican women) on February 4, 2010. There was bipartisan support, though minimal. Over

the 2010 summer, the interest groups focused on gaining support from members of the Pro-Life Caucus. Representative Chris Smith (R-NJ), head of the Caucus, was concerned that the policy language in IVAWA was not explicit enough in terms of abortion (as will be discussed in the objectives section). By the end of summer however, IVAWA had over 100 bill cosponsors, making it one of the most widely supported women's rights US foreign policy bills.

The Congressional Caucus for Women's Issues held another luncheon where Representatives Poe and Schakowsky emphasized how IVAWA would not cost any extra foreign aid dollars. Respondents mentioned that over the summer, the financial cost received a great deal of criticism, particularly by Senator Lugar (R-IN). The exact amounts were removed from the bill language and the message shifted slightly to stress how IVAWA restructures existing US foreign aid dollars.

On the Senate side, IVAWA gained legislative momentum. Senate Foreign Relations Committee (SFRC) Chair Kerry scheduled a mark-up hearing on IVAWA to consider any final amendments before a vote on September 10, 2010. Kerry cancelled it though, minutes before the mark-up hearing was scheduled, potentially due to concerns that the bill would not pass.⁸¹ A few months later, on December 14, 2010, the SFRC did approve the International Violence Against Women Act (11-8). In the mark-up committee hearing, much of the initial funding had been taken out of the bill but no restrictive abortion language was added (despite pressure to do so). Senators Barbara Boxer (D-CA), Susan Collins (R-ME), and Olympia Snow (R-ME),

⁸¹ EB. 2010. "Senate Committee Cancels I-VAWA Hearing" *ifeminist.com*, September 30, accessed October 4, 2013.

the three women in the US Senate leading support for IVAWA, released a joint press release lauding the successful SFRC committee vote.

Our bill aims to make violence against women and girls internationally a top diplomatic priority of the United States and equips the State Department and the United States Agency for International Development with the resources they need to achieve this goal. We also must continue to work to uplift women and girls by enhancing their economic opportunities, ensuring their full participation in the global community (Collins, 2010).

Although the bill was placed on the Senate Legislative Calendar on December 21 under General Orders (Calendar no. 725), there was not enough time to hold a vote on IVAWA before the 111th Congress adjourned. Republicans had decisive victories in the November 2010 elections and it was particularly difficult to move any legislation that could be considered controversial.

Kerry had successfully shepherded IVAWA through the committee but did not have enough time and congressional support to bring IVAWA to a general vote in the Senate. This may have been a strategic move to avoid embarrassment, considering the frazzling bipartisan coalition. According to my respondents, Kerry also had to address the many foreign policy objectives of President Obama, such as passing the nuclear arms reduction treaty with Russia.

Though the IVAWA legislation has not passed in Congress, many of the policy provisions have been adopted by the US Department of State through Executive Order under President Obama and Secretary of State Hillary Clinton. Three of the central policy goals of IVAWA have been put into place. First, the Office of Global Women's Issues and the Ambassador for Global Women's Issues were both created

through Executive Order of President Barack Obama in March 2009.⁸² Second, USAID restructured their Economic Growth, Agriculture, and Trade's (EGAT) Women in Development Office into a new Office of Gender Equality and Women's Empowerment, led by Carla Koppell and Dr. Caren Grown.⁸³ In March 2012, USAID released their first departmental Gender Equality and Female Empowerment policy.⁸⁴ Lastly, in August 2012, the US State Department released the first ever *United States Strategy To Prevent and Respond to Gender-based Violence Globally*.⁸⁵ Since IVAWA is not in statute, this attention to women's human rights in US foreign policy may only be temporary. Thus, members continue to introduce IVAWA and work to gain broader congressional approval.

Congressional Motivation

In the case of IVAWA, I find that the two groups I expect to be the most likely to sponsor WRFPP, traditional congressional foreign policy entrepreneurs and women's rights policy entrepreneurs, work closely together in what I refer to as a strategic feminist partnership, where feminist and strategic policy objectives are combined. Given the large scope of the bill, I find that the outermost ideological members of the coalition fundamentally conflict on what constitutes women's human rights. More specifically, terms such as violence, empowerment, health, and liberty created suspicion amongst interest groups and members of Congress

⁸² Executive Order 13506 of March 11, 2009

⁸³ USAID. 2011. "Strengthening USAID's Gender Programming and Organizational Structure" Press Release, USAID Office. April 26.

⁸⁴ Steinberg, D. 2012. "Inclusive Development: USAID's New Gender Equality and Female Empowerment Policy." Press Release. White House Council on Women and Girls. March 5

⁸⁵ Office of the Spokesperson. 2012. "Release of First United States Strategy To Prevent and Respond to Gender-based Violence Globally" Press Release. US Department of State, August 10.

opposed to abortion. In addition, whether or not the US foreign aid should go towards a “cultural issue” was subject to debate. Opposition was primary based in the strength of the status quo, potential costs of IVAWA, and concerns over how the bill supports or opposes access to abortion.

Support IVAWA: The Strategic Partnership between Congressional Foreign Policy Entrepreneurs and Women’s Rights Policy Entrepreneurs

In my analysis of IVAWA, I find that there is a coalition formed between members of Congress who are congressional foreign policy entrepreneurs and women’s rights policy entrepreneurs (primarily Democratic women) to support this legislation. To better understand how this strategic partnership is formed, I explore how the powerful interest groups of Amnesty International, Futures Without Violence, and Women Thrive Worldwide crafted this legislative strategy. Research shows how interest groups and issue advocates approach and work with the lead sponsors in Congress as a form of legislative subsidy (Hall and Deardorff 1996). My respondents laid out how they would lobby members to support IVAWA:

So, not just saying, "We'd love for you to champion this," but, "We'd love for you to champion this and here are ways we can help you." Here are letter-writing campaigns that we can do. Here are events that we can help plan. Here are press that we can help get to different events. Here are celebrities that we can help put forth at hearings, to get this more coverage and more publicity, and therefore your boss more published --- more publicity coverage. So, part of it is a, "[t]his is why you ought to do it," part of it is, "[t]his is your background, and this is why you would be the best person to do this," and part of it is, "[p]olitically, here is why it is good for you to do this, and here's how we can help --- here's how we can push that forward," (Issue Advocate).

In the 110th Congress (2007-08), Senator Biden, chair of the Senate Foreign Relations Committee, was the lead sponsor of IVAWA. He was in a high position of

foreign policy authority and original author of the successful domestic Violence Against Women Act (VAWA). Ranking Foreign Relations Committee member Senator Lugar (R-IN) also signed on as a co-sponsor during this session.⁸⁶ Similarly, ranking member of the House Foreign Relations Committee, Representative Berman (D-CA), was the lead House sponsor of IVAWA in the 110th Congress.⁸⁷

In Biden's initial press release,⁸⁸ he connected his support for IVAWA to both the domestic success of VAWA and to traditional US foreign policy objectives, articulating the multiple motivations behind supporting this legislation.

We've made tremendous progress in reducing violence against women here in the United States since we passed the Violence Against Women Act in 1994, but we cannot ignore women in other parts of the world - women whose lives are devastated by poverty, political and civic exclusion, disease, and violence. We cannot empower women to become active in civic life and promote peace, prosperity and democracy unless they personally are free from fear of violence. Taking an active stand against global violence against women isn't just moral, it's smart foreign policy (Biden, 2007).

Even at the initial introduction of IVAWA, Biden is demonstrating a strategic feminist motivation. The legislation is both feminist (protect women's human rights) and strategic (smart foreign policy).

But there are costs to having high-ranking congressional foreign policy entrepreneurs as lead sponsors for the IVAWA issue coalition. These members have a broad US foreign policy agenda that may not prioritize global women's rights. Representative Berman, the sponsor of IVAWA in the House in the 110th Congress, was appointed Chair of the House Foreign Affairs Committee in the 111th Congress.

⁸⁶ Senator Lugar did not sign on as a cosponsor in the 111th Congress.

⁸⁷ Representatives Rosa DeLauro (D-CT) and Representative Jim Marshall (D-GA) also signed on as the first cosponsors of IVAWA in the 110th Congress.

⁸⁸ Biden, J. 2007. "Biden/Lugar Introduce the International Violence Against Women Act." Office of Senator Joe Biden. Press Release, November 1.

According to my respondents, Berman prioritized reforming the Foreign Assistance Act of 1961, which had just been continuously amended over time. Since the language of IVAWA would also reform the Foreign Assistance Act of 1961, Berman did not want to sponsor two pieces of legislation that could potentially conflict with each other. Though he supported IVAWA, he declined to return as the lead sponsor.

Similarly, Biden could no longer be the lead sponsor of IVAWA in the Senate because he was now Vice-President. Congressional foreign policy entrepreneurs are often motivated work on these national issues to demonstrate qualities for holding executive office (Carter and Scott 2009). Though it was favorable for the IVAWA coalition to have well-positioned allies, they had to again search for lead sponsors in an institutional position to move IVAWA forward (congressional foreign policy entrepreneurs). They also expanded the lead sponsors to include members of Congress more firmly committed to the cause of women's human rights, women's rights policy entrepreneurs. Hence, they established an effective strategic partnership between these two, often mutually exclusive, groups.

In the House, they found their new "issue champion" in Representative Bill Delahunt (D-MA). As one legislative staffer commented, "the groups convinced Delahunt to take up IVAWA, and he introduced it in the House." Delahunt had been Chair of the House Foreign Affairs Subcommittee on International Organizations, Human Rights, and Oversight during the 110th Congress, and was in an institutional position to move the bill forward. He was also considered "fantastic on women's issues," (Legislative Staff). In addition to Delahunt, Representative Janice Schakowsky (D-IL) signed on as a lead sponsor with the interest group coalition. She

was Co-Chair of the Women’s Caucus during the 111th Congress. The coalition also approached Representative Ted Poe (R-TX) to be the lead Republican co-sponsor. Poe strengthened bipartisan support for the bill and was a member of the House Foreign Affairs Committee in the 111th. Though Representative Delahunt was the official sponsor, both Schakowsky (D-IL) and Poe (R-TX) were key champions of IVAWA in the House.⁸⁹

In the Senate, Kerry was the lead sponsor, but Senators Barbara Boxer (D-CA), Olympia Snowe (R-ME), and Susan Collins (R-ME) provided key support for the legislation. Thus, the IVAWA strategic partnership had members of both political parties who had issue ownership on foreign policy (Kerry, Delahunt, Poe) and women’s rights (Boxer, Snowe, Collins, Schakowsky). Additionally, members of Congress supported this legislation as a component of their broader position of the US as a global leader. For example, Senator Kaufman (D-DE), at the IVAWA Senate hearing, stated that:

America is the city on the hill that everybody aspires to. And I think it’s only by maintaining this moral leadership that we can deal with these issues that are cultural, in many cases, and legal, and getting other people to rally around. They want us to do this. I am absolutely convinced. I’ve traveled all over the world. They want America to be the moral leader, to lead on these kinds of things, (Senator Kaufman, 10/1/09).

Members had multiple incentives to support IVAWA but only a few members would opt to be the real “work-horses” (Hall 1996) behind the legislation. Although each member was approached by the coalition to take an active lead, the member

⁸⁹ The term champion is often used on Capital Hill to describe policy entrepreneurs. Members become champions for issue when they lobby, advocate, and work towards successful passage of the issue.

ultimately makes the decision. I find that members' sponsored IVAWA because of their personal commitment to make "good public policy" (Fenno 1973).

Representative Delahunt had a history combatting gender-based violence as a district attorney in Massachusetts. He founded the first prosecutorial unit to address domestic violence in the nation.⁹⁰ At the House IVAWA hearing, Delahunt elaborated on how his career as a Boston district attorney helped him see firsthand the impact of domestic violence. Respondents felt that "He [Delahunt] really saw the connection between addressing maternal mortality and HIV and violence, etc. He saw the economic component in terms of "how are you going to be a successful nation with a high GDP etc. if half of your population isn't allowed to leave the house or beaten on the way to school or beaten on the way to work?" Delahunt viewed gender-based violence as a systemic issue. As Delahunt stated at the House IVAWA hearing, "It is important to understand as well that if violence against women is acceptable, then violence, wherever and to whomever it is directed against, is acceptable." In his 2010 IVAWA press releases, statements, and testimony before committee, Delahunt repeatedly drew attention to the structural impact of violence on families and the destructive power of violence for achieving political stability.

Representative Ted Poe (R-TX) was also known for his position against domestic violence. Poe, a former judge in Texas, founded the Victims Rights Caucus in Congress. According to my respondents, his personal experience of seeing victims of domestic violence repeatedly return to his court solidified his position that perpetrators of domestic violence need to be punished by the state. "He's a huge

⁹⁰ This model was then replicated throughout the US and then even foreign nation states adopted it globally as their national action plan.

proponent of victim's rights and bills that deal with violence against women, both domestically and internationally. It's just his thing," stated one Issue Advocate. Representative Poe comes from a dominantly Republican-voting district in Texas (2nd) and he is known for his more conservative positions. Members of the IVAWA coalition also felt that a more conservative Republican would improve their chances of gaining bipartisan support.

My respondents pointed out the difficulty Poe faced straddling the line of supporting women's rights and protecting women from violence. I find that he frequently drew upon a more universal human rights frame. "So now as a part of American foreign policy, we want to promote the human right of dignity for all people, including women in other countries. To let the world know we are going to lead, we are going to help those countries, to raise awareness, to make sure that it is not socially acceptable any longer to assault a woman because she happens to be female" (Poe, IVAWA Press Conference, 2009).

Representative Janice Schakowsky (D-IL) was the women's rights policy entrepreneur of the House IVAWA leadership team. Similar to Poe and Delahunt, legislative staff perceived that that she was interested in working on IVAWA out of her own personal desire to make good policy. "I think that the driving factor is personal interest, personal conversations she's had, and in foreign countries, meetings that she's had with women working on the ground in some of these countries, meetings with women who have survived violence that the bill targets, and the combination of seeing an opportunity to do something about it from her current position here" (Legislative Staff).

Schakowsky, as Co-Chair of the Congressional Caucus on Women's Issues in the 111th Congress, was dedicated to advancing the rights of women in US domestic policy and her personal experiences abroad expanded this purpose to US foreign policy. Although not on the House Foreign Affairs Committee, she dedicated time and resources to pushing IVAWA forward in the legislative process. Schakowsky, the only woman of the three lead IVAWA sponsors in the House (Delahunt, Poe, and herself), framed her motivation as a dimension of her goal to advance all women's rights. She stated that "As Co-Chair of the Women's Caucus, I feel strongly that we must do more to help the women throughout the world whose lives have been forever altered by violence, and the families, communities, countries, and even entire regions of the world that will never be stable, open, and prosperous as long as violence against women is perpetuated" at the 2010 IVAWA House hearing.

Staff members added that she is personally interested in the issue and Schakowsky believes that "women have responsibilities to women everywhere" (Legislative Staff). This supports research findings that some women members in Congress, particularly women of color, view themselves as surrogate representatives of all women, extending beyond US borders (Carroll 2002).

Assessing and Creating Electoral Incentive

A lot of the leg work on this bill has been done by a coalition of outside groups. They have put a lot of time, and research effort, and advocacy for this bill, (Staff Member).

Of my three women's rights foreign policy case studies, only on IVAWA did I find that respondents repeatedly point to the extensive political campaign to drum up grassroots electoral support. The lead interest groups of Amnesty International,

Futures Without Violence, and Women Thrive Worldwide, effectively collaborated with the many other organizations in the broader IVAWA coalition (such as CARE, Jewish Women International, Global Aids Alliance, International Center for Research on Women, International Rescue Committee, Refugees International, Women for Women International, and the Women's Refugee Commission).

Amnesty International conducted a letter-writing campaign. CARE did letter writing campaigns. There were thousands and thousands of letters and emails and phone calls to Congress on the issue. And so sometimes we would track cosponsors and sometimes different ones would pop up and we would wonder why did they join? And then we get in touch with the staffer and they would say that “we got 10 or 20 letters about this this week,” (Issue Advocate).

Over the summer of 2009, Women Thrive Worldwide and the Family Violence Prevention Fund commissioned a public opinion survey by Lake Research Partners to gauge US support for IVAWA. This would be particularly helpful for convincing members who were not personally motivated to support the legislation. In their survey of 1,200 registered voters in July 14-21, 2009, they found that the majority of US voters felt that global violence against women is “a serious problem” and the majority-across partisan lines- believed that “this issue should be among the country’s top priorities” (Lake Research Memo, 2009).

After being told what the IVAWA legislation will generally do, 62 percent of voters overall expressed intense support for the legislation and 82 percent expressed general support for IVAWA. Even when the fiscal impact of passing IVAWA was stated (“1 billion dollars for every 5 years” or “200 million per year, which is less than a dollar a person”), majorities of voters still supported the legislation. Lake Research also conducted 11 focus groups in April and May of 2009

to assess why constituents felt the issue was important. They concluded, based on these assessments, that morality and human rights were the most often cited as appropriate justifications for US involvement in global violence against women and girls. The research memo concluded that “IVAWA receives strong support and despite messages against U.S. involvement, voters remain favorable toward its passage” (Memo, 2009).

Advocates applied these survey results to persuade members of Congress to support IVAWA. According to my respondents, this electoral incentive, though minimal, had some positive impact. Members of Congress who were not personally motivated to support IVAWA now had evidence that there was some electoral incentive, minimal cost, and thus continued to sign on as IVAWA co-sponsors.

Oppose IVAWA: Status Quo Momentum and Anti-Women’s Rights

In contrast to CEDAW, there were no outspoken members of Congress opposed to IVAWA. Similar to opposing the VAWA in domestic policy, members do not want to be perceived as being “for” violence against women. Rather, the burden of justifying the change of the status quo within the US foreign policy administration was a far greater hurdle. Similar to other policy change initiatives, incremental policy change is at times for more easy to achieve than more wide-sweeping measures (Baumgartner et al 2009). The cost of the bill and “the abortion issue” were also cited as the primary reasons members of Congress opposed IVAWA, according to my respondents. This illustrates the interdependent relationship between congressional motivations and policy objectives.

In terms of the interest group community, I did find opposition from several US based transnational advocacy organizations, namely Save Indian Family Foundation and United Families International.⁹¹ These groups viewed IVAWA as a form of cultural imposition by radical feminists. United Families International argued that this Act would help international feminists ratify CEDAW and make abortion on demand worldwide. Although these points did not surface as rationales for opposition in my interviews and analysis of congressional activity, they do reflect a potential electoral risk a member may take by endorsing the legislation. But my respondents did not reference either of these transnational interest groups as a particular effective force, either in support or opposition.

Rather, my respondents felt that the lack of consistent domestic support pushing to change the status quo in favor of IVAWA stalled its legislative progress. Considering that IVAWA offers no clear electoral incentive for members of Congress, constituents play a critical role for members who are indifferent and unsure how they feel about the legislation. Even though a few letters had made the difference for some members to sign on as cosponsors, this was clearly not the case for all.

There's not enough of a movement. There's not enough of a domestic women's agenda in this regard. It's just not strong enough. We don't get phone calls everyday. We only got phone calls around that bill but like I said it wasn't consistent. We are not getting beaten up on the phones every month of the year. That would change things a lot (Legislative Staff).

Additionally, similar to both CEDAW and the International Protecting Girls from Child Marriage Act, members are hesitant to involve themselves with women's human rights, particularly abroad. Women's rights are a divisive political issue, and

⁹¹ <http://maplight.org/us-congress/bill/111-hr-4594/424499/total-contributions> accessed on December 10, 2013.

without any electoral constraint or incentive from their district, member's have minimal incentive to either take a position at all or achieve compromise. As one legislative staffer lamented, "In the House, I would say that the pro-life agenda makes it very difficult to get bipartisanship on a women's issue and I mean any women's issue- at least when you are talking about international." Although many of the lead sponsors repeatedly worked to minimize the role of gender in IVAWA, members were still reticent to support legislation connected to advancing women's human rights.

Lastly, respondents highlighted that the members of Congress who were not familiar with the nuances of USAID were overwhelmed by the size and cost of the bill. It was a particularly fiscally conservative policy climate in the 111th Congress. The issues around funding were addressed in the Senate hearings but not to the satisfaction of lead foreign policy entrepreneurs, such as Senator Richard Lugar (R-IN), ranking Republican member of the SFRC at the time. With minimal electoral incentive and bipartisan institutional leadership, the cost of supporting this legislation for members still outweighed the gains.

Policy Objectives: Defining International Women and Violence

The central purpose of the International Violence Against Women Act is to eliminate violence towards women. Based on my WRFPP typology, the focus of IVAWA is the protecting women's bodily integrity and the audience of the bill is the US foreign policy administration. In contrast to the International Protecting Girls from Child Marriage Act, another case study that also focuses on women's bodily

integrity with the US foreign policy administration as audience, the policy objectives of IVAWA are very large in scope. All forms of gender-based violence (not just child marriage but also dowry-related violence, female genital cutting, trafficking, honor killings, etc.) are to be targeted and eliminated.

Additionally, the interest group coalition supporting IVAWA was extensive. I find that these groups had a great deal invested in showing to their membership legislative progress on the Hill. Respondents more critical of their tactics, noted that the IVAWA coalition “was looking for show, whether it was bringing Nicole Kidman to the Hill, whether it was having high-level people talk about it.” The size of IVAWA, in both the policy objectives and the expansive issue network behind it, was both its strength and weakness. Lastly, the differing definitions of “violence” in relation to women and the multiple constructions of who symbolizes “international women” best illustrate the overlapping and contrasting policy objectives of IVAWA and the tensions surrounding women’s rights foreign policy more broadly.

The International Category of Woman

IVAWA targets women as an international group. It does not target women in one specific country or region (country specific) nor does it also apply to women in the US and abroad (transnational). To better understand this categorization, I look at how these *international women* are constructed and represented by the central actors in the political process (members of Congress, legislative staff, and issue advocates). I find that *international women* are represented in five separate ways: 1) vulnerable children (ex. trafficked across US borders); 2) victims in desperate need

of help (ex. survivors of wartime rape); 3) agents of political change (ex. women end terrorism); 4) agents of economic change (ex. women stabilize economies); 5) as entitled to human rights (ex. women as humans). Each of these models is based on a unique set of assumptions regarding why women matter to US foreign policy.

Symbolizing international women as instruments for democratic and economic stability was the most prevalent frame applied in the Senate. International women being represented as children, victims, and/or as deserving of global human rights was the more prevalent policy frame in IVAWA House debates. These five different ways of symbolizing foreign women (with differing justifications for US intervention) illustrate the complex legislative dynamics of creating policy objectives that reflect the strategic partnership between congressional foreign policy entrepreneurs and women's rights policy entrepreneurs.

Vulnerable Children, Innocent Girls

One symbol repeatedly utilized during IVAWA discussions was that of the vulnerable children and innocent girls. This image was the most prevalent during the IVAWA House hearing, when former member of Congress Linda Smith (R-WA) testified on how IVAWA would contribute to eliminating sex trafficking of minors. Smith, took a trip to India while a member of Congress and saw the ages of brothel workers and founded an organization to combat child prostitution, Shared Hope International.⁹²

In her testimony, Smith described the graphic abuse towards girls who are trafficked in the commercial sex industry. She highlighted her disgust with how the

⁹² Shared Hope International is a Christian organization created by former Congresswoman Linda Smith committed to ending sex trafficking.

US justice system would arrest the 12-year-old prostitute girl rather than the man soliciting her services. Smith (2009) detailed how she has “spent 11 years traveling, rescuing little girls, raising them around the world in every country” and challenging childhood prostitution laws where “the young girls are the criminals rather than the victims.” The international woman frame being protected by IVAWA is the vulnerable child, trafficked against her will and in need of US rescue.

Victims of Culture and War

Another way in which international women were often portrayed in discussions of IVAWA was as victims of culture, particularly in terms of wartime rape or harmful traditional practices. For example, in the Senate hearing Ambassador-at-Large for War Crimes Issues Honorable Stephen Rapp detailed how rape was used as a weapon of war and of genocide in Rwanda and the atrocities he had witnessed. Questions were raised to the role of cultural norms and religion in perpetuating violence against women and how this policy would address that.

At the Congressional Caucus for Women’s Issues panel discussion on the importance of passing IVAWA, Rose Mapendo, a victim of horrific acts during the DRC civil war and subject of the documentary *Pushing The Elephant*, described some of these violent attacks and the impact of cultural norms. A culture that permitted acts of gender-based violence was repeatedly mentioned as the problem. Changing culture was also offered as the solution. Senator Kaufman stated in the IVAWA Senate hearing that “We did change the culture in the United States with the Violence Against Women Act. We can change the culture around the world with the International Violence Against Women Act.”

Women as Agents of Political And Economic Change

One prevalent way in that international women of IVAWA were discussed was as agents of political change (reduce terrorism) and as agents of economic change (stabilize economies). At the Senate IVAWA hearing, Major General Patrick Cammaert, former military adviser to the U.N. Secretary General and former U.N. Force Commander for the Eastern Democratic Republic of Congo, highlighted how rape cultures create an unstable, violent society that can be grounds for terrorism.

Similarly, at IVAWA's Senate introduction, Senator Benjamin Cardin (D-MD) spoke in support of IVAWA on the Senate floor and made the explicit connection to how violence against women is restricting women's economic empowerment. He stated that "the more money women made, the more power they were able to assert in the household."⁹³ When IVAWA was first introduced in 2007, Ritu Sharma Fox, Co-founder and President of Women Thrive, pointed out that "Violence is one of the biggest barriers to women's economic participation. It's hard to work if you are fearing for your life." Fox argued that "I-VAWA will ensure that our hard-earned tax dollars are supporting efforts to end this scourge, and that violence does not prevent women from going to work, getting an education and supporting their families" in the 2007 IVAWA press release.⁹⁴

Women as Deserving of Global Human Rights

The last way that international women were symbolized was as humans and deserving of global human rights. Congressman Rohrabacher (R-CA), a Republican

⁹³ *Congressional Record*, 2010. 111th Cong., 2d Session., vol. 156, no. 17

⁹⁴ The Female Genital Cutting Education and Networking Project. 2007. "USA: Senators Biden and Lugar Introduce the International Violence Against Women Act." Press Release. *All American Patriots*, March 10.

man and advocate for global human rights, claimed that “If we believe that people have human rights, then the rights of women to have equal treatment and to be free from violent attack, just like men in their societies, that should be on the top of our agenda when we discuss human rights and other issues with these countries” at the House IVAWA hearing in 2009.

Other witnesses at the House IVAWA hearing also emphasized protecting women’s human rights as the justification. Mallika Dutt, a veteran global women’s rights activist and head of Breakthrough New Media, emphasized the potential positive impact of IVAWA and thanked the committee for “ensuring that women’s rights, in fact, can be human rights.” Hollywood actress Nicole Kidman, and UN Goodwill Ambassador, testified at the House IVAWA hearing and framed the issue in terms of a violation of women’s human rights. With much of the room’s attention, Kidman argued that “Violence against women and girls is perhaps the most systematic, widespread human rights violation in the world.”

The Tensions of Strategic Feminism

One woman’s testimony best encapsulates the tensions for feminists when using US strategic interests, such as economic development, to justify protecting women’s rights as humans. Dr. Geeta Rao Gupta, President of the International Center for Research on Women and the only woman of color who testified at the Senate IVAWA hearing, made the economic impact argument but based it on a women’s human rights foundation. Gupta argued that “Equity for women and economic efficiency go hand in hand. You can’t get one without the other. So, it’s not an either/or argument. We make the argument about investments in women giving

us a high return. But that investment can only happen if countries believe in women's human rights.”

Dr. Gupta, in her closing remarks at the IVAWA Senate hearing, reiterated that she can make the economic impact argument to convince governments to protect the human rights of women. “If the economic-cost argument is the one that works in a particular instance, we should make those costs [show the economic impact in numbers]. But, fundamentally, it's a devaluing of women's rights globally that's causing this problem,” (Gupta, 2009). Since women's right to be free from gender-based violence is not considered a global human right, Gupta concedes to frame the gender-based violence in terms of economic costs to foster broader support amongst members of Congress to care about women's human rights. Though she empathizes that valuing women's rights is the fundamental priority.

Defining Violence, Avoiding Abortion

One of the central themes raised by respondents when discussing the policy objectives of IVAWA was the fundamental tension over language. Though the specific language of a bill is the terrain of contention for any public policy, what is unique to the case of IVAWA is how concerns over the definition of gender-based violence in the bill were rooted in the fear of providing greater abortion access. During the original construction of the bill, Representative Poe, a pro-life conservative, and Representative Delahunt, a pro-choice Democrat, had arrived at policy language in the bill they had deemed as abortion neutral. But the head of the Pro-Life Caucus in Congress, Representative Chris Smith, had several substantive concerns over the bill's terminology. “We were in deep negotiations over some of

the language, specifically the definition of violence against women” stated one legislative staffer.

Violence against women and girls is defined in IVAWA as “any act of violence against women or girls that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life” (IVAWA, 2010). The bill then specifies three different locations where violence against women can be categorized: 1) in the family; 2) in the community; and 3) condoned by the state. But these terms connected to violence drew concern and raised broader questions of what constitutes women’s human rights.

It was simply that some people did not want to include *psychological abuse*. Some people thought that *arbitrary deprivation of liberty* was too broad. It all really came down to the issue of abortion. If you are giving money to women’s groups on the ground, how can you guarantee that they are not going to lobby for or against abortion or perform abortions for that matter? And, at that point, we didn’t want to add 30 pages of abortion language to a bill that had nothing to do with abortion. And I think it was simply because of the word *health*. That in the bill it says “will address the basic health needs of women and girls.” The word health in itself triggers all sorts of things (Legislative Staff).

Similar to other forms of WRF, abortion politics surface on policies that target women as a group. Abortion policy emerged as a huge obstacle in moving IVAWA forward. In each interview, when I asked what were the major obstacles in building legislative support and ultimately passing the bill, respondents highlighted how US abortion politics stalled progress. Language was consistently highlighted as a roadblock for negotiation and “the biggest, the biggest issue is abortion. And the bill does not deal with abortion. It is not intended to, either expand or restrict current abortion law, though the question was having that clear in the language in a

way that everybody was comfortable with. And we are still working that out” according to one legislative staff member. She pointed to the difficulty of forging a policy equilibrium between the divergent factions on the Hill. “Most of the current formulations for language either one side or the other feels that they actually do expand or contract current law on abortion. We are literally trying to figure out the words that say to the effect that nothing changes.”

The broader IVAWA issue network wanted to create policy language that separated the bill from the abortion debate. But since some members of the broader issue network held strong positions on the policy, both in favor and in opposition, it was difficult. Legislative staff prioritized being “very very silent on the issue. We wanted to keep it abortion neutral and keep the status quo- not make a big issue.”

Changing the status quo on a matter connected to women’s bodies drew in issue advocates on both sides who wanted to shift policy. Since the policy terrain is uncertain, many specific terms in IVAWA were interpreted as potential justification for providing abortion access. “The words in a piece of legislation define the scope and objective of the policy. In the case of IVAWA, many words in the bill needed to be further defined since certain members believed the words implied abortion. Terms such as *women’s health*, *women’s empowerment*, and *women’s rights* all required an explicit definition. Abortion is such a volatile issue that select members perceive these terms as avenues to permit abortion funding and as threatening to existing statute, which already states that the no USAID dollars can go towards abortion services. We took out a lot of references to *women’s empowerment*” according to one respondent. These tensions over language illustrate which types of

women's rights are supported and opposed in Congress. I suggest that this has implications for both foreign and domestic women's rights policy.

The Pro-Life Congressional Caucus, led by Representative Chris Smith (R-NJ), opposed IVAWA because Smith felt that the language was not explicit enough regarding abortion. "The only way that I was going to be able to address the issues for the Pro-life Caucus was to kind of go around them. And the only way I was going to be able to do that was to make sure that the groups that supported them [the Pro-Life Caucus] had to buy into IVAWA" stated one respondent. In order to get around the persuasive power of the caucus, legislative staff and issue advocates attempted to expand the transnational interest group coalition to include the US Conference of Catholic Bishops. Their support would indicate that the policy is supported by organizations that want to protect women's right to be free from gender-based violence and also vehemently oppose abortion.

Legislative staff arranged a meeting between the various members of the interest group coalition but a compromise regarding the language of the bill was not reached. Leaders of the U.S. Conference of Catholic bishops met with leaders of Women Thrive Worldwide and a tense argument broke out regarding who cares more for the rights of women. This argument primarily hinged on the politics of abortion. After this terse encounter, the staff working within the coalition opted to keep communication electronic to reduce the potential of ideological conflicts.

After this confrontation, my respondents felt that IVAWA was not going to gain broader Republican support without the addition of stronger anti-abortion policy language. But adding this restrictive language would then alienate the pro-

choice progressive women's rights organizations and the pro-choice progressive members of Congress working to pass IVAWA. Legislative staffers were able to get elements of IVAWA in the Foreign Assistance Act of 2010 rewrite, where the Helms Amendment that restricted USAID funds from supporting access to abortion would apply. But feminist groups felt the language was too restrictive on women's rights and did not fully support it.

Additionally, interest groups desired that IVAWA pass as a stand-alone bill. To have the policy language enveloped in another piece of broader legislation, though it would achieve some of the desired outcomes, was not as easily measurable as an accomplishment. The interest groups wanted their legislation, IVAWA, to pass as a separate piece of legislation to demonstrate their effectiveness as an interest group. "It's a lot harder to explain to your board, what you've been doing for the last like three years," explained one legislative staff member when discussing the resistance from interest groups to the potential compromise.

IVAWA and Strategic Feminism

The strategic partnership between congressional foreign policy entrepreneurs and women's rights policy entrepreneurs on IVAWA was rooted in the argument that advancing women's human rights advances US strategic aims abroad. I find that advancing women's political and economic rights, their rights to be agents of democracy and free-market economies, is a less controversial ideal than advancing women's human rights to be free from violence. Thus, IVAWA is an

interesting case to explore the congressional motivations of women's rights and foreign policy entrepreneurs to partner and analyze the resulting WRFPP objectives.

The Senate IVAWA hearing is emblematic of the argument that eliminating gender-based violence will advance US strategic interests. Three of the six witnesses were not specialists in gender but rather more experienced standard US foreign policy experts (and all men). The other three witnesses were specialists in gender and less experienced in standard US foreign policy (and all women). At the House IVAWA hearing, all of the witnesses were specialists first in gender and less experienced in standard US foreign policy (and all were women). The House hearing placed greater emphasis on women's human rights to be free from violence (feminist). The Senate hearing placed greater emphasis on eliminating gender-based violence to achieve standard US foreign policy goals (strategic).

In the Senate, each of the "standard foreign policy" witnesses emphasized how women's rights is a national security issue, not a women's rights issue. Major General Patrick Cammert stated that "sexual violence is not a gender or women's issue; it's a security issue" and then proceeded to outline the six reasons how gender-based violence leads to unstable, threatening communities.⁹⁵ Honorable Donald Steinberg, deputy president, International Crisis Group, former Ambassador to Angola, Brussels, Belgium, described at the Senate IVAWA hearing (2009) how important women are to ensuring a stable peace process. Steinberg, highlighted how

⁹⁵ Cammert argued that 1) organized rape undermines public order; 2) sexual violence prolongs conflict; 3) sexual violence undermines chances for an inclusive, sustainable peace because it precludes women's participation through intimidation; 4) if perpetrators are not prosecuted it undermines rule of law; 5) rampant sexual violence increases the spread of HIV/AIDs, a destabilizing effect; 6) sexual violence is an inexpensive and highly destructive weapon that effectively destabilizes societies and creates conditions ripe for terrorism.

“gender neutral” agreements, which he claimed he used to laud, are “by definition, discriminatory against women.”

Steinberg detailed how no women were involved in the peace negotiating process in Angola because it was not mandated and that their absence perpetuated the civil war. He emphasized the importance of women’s participation for stabilizing civil society, particularly after violent civil war. Steinberg further argued that “the artificial line that we used to say separated “soft issues” of human security from the “hard issues” of national security has vanished forever” and saluted Kerry’s leadership addressing the issue.

Looking specifically at the case of women’s rights in Afghanistan, he detailed how women’s rights continue to be bargaining chips in Afghanistan for the warlords. He stated that the Taliban is somewhat successful when arguing to women’s communities that they were more secure and had better protection under the Taliban’s reign.⁹⁶ He argued that women’s human rights “are really national security issues.” Political factions, often more traditional and/or fundamentalist religious sects, use the terrain of women’s rights (and traditional roles) to foster anti-Americanism or anti-West sentiment, according to Steinberg. He shunned the present government in Kabul for letting women’s rights be appropriated in such a manner and warns that this will strengthen the insurgency.

⁹⁶ “For me, what is most important is that the Afghan administration has not made the argument that, in fact, women’s rights are a part of Afghan traditional culture and that they are not anti-Islamic. Women’s rights are completely consistent with that society. It has ceded the debate to those who are arguing right now erroneously, that such efforts are alien concepts being imposed on Afghanistan by the West and their Afghan puppets.” Steinberg, Senate IVAWA hearing 2009

Though strategic feminism was the most evident in the Senate, House members often justified passing IVAWA as “the right thing to do, it is the moral thing to do, and it is the smart thing to do” (Delahunt 2009). Advancing and protecting women’s rights are critical components of the “smart foreign policy” put forward by Secretary of State Hillary Clinton. Delahunt repeatedly referred to a position that the Joints Chiefs of Staff had made that “one of the most effective forces in defeating extremism is female education” (2009). This comprehensive model, acknowledging both the feminist and strategic outcomes, was more prevalent in the House.

US Ambassador for Global Women’s Issues Melanne Verveer (a position that was originally created by IVAWA policy language in 2007) is the only person who testified at both the House and Senate IVAWA hearings. Her testimony in both chambers reflected the emphasis on prioritizing women’s human rights as a moral and strategic objective. “Violence against women cannot be relegated, as you said, Mr. Chairman, to the margins of foreign policy. It cannot be treated solely as a women’s issue, as something that can be dealt with later after we take care of the more pressing issues of our time. Violence against women and girls is a humanitarian issue, it is a development issue, and it is a national security issue” (House IVAWA Hearing 2009).

Showing that the policy objectives of IVAWA are to protect women’s human rights and advance US strategic interests is a difficult task. Supporters of IVAWA created a strategic partnership to forge greater space for women’s human rights in standard US foreign policy. Yet, this argument is new and the opposition to all women’s rights is entrenched in domestic political debates- particularly over

abortion access. Though IVAWA had greater success in the Senate, where the strategic impact of protecting women's human rights was emphasized, ultimately the bill was not able to garner enough widespread support in Congress to advance.

Looking through the lens of the International Violence Against Women Act, I examined how the two groups in Congress most likely to introduce women's rights foreign policy, standard US foreign policy and traditional women's rights policy entrepreneurs, foster a strategic partnership on one piece of legislation, IVAWA. I find that the wide plethora of policy objectives and the diversity of the legislative sponsors invite broad support as well as opposition. I find that the differing symbols of international women used to justify the importance of passing IVAWA, as either vulnerable in need of protection, as agents of US foreign policy goals, or as humans deserving of human rights, reflect the complex dimensions of the partnership between feminism and US foreign policy.

My analysis of IVAWA also shows the power of transnational issue networks to construct the policy objectives of and congressional motivations behind women's rights foreign policy. The lead coalition behind IVAWA, Amnesty International, Futures Without Violence, and Women Thrive Worldwide, created a broader issue network to support of the legislation. These organizations are motivated primarily by a moral obligation to advance the human rights of women. But, for members of Congress to allocate their limited time and resources to this issue, the coalition prioritized showing how protecting women's human rights also advanced US strategic interests abroad, such as national security, economic development, and democratic stability.

The IVAWA coalition successfully created a strategic partnership between congressional foreign policy and women's rights policy entrepreneurs. The women members of Congress are working consistently over time to move the legislation forward (Schakowsky in the House and Boxer, Snowe, and Collins in the Senate) but they are not in a strong foreign relations institutional position. Members such as Senator Kerry and Representative Delahunt were the primary sponsors of IVAWA during the 111th Congress because of their status on the House and Senate Foreign Relations committee.⁹⁷ As such, they emphasized how ending gender-based violence advanced US strategic interests abroad. The women's rights policy entrepreneurs emphasized the importance of protecting women's human rights as the ultimate policy objective. But resistance over the definition of "women's human rights," primarily focused on women's right to abortion access, ultimately stopped the bill's legislative progress, similar to other forms of women's rights foreign policy.

Abortion is an issue that is deeply connected to the domestic and global women's movement and incredibly divisive. Members of Congress, the US electorate, and the broader global community vehemently disagree on whether women have the right to their body and the right to terminate an unwanted pregnancy. Abortion politics are potentially even more pervasive within women's rights US foreign policy legislation, where the domestic US feminist groups have less electoral sway. IVAWA, a bill that had both Republican and Democrat sponsors in Congress of high rank, a grassroots coalition that included feminist, faith-based, and humanitarian organizations, was unable to move out of the House Foreign Affairs

⁹⁷ The women seem to be in it for the long haul, as both Delahunt and Kerry are no longer in Congress.

committee and onto the House floor for a vote.⁹⁸ Given the diverse range of support, respondents stated how they specifically tried to avoid the issue of abortion. Yet, abortion politics still stopped the bill's progress, with neither side satisfied.

The case of IVAWA shows that even when women's rights foreign policy reflects a partnership between US strategic interests and broader feminist interests, legislation connected to women, particularly women's bodies, is entrapped by the domestic gender politics of abortion. Even my respondents were slightly hesitant to draw attention to abortion in the interviews, as dramatic pauses often preceded their admission of the importance and explosive nature of abortion politics for IVAWA. Despite the fact that the bill was "abortion-neutral" as one legislative staff member put it, legislation that addresses women's human rights, such as IVAWA, also provides a platform to alter abortion policy. Unless IVAWA had an abortion amendment that specified that no money would go to abortion, members could not sign on as cosponsors. But adding this language explicitly against abortion would alienate several of the feminist sponsors. Respondents argued that they did not want to "move the needle" (as a metaphor for the status quo) on abortion US foreign aid policy but other members did. This bill was written to explicitly *avoid* engaging in the reproductive health debate, yet was completely embroiled in it.

Additionally, the policy objectives IVAWA were large. It was a substantial bill that attempted to overhaul the US foreign policy administration and centralize attention to gender-based violence and women's rights. The very size of the bill, the

⁹⁸ Senator Helms (R-NC), a congressional foreign policy entrepreneur who is staunchly anti-abortion, vouched for the bill as not changing existing statute regarding abortion funding overseas. This support though did not ultimately persuade House Representatives who were skeptical to support the bill.

widespread scope of the policy objectives, was IVAWA's strength and weakness. Respondents mentioned how they could get pieces of IVAWA "through" but not the entire thing. Interest groups, invested in seeing the success of their campaign as a whole, were not appeased by this parceling suggestion.

In sum, because of IVAWA, women's human rights have gained greater recognition within the US foreign policy administration. Many components of the IVAWA legislation have been adopted through Executive Order. In the IVAWA case study, I find that tensions over specific policy objectives reveal which women's rights do not qualify as human rights in Congress. By examining the legislative context surrounding IVAWA, a bill that overhauls the US foreign policy administration to prioritize addressing gender-based violence globally, also provides insight into how strategic partnerships are formed and dissolve when trying to advocate for women's human rights in US foreign policy.

Reducing gender-based violence and improving the status of women in foreign countries not only advances women's human rights, but also advances standard US foreign policy objectives. IVAWA makes an excellent case of strategic feminist policy, but when it comes to actually passing IVAWA in Congress, sponsors need to assure the broader chamber that their policy language of "women's rights", "empowerment", "health", "liberty", and "psychological violence" were all not code words for *abortion*. As long as all global women's rights remain entrenched in abortion politics (and the American electorate concedes to this), Congress is less likely the branch of government where addressing women's human rights violations will advance. This has detrimental effects for the possibility of improving the lives of

foreign women, achieving standard US foreign policy objectives, and erodes domestic and transnational feminist goals.

Chapter 7:

The Human Rights Of Girls: The International Protecting Girls From Child

Marriage Act Of 2009

Child marriage is a tragedy happening on an epic scale around the world. This is a moral, economic, and humanitarian crisis that doesn't receive nearly enough attention in our country, (Representative Aaron Schock, R-IL, February 2013).

My final women's rights foreign policy (WRFP) case study examines the International Protecting Girls from Child Marriage (IPGCM) Act. The focus of the bill is to preserve the bodily integrity of women (or girls) and the audience is the US foreign policy administration, similar to IVAWA. If passed, the legislation would provide US foreign assistance to programs aimed at preventing child marriage (such as improving access to education and supporting community-based activities), mandate the drafting of a US strategy to prevent child marriage abroad, and include child marriage in the US Department of State's Human Rights report. The House bill, H.R. 2103, had 112 legislative cosponsors and the Senate bill, S. 987, had 42 cosponsors, making the IPGCM Act the third most widely supported WRFP bill during the 111th Congress (2009-10). During this Congress, the IPGCM passed the US Senate by unanimous consent on December 1, 2010. However, a few weeks later on December 16, 2010, the same Act ultimately failed in the US House.

The IPGCM Act is a special case of women's rights foreign policy due to several reasons. First, it is a distinctive WRFP case in that the bill achieved legislative success in the US Senate, thus placing greater pressure on the House to pass the legislation. Second, this bill invoked strong partisan legislative tactics.

During the debate over the passed version of the IPGCM Act in the House, an alternative version of the IPGCM Act was introduced by Representative Ileana Ros-Lehtinen (R-FL). Her version did not authorize any funds to combat child marriage. This is the only one of my WRFPP case studies where another member of Congress attempted to redefine the policy through separate legislation, along with her blocking tactics. Third, the bill is focused on a specific practice, child marriage. By focusing on one aspect of gender-based violence, the IPGCM Act is much narrower in scope than IVAWA and CEDAW. Lastly, the bill is unusual in that the policy language targets girls rather than women. Girls are a particularly vulnerable population due to both their sex and age. These elements generate a unique context to analyze the underlying congressional motivations and policy objectives.

As the IPGCM Act advanced through the various legislative stages in Congress, I observe a wide range of competing congressional incentives and women's rights foreign policy goals. My study reveals the pervasive constraint of partisan divisions and domestic gender politics on WRFPP in Congress. Based on my quantitative analysis in chapter 4, I expect that Democratic women and members of the House Foreign Affairs committee would be the most likely to sponsor WRFPP legislation. In the case of the IPGCM Act, I again find support for this finding. The lead sponsor in the House is a Democratic woman, Representative Betty McCollum (D-MN), who is not on the House Foreign Affairs Committee. Surprisingly, her WRFPP bill legislative coalition consists mostly of Republican men in the House, such as Representative Stephen LaTourette (R-OH), Aaron Schock (R-IL), and Ander Crenshaw (R-FL), demonstrating bipartisanship and support from men.

In this chapter, I first summarize the text of the International Protecting Girls from Child Marriage Act and then offer a brief legislative history. I highlight the multiple congressional motivations to support and oppose this legislation. I show how members primarily support the legislation due to their own individual drive to “make good public policy” (Fenno 1973) and most often apply a human rights moral imperative as justification. I illustrate how members have worked to oppose the legislation, motivated by partisan and institutional incentives. Following my discussion of motivations, I demonstrate how the policy objectives of the IPGCM Act reveal new dimensions of WRF more generally. Then, based on my findings from chapter 3, I analyze the influence of strategic feminism on the framing of the IPGCM Act and assess the impact of the highly polarized partisan environment. I suggest that the legislative resistance to this seemingly favorable bill with bipartisan support displays the extent to which anti-feminist domestic gender politics and partisan divisions can halt the progress of WRF legislation. This has implications for the future of US support for global women’s rights, global human rights, and the advancement of US national interests abroad.

International Protecting Girls from Child Marriage Act Summary

Child (or early) marriage is defined as a marriage between people under the legal age set by a national government, typically 18 years of age. According to the Population Council (2006), one in seven girls in the developing world marries before the age of 15. When girls marry at young ages, they are more likely to drop out of school, be sexually active before their bodies have fully developed, have

complications during child birth, and be victims of physical abuse (Baric 2010). Nearly half of the 331 million girls in developing countries are expected to marry by their 20th birthday (Clark, Bruce, and Dude 2006). US Members of Congress identified this as a problem that American foreign policy could address (Adler and Wilkerson 2013), particularly since the US donates foreign aid to many countries with high rates of child marriage. “In 2006, \$623 million in U.S funds went to 16 of 20 countries with the highest child marriage rates, including Bangladesh, Mali, and Mozambique,” (Slavin 2007).

The International Protecting Girls from Child Marriage Act (IPGCM) introduced by Representative McCollum (D-MN) is a piece of legislation that would direct USAID funds to prevent child marriage in developing countries, create a multi-year strategy to prevent child marriage and promote the empowerment of girls at risk, direct the Department of State to collect data on child marriage rates, and ultimately weigh the impact of child marriage on hindering broader US development goals. The bill aims to “promote the educational, health, economic, social, and legal empowerment of girls and women” in foreign countries (thomas.loc.gov).

The IPGCM Act offers multiple reasons why child marriage should be considered a violation of the human rights of girls and creates a barrier to political, economic, and social development. McCollum’s bill classifies child marriage as a harmful traditional practice and references Article 16 of the Universal Declaration of Human Rights that states the importance of free and full consent of intending spouses. Her IPGCM Act identifies the factors that perpetuate child marriage as: poverty, a lack of

education or employment opportunities for girls, parental concerns regarding marital sexual relations, the dowry system, and the perceived lack of value of girls. According to the bill, the negative health effects of child marriage include: 1) increased risk of maternal death and morbidity; 2) increased risk of infant mortality and morbidity; 3) increased risk of obstetric fistula; and 4) increased risk of sexually transmitted diseases, including HIV/AIDS.

The IPGCM Act of 2009 posits that reducing child marriage will likely increase the length of a girl's education, which will likely improve the broader health and economy of that community due to her advanced education. More specifically, in Section 3, the Act expresses the sense of Congress that:

- (1) child marriage is a violation of human rights, and the prevention and elimination of child marriage should be a foreign policy goal of the United States;
- (2) the practice of child marriage undermines United States investments in foreign assistance to promote education and skills building for girls, reduce maternal and child mortality, reduce maternal illness, halt the transmission of HIV/AIDS, prevent gender-based violence, and reduce poverty; and
- (3) expanding educational opportunities for girls, economic opportunities for women, and reducing maternal and child mortality are critical to achieving the Millennium Development Goals and the global health and development objectives of the United States, including efforts to prevent HIV/AIDS.⁹⁹

In section 4, the bill outlines the specific programs that will provide “assistance to prevent the incidence of childhood marriage in developing countries.” The Act authorizes the President to take action through international, nongovernmental, or faith-based organizations or through direct assistance to support programs to reduce child marriage and promote the empowerment of girls

⁹⁹ H.R. 2103--111th Congress: International Protecting Girls by Preventing Child Marriage Act of 2009. (2009). <http://www.govtrack.us/congress/bills/111/hr2103>

and young woman. In addition, the President can assist by supporting community education activities, improving access of adolescents to adequate health care, and supporting the surgical repair of fistula.¹⁰⁰

The Act then details how to create a child marriage reduction strategy by the Secretary of State and establishes methods of recording and reporting child marriage as an abuse of human rights by the US Department of State in Section 5. This is followed by a section (6) that calls for greater research and data collection by the Department of State to improve the US documentation of child marriage rates. Section 7 amends the US Foreign Assistance Act of 1961 to include a description of child marriage in the US Department of State's Human Rights report for countries that have high rates of child marriage (40 percent or greater). The bill clarifies with Section 8 that definition of child marriage for the legislation: "the marriage of a girl or boy, not yet the minimum age for marriage stipulated in law in the country in which the girl or boy is a resident."¹⁰¹ In section 9, the final section, the bill authorizes appropriations in the sums necessary to carry out these objectives, with no specific amount specified.

Policy History

United Nations and Opposition to Child Marriage

¹⁰⁰ As defined earlier in the IPGCM Act, "the term 'obstetric fistula' means a rupture or hole in tissues surrounding the vagina, bladder, or rectum that occurs during prolonged, obstructed childbirth," (Thomas.loc.gov).

¹⁰¹ H.R. 2103--111th Congress: International Protecting Girls by Preventing Child Marriage Act of 2009. (2009). <http://www.govtrack.us/congress/bills/111/hr2103>

The United Nations first attempted to deal with child marriage as a matter of violating global human rights. The 1948 United Nations Universal Declaration of Human Rights states that marriages should be entered only with the free and full consent of the intending spouses. In addition, the UN Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages, adopted at the United Nations on December 10, 1962, requires the parties of the Convention to overcome all “customs, ancient laws, and practices by ensuring freedom in the choice of a spouse, eliminating completely child marriages and the betrothal of young girls before the age of puberty,” (UN). Representatives from various nation-states came together and agreed that globally, child marriage is a practice that deters not only the rights of children (most often girls) to be free from a sexual relations before their body reaches puberty but also that the decision of one’s marital partner needed to be reached through free and full consent.¹⁰²

Though this Convention was agreed upon in the 1960s, many countries still have very high rates of child marriage. According to the World Health Organization, “[T]he 10 countries with the highest rates of child marriage are: Niger, 75%; Chad and Central African Republic, 68%; Bangladesh, 66%; Guinea, 63%; Mozambique, 56%; Mali, 55%; Burkina Faso and South Sudan, 52%; and Malawi, 50%. In terms of absolute numbers, because of the size of its population, India has the most child marriages and in 47% of all marriages, the bride is a child,” (World Health Organization, 2013). The UN continues to pressure countries to prevent child marriage but there has not been a noticeable decrease. Many countries do not have

¹⁰² For a richer analysis of the relationship between democratic values and marital policy, please see Cott 2009.

the adequate social infrastructure to facilitate the programs necessary to eliminate this harmful practice (Raj, Silverman, and Gomez 2011).

United States Congress and Protecting the Human Rights of Girls

When exploring the history of the International Protecting Girls from Child Marriage Act in Congress, transnational interest groups play a significant role, particularly in the policy formation. In general, interest groups are vital to the construction of policy problems and the broader legislative process in the US by working diligently to place their issues on the political agenda (Baumgartner and Jones 2010). Interest and advocacy groups organize the concerns of the electorate and are necessary for an effective democracy. But considering that IPGCM Act targets foreign girls and does not directly affect the US electorate, I find that it is the US-based transnational issue advocates who are primarily responsible for connecting US members of Congress to these specific policy problems.

In the United States, the four transnational interest groups that crafted the initial International Protecting Girls from Child Marriage Act are: CARE, International Center for Research on Women, International Women's Health Coalition, and The Elders. All four of these groups have their central offices in the US as well as established programming in foreign countries (except for The Elders which is primarily based in the United Kingdom). CARE, a global humanitarian organization with headquarters in Atlanta, GA, was founded in 1945 to provide relief to survivors of World War II. CARE has programming in over 70 countries and prioritizes working with women and girls to eliminate poverty.

The International Center for Research on Women (ICRW) was founded in 1976 “in response to concerns that international development interventions were benefitting men and women unequally” (www.icrw.org/who-we-are). The International Women’s Health Coalition is headquartered in New York, New York and works to promote women’s reproductive health, prevent the spread of HIV/AIDS, and protect the rights of the youth. Lastly, the Elders are an independent group of global leaders who work together for peace and human rights. Members include Archbishop Desmond Tutu, former US President Jimmy Carter, and former President of Ireland Mary Robinson.

The ICRW played an exceptionally important role in directing legislative attention towards the problem of child marriage in Congress early on. In the late 1990s, their organization tracked the unmet reproductive health needs of the largest youth cohort in history and a rise in HIV infection rate among female adolescents. In 2000, President Bush had redirected reproductive health to prioritize “abstinence only” programs in both US domestic and US foreign policy. The ICRW felt that sex education was vital to achieving their goals and that US policymakers rarely connected adolescent sex to the context of marriage.

Hence, in 2003, ICRW shifted their policy focus to child marriage, an issue that they felt would appeal to a broader bipartisan audience and address their central health concerns, including women’s reproductive health. According to an internal report, ICRW began to craft US foreign policy legislation that defined the problem of child marriage and specified programs to prevent the harmful practice. The objective of this legislation would be to 1) develop a strategy to address child

marriage; 2) include regular reporting on child marriage in the US Department of States annual country human rights report; and 3) expand funding for USAID programs to reduce child marriage and promote alternatives for girls (Selvaggio 2008). With the help of their broader NGO network, the International Protecting Girls from Child Marriage Act was initially drafted in 2006. The coalition worked with their allies in DC to then find members of Congress who would best shepherd the legislation on the Hill.

The International Protecting Girls from Child Marriage Act (S. 3651) was first introduced to the US Senate on July 13, 2006 during the 109th Congress, sponsored by Senator Dick Durbin (lead sponsor, D-MI), Senator Chuck Hagel (R-NE), and Senator Hillary Clinton (D-NY). One respondent pointed out that Durbin was particularly interested in this issue after one of his legislative staffers returned from a trip to Ethiopia and described the extent of the child marriage problem to him. Advocates stated that the IPGCM Act was initially introduced as a “messaging bill.” A messaging bill is a piece of legislation introduced to draw attention to a particular issue and as a vehicle to educate other members of Congress. Message bills are critical for expanding the political agenda and introducing new policy ideas.

Considering the barriers members face to passing legislation, bills that expand the preexisting legislative agenda need to first cross the necessary hurdle of educating the other members of Congress about the issue. Few members in 2006 had been exposed to child marriage as a constructed policy problem. Introducing this bill offered a platform for issue advocates to educate members of Congress (and

their legislative staff) about the prevalence and problems of child marriage as well as layout a policy strategy to challenge its persistence.

The International Protecting Girls from Child Marriage Act of 2006 offered 25 findings on how child marriage is a barrier to political, economic, and social development. This initial bill mostly paralleled McCollum's IPGCM Act of 2009 discussed above. But in the IPGCM Act of 2006 (S.3651), there was a specific amount of money authorized to carry out the Act: (\$15 million in 2007, \$20 million in 2008, and \$25 million in 2009). By the end of the 109th Congress (2005-06), the IPGCM Act of 2006 had 10 cosponsors (7 Democrats, 3 Republicans) in the US Senate. Ultimately, the bill was referred to Senate Foreign Relations Committee (SFRC) with little further legislative action. There was no companion bill introduced to the US House during that Congress.

In the 110th Congress (2007-08), Senator Durbin reintroduced the IPGCM Act and this time, Representative Betty McCollum (D-MN) introduced her version of the IPGCM Act to the House (H.R. 3175). The interests groups had targeted Representative McCollum to introduce the companion bill in the House because of her legislative history working on children's rights in US domestic policy. Her bill slightly differed in that there was a far greater emphasis on how child marriage violates the human rights of girls. For example, McCollum's bill put forth the claim that "child marriage is a violation of human rights and the prevention and elimination of child marriage should be a foreign policy goal of the United States" as the initial justification for the Act. In Durbin's bill, the initial justification for the Act was that "the untapped economic and educational potential of girls and women in

many developing nations represent an enormous loss to those societies,” (www.thomas.gov). McCollum’s bill also authorized greater funds to execute the provisions of the Act; \$25 million each fiscal year, beginning in 2008. Durbin’s bill, though very similar, placed greater emphasis on how reducing child marriage advancing broader US foreign policy goals of development.

By the end of 110th Congress, the IPGCM Act had gained some legislative momentum, particularly in the House. USAID published a report in April 2007 titled *New Insights on Preventing Child Marriage: A Global Analysis of Factors and Programs* that drew attention and defined the scope of issue. Though the IPGCM Act did not receive a hearing in the 110th, Durbin’s bill now had 17 cosponsors in the Senate (14 Democrats, 3 Republicans, and 1 Independent) and McCollum’s bill had garnered 65 cosponsors in the House (63 Democrats and 2 Republicans). The two were working together, alongside the interest groups, to advance the legislation.

When McCollum reintroduced the IPGCM Act during the 111th Congress (2009-10), there were several new questions on funding and sources. The bill then was modified and became an *authorization* bill, to use existing appropriated financial resources, rather than an *appropriations* bill, which draws upon new financial resources.¹⁰³ But, as I will discuss in the policy objectives section of this chapter, there was a great deal of debate over the ultimate cost. McCollum’s IPGCM Act of 2009 qualifies as my last WRF case study in the 111th Congress due to the 112 (101 Democrats and 11 Republicans) legislative cosponsors the bill. I highlight the party breakdown of legislative cosponsors often in this chapter because I find that

¹⁰³ Appropriations bill have specific amounts of money appropriated for specific objectives. An authorization bill is broader and authorizes expenditure but without specific amounts.

partisan dynamics played a particularly influential role in assessing both the congressional motivation and policy objectives.

Focusing on 111th Congress (2009-10)

As discussed earlier, the 111th Congress was a favorable political context for women's rights foreign policy. Issue advocates also identified this as a moment when child marriage held greater salience. "In the 111th, there was even more increased attention on the issue. A lot more publicity as well as members sort of saying "Ok, if we can't support this, what else can we support?" (Issue Advocate). Ending child marriage is a goal that appealed to both US moral values and global human rights and, unlike other forms WRF, did not immediately trigger debates of domestic gender politics. The bill was simple, direct, and with tangible outcomes.

Respondents also highlighted how the issue of child marriage had received greater media coverage at the time. A global human rights attorney had found 10-year old girl, Nujood Ali, in Yemen at a courthouse requesting a divorce from her much older husband. The media took interest in her story and covered it worldwide. Ali went on to publish her memoir, "I Am Nujood, Age 10 and Divorced," which was widely distributed and published in 18 other languages (Kristof 2010). Second, journalists reported on how a 12-year-old Yemini girl died of internal injuries four days after a being married to man nearly twice her age.¹⁰⁴ A medical report from al-Thawra hospital reported that she suffered a tear to her genitals and severe bleeding. She had been tied down and forced to have sex with her husband, a 23-

¹⁰⁴ <http://www.cnn.com/2010/WORLD/meast/04/09/yemen.child.bride.death/>

year old man, (Mail Foreign Service 2010). Third, the ICRW had exhibited several child bride photos in the halls of Congress, exposing the stark age differentials.

In the 111th Congress, McCollum's IPGCM Act continued to pick up legislative momentum and more Republicans in the House signed on as cosponsors. The IPGCM Act was reintroduced to the Senate by Senator Durbin on May 6th, 2009 and referred to the Senate Committee on Foreign Relations. Durbin's Act adopted more of the human rights language of McCollum's bill while still maintaining the importance of ending child marriage as contributing to US development goals. Although the majority political party in the Senate was Democratic, several ranking Republicans publicly supported the bill, including Thad Cochran (R-MS), ranking member of the Appropriations committee, Roger Wicker (R-MS), member of the Foreign Relations Committee, and the more conservative Sam Brownback (R-KS). It appeared to have strong bipartisan support in both chambers.

No committee hearings took place specifically on the IPGCM Act during the 111th Congress. But on July 15, 2010, the Tom Lantos Human Rights Commission in Congress, chaired by Representative Jim McGovern (D-MA) held a hearing on how child marriage is a harmful traditional practice that violates human rights. The following witnesses spoke at the hearing: Ambassador Melanne Verveer, U.S. Dept. of State, Office of Global Women's Issues; Francesca Moneti, UNICEF, Senior Child Protection Specialist; Anju Malhotra, ICRW, Vice President of Research, Innovation and Impact; Kakenya Ntaiya, Kakenya Center for Excellence, Founder; and Stephanie Baric, CARE USA, Senior Technical Adviser. The witnesses elaborated on the

pervasiveness of child marriage worldwide and the detrimental impact of the practice on the human rights of girls.

On September 21, 2010, there was a mark-up on the bill in the Senate and it was slightly amended. The deadlines for the implementation of the multi-year strategy were modified and section 9 was removed from the bill, the section which authorized direct appropriations for implementation. It was clarified that the bill would not authorize any new foreign aid funds. On October 26, 2010, the Senate Committee on Foreign Relations passed the bill and it was reported favorably out of committee. Kerry then placed IPGCM ACT (S. 987) on the Senate Legislative Calendar under General Orders, Calendar No. 637. The IPGCM Act was then voted upon in the Senate and passed unanimously. The Act, S.987, was then sent to the House on December 2, 2010, where the process did not run as smoothly.

Policy conversations continued between the incoming Republican House Foreign Affairs committee leadership and Democratic Representative McCollum over the cost of the bill and methods of implementation. On December 14, 2010, Representative Ileana Ros-Lehtinen (R-FL) introduced an alternative version of the International Protecting Girls from Child Marriage Act, H.R. 6521. Her bill was much shorter and less specific in terms of executive authority. It also did not mention any of the findings connected to how child marriage connects to broader political and economic goals. It mirrored select portions of McCollum's bill by including that child marriage by included as a human rights violation in the Department of State human rights reports and suggesting further research on the issue. But her bill did not authorize any appropriations or implementation procedures, which the issue

advocates felt were the “legislative teeth” of the bill (Rogin 2010). She had 22 cosponsors of her bill, all Republican and three of which were Republican women.

On December 15, 2010, House Foreign Relations Committee chair Howard Berman (D-CA) moved to suspend the rules to hold the House vote on the IPGCM Act. Under a suspension of the rules, a two-thirds vote in favor is needed for legislation to pass. Berman spoke in favor of the bill and then yielded his time on the floor to Representative McCollum. Representative McCollum rose to the floor and described the importance of her bill for protecting the human rights of girls and achieving US development goals. She emphasized how the Senate had passed the Act unanimously. Representative Dan Burton (R-IN) then spoke in opposition to McCollum’s bill. Burton claimed that he was in favor of the principle (ending child marriage) but against the potential cost of the bill. Berman countered that the cost of implementing the bill would be coming from funds already appropriated to the Department of State.

The IPGCM Act was put to a vote in the House at 8:04 pm on December 15, 2010. After the chorus of Yeas in the chamber, the chair declared that the bill had passed via a favorable voice vote. Representative Burton, dissatisfied, then ordered that the vote be officially tallied and placed on the legislative record. The chair declared the IPGCM ACT unfinished business at that late hour and tabled the vote for the next evening, December 16, 2010.¹⁰⁵

At 7:33 pm the next day, the vote on McCollum and Durbin’s IPGCM Act was officially taken and it failed to reach two-thirds majority (241 Yeas to 166 Nays).

¹⁰⁵ CSPAN video archive of legislative procedures

Earlier that day, House Republican leadership had issued both a “Dear Colleague” letter and a whip alert that advised members to vote against the IPGCM Act. These legislative blocks were effective and even House members who had signed on as cosponsors of the Act voted against the bill. In terms of party line deviation, 12 Republicans ultimately voted for the bill (all Republican men) and 9 Democrats voted against (8 Democratic men and 1 Democratic woman).

Debates on the IPGCM Act continued into the 112th Congress (2011-2012). In the Senate, Senator Durbin (D-IL) reintroduced the International Protecting Girls from Child Marriage Act, garnering 35 Senate cosponsors (26 Democrats, 7 Republicans, and 2 Independent) and on May 24, 2012, the IPGCM Act again passed the Senate. In the House, Representative McCollum introduced one version of the IPGCM Act in November of 2011 with 63 cosponsors (54 Democrats, 9 Republicans) titled Child Marriage Violates the Human Rights of Girls Act of 2011 and another version in July 2012, the with 29 (27 Democrats, 2 Republicans) cosponsors. The second version of the bill had two additional sections. The first additional section “authorizes the President to provide assistance, including through multilateral, nongovernmental, and faith-based organizations, to prevent child marriage in developing countries and to promote the educational, health, economic, social, and legal empowerment of girls and women” and the second section “expresses the sense of Congress that the President and all relevant agencies should collect and make available data on the incidence of child marriage in countries that receive U.S. foreign or development assistance where the practice of child marriage is prevalent” (congress.gov). Representative Aaron Schock (R-IL), who signed on as a cosponsor

in early December 2010, joined Representative McCollum as a vocal proponent of the bill. In the House, both bills never moved out of House Foreign Affairs committee.

In the 113th Congress, the bill has not been reintroduced. But central components of the IPGCM Act were incorporated into the reauthorization of the US Violence Against Women Act (VAWA) of 2013, which became public law in March 2013. In VAWA, there is a provision stating that the US Secretary of State will craft a multi-year, multi-sectoral strategy to end child marriage worldwide and the Human Rights Reports will now include child marriage in their indicators.¹⁰⁶

Representatives McCollum and Schock released a joint press release applauding the legislative accomplishment. These provisions also somewhat satisfied the members of Congress and the key organizations (CARE, ICRM, and the Elders) who had been pushing for this legislation.¹⁰⁷ Returning to the 111th Congress (2009-10), the International Protecting Girls from Child Marriage Act passed the Senate unanimously yet failed in the House. This case offers a lens to examine the congressional motivations behind and policy objectives of a moderately successful women's rights foreign policy, providing richer insight on how these can change as a piece of WRFPP legislation grows in prominence.

Congressional Motivations

¹⁰⁶ <http://www.care.org/newsroom/press/press-releases/care-applauds-congress-prioritizing-child-marriage-violence-against-women-act>

¹⁰⁷ CARE released a press release applauding Congress, and Senators Durbin, Snowe, and Representatives McCollum and Schock for their efforts and success. The Girls Not Brides USA coalition also recognized the inclusion as a victory.

Analyzing the political context surrounding the International Protecting Girls from Child Marriage Act illustrates the multiple motivations for members of Congress to support and oppose women's rights foreign policy legislation. This case also reveals greater insight on the ambivalence of members of Congress towards WRFP. Similar to my other cases, a Democratic woman was the lead proponent of the legislation. In contrast to my other cases, a Republican woman was the lead opponent to the bill's passage. As discussed earlier, members of Congress are motivated to work on issues to ensure their reelection, gain institutional positions, and/or out of their own personal desire to "make good public policy," (Fenno 1973). Transnational surrogate representation, either favoring or opposing the child marriage legislation, played a minimal role in motivating the members to take action on this issue. Rather, advocates were primarily motivated by a moral imperative to protect human rights as a priority and opponents were more concerned with potential cost of the implementation as well as desired gaining partisan leverage in the institution.

Support The International Protecting the Girls from Child Marriage Act of 2009:

Protecting the Human Rights of Girls

None of the staunch sponsors of the IPGCM Act in Congress worked on the legislation due to their institutional position or because of a pressing electoral incentive. Lead sponsor Representative Betty McCollum (D-MN), a Democratic woman, did not sit on the House Foreign Affairs Committee. Senator Dick Durbin (D-IL) and Senator Olympia Snowe (R-ME) led the advancement of this legislation in

the Senate. Neither were members of the Senate Foreign Relations Committee during the 111th Congress.¹⁰⁸ Since there is no conflict with domestic law (child marriage is illegal in the US), working on the IPGCM Act will not immediately galvanize resistance or support from their constituents. Given the lack of electoral connection overall, this suggests that members were motivated to work on this issue as a form of “good public policy” (Fenno 1973). They were personally interested in dedicating their limited time and resources to protecting the human rights of girls.

The supporters of the IPGCM Act in Congress were motivated by a moral imperative to take action to eliminate a practice they felt was dangerous and a violation of human rights. As Senator Durbin stated after the House did not pass the bill in 2010, “These young girls, enslaved in marriage, will be brutalized and many will die when their young bodies are torn apart while giving birth. Those who voted to continue this barbaric practice brought shame to Capitol Hill.” In the quote above, issue champion Senator Durbin uses particularly graphic language to draw attention to the fatal risks of child marriage for girls. Similar to a Sunday sermon, Durbin shames House members for not ending this “barbaric practice,” reflecting a moral frame based on the liberal value of global human rights.

Durbin, in press releases and in public statements, continued to draw attention to how this Act would not only help prevent a human rights abuse but that the Act would also advance global development goals. “Child marriage denies these women and girls of an education, economic independence and is the root cause of

¹⁰⁸ Senator Durbin though became a member of the Senate Foreign Relations Committee in the 112th Congress and Senator Olympia Snowe is a former member (104th Congress).

many of the world's most pressing development issues - HIV/AIDS, child mortality, and abject poverty. This bill makes it the policy of the U.S. government to end child marriage around the globe. It is a powerful statement of our priorities as a nation," Durbin said in press release after his IPGCM Act passed the Senate.

Liberal internationalism is the theory of international relations that justifies intervention in foreign countries in order to advance liberal values on a global scale such as spreading democracy, free markets, and global human rights. Research shows how this foreign policy value system guides some members of Congress who are active in foreign policy (Apodaca 2006). In examining what motivates members of Congress to support ending child marriage in foreign countries, I find that members most often draw from a moral imperative to protect the human rights of these girls based on liberal internationalism. The chief sponsors of the bill consistently discuss the legislation as a gross violation of the human rights of children.

Representative Betty McCollum (D-MN) is the principle force behind the IPGCM legislation in the US House. It was one of the only fifteen pieces of legislation that McCollum sponsored. She argues that child marriage is a harmful traditional practice that violates human rights and the liberal freedom of choice is restricted. McCollum draws upon strong moral language when describing her justification for sponsoring the bill, comparing this practice to treating girls like animals. "No girl who is 11, 12, 13 and 14 should be forced to marry a man years or decades older. Yet, millions of young girls in the world's poorest countries are forced into marriage

every year – sold and traded like a farm animal, raped by their husbands, and forced into lives of servitude and poverty,” claimed McCollum (Jacobson 2010).

Unlike the other cases of WRF, McCollum, a Democratic woman, does not refer to her shared group membership as a female to justify her actions. Rather, she emphasizes the foreign girls as a separate group, vulnerable and deserving of US intervention because it is the ethical thing to do.

McCollum has a broader legislative history working on issues that affect families and children in US domestic policy, such as the Newborn, Child, and Mother Survival Act. In addition, McCollum has a policy history working on Native American issues, such as the SAVE Native Women Act, positioning her well to work on gender policy domains across cultures.¹⁰⁹ Issue advocates described how they saw McCollum as an advocate for children’s rights. When McCollum saw what was happening in foreign countries, she was galvanized to take greater legislative action globally.

The IPGCM Act extended her broader children’s rights policy agenda beyond US borders. As McCollum stated at the Tom Lantos Human Rights Commission in 2010 that “It is my firm belief that girls- all girls- in America, in Ethiopia, or in Afghanistan deserve the right to enter adulthood and decide for themselves who their husbands will be. A girl is not a commodity to be traded,” (July 15, 2010). She refers to girls as a transnational category of young women and argued that their freedom needs to be protected by the US government, both in the US and abroad.

¹⁰⁹ Thomas.loc.gov

What is unique to the IPGCM Act case study is the broad number of Republican men in the US House who were vocal supporters of the legislation (in contrast to some of my other findings). McCollum's bill ultimately had 11 Republican sponsors, one of whom was a woman (Representative Kay Granger R-TX). Democratic women were broadly behind McCollum's legislation as well. Of the 101 Democratic cosponsors, 29 were women (www.thomas.gov). The seventeen Republican women of the 111th Congress (as opposed to the 57 Democratic women) were rather inactive on WRFPP issues in general, outside of Representative Kay Granger (R-TX) and at times, Judy Biggert (R-IL).¹¹⁰

McCollum had strong relationships with several Republican men on the Hill. Representatives Ander Crenshaw (R-FL), Steven LaTourette (R-OH), and Aaron Schock (R-IL) were all key proponents of the bill. In McCollum's floor speech on December 15th, 2010, she specifically thanked "my Republican colleagues, Mr. Crenshaw, Mr. LaTourette, and Mr. Schock for their bipartisan support for ending child marriage." None of these men worked on the House Foreign Affairs Committee and thus had no clear institutional or electoral incentive.

In July 2010, Crenshaw co-authored with McCollum a letter to Roll Call (a well-read newspaper in Washington DC) detailing how child marriage is both a human rights abuse *and* undermines US foreign assistance objectives. "Young women and girls cannot attend a school built with U.S. assistance or access critical health information and services if she is married against her will. To make our foreign assistance more effective, we must ensure all girls can stay in school and

¹¹⁰ CAWP. Ros-Lehtinen's opposition to McCollum's bill brought in more Republican women as legislative cosponsors (4)

have the opportunity to live healthy, productive lives,” (McCollum and Crenshaw, 2010).

According to my respondents, Crenshaw had worked with McCollum on other policy issues and this legislative history laid the foundation for their relationship. But legislative staff identified that Crenshaw’s wife, Kitty, was particularly influential in his decision to dedicate staff resources to the IPGCM Act. “When she [McCollum] was working on the bill, his [Crenshaw’s] wife was like, ‘You’re going to help her out. You’re going to help. You’re going to help.’ And they did,” (Legislative Staff). Crenshaw’s staff reached out to other Republican members to build broad based support for the Act in Congress.

Representative Steven LaTourette (R-OH) and Betty McCollum (D-MN) also had a history of working together to ensure federal support for effective US geographical research.¹¹¹ LaTourette signed on as a cosponsor of the IPGCM Act in early May 2009. In an unusual move, after the December 16 vote on that defeated the IPGCM Act, Representative LaTourette, disgusted by the partisan politics he perceived as “killing” the bill, brandished his own political party on the House floor.

Yesterday, I was on the floor, and I was a co-sponsor with a piece of legislation with the Gentle lady from Minnesota, Ms. McCollum, that would have moved money — no new money — would have moved money so that societies that are coercing young girls into marriage, we could build them latrines so they could go to school. Or we could make sure that they stay in school so they’re not forced into marriage at the age of 12 and 13. But all of a sudden, there was a fiscal argument. When that didn’t work, then people had to add an abortion element to it. Look, this is a partisan place. I’m a Republican. I’m glad we beat their butt in the election; we’re going to be in the majority next year. But there comes a time when enough is enough, and

¹¹¹ They were actually both awarded medals by the US Geological survey for their work. <http://www.prnewswire.com/news-releases/representatives-betty-mccollum-mn-and-steven-latourette-oh-to-receive-usgs-coalition-leadership-award-169318476.html>

McCollum's bill was a good bill last night. ... We should stop the nonsense, approve the bill and move on. (Representative LaTourette, R-OH, House Floor, December 17, 2010).

According to my respondents, this was not a planned speech but a spontaneous statement. This public display reflects his independence from partisan politics, disappointment with the Republican Party preventing the bill's passage, and his individual passion for ending child marriage.

Representative Aaron Schock (R-IL) is another Republican man who took an active role working to pass this legislation. Schock voiced his support on the House floor on the day of the official House vote, referencing how his first-hand experience shaped his passion for supporting the legislation.

I rise today in support of the International Protecting Girls from Child Marriage Act. I had the opportunity to travel earlier this year in September with the well respected non-profit CARE to the country of Ethiopia. Now during that time we visited the Hamlin Fistula hospital and saw first hand the atrocities and the realities of the situation with so many of these young girls that are forced into early marriage beyond their wishes. (Representative Schock, House Floor, December 16, 2010).

Crenshaw, LaTourette, and Schock all worked with Representative McCollum to pass the IPGCM Act by helping to establish broad bipartisan support.

Additionally, Democratic men, such as Representative Jim McGovern (D-MA) and Chair of the House Committee on Foreign Affairs Howard Berman (D-CA), also dedicated time and resources to advancing the legislation. McGovern, Co-Commissioner of the Tom Lantos Human Rights Commission, held a hearing on how child marriage is a violation of human rights. Berman also worked to ensure that the legislation could come to the floor before the end of the 111th Congress. Due to their

institutional positions, McCollum also needed their support since they each are active as traditional congressional foreign policy entrepreneurs.

Although the IPGCM Act failed in the 111th Congress, key pieces of the Child Marriage Act were added to the Violence Against Women Act (VAWA) reauthorization of 2013. Representative Schock and McCollum were again identified as the two major forces behind the successful policy addition. In a February 28, 2013 press release celebrating the policy victory, Representative McCollum reiterated her commitment to protecting girls, both in the US and abroad, as a vulnerable population. She states:

For years, I have been working to protect young girls, even pre-teen girls, in poor countries from being forced to marry, forced into sex, and forced into lives of poverty. Today, with the passage of the *Violence Against Women Reauthorization Act* [of 2013], the United States will make protecting girls and preventing child marriage a foreign policy priority. Keeping girls and women safe from violence and abuse here at home and around the world will always be a priority for me.

The 2013 VAWA piece of US legislation ended up representing girls and women as a global category, drawing attention to the rights of women and girls in both the US and in foreign countries.

The IPGCM case study shows that each of these Representatives worked to support the bill as a way to make good public policy and that the moral imperative of protecting the human rights of girls was the primary underlying motivation. McCollum, a Democratic woman, rarely referred to her shared group membership as female to justify her support for the bill. She has a reputation for working on family and children's welfare in domestic policy and this was an extension of her broader

children's rights agenda. This was also one of the central reasons the interest groups targeted her to champion their issue.

Similarly, the Republican men drew upon their own personal experiences to justify their issue position. Perhaps since the policy targets girls, rather than women, a sense of fatherly protectionism may have inspired their legislative attention.¹¹² In addition, the positive impact of reducing child marriage on broader US foreign policy goals (such as development) may have shaped their decision to support the bill. Issue advocates described how they would make the case to certain members that investing in building schools for girls in foreign countries is a moot point if girls are dropping out of school because they are being married off at young ages.

Though I center my analysis on the House, there is evidence of similar patterns in the Senate, where the IPGCM Act ultimately passed. The bill was introduced to the Senate on May 6th, 2009 and referred to the Senate Committee on Foreign Relations. One large challenge is to ensure that a bill relatively small in scope (when compared to grander US foreign bills such as foreign aid, treaties, and bills authorizing military actions) marked-up and passed through the SFRC committee. According to my respondents, Senator Kerry (D-MA), chair of the SFRC, supported the bill but it was not his number one priority.

One issue advocate suggested that a personal phone call from former US President Jimmy Carter asking Kerry to prioritize the bill was highly influential in

¹¹² Washington (2006) finds that members of Congress who are fathers of daughters are more likely to support advancing women's rights in US domestic policy. Though this is not something I test, prior studies suggest that this may have an impact.

persuading Kerry to push the IPGCM Act through committee. Kerry may have been motivated by Carter's appeal due to his respect and deference to a former US President or perhaps a calculation that this may win him Carter's support if he planned a future presidential run.

After the IPGCM Act passed the Senate unanimously, the Senate offices were working to push the legislation through the House. As one legislative staffer mentioned, "We had great Senate counterparts who were calling offices and saying, 'They should support this.' It didn't end up being a success for us, but at least it was nice that they were willing to." Though there was unified pressure from the Senate, it was not enough to guarantee successful bill passage in the House.

In sum, I find that the members of Congress who support and advocate for the IPGCM Act are motivated by an individual moral imperative to make good public policy. Given the congruence of the IPGCM Act with US domestic policy, gender norms, and moral codes of global human rights, Republican men were far more supportive than they have been on other more controversial forms of women's rights foreign policy.

Similar to other pieces of WRFPP, a Democratic woman was leading the push but unlike other WRFPP, she made minimal reference to her shared connection to other women. Rather, she emphasizes how child marriage violates the human rights of girls and argues that the legislation is necessary as a moral imperative. This framing may have improved her ability to gain bipartisan support. Ultimately, the goals of the IPGCM Act were included in a piece of domestic US women's rights legislation, the Violence Against Women Act. Perhaps by linking the rights of girls

and women abroad to the rights of women and girls in the US, WRFP can achieve greater legislative success. In terms of opposition, unlike the other WRFP bills, I find that the aim of gaining institutional power via partisan and domestic gender politics, was the central motivation against the International Protecting Girls from Child Marriage Act of 2009.

Oppose the International Protecting Girls from Child Marriage Act of 2009: Partisan Dynamics and Domestic Gender Politics

Rather than an individual motivation to oppose the IPGCM Act, I find that partisan politics, and more specifically gaining partisan leverage in the institution of Congress, is the central motivation for opposing McCollum's IPGCM Act. I illustrate how domestic gender politics was the effective catalyst to shoring up oppositional support in the House. The 2010 November midterm elections resulted in the Republican Party winning a majority of the seats in the House of Representatives and the Democrats lost their institutional control. Thus, when the 112th Congress (2011-12) began, Republicans would be the majority party in the US House, thus setting the legislative agenda and chairing all of the House committees.

The last few weeks of the 111th Congress (2009-10) were thus considered part of the "lame duck" session. During this "lame duck" time, Democrats, still in partisan control in the House, Senate, and Executive as the majority political party, attempted to pass as much legislation as possible before they lost power in the US House. Republicans, alternatively, had an incentive to block the legislation because they were coming into a position of greater institutional power and would have

substantial authority over the legislative agenda. This partisan friction contributed to the ultimate failure of the IPGCM Act in the House.

Since the IPGCM Act passed unanimously in the Senate, there was a hope on the Hill that the IPGCM Act would be considered noncontroversial and that partisan politicking would be put aside to pass the bill. In order to move an issue through Congress faster, House party leadership can bring up a bill under a suspension of the House rules. This is how legislation moves through Congress when the party leadership wants to prioritize certain issues, which happens quite often. Bills brought up under the Suspension of the Rules are generally considered noncontroversial legislation. Bipartisan agreements have assumed to already been achieved. There can be no amendments offered, debate is limited to 40 minutes, and it must pass by a two-thirds majority vote. Between 1997-2006, 76 percent of all bills passed the House through this procedure (Sinclair 2012; 25).

On December 16th, 2010, the morning of the House vote on the International Protecting Girls from Child Marriage Act, Representative Ileana Ros-Lehtinen (R-FL), a Republican woman next in line to chair the House Foreign Affairs Committee, sent out a “Dear Colleague letter” urging Republicans to vote no on the S.987, the International Protecting Girls by Preventing Child Marriage Act of 2010 (See Appendix A). She had proposed an alternative H.R. 6521. In her letter, she states that S. 987 would authorize \$108 million over 5 years and suggests that there is no clear assessment of how much US foreign aid already goes to combatting child marriage, and then provides a summary of her own bill, H.R. 6521, that would result in no more than \$1 million in aid and focus on assessment and strategy. Proponents

countered with their own response and argued that this financial debate had already been resolved in the Senate version of the bill.¹¹³

In addition to the Dear Colleague letter, Republican party leadership majority leader sent out a whip alert to their members that evening (6:53pm) reiterating that the Republican leadership (House Majority Leaders John Boehner and House Majority Whip Eric Cantor) will vote no on Senate bill S.987 and that Republicans should support Representative Ros-Lehtinen's bill, the ranking member on the House Foreign Affairs Committee. The whip alert was sent out minutes before the House vote. The last lines of the alert were particularly alarmist in terms of triggering domestic gender politics: "There are also concerns that funding will be directed to NGOs that promote and perform abortion and efforts to combat child marriage could be usurped as a way to overturn pro-life laws," (as reported in Terkel 2010). This was the first time the issue of abortion was mentioned in connection to the IPGCM Act. Many of the Republican cosponsors opposed abortion and it is a highly divisive domestic political issue.

The language of the IPGCM bill mentions nothing in regards to family planning or abortion. The language of the bill focuses solely on reducing child marriage. Respondents highlighted how they specifically avoided the topic of abortion when constructing the legislation to ensure bipartisan support. Issue advocates, legislative staffers, and even members of Congress found this to be a form of politicking rather than substantive concern for financially supporting abortion services.

¹¹³ CBO report, <http://www.cbo.gov/publication/43253>

The threat ultimately worked. Ros-Lehtinen and leaders of the Republican party were able to “flex political muscle” (Issue Advocate) and connect abortion to child marriage by this suggestion alone. The whip alert was so effective that even members who had initially signed as co-sponsors of the IPGCM Act then voted against the bill. This demonstrated to one legislative staffer that “just getting a co-sponsor doesn’t mean a lot.” Internal divisions in the Republican Party at the time also fueled this effectiveness, according to one issue advocate:

You have members who have been targeted by the Tea Party and by other very conservative groups, for even *seeming* to be not a thousand percent anti-choice. Right? So, even supporting family planning, they could get targeted, even if they have a 100% anti-choice voting record. They still could get targeted.

Targeted refers to a member of Congress facing a conservative candidate in the member’s party primary that reflects the Tea Party policy objectives and is typically more fiscally and socially conservative. This potential reelection threat can affect how a member of Congress makes decisions. The rapid response to reject the IPGCM Act through this minimal amount of electoral pressure shows how little members gain domestically by supporting WFRP legislation and how much they fear they can lose in terms of domestic gender politics.

The relative inaction of the executive also was identified as aiding the opposition to the Act. Josh Rogin, a respected columnist for Foreign Policy, wrote a column the following day titled “How Ileana Ros-Lehtinen killed the bill to prevent forced child marriages.” Rogin, in addition to pointing out the partisan politicking, argued that although Secretary of State Hillary Clinton and the Ambassador for Global Women’s Issues had worked to draw attention to the issue, “at the eleventh

hour, when the going got tough, the bill's supporters said the administration was nowhere to be found" (Rogin, 2010). Although the Executive supported the objectives of the bill, the lack of executive pressure at this moment may have also contributed to the effective partisan politicking move to "kill" it.

Ros-Lehtinen had concerns about the IPGCM Act early on. Since McCollum was not on the House Foreign Affairs Committee, she had less of an opportunity to work with traditional foreign policy entrepreneurs, such as the House Foreign Affairs committee leadership, and negotiate agreeable policy language. Efforts at compromise were made but the longstanding trust formed from working on foreign policy issues overtime in committee was lacking. As the ranking minority member of the House Foreign Affairs committee at the time, the hesitations that Ros-Lehtinen had over the cost of the bill warranted attention. But sadly, compromise was not reached.

The degree to which partisan tactics were applied to ensure the failure of the bill indicates that the Republican leadership had identified this as an issue to push forward with zeal. Since the Republican leadership weighed in on the child marriage debate with their whip alert minutes before the vote, blocking the IPGCM Act was not a long-standing policy priority. One legislative staff members mentioned that since Ros-Lehtinen is "a member of leadership, she is really influenced by the party." As a woman and a member of House Foreign Affairs committee leadership, Republican Party leadership may have perceived her as an effective opponent

against a bill that on the surface appears to be connected to the rights of women.¹¹⁴ My respondents also suggested that Ros-Lehtinen's staff played an influential in her decision and partisan tactics to oppose the Child Marriage legislation. "Our sense is that it was really staff driven, not necessarily driven by Ros-Lehtinen herself," (Issue Advocate).

The aftermath of this political move was not particularly favorable, particularly because of the negative publicity her tactics received. Articles ran in Foreign Policy and the Washington Post shaming the actions. "She [Ros-Lehtinen] thought it was going to be a flash in the pan kind of thing, and then everyone freaked out, and she was like "Oh, I don't know why my staffer did that," according to one legislative staff member. Ros-Lehtinen received angry phone calls from her constituents and from other party members who had supported the bill, far more than perhaps expected. Republican sponsor Stephen LaTourette (R-OH) was galvanized in disgust by the extent of partisan politics in Congress at the time and took to the House floor to speak out publicly against the move.

Policy Objectives

The International Protecting Girls from Child Marriage Act is a piece of legislation that targets women's rights to their bodily integrity and the audience is the US foreign policy administration. Because the policy objectives of this Act focus on a highly vulnerable population (girls) on a very limited, specific scale (freedom

¹¹⁴ This reflects Swers (2010) finding on how party leadership employs Republican women to block Democratic Party-led women's rights legislation.

from forced marriage) that conforms to domestic gender norms, it was advanced further through the legislative process than other bills and nearly passed.

The results of this case study suggest that when a policy issue is specifically affecting women and/or girls, one can more easily draw in the abortion debate regardless of merit. Since girls were directly specified in the policy language, and girls are females, the implication that the bill may support abortion funding was an effective way to motivate members to oppose the legislation, regardless of the merit of the claim. This shows the far-reaching impact of domestic gender politics on WRFPP and how the human rights of women and girls can still be limited to one specific volatile issue.

Targeting Girls: A More Vulnerable and Innocent Category of Women

Although the policy language of the IPGCM Act refers to how child marriage affects girls and women, the emphasis is repeatedly placed on girls. Using the term “girl” signals that these humans deserve protection because they are both female and young. Girls are associated with vulnerability and innocence and thus are more worthy victims to justify US foreign policy intervention (Carpenter 2013).

The smiling faces of young girls in developing countries are increasing the symbol that international nongovernmental organizations (INGOs) and multinational financial institutions use to ask to solicit financial support in the West (Shain 2013). For example, “The Girl Effect” is currently the fundraising campaign for CARE and a major development initiative of the World Bank (care.org). This campaign is problematic in that the attention is focused on the atomizing and

individualizing the “girl” as the solution to institutional structures of discrimination, such as patriarchy, colonialism, and racism. Hence, girls are a very effective trope of persuasion as demonstrated by the expansive bipartisan coalition. Girls are portrayed as both innocent victims and potential agents of social change.

The International Protecting Girls from Child Marriage Act thus reflects US domestic family law in that minors are not allowed to engage in any contractual agreement, such as marriage (although the age varies slightly by state). Young women, or girls, are one category of women that both pro-feminist and anti-feminist groups seem to agree need protection from sexual exploitation, violence, and abuse. Child marriage functions as a state sanctified sexual contract between the two spouses, but the idea of young girls having sexual relations with adult men is an idea that is morally reprehensible in the US as well as illegal under US domestic law. Pedophilia, the sexual attraction to children, has long been a crime in the US and even grounds to prevent a person from immigrating to the US (Canaday 2009).

Small Scale Objectives

Ensuring that members of Congress fully understand the objectives of foreign policies that address women’s rights is one of the difficulties issue advocates face. Many respondents mentioned that using a global human rights frame was far easier to sell to members than women’s human rights. Women’s rights are highly controversial and members of Congress are weary of being connected to legislation that may agitate their US constituents. But members became far more engaged and supportive when they saw firsthand the issues women and girls face worldwide,

according to my respondents. Women's rights are also a relatively new domain in US foreign policy, and thus there is an even greater ignorance around these types of issues. The IPGCM Act was initially introduced to begin to educate members about the concept of "child marriage" in foreign countries as a messaging bill in the 109th Congress. By the 110th Congress, members were more familiar with the policy and its detrimental impact on children, particularly girls.

My respondents highlighted the limited scope of the policy objectives of the IPGCM Act as contributing to its relative success. As one legislative staff member plainly stated, "the reason Child Marriage got through" is because "it was small. It was bite-sized. It had stuff that people could understand." This intentional move by the issue advocates to keep the objectives digestible likely contributed to the advancement of the legislation. Another legislative staff member echoed "that the bill [IPGCM Act] didn't have as many problems because it was short. It literally was very targeted. Super focused and it didn't try to expand itself to make any kind of generic policy statements." There was a moment where the ending child marriage issue coalition considered enveloping the bill within the comprehensive IVAWA but decided against this. The advocacy coalition decided to keep their legislation stand-alone because they felt that it had better chances of success.

My respondents emphasized the minimal targeted approach even when attempting to draw political pressure. "If our goal is to get this bill through, we've got to be quiet about it. We don't need to bring attention to it. Let's celebrate when it passes. We don't need to pat ourselves on the back every step of the way here. Let's just get it through," one issue advocate summarized.

Grassroots support in the US was still effective but it seemed that a delicate balance of discretion was necessary to maintain the bipartisan coalition. Drawing too much attention to the IPGCM Act may galvanize domestic groups opposed to advancing women's rights, even the rights of girls. Child marriage was framed as a neutral human rights foreign policy bill, even if it did dominantly affect females.

Girls=Women=Abortion

The success of the IPGCM Act in the 111th Congress was interconnected to its ultimate downfall. Since it had passed the Democratic majority Senate unanimously, it was a prime target for Republicans in the House to demonstrate their incoming political strength during the "lame-duck" political session (November to December 2010). If the word "women" or "girl" is in the policy language and it's remotely connected to the rights to their body, members of Congress seem to succeed in suggesting that it is about abortion- regardless of relevance. This case shows how that by merely implying that a WRF bill may support access to abortion, even minutes before the vote, certain members of Congress will vote against it (even those who had signed on as cosponsors). As one issue advocate surmised, "like every issue that involves women and girls does in Congress, it gets embattled with the quote unquote, 'abortion debate.'"

Abortion is a policy issue that affects women's bodies exclusively. But the question of whether or not the women has the right to abort the fetus, the fetus that may develop into another human inside of her, is still debated worldwide. Abortion remains one of the most divisive issues in US politics broadly speaking, deeply

divides members of Congress, and has also contributed to the extreme partisanship in Washington (Ainsworth and Hall 2011).

Analyzing the IPGCM Act reveals the extent of abortion's salience as a political issue. When Representative Ileana Ros-Lehtinen alluded to the idea that IPGCM Act *may contribute* to NGOs that are in favor of abortion, she was able to thwart the bill's passage in the House. Respondents mentioned how they had worked diligently to avoid issues of abortion when constructing the policy objectives of the bill. But since the policy language targeted girls (who age into women) and their sexual activity, the "abortion card" could be played and it was effective.

Protecting Girls from Child Marriage, Strategic Feminism, and Partisan Politics

In each of my case studies, I examine how the era of strategic feminism has influenced the framing of the WRFPP policy objectives and congressional motivations. Although the primary objective of the IPGCM Act was rooted in the liberal internationalist goal of protecting human rights as a moral imperative, reducing child marriage was also framed as an efficient and effective method to improve US development goals abroad. Respondents described how this emphasis helped boost legislative momentum from members less interested in humanitarian intervention. Given the small scope of the bill and the tight fiscal climate during the 111th Congress, this framing was particularly influential on members of Congress who were not compelled for other ideological reasons.

One of the big talking points that we use was effectiveness. I mean, we are currently investing millions of dollars in maternal health, in HIV, in

education, in poverty alleviation, and the practice of child marriage undermines all those investments. With a small infusion of dollars to address child marriage, you are essentially making all your investments in those other areas that much more effective. If you want to build a school for girls in Afghanistan, unless you address the issue of child marriage, your secondary school is going to be empty, because all the 12-year-old girls are going to be married off and they are not going to be in school anymore, (Issue Advocate).

Education for girls is a particularly persuasive point, given the impact of girls' education on other social and economic development indicators (Sen 1999).

The earlier versions of the IPGCM Act in the Senate emphasized these social and economic development outcomes more so than the importance of human rights as the justification for the bill. By emphasizing how child marriage deters the “the untapped economic and educational potential of girls and women in many developing nations,” girls are framed as instruments for development rather than deserving to be free from an institution of sexual servitude as a human right. But, considering that some members are reticent to interfere in the cultural matters of foreign countries, this instrumental framing may also be an effective strategy to gain broader support.

Representative McCollum, in her testimony at the Tom Lantos Human Rights Commission, referred to the importance of giving girls the “opportunity to get an education and contribute their skills and talents to develop their countries,” connecting this issue to the broader context of economic development. For the case of IPGCM Act, I find that politicians frame women's rights foreign policies primarily as advancing moral goods (global human rights). But there was significant discussion of how advancing this moral good will also contribute to wider economic

and political development goals (more traditional US national interests abroad), and is thus a modified form of strategic feminism.

The International Protecting Girls from Child Marriage Act is a piece of women's rights foreign policy that nearly passed Congress. Its ultimate failure in the 111th Congress shows the multiple layers of congressional motivation to both support and oppose WRF legislation as well as the delicacy of crafting WRF objectives. Members of Congress worked to advance the legislation out of a moral imperative to protect human rights, similar to general human rights foreign policy legislation (Forsythe 1988). Two groups that are typically at odds when advancing women's rights foreign policy, Democratic women and Republican men, were working in concert to protect the human rights of girls. Representative Steven LaTourette (R-OH) even went on the public record criticizing his own party to show support for the bill.

Ultimately, since the bill had passed the Democratic Senate unanimously and the Republican Party was about to take over as majority in the US House, it provided a prime bill to exercise political leverage. Ros-Lehtinen, a Republican woman opposed to the cost of the bill and the incoming Chair of the House Foreign Relations Committee, was able to trigger fear in members of Congress by suggesting that voting in favor of the bill would be considered as favoring abortion. This threat was so effective that members who had even signed on as cosponsors of the legislation, including Democratic woman Marcy Kaptur (D-OH), voted against it.¹¹⁵

¹¹⁵ Kaptur, a Catholic Representative from a dominantly Catholic district in Ohio, has a legislative history of voting against abortion access.

The policy objectives of the IPGCM Act centered on placing greater oversight of child marriage in the US Department of State and creating preventative programs in countries with high rates of child marriage to reduce it. The target population was foreign girls, particularly vulnerable due to age and gender, and the scope was fairly limited. This precision in the objectives made it easier for members of Congress unfamiliar with women's rights abroad to understand the nuances of the policy. Considering that the policy also reflected domestic norms on gender and marriage, US electoral constraint was minimal. The central resistance to the bill initially in Congress was the cost. Through extensive legislative negotiating, the arguments regarding costs were addressed and mostly resolved. Funds would come from already appropriated US foreign aid and the Senate passed the amended IPGCM Act unanimously. This compromise did not ultimately satisfy Representative Ros-Lehtinen. Ros-Lehtinen and the Republican party leadership decision to connect the bill to abortion was an effective political move, much to the disappointment of many of my respondents. The bill failed in the House to reach the two-thirds majority needed to pass.

In conclusion, several of the central policy objectives of the IPGCM ACT were adopted in the 2013 Violence Against Women Act Reauthorization, primarily a domestic women's rights policy. This suggests that by maintaining a domestic connection to women's rights, an electoral connection for members of Congress, women's rights in US foreign policy may have more successful legislative progress. My analysis of the IPGCM ACT, a seemingly favorable bill with bipartisan support, reveals the extent to which domestic gender politics and partisan divisions influence

the progress of women's rights US foreign policy legislation. This has implications for the future of US support for global women's rights and global human rights as well as for ultimately advancing US national interests abroad.

Chapter 8:

The Future of Women's Rights Foreign Policy

In this dissertation, I have examined the political phenomenon of US women's rights foreign policy. Multiple scholars have explored the growth of women's rights in US domestic policy (Washington 2006, Swers 2006, Dodson 2006, Carroll 2002, Dolan 1998), but there has been minimal exploration of the growth of women's rights in US foreign policy (Kock and Fulton 2011, Wolbrecht 2002). The few studies available focus on how specific women behave as US foreign policy actors, such as Eleanor Roosevelt, Bella Abzug, Margaret Chase Smith, and Jeane Kirkpatrick (Jeffreys-Jones 1998, Crapol 1992) or how gender matters within US foreign policy administration, such as inside the US Department of State or Department of Defense (McGlenn and Sarkees 1993). There has been no systematic gendered analysis of the growth of women's rights as a form of US foreign policy. The scarcity of women as US foreign policy actors and as subjects of US foreign policy scholarship reflects the degree of male gender bias in the field (Tickner 1992).

Political scientists have explored how other transnational identity factors shape American foreign policy decisions, such as the role of racial and ethnic ties (Tillery 2011, Paul and Paul 2009, Wilson 2004, Smith 2000, DeConde 1992) and religion (Warner and Walker 2011, Mearsheimer and Walt 2006) but not gender. Scholars have also analyzed how global human rights shape US foreign policy (McCormick and Mitchell 2007, Apodaca and Stohl 1999, Forsythe 1988, Carleton

and Stohl 1987) but with minimal attention to how gender shapes the meaning of human rights (Bunch 1990). In sum, gender as a category of analysis (Scott 1999) has rarely been applied to US foreign policy, despite the fact that gender is one of the most primal forms of human division (Glick and Fiske 2000). In addition, one of the more divisive issues worldwide is how to define the rights (and the roles) of women, particularly in terms of reproduction.

To conduct a gender analysis, the first question one must ask is “where are the women?” (Enloe 1989). In my dissertation, I explored where the women “are” in terms of US foreign policy bill language; what I call women’s rights US foreign policy. I then asked what are the congressional motivations behind and policy objectives of women’s rights US foreign policy? The aim of my research is to deepen our understanding of congressional decision-making and provide a richer context to analyze how and why women’s rights matter to US foreign policy from a feminist theoretical perspective.

Based on studies of congressional behavior, women’s rights, and US foreign policy, I had drawn two central hypotheses; 1) domestic women’s rights policy entrepreneurs are expanding to US foreign policy and 2) traditional US foreign policy entrepreneurs are expanding to address women’s rights.¹¹⁶ I expected that women’s rights entrepreneurs would be interested in expanding their domestic women’s rights policy objectives to US foreign policy. Similarly, I expected that US foreign policy entrepreneurs would be interested in expanding their US foreign

¹¹⁶ Though I use the term policy entrepreneur (Wawro 2000), one could also consider these individuals as “critical actors” because they are changing the policy agenda to improve the representation of women (Childs and Krook 2009).

policy objectives to include women's rights. Given these historically divergent policy agendas, I also expected that there would be compromises, conflicts, and coalitions between these two groups, creating multiple objectives of and incentives behind women's rights US foreign policy.

Applying quantitative and qualitative analysis, I found support for my two fundamental expectations in this dissertation. In chapter 3, I conducted a content analysis of all women's rights US foreign policy bills (WRFP) introduced over the last 35 years and showed the multiple ways WRFP objectives have expanded to reflect the aims of US domestic feminism as well as US national interests. In chapter 4, I applied advanced statistical analysis to decipher the influence of individual, institutional, and electoral incentives on the probability of sponsoring a WRFP bill under three different Congresses (2005-2010). Being a Democratic woman or a member of the House Foreign Affairs Committee are the two individual identity factors that consistently significantly increase WRFP entrepreneurship. The other consistent significant finding was that being a member of the minority political party increases the degree of WRFP entrepreneurship, similar to other forms of US foreign policy (Carter and Scott 2009). The electoral and institutional incentives varied in terms of influence in each Congress but the impact overall is negligible.

Chapters 5, 6, and 7 present my case studies on specific pieces of women's rights US foreign policy legislation. The first case study was on a US House bill supporting US Senate ratification of CEDAW, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women. In the 111th Congress, the CEDAW supportive bill was introduced by House Representative Lynn Woolsey

(D-CA) and garnered 136 co-sponsors. My second case study was on the International Violence Against Women Act of 2010 (IVAWA) with 135 cosponsors. Representative William “Bill” Delahunt (D-MA) was the lead sponsor and Representatives Jan Schakowsky (D-IL) and Ted Poe (R-TX) made up the driving legislative coalition. My third and final case study was on the International Protecting Girls by Preventing Child Marriage Act of 2009 with 112 cosponsors, sponsored by Representative Betty McCollum (D-MN). These studies provided a richer context to analyze what motivates US members of Congress to take action on WRFPP, including opposing the legislation, and how the policy objectives of WRFPP are constructed and debated.

I applied a mixed-method approach to answer my research questions. The content analysis of WRFPP objectives over time and the cross-sectional statistical analysis of congressional WRFPP entrepreneurship provided a broad overview of the differing policy objectives of and congressional motivations behind WRFPP in Congress. The three case studies illustrated the nuanced and complex dynamics surrounding divergent congressional motivations and competing policy objectives of WRFPP. Through triangulation of these quantitative and qualitative studies, I have drawn the following conclusions on the congressional motivations behind and policy objectives of women’s rights US foreign policy.

The Policy Objectives of Women’s Rights Foreign Policy

In my content analysis of WRFPP policy objectives between 1973-2010, I found that there are three central foci of women’s rights US foreign policy: 1)

women's political rights; 2) women's economic rights; and 3) women's rights to their bodily integrity, and three different primary audiences: 1) United Nations; 2) US foreign policy administration; and 3) foreign government(s) as an object of US public diplomacy. The policy objectives of the WRFPP bills expanded over the years. Taking snapshots at each decade, I have shown how WRFPP objectives reflect both the domestic and global political concerns at the time. The case studies during the 111th Congress colorfully illustrated how US foreign policy, US domestic women's rights policy, and the United Nations global women's rights policy goals direct the objectives of WRFPP. The cases also brought to light the influential role of transnational issue advocates (based in the US) on setting WRFPP objectives and inspiring congressional support. In sum, I found four general trends regarding women's rights US foreign policy objectives, detailed below.

The Impact of the UN Global Women's Rights Agenda

My first finding is the overall minimal impact of the United Nations (UN) on setting the women's rights US foreign policy agenda. Initially, this transnational governing institution aided in drawing attention to women, a group historically ignored in US foreign policy language (and rarely present as central US foreign policy actors). The very first WRFPP bills in my study were introduced in response to the UN's International Year of Women. But the impact of the UN has significantly dropped in shaping the US WRFPP agenda, though clearly it is still present. For example, the UN global women's rights treaty, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), has been ratified by 187 of the 194 countries recognized by the UN (as of 2014). At present, the US is the only

industrialized nation that has not ratified the Convention. In comparison to my other WRFPP case studies, I find that the women's rights policy objectives of CEDAW are 1) more feminist (in term of an expansive definition of women's equality and equity); 2) more democratically legitimate (foreign nation-states, including the women of those nation-states, have some say in how these transnational documents are constructed); 3) minimally supported by the US feminist grassroots organizations (a limited few dedicated their time and resources to CEDAW ratification); and 4) more vehemently opposed, specifically by Republicans (case study research). In my interviews, respondents pointed to how opposing CEDAW is a very popular policy position amongst Republicans and the fractured grassroots support has not been able to overcome this resistance.

The Relationship between Women's Rights and US Foreign Policy Goals

My second general point is derived from my analysis of how US foreign policy and women's rights policy objectives overlap and diverge. I find that advancing global women's political and economic rights represents the overlap of US foreign policy and women's rights policy objectives. Supporting women's political rights to be active members of a democracy and/or supporting women's economic rights to be active members of a free-market faced minimal resistance in Congress, reflecting shared liberal values on the rights of women worldwide. In contrast, the domestic women's rights policy objective of supporting women's rights to bodily integrity and protecting their human security does not experience widespread support. The number of WRFPP bills introduced with the objective of protecting women's rights to their bodily integrity is steadily increasing, as it grows in importance for both the

UN global women's rights agenda, global human rights agenda, and as domestic women's rights policy entrepreneurs take greater interest in global matters, nevertheless, my case study research shows that these issues of women's human security are ultimately not prioritized and controversial.

Thus, I suggest that WRFPP bills with objectives that contribute to 1) the US national interests of stabilizing democracy; 2) expanding free-markets and capitalism; 3) and/or as a form of public diplomacy are the WRFPP bills that members of Congress widely support. The clear shortcoming of this prioritization is that if women's bodies are not safe from physical harm, then it is far more challenging for them to be active participants in civic life. Additionally, many feminist scholars criticize how advancing women's rights along neoliberal values of capitalism and democracy does not necessarily translate into improving women's quality and status of life (Regulska and Grabowska 2013).

The Emergence of Strategic Feminism

Third, digging deeper into how these objectives intersect, I find that a specific form of WRFPP dominates the agenda post 9/11- what I refer to as "strategic feminism." Strategic feminism is where advancing women's rights are enveloped in US national interests abroad. The emphasis on these bills is the audience and how a specific foreign nation-state approaches women's rights, such as the Iraqi Women and Children's Liberation Act of 2004. These bills are forms of public diplomacy. In the 90's, there were 18 WRFPP bills that had a foreign nation-state as the target audience. Between 2000-10, there were 84. In terms of percentage increase, WRFPP as a form of public diplomacy was 23.4 percent of all WRFPP in the 90s and 48.8

percent in the 2000s. My case study research of the 111th Congress reinforces the importance of framing any WRFPP bill as ultimately contributing to US strategic interests abroad is critical for building broader legislative support.

The burgeoning partnership between traditional US foreign policy objectives and women's rights is firmly strengthened after the attacks on 9/11 by Al-Qaeda. The Taliban had previously been targeted in US foreign policy as a government regime that was particularly abusive towards women but not as a terrorist threat.¹¹⁷ After the attack on the US, the Taliban's treatment of women became as topical as their anti-American values. Thus, the values of US nationalism and advancing women's rights in foreign countries became far more closely aligned. Members of Congress who were interested in advancing women's rights now found a far more receptive audience with traditional US foreign policy entrepreneurs.

Post 9/11, I find that the policy objectives of WRFPP most often reflect these strategic feminist aims, where US foreign policy interests align with the feminist goal of advancing women's quality of life. The tension for feminists is that US strategic interests can ultimately limit the parameters of global women's rights in terms of content and scope. Thus, global women's rights are not universal, but rather dependent upon the national-context and the US relationship with that nation, similar to human rights. Additionally, women's rights may be used as a bargaining chip in diplomatic relations rather than as a non-negotiable. But, considering that

¹¹⁷ Interning at the US Feminist Majority Foundation (FMF) in Washington DC at the time, I observed firsthand how the US Department of State depended on FMF for intelligence on the Taliban immediately after the events of 9/11. The US Department of State placed a link to the FMF website on their homepage to provide general information to the US public. FMF had operations on the ground in Afghanistan since 1996, working to end the "gender apartheid" against women.

women members of Congress share group membership with women as a marginalized population, women members may be more motivated to support global feminist objectives (over US strategic interests).

Adding Women or Girls to US Foreign Policy Objectives then Adds Abortion Politics

Finally, the last important general conclusion I draw (primarily from the case study research) is that when one adds the term “women” or “girl” to a US foreign policy bill, this can trigger domestic abortion politics. In each of my case studies, respondents described the difficulties in ironing out the language that would ensure that no US foreign aid dollars could be construed as supporting abortion. In the study of WRFPP overtime, there was minimal reference to abortion or reproductive services in the Congressional Research Service summaries. What was particularly apparent in my case study research is how domestic abortion politics affect the construction of policy language in the developmental stages. Many policy goals that on the surface may appear to be unrelated to abortion are perceived as potential loopholes for supporting abortion access, such as women’s rights, women’s health, psychological violence, and women’s empowerment.

For example, after passing unanimously in the US Senate, the International Protecting Girls from Child Marriage Act of 2009 was successfully defeated in the US House because opponents suggested that the funds could possibly go to NGOs that support abortion (a claim the proponents vehemently disputed). When the mere suggestion that a policy issue is targeting “girls” can then provide a platform to invoke the abortion debate, it is clear that there is minimal electoral constraint how WRFPP objectives are defined and interpreted.

The Congressional Motivations Behind Women's Rights US Foreign Policy

One of the interesting puzzles of this research project includes congressional motivation. In my dissertation, I ask why a US member of Congress would dedicate their limited time and resources towards a specific population that offers no clear electoral benefit, foreign women and girls. I draw from Fenno's classic theory (1974) that members of Congress are motivated by electoral, institutional, and/or individual incentives and that these reasons or incentives are not mutually exclusive. I hypothesize that traditional domestic women's rights entrepreneurs are expanding into the domain of US foreign policy (expanding their women's rights agenda), and that traditional US foreign policy entrepreneurs are now addressing women's rights (expanding their US foreign policy agenda). I expect that these two groups may overlap or directly conflict with each other in how women's rights foreign policy is constructed in terms of policy objectives.

Who in Congress is Sponsoring WRF?

In chapter 4, I demonstrated how different electoral, institutional, and individual factors affect the probability of WRF bill introduction in the House under three different Congresses using maximum likelihood estimation regression. I looked at WRF entrepreneurship in the 109th Congress (2005-06), when the Republican party is in the majority of US House, US Senate, and the party of the Executive (Bush Jr.); in 110th Congress (2007-08), when the Democratic party is in the majority of US House, US Senate (via a coalition from two Independent Senators) but the Republican party is the party of the Executive (Bush Jr.); and in 111th

Congress (2009-10), when the Democratic party is in the majority of US House, US Senate (via a coalition from two Independent Senators), and the party of the Executive (Obama). Due to the legislative tensions between the executive and the legislative branches over US foreign policy, I suggest that my examination of multiple Congresses offers a more robust test of congressional motivation.

I include the electoral variables of median income, percent urban, and percent foreign born. These district factors have contributed to the probability for sponsoring women's issues bills (Swers 2002) and for supporting global human rights in Congress (Uscinski et al 2009). But I find that these electoral factors had no consistent significant impact on the likelihood of WRFPP bill sponsorship. Additionally, the safety of the member's seat and their seniority in Congress had no significant effect on the probability of WRFPP bill introduction. In testing for the impact of ideology, I illustrate that the more liberal members are more active as WRFPP entrepreneurs under a Democratic President, suggesting some divisions within the Democratic Party, but that ideology has no impact on WRFPP sponsorship when the government is united under Republican Party.

In all three Congresses, Democratic Congresswomen and members of the House Foreign Affairs committee are significantly more likely to sponsor WRFPP bills (with $p < .001$). My findings suggest that institutional incentives also matter for motivation. The degree of WRFPP entrepreneurship increases for Democratic women when they are in the minority party. Republican men and women are significantly more likely to sponsor WRFPP when they are the minority political party. When one is in the minority party, members may have greater freedom to introduce bills that

challenge the majority party and less constraint from their own party leadership. This suggests that congressional motivations interact and that individual interests can be mediated by the broader political partisan context.

Drawing from the quantitative analysis in chapter 4, I find support for my initial hypothesis. Democratic women, traditional women's rights policy entrepreneurs, and members of the House Foreign Affairs Committee, traditional US foreign policy entrepreneurs, are the two groups consistently introducing women's rights US foreign policy bills to Congress. But what first motivated these two groups to address women's rights abroad? Drawing from my qualitative analysis of case studies, I provide a more in-depth understanding of what initially inspires these two groups to take action on behalf of foreign women and also, what motivates members of Congress to block WRF in Congress.

What motivates Members of Congress to sponsor WRF?

Transnational Interest Groups

Prominent political scientists, Richard Fenno (1973), Robert Dahl (1950), and James Lindsay (1994) all agree that US members of Congress are motivated to work on US foreign policy out of their own personal ideology, to promote their own worldview. My findings support this point and expand upon it. Based on my analysis, I suggest five additional reasons beyond 'making good public policy' as to why members of Congress sponsor women's rights US foreign policy: transnational interest groups, shared group identity (staff and members of Congress), personal experience, institutional leverage, and domestic gender politics. I find that the

effects of transnational interest groups, shared group identity, personal experience, institutional leverage, and domestic gender politics underscore the reasons why certain members of Congress introduce women's rights US foreign policy.

First, I explored why members of the House Foreign Affairs committee, the traditional US foreign policy entrepreneurs, are advocating for women's rights abroad. I find that transnational interest groups play a vital role in motivating traditional US foreign policy entrepreneurs to draw policy attention to the rights of foreign women and girls as a specific group. Interest groups and members of Congress work together to build legislative support for specific measures. Interest groups provide a legislative subsidy to these members, where the interests of the organizations and members coincide (Hall 2006). Similar to domestic interest groups, transnational interest groups (based in the US) attempt to shape US policy to reflect their goals and objectives.

US-based transnational interest groups target members of the House Foreign Affairs committee to sponsor specific WRFPP legislation because these are the members of Congress that are in the best position to move their transnational interests forward in policy. As committee members, members of the House Foreign Affairs Committee can hold a hearing on the bill and/or help move the bill out of committee and onto the House floor for a vote. In my case study research, I did not find House Foreign Affairs Committee members crafting initial WRFPP bills. Rather, specific transnational interest groups would present their WRFPP idea to a member on the House Foreign Affairs committee (most often their legislative assistant), and perhaps the member would later decide to be a lead sponsor of the WRFPP bill.

Larger transnational interest groups, such as Amnesty International or CARE, have both domestic and global influence. The interest groups try to seek members who have US foreign policy institutional power and understand the importance and impact of women's rights on broader development and security goals.

In the case of IVAWA, Representatives Bill Delahunt (D-MA) and Ted Poe (R-TX) had prior legal and policy backgrounds combatting gender-based violence in the US. They were also both members of the House Foreign Affairs Committee. Given their institutional position and policy history against domestic abuse, they were ideal candidates as IVAWA bill sponsors. They were invited to sponsor the legislation by the interest group coalition and, after ensuring that the policy language was appropriate with their worldview, agreed. Prior to the 111th Congress, it was Howard Berman (D-CA), chair of the House Foreign Affairs Committee, who was the sponsor of IVAWA in the 110th Congress.

Traditional US foreign policy entrepreneurs ultimately decide if they want to support the goals raised by the transnational interest groups. Interest groups ask, but members choose which issues to dedicate their limited time and resources towards. Based on my case study analysis, I suggest that it is the US foreign policy entrepreneurs who are articulating the connections between advancing women's rights and their own US foreign policy goals. If a member believes in global human rights, the member may now address women's human rights as a dimension of their global human rights agenda. If a member believes that women's rights stabilize democracies and economies, these points are then raised. Other members claim that working to end gender-based violence abroad reduces the probability of systemic

violence and terrorism, ultimately contributing to peace. In sum, traditional US foreign policy entrepreneurs are expanding their agenda to include women's rights. I suggest that this expansion is led by pressure from transnational interest groups and/or a shift in gender consciousness where members connect advancing women's rights to then advancing their preexisting US foreign policy goals.

Global Surrogate Representation

The second major group introducing women's rights US foreign policy legislation are the women in Congress, and my findings suggest particularly the Democratic women. The women in Congress have multiple incentives to do so: electoral, institutional, and individual. But what I find to be the greatest motivator for women's WRFPP entrepreneurship is their shared group identity with women in foreign countries. I suggest that this is a form of *global* surrogate representation. Surrogate representation (Mansbridge 2003) refers to when a member represents the interests of a group whom he or she has no direct electoral connection with. This has been primarily applied within one electoral context, within one nation-state. I suggest that the women in the US Congress are engaged in a global surrogate representation, with the objective of representing the interests of foreign women, beyond US national borders.

Prior studies show how racial, ethnic, and religious (Wilson 2004) ties across borders can affect how members of Congress construct US foreign policy priorities. My research suggests that gender also serves as a tie across national boundaries, particularly for women. Since women are a marginalized group based on their sex, regardless of nationality, women have a greater affinity for empathizing with other

women in subjected positions across borders. This is not to say that women are a monolithic group and all feel some sense of “global sisterhood,” but rather that the shared group identity of being female leads to a greater affinity for other group members. Since being female makes life more difficult than being male, in terms of human rights and general quality of life, the gender oppression based on this shared group identity can strengthen this transnational tie.¹¹⁸

In hearing testimonies, press conferences, and on the floor, women members of Congress often referred to their shared identity as women when advocating for foreign women’s rights. Of course, not all women in Congress acted as global surrogate representatives for women worldwide. Nevertheless, I did find specific women members of Congress acted as “critical actors” (Childs and Krook 2009). These women were highly motivated to introduce and advance WRF legislation in Congress. I find that access to information was a critical component of their initial advocacy. Once these critical actors were made aware of a situation that was specifically affecting women and/or girls abroad, either by the media, the US foreign policy administration, their staff members, their own travels abroad, and/or through the lobbying of transnational interest groups, these women in Congress were often triggered to craft bills to advance and protect the rights of foreign women.¹¹⁹

The women in Congress share their gender group identity as women but they also differ in two critical ways that affect their WRF entrepreneurship: by political

¹¹⁸ Transgender and intersexed individuals, though not even recognized in all nations, also share gender/sex oppression under the legacy of systems of patriarchy based on the two sex/gender system.

¹¹⁹ During the last 20 years, New York Times journalist Nick Kristof has emerged as an influential public voice on women’s rights abroad, including his journalistic work being quoted at congressional hearings.

party and by race. Studies show that elected racial minorities are expanding the legislative agenda to improve the representation of diverse racial interests in Congress, in both domestic and US foreign policy. This also matters for WRFPP entrepreneurship. The growing number of women of color in Congress may perceive their race and gender as contributing to an intersectional (gender and race) global surrogate representation, which may amplify their motivation to work on these WRFPP issues.

Although race was not a significant predictor of WRFPP entrepreneurship in my regression model between 2005-2010, I do find other indicators that suggest that women of color are a growing voice for women's rights abroad. Between the 102nd and 111th Congresses (1991-2010), women of color constituted (on average) roughly 4 percent of the US House of Representatives. During this same time period, women of color sponsored (on average) 18 percent of all US foreign policy bills that targeted the rights of women abroad.

In terms of House Foreign Affairs Committee membership, I find that women of color are disproportionately represented as members in recent years. During the 113th Congress (2013-14), women are roughly 18 percent of the US House membership but only 11 percent of the House Foreign Affairs Committee. Women of color make up 30 percent of the women in Congress in the 113th Congress and less than 5 percent of all members of Congress.¹²⁰ There are five women (four Democrats, one Republican) out of the 45 members of the Committee. However, four

¹²⁰ Similar patterns occurred in the 112th Congress (2011-12), five women (3D, 2R) on the House Foreign Affairs Committee (out of 44). Three of the five women are women of color (60 percent). In the 111th Congress (2009-10), there are seven women (6D, 1R) on the House Foreign Affairs Committee (out of 49) and 4 are women of color (57 percent), www.thomas.gov.

of these five women are women of color (80 percent). Further research is needed to track the “indelible effects” of this specific group of women on US foreign policy (Garcia Bedolla, Tate, and Wong 2005).

Secondly, political parties are one of the central organizing structures of Congress, and it is one of the more salient divisions between the women in Congress. Recently, the degree of partisanship in Congress has been highly polarized, with few moderate Democratic and Republican members. I find that the Democratic women face minimal constraint advancing women’s rights globally because it corresponds with both their party (dovish US foreign policy, supports women’s rights) and gender role expectations (support women’s rights, dovish US foreign policy).

In recent years, Democratic women have been significantly more active as WRFPP entrepreneurs than Republican women, but this has not always been the case. In my CEDAW case study, I find that early on in CEDAW’s US legislative history, Republican women in Congress had signed on as CEDAW cosponsors and spoke out on the House floor in support. By the 2002 CEDAW hearing, the Republican women were testifying in opposition to ratification.¹²¹ In my research, I find that Republican women are more often supporting strategic feminist WRFPP, such as Senator Kay Bailey Hutchinson working to protect the human security of Afghan women. Republican women, more so than Democratic women, have risen in the US foreign

¹²¹ Exception to this being Senators Olympia Snowe (R-ME) and Susan Collins (R-ME).

policy rankings in House. This may be due to how little attention they draw to gender and women's rights.¹²²

Republican women have to negotiate a difficult tension where their party (hawkish US foreign policy, against women's rights) and gender (support women's rights, dovish US foreign policy) stereotypes conflict. Republican women thus can support strategic forms of WRFPP and/or neutralize how Democratic women "own" global women's rights as a way to gain institutional leverage. There are also far fewer Republican women (in comparison to Democratic women) in Congress (CAWP 2014) overall, and far fewer moderate Republican women (Thomsen 2014). Regardless, I do find that on rare occasions the Republican and Democratic women in Congress do still come together on a women's rights US foreign policy (far more often in the Senate), forming a collective voice for women's rights worldwide.

Aside from the multiple individual motivations to sponsor WRFPP, I suggest that women members gain electoral and institutional benefits as well, particularly Democratic women. Democratic women have an incentive to work on WRFPP because they are expected as candidates to work towards advancing the rights of women in the US (Lawless 2004). Thus, expanding this to advancing women's rights worldwide is ideologically congruent with the expectations of their general

¹²² For example, Representative Ileana Ros-Lehtinen (R-FL) was the first female Chairman of the House Foreign Affairs Committee in the 112th Congress (2011-12) and the first woman of color. She refers to herself as chairman, minimizing her gender difference. Congresswoman Ros-Lehtinen has established a foreign policy reputation that centers on fighting terrorism or "our enemies," protecting US allies, opposing UN bureaucracy, and protecting human rights abroad.¹²² She does not explicitly emphasize advancing women's rights. This strategy of minimizing gender, in both her own identity and in her policy goals, may be far more effective in the Republican party, where "women's rights" are contested, than the Democratic party, where "women's rights" are a value that more members avidly support.

electorate, particularly on the subject of reproductive rights.¹²³ Congressional districts that initially elect Democratic women are also likely to be more favorable towards gender equality (Palmer and Simon 2010), and thus these women bear minimal electoral constraint when working on global gender equality.

The women in Congress also have an institutional incentive since historically they have been excluded from the male-dominated world of US foreign policy. By addressing women's rights in US foreign policy, they are able to gain access to this elite policy domain (Lindsay 1994) on an issue they are perceived as having greater expertise (Lawless 2004, Huddy and Terkildsen 1993). Considering that the rights of women abroad are growing in importance for US security concerns, the influence of women members of Congress have when advocating for these issues in US foreign policy appears to be growing. For example, Senator Barbara Boxer was able to add "Global Women's Issues" to the jurisdiction of a Senate Foreign Relations Subcommittee in 2009. Although there are institutional and electoral benefits for women, overall I suggest that the women in Congress are prioritizing women's rights in US foreign policy out of an individual sense of global surrogate representation, motivated by their shared group identity.

Gaining Institutional Leverage and the Impact of Personal Experience

My third significant finding is that some members may be motivated to sponsor WRF as a method to gain institutional leverage, such as by embarrassing the executive or majority political party. Members have fewer policy constraints when they are in the minority party and their political party is not in control of

¹²³ For example, Emily's List, one of the largest Political Action Committees in the US,

setting the US foreign policy agenda. In my quantitative analysis, I find that Democratic women were far more active as WRFPP entrepreneurs when Republicans were in the majority of the House and the party of the executive (109th Congress, 2005-06). Similarly, Republican women and men were more active as WRFPP entrepreneurs when the Democrats were in the majority of the House and the party of the executive (111th Congress, 2009-10). In my qualitative analysis, I show how the Republican Party leaders took specific moves to block the passage of the International Protecting Girls from Child Marriage Act of 2009 minutes before the vote. The goal was to thwart the outgoing Democratic leadership, not necessarily encourage child marriage abroad. Although some Republican members were disgruntled by their actions, they were effective in blocking the bill.

Additionally, I find that members of Congress are motivated by their personal experiences abroad to work on women's rights foreign policy. Though this was factor amplified by the women members, I found that male members would also justify their support of WRFPP by referring to what they themselves had directly observed in a foreign country. In order to better understand political situations in a foreign country, members may engage in congressional delegation trips abroad, referred to as "codels" (Congressional Delegations). During these trips, congressional members or their staff may be exposed to specific situations facing women and girls. Based on this first hand experience, members may then be inspired to take action. I suggest that empathy is a primary incentive for galvanizing support for these foreign issues that offer no direct electoral benefit and the act of seeing the situation for women and girls in some countries may increase the

capacity for outsiders to relate. Transnational interest groups are aware of the effectiveness of this firsthand experience for motivating members of Congress (and their legislative staff) to empathize and offer to sponsor trips abroad and/or help coordinate site visits that highlight issues affecting women and girls.

The Tumultuous Role of Domestic Gender Politics Incentives

Lastly, I find that domestic gender politics plays a tumultuous role in motivating congressional decisions on women's rights in US foreign policy. As previously mentioned, members who are domestic policy women's rights policy entrepreneurs are likely to be women's rights foreign policy entrepreneurs. In my research, I find that domestic divisions over the rights of women spill over onto US foreign policy. Foreign women's rights that the US has somewhat resolved domestically, such as women's political and economic rights to be treated the same as men, face minimal constraint from domestic gender politics. But the foreign women's rights that remain contentious, such as women's rights to their bodily integrity and access to abortion, galvanize domestic gender interests. Since many foreign women's rights do not translate into issues that mobilize US electoral support, like women's political and economic rights, the foreign women's rights that do have electoral sway dwarf them. More specifically, I find that the US abortion debate is being conducted on the bodies of American and foreign women.

If members feel that support for a specific WRFPP bill will either ingratiate or invite targeting by specific pro-choice or pro-life activist groups in their US district, this will affect if they support or oppose the WRFPP bill. During the 111th Congress (2009-10), the co-chair of the Congressional Pro-Life Caucus was also a women's

rights US foreign policy entrepreneur. Representative Christopher H. Smith (R-NJ) has high seniority on the House Foreign Affairs committee and works on many issues affecting women globally, such as sex trafficking. Smith's institutional positions place him as a gatekeeper on the definition of foreign women's rights. He decides which foreign women's rights will and will not trigger opposition from the Congressional Pro-Life Caucus, an influential group that has deep ties to domestic gender politics. My case study findings suggest that the impact of domestic gender politics on congressional decision-making on WRFPP is far stronger for those members who have minimal individual interest in the issue or who come from districts where abortion is a highly salient.

I found this pattern in each of my case studies. Members of Congress who had initially cosponsored the International Protecting Girls From Child Marriage Act of 2009 ultimately voted against it on the floor due to abortion politics. To ensure the passage of International Violence Against Women Act (IVAWA), policy language that would deepen restrictions on funding women's reproductive health was the suggested compromise. The US-based organization Planned Parenthood (with international programs) did not support this restrictive language and thus, compromise on IVAWA in the 111th was not reached. Support and opposition to CEDAW in the US was interconnected to support and opposition to the Equal Rights Amendment (ERA) to the US constitution. At present, both receive minimal domestic US support and a fairly substantial domestic resistance. All three of these cases show the vital importance of domestic gender politics on shaping the rights of women in foreign countries.

From this research, I conclude that congressional debates on how to best represent global women's rights remain ensnared in domestic divisions on what constitutes "women's rights." The inter-mestic (international/domestic) dimension of global women's rights in Congress is the strength and weakness of this transnational interest. Members of Congress may care about global women's rights because of their concern for women's rights in the US, but this also leads to global women's rights serving as a platform to debate the domestic divisions on these issues with minimal electoral constraint: most salient being that of abortion. In the case studies, I find that members of Congress are motivated to both introduce as well as block women's rights foreign policy. Thus, when exploring WRFPP congressional motivation, one needs to analyze not just who is dedicating their limited time and resources to advancing women's rights foreign policy (and why), but also which members are dedicating their limited time and resources to *block* WRFPP legislation (and why).

In conclusion, similar to congressional behavior on US foreign policy and domestic women's rights policy, members of Congress work on women's rights in US foreign policy because of their individual desire to make good public policy (Fenno 1973). My research suggests that the two groups who are most consistently motivated to introduce WRFPP issues are Democratic women and House Foreign Affairs members. Upon deeper analysis, I explore what underlies this individual motivation and find that transnational interest groups, shared group identity, institutional leverage, personal experience, and domestic gender politics all can

trigger how members of Congress initially decide to take legislative action on behalf of foreign women's rights.

Implications

The results of my study contribute to American politics scholarship, international relations scholarship, and women and politics scholarship. My findings offer new insight on critical American politics research questions of how members of Congress make decisions, the influence of US-based transnational interest groups, the role of political party, and the impact of women in Congress. Since the study explores the construction of American foreign policy, the results offer insight on international relations research questions of how domestic politics shape US foreign policy, the impact of transnational forms of governance on US foreign policy construction, the role of identity for foreign policy decision-making, and the meaning of global women's human rights.

In terms of expanding our understanding of congressional decision-making, I find that transnational interest groups (particularly those based in the US) are highly influential in shaping how members of Congress perceive and define the interests of populations they have no geographic access to. Additionally, personal experience and identity are critical factors when assessing WRFPP congressional motivation. Congress also still uses American foreign policy as a mechanism for gaining institutional leverage and advancing partisan politics.

In addition, my findings indicate that the executive branch takes cues from Congress. Though many WRFPP bills did not pass, the bill provisions were sometimes

adopted via Executive Order. The Office of Global Women's Issues and the Ambassadorship of Global Women's Issues in the Department of State, both created by Executive Order, were originally introduced in the policy language of the International Violence Against Women Act of 2006. They are still not in statute and as such, can easily be eliminated by the next Presidential administration.

Lastly, I show that salient domestic politics issues affect how members of Congress set US foreign policy priorities. This can both serve to expand the US foreign policy agenda and to constrain it. Members of Congress are effective in expanding the US foreign policy agenda to initially address the rights of women (and girls) but domestic gender politics often constrain how foreign women's rights are defined and whether or not the legislation passes. Considering that research shows how advancing the status of women contributed to achieving US strategic interests abroad, this could be potentially harmful to American national interests.

My findings also illustrate how the women in Congress have had an impact on US foreign policy legislation. This finding offers support for the argument that women have a unique impact on policy-making as women. It also provides evidence that some Congresswomen's sense of surrogate representation to women extends beyond American national borders. When congresswomen are working on these issues that are outside of their committee purview, this indicates a broader commitment to women's rights worldwide. Working on women's rights abroad may provide women in Congress access to a policy domain that they have previously been judged as less competent in: US foreign policy.

This research also contributes to international relations scholarship, more specifically on the construction of US foreign policy objectives. This study offers evidence supporting the importance of identity for setting US foreign policy goals, in line with arguments put forth by David Campbell (1992). I provide a clear picture of how domestic politics can shape US foreign policy decisions, proving that these politics no longer “stop at the water’s edge.”¹²⁴ My findings offer insight into how transnational governing institutions, the United Nations, can influence foreign policy decisions. Lastly, my study shows how gender shapes the construction of universal human rights. By specifying that universal human rights should also apply to women, through the phrase women’s human rights, domestic gender politics are triggered and these universal rights are questioned.

A gender bias that favors men, in both the construction and the examination of international relations, has minimized the importance of women and gender dynamics for fully understanding how states behave in the global political sphere. Prior studies analyzing the liberal goals of democratic stability, economic development, and global human rights have often ignored how gender significantly shapes and affects these outcomes. Similarly, studies of terrorism, security, and war are underscored by the values of hegemonic masculinity (Tickner 1992, Hooper 2001). A gender analysis is especially needed to examine the silences produced within institutions that favor hegemonic masculinity, such as US foreign policy (Connell 1987). Many women in Congress are disrupting the traditionally gender-blind nature of foreign policy by drawing attention to women’s rights just as many

¹²⁴ Sentiment initiated Republican Senator Arthur Vandenberg that domestic partisan divisions end when the US as a united nation engaging in foreign affairs.

feminist scholars are expanding the traditionally gender-blind scope of international relations scholarship by drawing attention to women as research subjects. In theory, research should then inform policy construction. Both US foreign policy actors and US foreign policy scholars need to remedy this gender oversight that stunts both our understandings and ultimate achievement of US foreign policy objectives.

The Future of Women's Rights Foreign Policy in Congress

The future of women's rights foreign policy in Congress remains uncertain. Recent scholarship, that does take gender into account, has proven how the political, economic, and bodily integrity rights of women are a vital factor to understand the development and stability of any nation-state. Evidence shows that advancing women's political and economic rights strengthens democracies and stabilizes economies (Inglehart and Norris 2003). The 2012 World Bank Report focuses on the impact of women's economic potential and how vital this is for market growth and stability. Women's rights to bodily integrity and their right to human security influences the degree of violence tolerated in a community (Hudson et al 2012). Additionally, women's rights to plan their family size affects rates of population growth, human development, and overall resource allocation (Vogelstein 2013). Women's rights are still marginalized in all of US foreign policy.

Given the US economic, political, and military power worldwide (Hook 2013), and the importance of global women's rights for stable, peaceful societies, it is critical to understand how and why the US does decide to prioritize the rights of women and girls abroad. My research analyzes how US members of Congress

construct the policy objectives of women's rights US foreign policy and what initially motivates them into action. From a broader perspective, my findings indicate that because of the stifling influence of domestic abortion politics and the failure of Congress to ratify CEDAW, neither global women's rights nor US strategic interests are best served.

First, if all global women's rights are collapsed into the abortion issue, then the advancement of women's economic, political, and health rights will be perpetually stalled. This funneling of foreign women's rights into an abortion debate has consequences for the lives of foreign women and their families, advocates for global women's rights, and achieving US national interests. If women and girls do not have the right to human security, then the goals of economic and democratic participation are moot. There needs to be either greater US electoral constraint or an effective compromise in policy language to loosen the grip this one issue (abortion) has over all policies that affect the lives of women and girls.

Second, when the US acts unilaterally on behalf of women's rights, this can agitate an association between advancing global women's rights and advancing US global power. For example, in order to resist US military power or to display anti-Americanism, actors in foreign countries may go to great lengths to restrict the rights of the women in their country. Women and girls can then also become a visible platform to demonstrate resistance to Western and US-led foreign policy, such as the abduction of the 200 Nigerian schoolgirls. Similarly, US strategic feminism may also contribute to this international power struggle over the roles and rights of women.

In addition, since foreign women have no democratic channel to voice how their issues are defined or prioritized by the US, other than perhaps by US-based transnational interest groups, foreign women themselves may be suspicious of US unilateral intervention on behalf of “their rights.” Given centuries of colonial imperialism and the continued resource exploitation that takes place in many developing countries, their suspicion of outsiders is warranted. Thus, if the US were to ratify CEDAW, a more legitimate transnational women’s rights code that required input from both foreign and US women’s rights activists, I suggest that this may serve both transnational feminist and US strategic interests more effectively.

The future of women’s rights foreign policy is also dependent on the future of women in Congress. I find that the women in Congress are taking a policy interest beyond their traditional committee assignments and introducing legislation to advancing women’s rights abroad, particularly Democratic women and Democratic women of color. As such, if more women, particularly Democratic women and Democratic women of color, are elected to Congress, there will likely be more substantial attention to global women’s rights. In addition, if these women are in more positions of institutional US foreign policy power, perhaps this legislation may be more likely to pass.

Furthermore, it is clear that a specific relationship between women in Congress and traditional congressional US foreign policy entrepreneurs has been established. But it appears that there is still not widespread grassroots support for this “strategic feminism,” from either the traditional US foreign policy community or the broader US feminist community.

The future of US women's rights foreign policy will depend on how these domestic and transnational issues are resolved. WRFPP can have a substantive positive or negative effect on the lives of girls and women, both abroad and in the US. This study of congressional women's rights foreign policy entrepreneurship was the first of its kind. Obviously, more research is needed to deepen our understandings of the legislative dynamics surrounding women's rights foreign policy, how these foreign women's rights are interpreted by the US foreign policy administration (such as the US Department of State and US Department of Defense), the effectiveness of implementation on the ground in foreign countries, and the inevitable gaps in feedback policy loop to Congress. Such research can bring much needed attention to the problems confronting women and girls worldwide and the effectiveness (or ineffectiveness) of US efforts to deal with these problems.

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