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Book review

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Governance Feminism: An Introduction. By Janet Halley, Prabha Kotiswaran, Rachel Rebouché, and Hila Shamir. Minneapolis: University of Minnesota Press, 2018.

Reviewed by Serena Natile, Brunel Law School, Brunel University London, and Silvana Tapia Tapia, Faculty of Juridical Sciences, Universidad del Azuay.

In 2017 ‘feminism’ was named ‘word of the year’ by the American dictionary Merriam-Webster, which recorded a 70 per cent increase in online searches for the word. The increasing interest in feminism has been acclaimed by some feminists and seen with suspicion by others. This book represents a significant attempt to examine the normalisation of feminist ideas in state, state-like and state-affiliated forms of power. Drawing on previous work that the authors have developed both together and independently, it provides a comprehensive introductory account of the concept of governance feminism (GF), namely the influence and use of feminist ideals and ideas in the exercise of governmental power. GF is presented as a useful framework for feminist scholars who are willing to undertake a self-reflective evaluation of their actions, and for anyone interested in engaging in discussion about the inclusionary, emancipatory, troubling, alienating and distributional aspects of feminist-sponsored law and policy reform.

The book is organised into two main sections. Section 1, by Janet Halley, sets out the conceptual framework of the analysis and examines which ‘halls of power feminists walk’ and which feminists are allowed to do so, and reflects on possibilities for critique. Section 2 looks at

articulations of GF in three different contexts: anti-rape in India, contributed by Prabha Kotiswaran; anti-trafficking in Israel, by Hila Shamir; and anti-abortion in the US, by Rachel Rebouché.

In Chapter 1 Halley looks at how GF can be translated into forms of collaboration, compromise, collusion, complicity and co-option between feminists and governmental power. She discusses some key areas and mechanisms via which feminism has successfully influenced governance: the criminalisation of sexual violence; the achievement of formal equality in marriage and employment; the mainstreaming of feminist ideas in national constitutions and international policies; and the creation of professional feminist ‘experts’. The punitive focus of some feminist initiatives, called ‘carceral feminism’ by Bernstein (2007), and the reliance on the bureaucratic apparatus that enables prohibition and punishment is presented by Halley as the flagship of GF success. However, softer forms of power such as constitutionalism and gender mainstreaming are also illustrated as key GF devices. These devices frame feminist ideas as measurable goals achievable through mechanisms of governmental participation and inclusion, lending legitimacy to the GF project.

It is clear from the analysis that feminist ideals and ideas are only selectively incorporated into governmental power depending on which feminists have the tools to exercise influence, and on how those who control these tools select and bargain with feminist aspirations. These issues are addressed in Chapter 2, where Halley examines the feminist movements which, more than others, have been allowed ‘to walk the halls of power’: US liberal and dominance feminisms. Liberal feminism, with its focus on freedom, autonomy and formal equality, has become a natural ally of neoliberal economic policies, resulting for instance in what Roberts (2016) calls ‘transnational business feminism’. Halley distinguishes two strands of dominance feminism:

power feminism, focusing on fighting the patriarchy i.e. male domination, and cultural feminism, which is concerned with reversing the hierarchical relation between what are considered male (i.e. logic, reason and abstract justice) and female (i.e. feeling, care and sensitivity to context) values. According to the author, while both strands started as radical movements they have increasingly found powerful ways of working within the governmental framework of liberal legalism (Hunter, 2013). Cultural feminism has coincided with the neoliberal effort to entrepreneurialise women's values, as in the World Bank's (2006) 'gender equality as smart economics' framework, while power feminism has progressively dropped the concern about material maldistribution to share the neoliberal focus on creating more freedom and opportunities for women.

The distributive critique and the interest in socioeconomic inequalities and material redistribution has regained visibility in post-Trump feminist activism in the US, as Halley mentions, but perhaps more importantly it has never dropped out of picture in the Global South. Grassroots feminisms in the South, often emerging from resistance to and/or resilience in the face of colonialism and neoliberal development policies such as Structural Adjustment Programmes (SAPs), have always maintained a key focus on global and local distribution of power and resources. For instance, the 2010 Kenyan Constitution, cited by Halley to demonstrate the infusion of feminist ideas into post-independence constitutionalism, contains a provision on socio-economic rights that, together with the provision on gender equality, was the result of a long struggle by local feminist groups (Kabira, 2011). These movements engage with international organisations, NGOs, corporations, religious institutions and other forms of governmental power by necessity rather than by choice in their demands for fairer access to basic resources and services such as food, shelter, healthcare and education. The importance of a politics of redistribution is reiterated in Chapter 3 which provides examples of how feminists

engage in different forms of governance as both outsiders and insiders and reflects on the balance between engagement with governance and its critique. Halley, drawing on Kate Bedford's (2008, 2009, 2013) work, calls for a distributional analysis as a necessary step towards opening up a critical space for reflection on GF.

In Section 2 the authors engage in distributional analysis with the aim of illustrating the 'wins and losses' in feminist legal interventions in India, Israel and the US, and expose the inability of liberal and dominance feminism to be self-reflective and to address socioeconomic inequalities responsibly.

In Chapter 4 Kotiswaran documents the history of the Indian women's movement, depicting its 'decline' from a counter-hegemonic force to 'corporatisation'. The chapter assesses rape law reform before and after the public shock caused by the case of Nirbhaya, a young woman who was gang-raped in an urban bus. Kotiswaran tackles problematic feminist demands for more punitive law while acknowledging that carceral discourses are also deployed through broader public demands. Like the other authors, she denounces dominance feminism and the inability of the notion of patriarchy to account for all forms of sexual violence. The study shows that some feminist narratives may downplay the role of class oppression in producing sexual violence. However, little attention is paid to contemporary non-mainstream feminist groups in India which may have resisted institutionalisation. Also, while post-colonial India is set as the context, coloniality is not unpacked as a factor shaping mainstream feminism by displacing non-dominant knowledges; it is mostly used as a chronological marker to situate the Indian state.

Chapter 5, by Shamir, accounts for the curtailment of cross-border sex trafficking in Israel, which is largely attributed to feminist intervention although the author acknowledges that many changes to the law on trafficking resulted from US economic pressure. She provides a balanced evaluation of the wins and losses of this achievement: for instance some foreign sex workers can be admitted to shelters rather than deported, and Israeli sex workers have gained more bargaining power. Amongst the problematic effects of feminist intervention, Shamir describes a discursive conflation between sex trafficking and sex work and how other forms of trafficking such as exploitative labour may have been veiled by the increased attention to sex work. Additionally, the state's emphasis on immigration control may have reinforced neoliberal discourses on border security.

In Chapter 6 Rebouché's examines changes to US policy and court stances on abortion. She affirms that while liberal feminists have been successful in legalising abortion as a personal choice, public policy has not accompanied advances in the judiciary to ensure that safe abortion is accessible to all women, again showing the limits of feminism when it comes to socioeconomic equality. The main focus of the chapter is on sex-selective abortion, which has been labelled a harmful cultural practice by dominance feminists, on the basis that patriarchy creates a preference for male over female children. However, feminist opposition to sex-selective abortion has boosted conservative efforts to restrict abortion in general, which is a dangerous and unintended consequence of feminist legal discourse.

In considering the book as a project for feminist critique of GF two main observations can be made. The first regards the trajectory of the analysis. While the conceptual framework, framed as transnational, is drawn from the US experience, 'other' countries are relegated to case studies. The authors are careful to critically define power relations between Anglo-American

feminism and other realities, but the use of umbrella terms such as ‘dominance feminism’ risks presenting feminist ideas as monolithic, and overlooking the fact that feminism is a political process rather than an outcome. This can result in the oversimplification of feminist struggles, focusing on visible and measurable outcomes and underestimating everyday, imperceptible feminist contributions to social change. More engagement with the richness of intellectual feminist work in Latin America, African, Asian and Southern and Eastern European countries would provide a more accurate picture of the hybrid constitution of transnational and local feminist ideas, and could contribute to decentring the analysis, and possibly the politics, of GF.

The second observation is a methodological one. The lack of ethnographic engagement with the individuals and collectives whose discourses are documented in the book limits its capacity to build a grounded account of the dynamics of GF. As mentioned, little attention is paid to non-mainstream feminist strands that might have resisted governance. Counter-narratives are necessary for an understanding of when feminism loses its political ethos and becomes ‘ideological common sense’, and to contribute to a purposive distributional analysis. Similarly, while the book emphasises the importance of material redistribution it does not discuss the broader political, economic and social aspects of global governance that have contributed to maldistribution in the first place and necessarily affect the distributional outcomes of legal reforms. Considering that this book is an introduction, with a second book titled *Notes From the Field* expected to follow, we look forward to more empirical analysis, multi-method research and attention to non-mainstream feminist movements that do not necessarily reflect the history of US feminism.

In view of the second book, it is important to say that for feminists who are both scholars and activists a key question emerging from this work is how the critique of GF is going to be used

in countries where feminist ideas have not been normalised, and where struggles to attain even basic rights for women are occurring. Decriminalising abortion in Latin America, for instance, could make the difference between women's lives and their deaths, and is an agenda that only feminists with the tools to influence power can take forward. This is something the book's authors know well: conservatives do not hesitate to appropriate social movements' arguments when they find it convenient to do so. This brings us back to the idea of 'unaffordable risk', which Halley denounces as a limit to feminist self-critique. We encourage reflection on why all feminists are not in a position to take the same risks, and urge all of us to acknowledge the dominant perspective from which we may be looking at 'dominance' feminism.

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