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Bibliographic citation

Shannon, EA (1997). The influence of feminism on public policy abortion and equal pay in Australia and the Republic of Ireland. University Of Tasmania. Thesis. <https://doi.org/10.25959/23210141.v1>

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THE INFLUENCE OF FEMINISM ON PUBLIC POLICY

**ABORTION AND EQUAL PAY
IN AUSTRALIA AND
THE REPUBLIC OF IRELAND**

by

Elizabeth Shannon

BA(Hons)

**Submitted in fulfilment of
the requirements for the degree of
Doctor of Philosophy**

University of Tasmania

July 1997

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Elizabeth Shannon

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ABSTRACT

Feminism is a major force for change in late twentieth century liberal democratic political systems. This thesis is concerned with determining the factors involved in successful feminist policy intervention. It achieves this by developing a set of indicators by which to identify the presence of feminist influence and an analytical model by which to explain the influence of feminism on public policy. These are then applied to the development of abortion and equal pay policy, between the mid 1960s and the mid 1990s, in Australia and the Republic of Ireland.

The model contains three factors: the material, normative and analytical aspects of feminist *activity*; the political, social and economic systems of national *receptivity*; and the intensity and scope of conflict involved with particular policy *types*. An examination of the lengthy history of feminist activism in Australia and Ireland contrasts a highly conflictual policy (abortion) with one which is less conflictual (equal pay); compares national variations in terms of predisposition to feminist influence; and chronicles the ebb and flow of feminist policy intervention. The centrality of feminist influence is traced, throughout this thesis, by materialist and discursive indicators underpinning the analytical model.

The presence and strength of feminist coalitions in the policy subsystems; the spread of acceptance of some of the principal tenets of feminism within the policy discourse; the passage of policy that would fulfil feminist goals; and the impacts of that policy toward achieving those goals; these all provide evidence of feminist policy influence. This thesis argues that, according to these indicators, there has been considerable feminist influence on public policy within abortion and equal pay policy in Australia and the Republic of Ireland. The conclusions drawn from this study provide a more accurate description of the perseverance of feminist activists; suggest that cumulative change has been achieved across time, across policies, and across nations; and pin-points the particular factors that have been essential to successful feminist policy intervention.

ACKNOWLEDGMENTS

I would like to gratefully acknowledge the guidance of my primary supervisor, Dr. Marcus Haward, and my associate supervisor, Dr. Bill Ryan. I would also like to thank Professor Paul Sabatier for his helpful comments on policy theory and Dr. Clare Burton, Kathleen Connolly, Ailbhe Smyth, and Jo Wainer, for taking the time to comment on particular case studies. Thanks also to Kath McLean for her constructive criticism of one of the final full drafts.

I would like to acknowledge the financial assistance provided by the University of Tasmania Postgraduate Studies Scholarship, the Department of Government Research Committee, the Australasian Political Studies Association Travelling Scholarship, and the Australian Identities Conference Travelling Scholarship.

Finally, I would like to thank the many policy activists, practitioners and analysts in both countries who gave so generously of their time in interviews and correspondence.

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ACRONYMS AND ABBREVIATIONS

AA	Affirmative Action
AAC	Anti-Amendment Campaign
ACF	advocacy coalition framework
ACT	Australian Capital Territory
ACTU	Australian Council of Trade Unions
AFBPW	Australian Federation of Business and Professional Women
AFWV	Australian Federation of Women Voters
AIM	‘Action, Information, Motivation’ Feminist Group
ALP	Australian Labor Party
ALRA	Abortion Law Reform Association
AMA	Australian Medical Association
APFA	Abortion Providers Federation of Australia
ARC	Abortion Rights Coalition
ARNA	Abortion Rights Network of Australia
ATSI	Aboriginal and Torres Strait Islander
AWA	Australian Workplace Agreement
BCA	Business Council of Australia
CAEP	Council for Action on Equal Pay
CAI	Confederation of Australian Industry
CAP	Common Agricultural Policy
CAR	Commonwealth Arbitration Reports
CBC	Children by Choice
CEDAW	Convention on the Elimination of All form of Discrimination Against Women
CII	Confederation of Irish Industry
CR	consciousness raising
CSW	Council for the Status of Women
DELIR	Department of Equality and Law Reform
DIR	Department of Industrial Relations
DPP	Director of Public Prosecutions
DWC	Dublin Well-Woman Centre
EC	European Community
EEA	Employment Equality Agency

EEC	European Economic Community
EMS	European Monetary System
EU	European Union
FIE	Federation of Irish Employers
FPA	Family Planning Association
FUE	Federated Union of Employers
GP	General Practitioner
HLPS	Human Life Protection Society
HREOC	Human Rights and Equal Opportunity Commission
IBEC	Irish Business Employers Conference
ICTU	Irish Congress of Trade Unions
IFPA	Irish Family Planning Association
ILO	International Labour Organisation
ILRM	Irish Law Report Monthly
IPCC	Irish Pregnancy Counselling Centre
IR	The Irish Reports
IRT	Irish Law Times
IU	Irishwomen United
IUD	inter-uterine device
IWLM	Irish Women's Liberation Movement
MEP	Member of European Parliament
MRA	Minimum Rates Adjustment
NCW	National Council of Women
NESB	non-English speaking background
NH&MRC	National Health and Medical Research Council
NPEC	National Pay Equity Coalition
NSM	new social movement
NSW	New South Wales
NT	Northern Territory
NWAC	National Women's Advisory Council
ODC	Open Door Counselling
OECD	Organisation for Economic Cooperation and Development
PAC	Pregnancy Advisory Centre
PESP	Programme for Economic and Social Progress
PLAC	Pro-Life Amendment Campaign

PLC	Pro-Life Campaign
POA	Professional Officers Association
QLD	Queensland
REAC	Repeal the Eighth Amendment Campaign
RTÉ	Radio Telefon Éireann
RTL	Right to Life
SA	South Australia
SCSW	Second Commission on the Status of Women
SDA	Sex Discrimination Act
SEP	Structural Efficiency Principle
SIPTU	Services Industrial Professional Technical Union
SPUC	Society for the Protection of the Unborn Child/Unborn Children
TAS	Tasmania
TCD	Trinity College Dublin
TD	<i>Teachtaí Dála</i> (member of the Dáil)
UAW	Union of Australian Women
UCD	University College Dublin
UN	United Nations
USI	Union of the Students of Ireland
VIC	Victoria
WA	Western Australia
WAA	Women's Action Alliance
WAAC	Women's Abortion Action Campaign
WAC	Women's Abortion Campaign
WCA	Women's Campaign for Abortion
WEF	Women's Emergency Fund
WEL	Women's Electoral Lobby
WHF	Women's Health Foundation
WHO	World Health Organisation
WLM	Women's Liberation Movement
WPA	Women's Political Association
WRCC	Women's Right to Choose Campaign
WRCG	Women's Right to Choose Group
WWWW	Women Who Want to be Women

GLOSSARY OF IRISH GAELIC TERMINOLOGY

<i>Bunreacht na hÉireann</i>	Constitution of the Republic of Ireland
<i>Cumann na mBan</i>	Women's Branch of Sinn Féin
<i>Dáil Éireann or Dáil</i>	Lower House of Parliament
<i>Fianna Fáil</i>	political party
<i>Fine Gael</i>	political party
<i>Garda Síochána</i>	police force
<i>Oireachtas</i>	President, Upper and Lower Houses of Parliament
<i>Seanad Éireann or Seanad</i>	Irish Senate (Upper House)
<i>Tánaiste</i>	Deputy Prime Minister
<i>Taoiseach</i>	Prime Minister
<i>Teachta Dála</i>	member of Parliament
<i>Saorstát Éireann</i>	Irish Free State
<i>Sinn Féin</i>	political party
<i>Uachtarán</i>	President

INTRODUCTION

The rise of the contemporary feminist movement, and its subsequent engagement with politics and public policy, raises questions as to how, and how much, feminist influence affects policy outcomes and impacts. This thesis aims to determine the factors involved in effective feminist policy intervention. It achieves this by developing an analytical model with which to explain the influence of feminism on public policy. This model is applied to abortion and equal pay policy in Australia and the Republic of Ireland (Ireland) enabling some conclusions to be drawn about feminist policy intervention across time, across policies, and across nations.

The two national sites, Australia and Ireland, have been chosen because they are similar enough in their political, social and economic systems to be comparable, yet different enough to ensure that the conclusions reached by this study would provide general principles for feminist policy practice. It is widely accepted, within feminist literature, that the feminist experience in one country can provide ‘lessons’ for feminists elsewhere.¹ The concept of a comparison between the influence of feminism on public policy in Australia and Ireland also has some historical precedents. ‘First wave’ feminists from both countries shared ideas and activists, after Australian suffragists visited Ireland and established an on-going correspondence between the two movements.² In contemporary times both feminist movements have shared an influential early literature (albeit one dominated by British and American writers), international organisational links, and an informal exchange of activists between nations.

The two policy areas, of abortion and equal pay, have been central to contemporary international feminism. Equal pay has been defined as a ‘benchmark’ of women’s rights,³ and as ‘the most direct and significant indicator of equity’,⁴ by feminists in both countries. Similarly, the centrality of abortion policy to contemporary feminism has been compared to ‘what the suffrage issue had been to the feminist movement around the turn of the century’.⁵ In the comparative public policy literature, cross-national study is considered where ‘the causes of the problem are similar, and the same policies are introduced, yet the

¹ Hester Eisenstein, ‘Speaking for Women? Voices from the Australian Femocrat Experiment,’ *Australian Feminist Studies* 14, (Summer 1991), 29-42, 30.

² Cliona Murphy, *The Women’s Suffrage Movement and Irish Society in the Early Twentieth Century*, (London: Harvester Wheatsheaf, 1989), 8, 63, 67.

³ Catherine Hoskyns, ‘“Give Us Equal Pay and We’ll Open Our Own Doors” - A Study of that Impact in the Federal Republic of Germany and the Republic of Ireland of the European Community’s Policy on Women’s Rights,’ *Women, Equality and Europe*, M. Buckley and M. Anderson (eds.), (London: Macmillan, 1988), 33-55.

⁴ Gillian Whitehouse, *Employment Equity and Labour Organisation: The Comparative Political Economy of Women and Work*, Unpublished Thesis (PhD.), Department of Government, University of Queensland, January 1995, 111.

⁵ Drude Dahlerup, ‘Introduction,’ In *The New Women’s Movement: Feminism and Political Power in Europe and the USA*, Drude Dahlerup (ed.), (London: Sage, 1986), 10.

results vary'.⁶ This is certainly the case here if, as Charlesworth states, 'the oppression of women is universal'⁷ yet similar policies result in a variation between nations in the ability of women to control their reproductive and productive labour.

Developing a Model of Analysis

The first two chapters of this thesis are concerned with developing a three-factor model of the influence of feminism on public policy. This model is derived from two separate, but overlapping, bodies of work: feminist studies and policy studies.

The feminist studies literature provides conceptual tools with which to analyse feminism itself. Its physical (or material) dynamics as a social movement; its multiple normative philosophies; and its discursive (or analytical) perspectives on both the social world and on the production of knowledge itself are discussed. Feminist policy activism has drawn upon all three aspects of feminism: material, normative, and analytical, and these may be used to describe the *activity* of national feminism over time.

Policy studies literature provides another set of resources for this thesis in that it provides the basis for the development of an analytical model which is able to account for the effects of the political, social, and economic differences between countries. This is the second factor in the three-factor model: the *receptivity* of the national site. It enables a comparison of feminist activity between Australia and Ireland and an evaluation of the possibility for cumulative change across policies, versus the likelihood of a reversion to 'patriarchal equilibrium'.

In addition, policy studies literature also supplies the elements of a model explaining the differences between policies in terms of the scope and intensity of conflict and the strategies used to reduce conflict. This is the third and last factor in the three-factor model: the effects of policy *type*. The completed three-factor model is used to develop a series of initial propositions regarding feminist policy activism.

Comparing Feminist Influence

The influence of feminism, between the mid 1960s and the mid 1990s, on equal pay and abortion policy in Australia and Ireland, is traced within the following six chapters of this thesis. Throughout these chapters the influence of feminism is identified through a number of indicators: by the presence and strength of feminist coalitions in the policy subsystems; the spread of acceptance of some of the principal tenets of feminism within the policy discourse; the passage of policy that would fulfil feminist goals; and the impacts of that policy toward achieving those goals.

⁶ Andre Przeworski, 'Methods of Cross-National Research, 1970-83: An Overview,' In *Comparative Policy Research: Learning from Experience*, M. Dierkes, H. Weker and A. Antal (eds.), (Great Britain: Gower Publishing, 1987), 31-49, 37.

⁷ Hilary Charlesworth, 'Women and International Law,' *Australian Feminist Studies* 19, (Autumn 1994), 115-128, 119.

This thesis argues that Irish feminism is both a manifestation of, and a causal factor in, what has been called the ‘new’ Ireland. This is an emergent, European, secular, pluralist, urban and class-conscious society which stands in continuing conflict with the traditional, peripheral, Catholic, homogeneous, rural and austere ‘old’ Ireland.⁸ The tensions between the ‘two Irelands’ manifest as the ‘decomposition of the traditional political culture’, the ‘introduction of a secularising agenda’, and a ‘recurrent fiscal crisis’.⁹ This is the context within which both equal pay and abortion policy is formed.

Within Australia, also, policy dynamics take place within a national context of conflict between a ‘narrow’ and a ‘broad’ basis of acceptance, heterogeneity and citizenship. The ‘narrow’ Australia provided a relatively egalitarian and fair society for those who were lucky enough to be included: it excluded the majority of women, aboriginals, and other members of the Asia-Pacific region. The ‘broad’ Australia allows for an expanded range of acceptable beliefs and behaviours, and is indisputably associated with contemporary feminism, both as a symptom and a cause of change. The tensions between the ‘narrow’ and the ‘broad’ Australias are evident in the incorporation of political interests, the introduction of a cultural pluralism, and a retreat from affluence.

The concluding chapter of this thesis brings theory and practice together. The initial propositions arising from the three-factor model are examined against the weight of evidence presented in the case studies to determine the factors involved in effective feminist policy intervention across time, across policies, and across nations.

Conclusions, Contributions, Limitations and Further Research

The contributions and limitations of this study are outlined, along with avenues for further research, in the final chapter of this thesis. Examining thirty years of policy, even after the decision to limit the comparators to two countries and two policy areas, requires that some of the finer details within the case studies to be overlooked in favour of points of greater critical importance. The concentration on policy, in itself, prevented more wide-ranging discussion of the development of feminism. In spite of these limitations, this longitudinal, cross-national, cross-policy comparison, spanning thirty years of feminist policy activism, provides an opportunity to learn from the past in order that future feminist policy interventions are informed, inspired, and effective.

⁸ Basil Chubb, *The Government and Politics of Ireland*, (Third edition), (London: Longman, 1992), 1-35.

⁹ Ellen Hazelkorn and Henry Patterson, ‘The New Politics of the Irish Republic,’ *New Left Review* 207 (September/October), 49-69, 50.