

Gender as a Category of Analysis in American Political Development*

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What would it mean to think about gender as a category of analysis in American political development? In this essay I suggest that there are many possible approaches that may be taken in answering this question, some of which have been explored in the research of American political development (APD) scholars, and some of which have not. Further, I contend that while the field of American political development has several excellent scholars who take up issues of gender, it is still the case that the subfield as a whole has yet to take gender seriously as a central problematic in the development of American politics. Finally, this essay advocates for greater scholarly dialogue, not only among gender scholars within political science, but also between political scientists and gender scholars in other fields such as law, history, anthropology, and sociology.

I propose eight ways to think about gender as a category of analysis in American political development. The first concerns gender as an aspect of political identity, understood in more normative or social terms. The second involves exploring the way that gender is imbricated in American political culture, particularly with regard to the social presumptions embedded within the evolving terms of American liberalism. The third concerns gender as an aspect of civic membership – which may be understood both as an institutionalized form of political identity, and as a legally structured system that organizes the rights, duties, and civic statuses of all those governed under the American constitutional order. A fourth way of considering gender as a category of analysis in American political development concerns the role that gender has played in processes of democratization in the United States. Fifth, we can consider the role that gender takes in the formation, organization, normative structures, and practices of state institutions, such as the Social Security Administration. Sixth, we may analyze the way that public policy is gendered. Such an analysis could include an examination of: the way that gendered political concerns fed into policy formation; how the policies themselves (in the form of statutes or administrative guidelines) offer a gendered understanding of the public welfare; the way that particular policy regimes affect the terms of civic membership for American men and women;

and the way that policy implementation is gendered. Seventh, the international context also plays a role in shaping gender politics domestically, through the transmission of political causes by way of transnational social movements; the articulation of political and human rights standards in international governance forums; the assertion of international justice standards regarding migration, marriage, labor and the like; and the competition of political blocs internationally, such as the one that dominated international politics during the Cold War. Finally, while all of these approaches to considering gender as a category of analysis may increase our understanding of the changing role of gender in American politics over time, it is also worth asking whether there is a more global claim to be made regarding gender as a central variable in the large scale processes of American political development. Could we say about gender, as many have suggested about race in the US, that it is at the very core of our political system, in that it deeply affects the way that that system has been organized and how it changes over time? I believe we can make such a claim, and will sketch my argument about gender as a central problematic in American political development in what follows.

Gender as Political Identity

Looking at gender as an aspect of political identity involves exploring how claims to being an American or an American citizen have been gendered over time. Linda Kerber (1980) has elaborated on the emergence of an ideal of republican motherhood in the early national period. This celebration of the importance of maternal virtue coincided with the emergence of a separate sphere ideology and the firm exclusion of women from the public realm. Later, as Gail Bederman (1995) notes in *Manliness and Civilization*, advocates of American imperialism in the late nineteenth and early twentieth century saw American national identity in masculine terms, and represented the identities of colonial subjects in feminine, dependent terms. Or, as Theda Skocpol suggests in her writings on the origins of the American welfare state, gendered understandings of American citizenship as autonomous and manly thwarted the development of

social policies that supported American working men in the Progressive era (Skocpol 1992, Skocpol and Ritter 1991). Finally, in my own work, I have shown that during the Cold War, American political leaders such as Eleanor Roosevelt rejected the Soviet model of citizenship for women, which she saw as a model that ignored gender difference and downplayed the importance of women's nurturing, domestic role (Ritter 2006, c. 6). Under the terms of American national identity, women were celebrated for their feminine role. After all, what could be more American than motherhood? As many of the feminist studies of nationalism have also noted, gender often plays a central role in nationalist ideology, and when it does, it usually¹ functions to deny women public rights or political voice (N. Yuval-Davis, 1997).

Examining gender as an aspect of political identity illuminates how political projects are motivated and legitimized to the population. Deep seated understanding about the differences between men and women, differences that are typically combined with understandings about the social meaning of race as well, may be mobilized to help justify a particular political project, such as imperialism. Further, in the process of mobilizing gendered meanings in the interest of political ends, those meanings themselves may be changed or invested with new importance in ways that have consequences for that political roles are imagined and expressed by ordinary citizens. When white masculinity is tied to national identity and social virtue, does it motivate more young anglo men to join the army? And when a military conflict ends, do claims regarding the association between civic virtue, masculinity and military service create impetus for new social provisioning programs for veterans and their dependents? These are some of the substantive consequences that can be traced to the use of gendered understandings in the evolution terms of American political identities.

Gender and Liberalism

¹ But not always. See B. Aretxaga, *Shattering Silence: Women, Nationalism, and Political Subjectivity in Northern Ireland* (Princeton 1997).

Many APD scholars have explored the relationship between American liberalism and the ideologies (and practices) that support different social hierarchies, such as white supremacy, nativism, anti-semitism, anti-catholicism, and the like.² Less attention has been given to the way that American liberalism either produces or tolerates ideologies and practices that exclude or disadvantage women. Yet at the intersection between political theory and American political development, important contributions have been made by feminist theorists such as Carole Pateman, Wendy Brown, Iris Marion Young and Nancy Fraser. In her classic book, *The Sexual Contract* (1988), Pateman contends that the modern social contract which is at the root of liberal philosophy is premised on a sexual contract in which men are given equal political rights in the public realm and shared authority over women, while women are subordinated into the private realm. In a recent discussion of this book, Wendy Brown (1995, chap. 6) critiques Pateman for giving too much credence to contracts per se, yet Brown seeks to recuperate Pateman's thesis by suggesting that liberalism as a set of political norms continues to construct a public political identity that is implicitly masculine, and one might add, racialized as well. For Young (1990 & 1997), the issue of how public political identities are constructed and what this means for the representation of group interests and social identities in politics, is an issue that is particularly fraught in liberal political systems such as our own. Finally, Nancy Fraser, particularly in her essays with Linda Gordon (1994 & 1995), has revisited traditional understandings of the development of liberal citizenship and social welfare through a gendered lens.

APD scholars can contribute to this literature by providing historical specificity and attention to the way that liberal norms are manifest in political institutions and practices. Such an analysis would also clarify the way that liberal political understandings shape or obscure gendered political identities, interests, and aspirations over time. One question that arises out of the intersection between feminist theory and American political development concerns the way

² In addition to the seminal work of Rogers Smith and Karen Orren, other scholars who have made thoughtful contributions in this area include Desmond King, Anne Norton, . . .

that liberal regimes treat gender difference. This is a complex issue is elucidated by research that focuses on evolving institutional and legal structures as they address gender directly (e.g., in forbidding women to vote [Baker 1984, Marilley 1996] or mandating that only men must register for the draft [Kerber 1998]), or secondarily by recognizing, rewarding, or regulating specific social roles and relations that attach to gender – including those of husband or wife (Siegel 1994, Ritter 2002), family provider, caregiver, worker (Ziegler 1996 a & b), and head of household. By looking across time APD scholars are well positioned to locate and assess shifts in the treatment of gendered roles and relations – shifts that may signal a reformulated of status hierarchies under such principles as privacy, or their alleviation as women gain recognition and standing in the public realm. Finally, at a more abstracted level, we might ask whether the terms of liberal politics and civic membership are conducive to the inclusion of women in politics and the expression of their political interests. Eileen McDonagh’s recent work suggests that only when liberalism is supplemented by a political tradition that allows for the expression of kinship ties, familial concerns, or gendered social experiences are women likely to become full partners in the life of the polity (McDonagh 2002).

Gender and Civic Membership

How does gender affect the terms of citizenship or civic membership in the United States? Citizenship is a legal status that is governed for Americans under the terms of the Fourteenth Amendment. It is awarded automatically to all of those born on US soil. Yet there have been many people who are not formally counted as citizens, whose political rights and membership are nonetheless governed by the federal government. Examples include Native Americans for much of US history, particularly in the period prior to the Indian Citizenship Act; African American slaves (and sometimes free African Americans as well) in the antebellum era; immigrants of all types, including the undocumented (who may nonetheless be taxed, and given social services), those the process of naturalizing, and permanent residents (including those

deemed ineligible for citizenship); residents of territories governed by the US following military conquests, including, for instance, Filipinos and Puerto Ricans following the Spanish American War; and American women who were stripped of their citizenship for marrying a foreign national between 1877 and 1922. Civic membership is conceived of as a broader term than citizenship and allows us to consider the rights, status, and obligations of all those governed under US political authority (Ritter 2006, ch. 1). Civic membership, to the extent that it speaks to the reciprocal relationship between the people and the government, is at the heart of the American constitutional order.

For instance, in *Constituting Workers, Protecting Women* (2001), Julie Novkov reveals that the Supreme Court's abandonment of the "freedom of contract" doctrine in *West Coast Hotel v Parrish* (1937) was premised on an elaboration of an earlier understanding developed in the context of women workers. During the Progressive Era, the Court held that labor laws which sought to regulate the conditions of working men violated their autonomy and rights as citizens. But for women, the Court recognized (at the behest of various social feminists) that the ideal of social and political autonomy did not apply, therefore it was appropriate for the state to intervene in the contract relationship in support of women workers. Because the Court saw women workers as dependent and vulnerable, they endorsed the government's protective stance toward them. Then, during the Great Depression, the Court came to see that in times of national economic distress, all citizens could be vulnerable to the vagaries of social and economic circumstances. So the standard that had previously been applied only to women workers now came to be applied to all workers, thereby inaugurating a new constitutional understanding in which government could act in support of *positive* rights for all citizens.

Similarly, Nancy Cott's *Public Vows* (2000) reveals that marital status is a central aspect of civic membership in the United States, and the laws governing marriage have been used to regulate the terms of civic membership for different social groups throughout our history. More

recent work by both Julie Novkov (forthcoming) and Yamin (forthcoming) on miscegenation substantiate Cott's arguments. As the current debate over gay marriage makes clear, marriage remains a constitutional matter that reflects our evolving understandings of who belongs to the American constitutional order and on what terms.

In my own book, *The Constitution as Social Design: Gender and Civic Membership in the American Constitutional Order* (2006), I propose that we consider the way that debates over civic membership propel constitutional development in the US. In analyzing constitutional development through debates over civic membership, my book considers how the changing terms of civic membership shift the polity *institutionally* as well socially. Such institutional changes may involve new mandates for government action in support of newly recognized rights; shifts in the balance of authority between levels of government or branches of government; or restrictions on the actions of government as interferences with the rights of citizens. Within the American constitutional order women have undergone a shift from a civic status based upon marriage, family relations, and economic dependency, to one based on the principles of liberal individualism and legal personhood. Yet the attainment of a liberal civic status remains partial in the US - in the struggle to achieve standing as public realm individuals, women still face resistance to the idea that sex does not matter to their civic membership.

Further, I contend that the constitutional order may be understood as an agent of social design that expresses and manages competing principles of individual rights and concerns with social ordering through the terms of civic membership. As I write in my book:

The constitutional order creates legal persons and a political community; it orders relations among the members of that community; and it provides a purpose or mission for that community.³ In this regard, the constitutional order invokes and creates a body

³ On the creation of legal persons, consider, for instance, Article I, Section 2, (which includes the three-fifths clause) which offers the following categorization in relation to the formula for representation – “free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.”

politic that is both bounded and internally ordered. At the interface between the polity and society, by recognizing and rewarded certain social roles and relationships, the constitutional order helps to constitute society itself. Of course, not all aspects of our social roles and relations are generated by our civic membership. But to a larger extent than is typically recognized, who we are, what we do, and who we are attached to is contingent upon our constitutionally inscribed place in the polity.⁴ (p. 10)

The constitutional order acts as an instrument of social design when social roles are made pertinent to civic membership, and when the terms of civic membership are used to regulate social relations. This occurs, for instance, when constitutional actors uphold social arrangements for substantive reasons. When Congress and the courts express a preference for certain forms of marriage, for instance – monogamous marriage, intra-racial marriage, or heterosexual marriage – they connect this preference to the health and character of the body politic. Sometimes governing authorities do not just recognize certain social roles; they also reward particular roles – like the roles of head of household, husband, or worker – with political privileges or social benefits. The terms of civic membership are attached to these social identities and functions. Finally, the courts may give constitutional validation and purpose to laws that regulate social relations in the interest of upholding a certain kind of social order, for instance when they affirm anti-miscegenation laws.

This process of elaborating social order concerns has changed over time. During the first hundred plus years of constitutional experience, preference for particular social arrangements was clearly stated by constitutional actors; in time, across the twentieth century, the terms of articulation became more remote. Looking across American constitutional history, one can see a shift from the articulation of express social ordering concerns to a more neutral, liberal language

⁴ My thinking on this issue is informed by the social theories of Michel Foucault who was deeply interested in the issue of how institutions and discourses helped to create persons, both physically and socially. See, for instance, *Discipline and Punish* and *The History of Sexuality*.

that stresses individualism, achievement, and choice. While we think of the Constitution as being premised on the existence of a community of equal, independent, rights bearing individuals, there are also less visible ways in which the Constitution recognizes and promotes a particular social structure that is often not especially egalitarian in nature.

Gender and Democratization

In a forthcoming edited volume, a group of scholars led by Desmond King and Robert Lieberman set out to think about the history of American political development from a democratization perspective (King, Lieberman, Ritter, and Whitehead, eds., forthcoming). Going beyond the usual descriptors of the US as the first democratic nation or as a long settled democracy, these scholars ask us to consider democratization as an ongoing process that is affected by continuing challenges of inclusion, the development of rights, and evolving standards of political representation. As the renewal of section five of the Voting Rights Act is scheduled for debate in the US Congress, it is easy to see that race poses ongoing challenges to American democracy. Further, in our conflicts abroad, the US represents itself as the model and purveyor of democratic standards. As President Bush said in a speech before the National Endowment for Democracy in 2003, “The advance of freedom is the calling of our time; it is the calling of our country” (quoted in Mettler, forthcoming). This new scholarship and these contemporary political developments leave open the question of what a gendered analysis might contribute to our understanding of democratization in America.

Three scholars in our field are taking up this issue in broader terms. First, in her contribution to the King, et. al, volume, Suzanne Mettler (forthcoming) calls for an analysis of gender and democratization that is citizenship focused and looks at the impact of state policies and practices on the political participation and aspirations of various groups. Mettler notes that much APD scholarship has illuminated historical processes of state building and institutional development in the US (Orren and Skowronek 2004), while giving less attention to the ongoing

operation of states once new policy regimes or state bureaucracies have been built. In this regard, the work on Theda Skocpol (1992, 1999 & 2003) is instructive, for in her research Skocpol has long been sensitive to the way that institutional arrangements affect patterns of civic engagement. Further, in her own work about the New Deal and the impact of the GI Bill, Mettler (1998 & 2005) shows how social provisioning measures can either depress or amplify civic engagement and activity for the citizens who receive it. Mettler is also right to call for greater dialogue between APD scholars and political behavior scholars in this regard – for the latter group is particularly attentive to different forms of political engagement by various social groups in the US.⁵ What can be gained from a gendered analysis of democratization of the sort that Mettler proposes, it seems to me, is greater awareness of the way that supposed democratic expansions through the addition of new social rights or social provisioning measures, for instance, may inadvertently reinscribe gendered hierarchies by elevating traditionally masculine forms of civic contribution such as family provisioning or military service.

In her essay “Rethinking Representation,” Jane Mansbridge (2003) contributes to our analysis of gender and democratization by offering a new framework for considering issues of political representation. The Mansbridge essay advances our discussion of American democratization in three ways. First, Mansbridge is attentive to issues that are pertinent for a mature democracy such as the US, where the question is not one of whether citizens have the right to vote, but whether different forms of political representation may be judged as more or less democratic, and more or less expressive of the political interests of different groups in the polity. Second, Mansbridge complicates our understanding of democracy and opens up the possibility that there may be different standards of democracy, some of which are favored or seem more favorable to certain groups in society over others. Third, the Mansbridge essay is instructive in bringing together the concerns of a normative political theorist with the more

⁵ I might add here that I think there are several especially thoughtful and nuanced political behavior scholars who focus on issues of race and gender, and whose scholarship would be of particular interest to gender APD scholars such as Nancy Burns, Tali Mendelberg, and Lynn Sanders.

grounded interests of an empirical political science, in order to explore how democratic systems work in practice.

Mansbridge discusses four forms of representation, which she calls promissory, anticipatory, gyroscopic and surrogate. Promissory representation involves keeping commitments made to the voters at the time of the initial election. Anticipatory representation involved a representative's efforts to act in accordance with what they expect voters to care about at the time of the next election. Gyroscopic representation involves the selection of representatives whose principles and interests correspond with their constituents. Finally, surrogate representatives represent constituents outside their own district. In her discussion of these different forms of representation, Mansbridge draws attention to how conducive each form is to promoting deliberation, whether some forms of representation are more likely to foster the elucidation and promotion of political interests (rather than more superficial political preferences), how these different forms of representation may be related to different types of political participation, and what these different forms of representation imply for the citizen's ability to exercise control over both the individual representative and the broader political system.

Surrogate representation is particularly of interest for scholars interested in a gendered analysis of democratization. This form of representation highlights the relevance of social experience to democratic representation. Mansbridge writes that the relationship between surrogate representatives and their surrogate constituents is often enriched by common social identities and experiences.

Representatives who are female, African American, or of Polish ancestry, who have a child with a disability, or who have grown up on a farm, in a mining community, or in a working-class neighborhood, often feel not only a particular sensitivity to issues related to these experiences but also a particular responsibility for representing the interests and perspectives of these groups, even when members of these groups do not constitute a large fraction of their constituents. (523)

Further, surrogate representation allows us to inquire into the relationship between social diversity and democratic deliberation. Mansbridge suggests that surrogate representation allows for the expression of voices and interests that might not otherwise be heard, because they constitute a minority view in most districts. She also contends that this diversity of interests and perspectives is valuable to processes of democratic deliberation, for its ability to deepen political debate by bringing in a range of views. We might add, (anticipating McDonagh, 2002, below; see also Phillips 1995) that this form of representation can foster political participation and engagement for constituents who see themselves and their experiences being recognized through their surrogate representatives.

Taking yet another angle on the relationship between government institutions and policies on the one hand, and civic membership and engagement on the other, Eileen McDonagh (2002) challenges longstanding assumptions that liberal democratic political institutions and policies are the most conducive to women's political representation and participation. In a cross national study of women's office holding she concludes that liberal policies and institutions by themselves are not enough to produce a substantial number of women office holders. Rather, one must move beyond public equality and individualism to both procedures and policies that recognize and value the social experiences and political identities of women *as women*. McDonagh's work is instructive in demonstrating that traditional models of democratization do not account for the failure of liberal democratic systems to fully include and represent the interests of their female citizens. Our assumptions about what makes a democracy work may not apply in the same way with regard to gender. Further, McDonagh's research may shed light on the role that gender has played in American processes of democratization. At many points in our nation's history, women's rights activists have followed the lead of civil rights activists in advocating for equality and rights for women. Yet McDonagh's work suggests that the American model of liberal citizenship and individual rights that was developed partly in response to civil

rights movement is not likely to work as well for women, precisely because it makes it more difficult to articulate and make claims about gendered social experiences in political life.

Gender as a Feature of State Institutions

What does it mean to conduct a gendered analysis of formation, mission, and practices of state institutions? There are four ways that such an analysis may be conducted. First, we may begin by observing the sex of the personnel who inhabit these institutions and inquiring into whether the gender of those who work in these institutions affect the mission and practices of the institution. For instance, it has long been observed that the demographic composition of police forces has a considerable impact on how the police understand and operationalize their mission of law enforcement, as well as how the police are received by the communities in which they serve (Peek, et. al., 1984; Weitzer 2000). A second approach considers the way that state institutions help to construct gendered roles in the larger society. How does the work of the military construct standards of masculinity in American society (Rodgers 2005; Zieger 2003)? How do social welfare agencies help to construct motherhood for poor women in American society (Boris 2003; Curran 2005; Haney 2004; Mittelstadt 2005)? It is important to recognize the role of state institutions not only in expressing gendered political interests and norms, but in constructing gendered roles and sexualities in the larger society (Foucault 1990; Rubin 1984).

A third approach to providing a gendered analysis to state institutions involves considering the role of gender in the formation of those institutions (Chappell 2002; Lovenduski 1998). Did the political actors, movements, or government officials offer a gendered rationale for the formation of those institutions? If so, what role did that play in the success of their campaign to create a new state bureaucracy, and in the operations of that bureaucracy after it was formed? Further, does the existence of gender identified institutions within the government have an impact on politics outside the state – by providing sustenance to political interest groups, or by providing an alternative avenue to political representation when a group is excluded from more traditional

forms of representation (Muncy 1991; Skocpol and Ritter 1991)? One contribution that APD scholars provide to this analysis is an awareness of the way that institution formation influences the development of future political formations, both within and outside of the state (Skocpol 1992).

Gender and Public Policy

Public policy is intended to advance the public good. An analysis of public policy, then, can tell us a great deal about how the public good is understood at different times in our nation's political history. Further, we may draw a distinction between public policies that aim to regulate or support people (policies that are primarily social in nature) and those whose primary object is not social – policies that promote economic development or environmental preservation through the building of canals and bridges or the purchase and preservation of new land, for instance.⁶ An analysis of how public policies are gendered might focus on three things: first, whether the policies advance the political interests of gendered groups in American society, either implicitly or explicitly; second, whether the clientele served or regulated by a particular policy is gendered, and; third, what the impact of a policy or group of policies is on the civic membership of American men and women. For scholars of American political development, this analysis is also be attentive to historical changes over time, as a indication of how gendered understandings of the public good have evolved over time, and what impact this has had on the gendered terms of civic membership in the US.

The area of policy that has been most subject to a gendered analysis in American politics is social welfare. Over the last two decades, scholars from history and sociology have joined with scholars from political science in an effort to examine the emergence and evolution of Widows

⁶ Of course, even these “nonsocial” policies can have important social effects. The development of the interstate highway system, for instance, had an enormous demographic impact on the US since it facilitated possible the growth of suburbs and the departure of many white middle and working class Americans from the cities.

Pensions, the Aid to Families with Dependent Children program, Social Security, and so forth. A few of the long and prominent list of scholars who have published in this area include: Mimi Abramovitz, Eileen Borris, Martha Derthick, Linda Gordon, Alice Kessler-Harris, Suzanne Mettler, Gwendolyn Mink, Barbara J. Nelson, Ann Orloff, Virginia Sapiro, and Theda Skocpol. In the literature on the role of gender in the early formation of American social policy, many of these scholars have stressed the role of the state in recognizing and reinforcing traditional gender norms.

For Mimi Abramovitz (1996), the structure of the Social Security Act both reinforced patriarchal norms and upheld capitalist imperatives for the reproduction of labor. Abramovitz's sentiments are echoed in Gordon's (1994), Kessler-Harris's (1995 & 2001) and Mink's (1990 & 1995) accounts, though Mink goes further in stressing the linkage between the gender structure and the racial structure of 1930s social provisioning. But if these were the consequences of New Deal social policy, what was the cause? Why were gender (and racial) distinctions reinforced, and perhaps even given new energy, by these social programs? Some scholars have moved beyond the stress on patriarchy and capitalism to a discussion of American political traditions, particularly the republican distinction between independence and dependence.⁷

Nancy Fraser and Linda Gordon (1994 & 1995) have written that since the early national period the relationship of male citizens to the state is premised on a notion of contract or independence, while that of female citizens is premised on a notion of charity or dependency. While white men developed the civil and political rights of citizenship in the nineteenth century, women, especially when married, were excluded from these rights. So while men became possessive, rights bearing, independent individuals in the eyes of the state, women were cast as family dependents under the authority of men and beyond the public sphere. The legacy of this distinction between contract and dependency in the twentieth century appears clearly in the arena

⁷ On the importance of notions of independence and dependence to political traditions of citizenship in the United States, see Shklar 1991 and Kann 1991.

of social policy where men are covered by social insurance (e.g., old age retirement benefits) and women are given public assistance (e.g., Aid to Families with Dependent Children). As Barbara Nelson (1990) also notes, men are able to make political claims in their status as workers, while women's political claims (often made for them) revolve around their status as dependent mothers or wives. Thus, these overarching ideological traditions helped to give shape to the gendered terms of American social policy in the 1930s.

Other scholars who stress the significance of previously existing policies and institutions thereby take a more historical, developmental view to social policy formation. Ann Orloff (1988), Theda Skocpol (1992), and Suzanne Mettler (1998) in their analyses of 1930s social policy formation have all stressed the role of prior institutions and policies. Of particular importance, of course, are the mother's pensions that were established through the efforts of social feminists during the Progressive Era.

Yet by the mid-1930s mother's pensions appeared rather conservative in comparison to the more generous, nationally based pension schemes being discussed for the elderly. As Mettler (1998) argues, the governance of women under state based policies ultimately led to the creation of a two tiered system of social citizenship in the 1930s.

Men, particularly white men, were endowed with national citizenship, incorporated into policies to be administered in a centralized, unitary manner through standardized, routinized procedures. Women and minority men were more likely to remain state citizens, subject to policies whose development was hindered by the dynamics of federalism and which were administered with discretion and variability. In effect, the new welfare state treated men and women like members of separate sovereignties. (xi)

So, indeed, prior policy development did affect the structure of social provisioning as it emerged in the 1930s and 1940s. One of the most important influences of prior policy development involved the use of federalism to administer programs in previously developed social welfare

areas. This gender and APD literature illuminates how institutional structures intersected with gendered understandings of the public good in the development of social welfare policy, and consequently helped to gender American civic membership in the 1930s.

Gender and American Political Development in a Global Context

Over the last few years, several APD scholars have examined the way that the global context impacts the terms of domestic politics in the US, particularly in regard to the federal government's response to the Civil Rights movement in the 1940s and 1950s. In addition, gender scholars in the field of international relations - such as Cynthia Enloe (1989), Joshua Goldstein (2001), V. Spike Peterson (1992 & 1999), and J. Ann Tickner (1992, 2001 & 2005) – have advanced a significant new agenda for research that includes attention to: the way that militarization promotes a masculine state; the impact of terrorism and warfare on the lives of women and children; the growth of gender concerns in the field of human rights; the work of feminist and human rights groups as NGOs; and the impact of economic globalization on women workers and their families. Feminist IR scholars have also made significant contributions to the use of postpositivist methodologies in IR, as discussed by Ann Tickner (2005) in a recent state of the field essay in *Signs*. Drawing on the insights on this fine scholarship, it is now an opportune moment for gender scholars working in American political development to consider the impact of the global context on American politics domestically.

To give one example of what this might look like, I briefly discuss the simultaneous 1940s debates over equal rights for women in the US and human rights for all internationally.⁸

In 1945, the full Senate debated and narrowly defeated the Equal Rights Amendment. The amendment had originally been introduced in Congress in 1923 by allies of the National Women's Party (NWP). Shortly after the adoption of the Nineteenth Amendment granting

⁸ What follows is drawn from an unpublished paper of mine – Ritter 2003.

women suffrage in 1920, radical suffragists associated with the NWP came to see that the right to vote had not brought women equal citizenship, and that married women particularly suffered from numerous instances of legal discrimination. So in their determination to have women treated as equal and autonomous individuals in the public realm, the NWP proposed a further amendment to the Constitution that would prevent legal discrimination on the basis of sex. Yet among the leading opponents of the ERA in the 1940s were another group of activist women – social feminists and labor progressives associated with the Democratic Party – who believed that women ought to be protected by the state and shielded from the rigors of a competitive labor market. Eleanor Roosevelt counted herself among the social feminists who opposed the ERA because it threatened to overturn protective labor laws for women. At the time, Roosevelt was also known as an advocate for international human rights. Indeed, in 1948, the Commission for Human Rights, with Eleanor Roosevelt as its chair, produced the Universal Declaration of Human Rights (UDHR), which was adopted by the UN.

How do we reconcile the seemingly contradictory positions of Roosevelt and other US social feminists with regard to international universal rights for all, and domestic special privileges for American women? Were the rights being conceived of in these separate political venues comparable, or were they sufficiently different in their conception and application as to be incomparable? Further, what impact did internationalism have on how women's rights were debated in the US in the 1940s?

American equality feminists made few gains in their domestic campaigns for equal rights for women in the 1920s and 1930s. The hostility towards the ERA campaign within the continental United States in the interwar period fuelled interest in pursuing international accords for women's rights instead. The venues in which American equality activists pursued such accords were diverse and included the League of Nations, international tribunals in Geneva, and the gatherings of Pan American Union among other sites. There was a tradition of transnational cooperation among women's rights organizations that dated back to the nineteenth century

suffrage campaigns in Europe and the US and expanded to include Latin American feminists in the early twentieth century. These transnational ties were revitalized in the interwar years, with ongoing efforts to secure suffrage for women in various countries, as well as international campaigns against militarism in which so many feminist groups participated, and the international gender equality campaign led by the National Women's Party in the 1920s and 1930s.

The Second World War revitalized support for the ERA domestically. Women's war contributions were cited by rights advocates who argued that women had demonstrated both their ability to contribute equally to the realms of work and military service, and their civic virtue in defense of the nation. The horrors of World War II also inspired interest in international governance and human rights. As the war ended and the US debated the ERA, the federal government was also involved in the movement to found the United Nations. Just as US participation in the founding of the UN was reflected in debates over the Equal Rights Amendment domestically, so, too, did the debates on the ERA impact on the nation's participation in discussions of human rights and women's rights internationally (Mizen 1947). At the founding convention for the UN, Latin American women delegates, whose commitment to international women's rights was established earlier in their work for the Pan American Union (where they worked with American equal rights feminists), "were the authors of the amendment giving women equality in the Charter of the United Nations" (Bernardino 1947). In contrast, the US and Great Britain were "the greatest opponents of the inclusion of women in the Charter." One observer at the time suggested that the reason that the US opposed gender equality at the UN founding conference was because of the domestic debate over the ERA. Nonetheless the inclusion of women in the Charter had a positive effect. It inspired several nations in Latin America to grant political rights to women in the late 1940s. It also gave impetus to further efforts within the UN to analyze and address problems of gender inequality worldwide. I discuss these parallel rights debates in greater detail elsewhere (Ritter 2003).

The history of the simultaneous efforts to forward human rights and women's rights through both the US federal government and the United Nations in the middle and latter 1940s demonstrates several things that are of interest for scholars seeking to understand the impact of the intersection between global and domestic politics on women. First, institutional and political legacies mattered. In particular, the effort to forward women's rights through the Pan American Union in the 1920s and 1930s (an effort that was pursued by US feminists after they were shut out of the domestic political arena) created an institutional legacy for gender equality in international governance that was immediately felt through the efforts of Latin American women's representatives at the founding convention of the UN in 1945. Second, gender traditionalism or stratification was considered more internationally defensible by the US (and other western nations) in the 1940s, compared to racial stratification. Only the South Africans dared to be explicit in their defense of racial stratification in the 1940s. But the 1940s and 1950s was a time when many Western nations welcomed the contrast between themselves and the communist countries in gender relations. In articulating the appropriate relationship between gender roles, individual rights, and the political structure, Western nations defended the division between private roles and public rights for men and women. Third, social movement activists may have found it easier to influence political outcomes in the context of the more open, less formed political environments of the international governance organizations. Given the importance of small working groups such as the Commission on the Status of Women and the Commission on Human Rights, organizational representatives who were able to be present at the meetings and to lobby the members of these groups, were sometimes quite influential. Fourth, broader international currents - including the increasingly hostile Cold War competition between the US and USSR - shaped debates over rights in international forums such as the UN. American representatives were extremely conscious of the efforts of the USSR and its allies to use political inequality in the US as propaganda in their campaign for the political allegiances of other nations

and populations. Yet their reaction to these efforts in the realms of race inequality and gender inequality were quite different.

Few scholars of gender and APD have begun working in this area yet (but see Mathews-Gardner, forthcoming). However, gender scholars in international relations, as well as scholars of gender and American history (e.g., Bederman 1995; Boris 2005; Kessler-Harris 2004) have begun to produce fine scholarship in this area. Further, gender scholars in sociology (e.g., Adams and Orloff 2005) are bringing together an awareness of historical specificities to their analyses of the intersections between domestic and global politics on the political status and engagement of women. The agenda for gender and APD scholars could include such issues as: the impact that international engagements have had on the advancement of women's rights domestically; the way that gender ideals have been advanced to justify campaigns of military aggression in the past; the intersection of gender and racial ideologies in motivating and justifying American imperialism (or "wars of liberation"); the way that transnational alliances of women's movements have influenced the agenda and efficacy of advocacy groups in the US; the impact of international conventions on labor standards as well as marriage and citizenship have had on the governance of these issues in the US; and the role that international human rights standards have played in the development and understanding of rights in the US. There is a great deal of interesting work to be done in this area, and the current global context makes quite clear how important it is for American gender scholars to develop a deeper understanding of the intersection between domestic and international politics.

Gender as a Core Problematic in American Political Development

It has been suggested that race is a core problematic in the development of the American political system (Brown et al, 2003; Horton 2005; King and Smith 2005; Klinker and Smith 1999; Nieman 1991). Issues of race shaped the original terms of the American constitutional order, not only in the more explicit terms of the three fifths compromise and the runaway slave provision,

but also at a structural level in such things as centrality of federalism as a structure that preserved local racial practices. Further, for much of the first century of the nation's existence, competing visions of race shaped the literal contours of the nation in struggles over the demands white settlers for lands held by Native American tribes and in the ever more strained efforts to balance slave and free territories in the westward expansion of the nation. Economically, militarily, territorially, and culturally, questions of race in the nineteenth century shaped the changing terms of the American nation and system of governance. Similar claims made be made for the twentieth century, when one considers the impact the Civil Rights and the end of Jim Crow have had on the economic and political development of the South in particular. In the twenty-first century, the growing population of Latinos, many of them undocumented immigrants, is also having a broad impact on the economy and the nation's politics.

Can similar claims be made about gender as a central problematic in development of American politics? Let me sketch some aspects of what such an account might include.⁹ First, the consolidation of American mass politics in the early nineteenth century was cast in terms that were both racialized and gendered. Civic membership was expressed most strongly in the arena of partisan mobilization and electoral politics, a realm that was clearly gendered. Second, the advancement into the western territories gave rise to a belief in gender egalitarianism that eventually impacted the organization of gender politics nationally. Third, the development of social feminism in the early twentieth century created an alternative path for the development of the American social welfare state. Fourth, the ideal of labor citizenship that was elaborated by the Supreme Court in the progressive era was based on a vision of masculine citizenship. Then, during the New Deal, the Supreme Court came to embrace a vision of positive rights that was first developed in the context of state support for working women. Fifth, liberal feminism in the 1960s and 1970s expressed the limits of the American constitutional order's commitment to equal

⁹ This sketch is only meant to be suggestive. None of the points in the developmental account offered here are fully elaborated and would require much more evidence to be sustained.

protection and contributed to the emergence of a modernized system for governing social difference. Sixth, in the last forty years, a cultural politics of gender and sexuality has displaced class politics as the primary form of political identification and electoral alignment. When considered in terms of how the nation as a political community is organized and the normative ideals to which our political system is committed, gender functions as a central problematic in American political development.

Andrew Jackson is often credited with the development of American mass politics. Jackson expanded electoral politics beyond the elite or nobility and brought in to the average citizen. In the 1820s and 1830s, voting eligibility was extended to all white males regardless of their economic status. This made the United States the most democratic nation in the modern world. It also gave rise to an electoral system in which partisan identity became closely aligned with civic membership. Being a voter and a loyal partisan became nearly synonymous with citizenship in the United States. At the same time, electoral citizenship in the US became highly gendered and racialized. Prior to the rise of mass politics, social class remained an important marker of civic membership, and propertied women who were active in petition drives and the like during the revolutionary era were regarded as members of the political community (Kerber 1980). In New Jersey until 1807 some women were even permitted to vote. But the expansion of electoral politics to all white men drove women out of the political sphere and placed them more firmly in the domestic sphere where republican mothers cultivated civic virtue in their sons (Kann 1991). Electoral politics became a masculine domain – campaigning and voting occurred in barber shops and in bars (McGerr 1990; Ritter 2000; Ryan 1990 & 1997). Eventually women did find their own feminized place within the domain of electoral politics, but as Baker (1984) has argued, for many Americans in the nineteenth century, the value of electoral citizenship was partly based upon its gender identification.

It took a long time for women to overcome the separate spheres ideology that cast them as male dependents. The campaign for women's suffrage lasted for seventy-two years. But the

vision of women as independent civic members was first formulated in the West, where frontier women were viewed as capable and as assets to the fragile efforts to create ethical structures of governance. The western territories and states were the first to grant suffrage and the right to serve on juries to women. Both Corrine McConaughy (forthcoming) and Diane Sainsbury (1999) have both highlighted the importance of these western states in the formation of a more egalitarian political order in the US. Yet in another respect, the federal governance of the western territories also revealed the nation's constitutional commitment to monogamous marriage and the importance of marriage as a social foundation for political life (Cott 2000; Ritter 2006, C. 3). Utah's application for statehood was resisted for decades because of the federal government's refusal to condone polygamy. The Supreme Court endorsed this refusal in *Reynolds v US*, 98 US 145 (1878), where the Court tied the "social obligations and duties" (165) of marriage to civic membership and democratic government. Perhaps it is best to say that the more porous structures of governance in the West (and the federal government's direct role there) gave rise to experimentation and explicit consideration of the connection between gender roles and democratic governance in the US.

Most theories of the development of social welfare states focus on the role of class and political structures in these developments. The history of American social welfare development makes very apparent the importance of gender to the social provisioning structures that took hold in the early twentieth century. This literature was reviewed in my earlier discussion of policy formation and state structures as the focus of a gendered analysis of American political development. In considering gender as a core problematic of American political analysis, the history of social welfare development is instructive in two ways. First, this history suggests that in a nation which has historically had a very limited understanding of class as a source of political identity and mobilization, gender may serve as an alternative form of political identity and mobilization. Second, to the degree that this is the case, it is almost certain that these gendered roles and understanding are also connected to racial understandings in politics. To the degree that

we have thought about analyzed gender as a matter of the political activism of white women in American history, we may be missing a great deal of the larger story regarding the political and constitutional governance of social relations in the US. Barbara Welke's book on the rise of segregation on American rail carriers in the late nineteenth and early twentieth century demonstrated how issues gender governance and racial governance were inextricably linked in American politics.

The role that gender plays in American constitutional development is elaborated in my work (2006) as well as the work of Julie Novkov (2001). As I discussed earlier, Novkov highlights the role that gender played in providing the Supreme Court with terms on which to elaborate a new understanding of rights and citizenship. There are two interesting lessons to be taken from this episode in American constitutional history. First, the progressive era pursuit of a gender difference strategy by social feminists interested in upholding protective labor laws for women illustrates the way in which state structures and political discourses shape the political goals and strategies of movement activists, and shape their civic membership. As women reformers simultaneously pursued improvements in the political and economic status of women, they were faced with a conundrum of being able to claim either the negative freedoms afforded men under the terms of freedom of contract, or the paternalistic particularity allowed to women as a dependent class. In the clash between civic equality and economic dependence, most women reformers felt compelled to preserve protective legislation for women, even when it meant casting them as a dependent class. Second, this episode demonstrates that gendered norms and institutional understandings played an important role in constitutional development and recast the terms of civic membership for all Americans.

In her fine book, *Belated Feudalism* (1991), Karen Orren contends that liberal constitutional governance in the United States only emerges after a struggle to overcome embedded common law norms of personal relations. The common law relation that Orren is particularly concerned with is the master-servant tradition in labor law, but her insight about the

existence of embedded common law norms and their impact on our system of governance may be explored in other arenas as well, included the realm of husband-wife relations. Reva Siegel (1994) has written that status hierarchies connected to marriage have been modernized under the modern constitutional order, but they have not been eradicated. I agree, and believe that we need to look at the way that liberal constitutional structures not only tolerate, but perpetuate status hierarchies connected to race and gender. Liberal feminism in the 1960s and 1970s never succeeded in its campaign to erase gender difference as a matter of constitutional and political relevance. We should consider both why ungendered legal individualism was the goal, and why the goal was never obtained. What that inquiry will reveal, I believe, is the unfinished transition from a political order in which status hierarchies related to race and gender were explicit matters of constitutional governance to a political order in which the social regulation of race and gender still plays an important role, but in ways that are less explicit.

Finally, I want to observe that social class issues are a very important part of our politics today. Electorally, we are increasingly a nation that is divided between those whose cultural understandings and social roles are shaped by fundamentalist religion on the one hand and secular humanism on the other. It is a division that pits urban, educated, professional men and women against rural or suburban men and women who work in the service sectors. Its is a division that focuses on gender roles and is expressed in debates over such hit button issues as abortion and gay marriage. One way of viewing the current debate over gay marriage is that it is a debate about gender roles in a society where there is not a readily available economic analysis for understanding the woes that face the working class. For many American men today, what it means to be a man is to be a husband and a father. Indeed, part of what has made family roles a more important a part of gender identity for men, is the declining significance of the breadwinner role as a symbol of successful masculinity. It used to be that what it meant to be a successful man was that you supported your wife and children through your work. Now, for men without a college degree, it is much harder to find jobs that pay them enough to support themselves & their

families. And it is now true that most married women have jobs. So the economic part of traditional male identity is not as important as it used to be, and the family roles of husband and father are more important than it used to be.

A parallel thing has happened to women. Fifty years ago, successful femininity was defined by marriage, mothering, and homemaking (Ginsburg 1989) . Now most mothers work. Women are a strong presence in the public realm – in the professions, the arts, and in politics. The nation has also been swept by rising divorce rates. There’s been a substantial increase in single parenting in America, both as a result of divorce, and the rise in out of wedlock births. The cultural reaction to these changes is deep ambivalence about what it means to be a successful woman in our society. Does it mean being a Senator or the CEO of a Fortune 500 company? Or, does it mean being a soccer mom who gives up work and career to devote herself to her children? This ambivalence about the appropriate standards of feminity expresses itself in several ways: in a renewed movement towards stay at home motherhood, in the growing popularity of covenant marriages, and in stronger emphasis on child rearing, among other things. In the US, political economy changes such as these express themselves in debates about cultural issues, debates which at their core are often about competing understandings of gender. If this analysis has any merit, then it may suggest that our nation’s obsession with religion in public life and with political campaigns to regulate moral behavior may also be read as both an expression of the importance of gender to American political development and as indicative of the absence of a discourse about class or labor in the US.

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