

Dynamics of Substantive Representation:
Dynastic Relations and the Making of the
Philippine Women's Rights Law

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Abstract

Political dynasties are families or clans with members holding the same elected position in succession or occupying different elected positions simultaneously. While studies suggest that dynasties in Western democracies are declining, they remain resilient in several countries. The literature indicates that political dynasties help increase the number of women in government positions but that dynastic women politicians often act as proxies of their male relatives to evade term limit statutes. Their participation in electoral politics helps to perpetuate elite political clans.

This study considers the political dynasty as an informal institution with its own set of rules and practices which I refer to as the political dynasty system. In this thesis, I argue that the political dynasty system is a gendered informal institution. How it relates to other formal and informal institutions has consequences for women's representation. Furthermore, how actors interact with each other in advocating their ideas and opposing others within these institutions shapes the Substantive Representation of Women (SRW). Drawing on the feminist institutionalism approach and the concept of critical actors, I explore the gendered dimensions of dynastic politics and their implications for the SRW. I do this through a study of the Magna Carta of Women (MCW), considered to be the Philippine women's human rights law designed to advance the goals of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

The study's findings demonstrate that the political dynasty system influences the relationships of critical actors and how they act for women. There is a need for them to navigate the system's gendered rules and practices to advance their policy agenda. Women's organisations are the MCW's key drivers, but their linkages with the women's policy agency and supportive legislators facilitated the bill's enactment. Hence, a political environment conducive for civil society to participate in the policymaking process is essential for the SRW.

Notes on the Inclusion of Published Work

Some of the materials from Chapters 4 and 6 have been included in the article, ‘Utilizing Informal Modes of Engagement: Civil Society, Substantive Representation of Women, and the Philippine Women’s Rights Law’, published by the *Journal of Civil Society* on 7 June 2021.

The abstract for the paper, ‘The Magna Carta of Women as the Philippine Translation of the CEDAW: A Feminist Critical Discourse Analysis’, has been accepted for inclusion in the special issue on the Law and Critical Discourse Studies of *Critical Discourse Studies* (completed paper to the publisher: March 2022). The paper includes materials from Chapters 4 and 5 of this thesis.

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I am the sole author of these works.

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‘Ang hindi marunong lumingon sa pinanggalingan ay hindi makakarating sa paroroonan.’

‘Those who do not know how to look back at where they came from will never get to their destination.’

This Filipino proverb has been attributed to a national hero, Dr. Jose Rizal. However, it is possible that if Rizal did say or write it, he could have heard it from anyone. His mother or grandmother probably spoke those words to remind the young Rizal to remain humble and remember his roots. Of course, in a male-dominated society, words of wisdom spoken by women were rarely recorded in history books, but I digress. I have chosen the proverb to begin this piece because it helps me remember everyone who supported me throughout my PhD journey. I have always believed that it takes a village to finish a PhD. Allow me to thank everyone in my ‘village’.

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Higit sa labat, pasasalamat sa Panginoong Maykapal!

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List of Abbreviations and Acronyms

AFP	Armed Forces of the Philippines
ASEAN	Association of Southeast Asian Nations
CAT	Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CHR	Commission on Human Rights
CSO	Civil Society Organisations
CSW	Commission on the Status of Women
DEDAW	Declaration on the Elimination of Discrimination Against Women
DILG	Department of Interior and Local Government
DOLE	Department of Labour and Employment
DSWD	Department of Social Welfare and Development
EDSA	Epifanio de los Santos Avenue
EU	European Union
FCDA	Feminist Critical Discourse Analysis
GABRIELA	General Assembly Binding Women for Reforms, Integrity, Equality, Leadership and Action
GAD	Gender and Development
GWP	Gabriela Women's Party
ICCPR	International Covenant on Civil and Political Rights
ILO	International Labour Organization
IR	International Relations
IRR	Implementing Rules and Regulations
MAKIBAKA	<i>Malayang Kilusan ng Bagong Kababaihan</i> (Free Association of Modern Women)
MCW	Magna Carta of Women
NAPC	National Anti-Poverty Commission
NBN	National Broadband Network
NCRFW	National Commission on the Role of Filipino Women
NEDA	National Economic and Development Authority
NGO	Non-Governmental Organisations
NTF-ELCAC	National Task Force to End Local Communist Armed Conflict
PCW	Philippine Commission on Women
PDPW	Philippine Development Plan for Women
PKKK	<i>Pambansang Koalisyon ng Kababaihan sa Kanayunan</i> (National Rural Women's Coalition)
PPGD	Philippine Plan for Gender-Responsive Development
RPRHA	Responsible Parenthood and Reproductive Health Act of 2012
RNGS	Research Network on Gender Politics and the State
SEAP	South East Asia Programme
SOGIE	Sexual Orientation and Gender Identity Expression
SONA	State of the Nation Address
SRW	Substantive Representation of Women

UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNIFEM	United Nations Development Fund for Women
VAT	Value Added Tax
VAWC	Violence Against Women and their Children
WEF	World Economic Forum
WHO	World Health Organization
WMA	Women's Movements
WPA	Women's Policy Agency

Chapter 1

Introduction

In September 2016, an article from the Philippine Daily Inquirer caught my attention. It quoted Election Commissioner Rowena Guanzon: ‘The easiest way for women to get into politics here is through political dynasties. We have to think about the antipolitical dynasty law, what are its disadvantages to women, what are its advantages’ (*Dynasties Way for Women to Enter Politics, Says Poll Exec*, 2016). The article was published four months after the 2016 national elections. It was during a time of public clamour for a law banning political dynasties. According to Article II Section 26 of the Philippine Constitution, ‘The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.’ However, the legislative branch has yet to pass a law implementing the Constitutional provision on political dynasties.

Political dynasties are families or clans with members holding the same elected position in succession or occupying different elected positions at the same time (Mendoza, et al., 2013). Political dynasties thrive in democracies with weak political party systems (Querubin, 2013; Ufen, 2008). While studies suggest that dynasties, particularly in Western democracies, are declining (Dal Bó et al., 2009; Folke, Rickne, et al., 2017), they remain resilient in certain countries (Chandra, 2016; Mendoza et.al., 2012; Nishizaki, 2018; Querubin, 2013). In the Philippines, dynasties operate to ensure that elective positions remain within the family (Querubin, 2013, 2016; Teehankee, 2002).

Commissioner Guanzon is correct. If by representation we only mean the number of physical bodies in elected positions, then credit is due to political dynasties for being the primary means to increase the percentage of women in Philippine politics. In the same article, Commissioner Guanzon explained that election-related expenses, such as campaign funding, make it difficult for women to run for office. Women from political dynasties do not have this problem as their dynasty’s campaign machinery supports them. If representation is simply a numbers game, then women’s representation advocates should rally to keep political dynasties in power. Women from dynastic families should be encouraged to run for elective positions as it appears that they are in the best place to improve women’s political representation. However, representation is not as straightforward as Commissioner Guanzon’s soundbite seems to imply. The seminal work of

Hanna Pitkin (1967) and those of succeeding scholars such as Mansbridge (2003) and Saward (2006) exemplify the complexity of the concept and process of representation.

This study considers the political dynasty as an informal institution, having its own set of rules and practices, which I refer to as the political dynasty system. The main argument of this thesis is that the political dynasty system is a gendered informal institution. How it relates to other institutions has consequences on women's representation. I apply the feminist institutionalism approach in investigating the gendered dimensions of the political dynasty system. Feminist institutionalism provides a gender lens for studying formal and informal institutions (Bjarnegård, 2018; Curtin, 2018; Devere & Curtin, 2009; Kenny, 2014; Lowndes, 2014; Mackay et al., 2010; MacRae & Weiner, 2021; Minto & Mergaert, 2018; Thomson, 2018).

I further argue that how political actors interact with each other in advocating their ideas and opposing others within these institutions shapes the Substantive Representation of Women (SRW). I use the concept of critical actors in exploring the dynamics of actors, ideas, and institutions, focusing on the Philippine women's rights law, the MCW. My findings reveal that while women's organisations acted as the leading advocates of the MCW, how they developed their relationships with legislators, considering the political dynasty system's attributes, facilitated the law's enactment. Moreover, legislators and government officials who are women's rights advocates, particularly those who held previous roles as diplomats and activists, significantly contributed to lay the groundwork for the MCW.

Political dynasties can support an increase in women's political presence. Critical mass theory in gender politics maintains that a certain number of physical bodies need to be present in a group or institution to influence change. The works of Kanter (1977) and Dahlerup (1988) on critical mass have been widely cited by politicians and policymakers to advocate for the increase in the number of women in various positions, particularly in the government, to gain parity with men. Commissioner Guanzon's statements about political dynasties as an 'advantage' for women's representation supports this critical mass notion. Earlier studies on women's representation examined the descriptive representation of women in elective positions, particularly in the Legislature, but more recent studies look at the relationship between descriptive and substantive representation (Beckwith & Cowell-Meyers, 2007; Celis et al., 2008; Celis & Erzeel, 2015; Lombardo & Meier, 2014; Mackay, 2008; Schwindt-Bayer & Mishler, 2005). The study of women's

representation has taken a substantive turn as scholars question the cogency of the critical mass argument (Ayata & Tütüncü, 2008; Beckwith & Cowell-Meyers, 2007; Bratton, 2005; Childs & Krook, 2008, 2009; Mackay, 2008). More scholars are advocating a holistic approach to understanding representation that not only relies on counting physical bodies but also examines other factors contributing to positive policy outcomes for women (S. Childs & Krook, 2008; Mackay, 2008).

Recent literature supports the argument that political dynasties help increase the number of women in government elective positions (Basu, 2016; Folke, Rickne, et al., 2017; Labonne et al., 2017; Nishizaki, 2018). However, the literature also posits that women from political dynasties are often seen as alter egos of their male relatives. For example, the study of Labonne et al. (2017), which examined women mayors or local chiefs in the Philippines, found that dynastic women mayors act as proxies of their male relatives to evade term limit statutes. The literature likewise suggests that women help perpetuate elite political clans (Nishizaki, 2018). Much of the scholarship on political dynasties explores its implications for descriptive representation. My research differs from previous studies in that it focuses on the political dynasty system as an informal institution that shapes the SRW and contributes to the growing body of feminist research on informal institutions and substantive representation.

Background of the Study and Research Gaps

To date, the literature primarily focuses on the impact of political dynasties on descriptive representation and how they facilitate women's entry into politics. However, there is scant literature on the activities of women officials once they are elected. This study begins to fill this gap by focusing on the dynamics of substantive representation of women and dynastic relations in the Legislature. Borrowing the definition by McAdam, et al. (2001), dynamics pertain to recognising that each factor in action intricately links with the others. The focus on SRW distinguishes this study from previous works, which studied features and consequences of political dynasties such as clientelism and corruption (Bjarnegård, 2013, 2018), evasion of term limits (Labonne et al., 2017), and entrenchment of family-based rule (Nishizaki, 2018).

Political dynasties blur the lines between personal and official, establishing familial relationships to encroach on official boundaries. However, I find the claim that dynastic women politicians are

mere replicas of their male kin as simplistic. Hence, this study examines the relationship within, between, and among political dynasties and between dynastic legislators and other policy actors in the context of the enactment of a landmark women's rights legislation. Unlike previous studies that concentrate on the legislative process's specific activities, such as bill authorship, voting, and participation in floor debates, I explore the entire process of how the articles of an international treaty on women's rights became a national law. Studying the whole process allows for a comprehensive understanding of the dynamics of substantive representation.

The Philippines' accomplishments in gender equality and its highly dynastic Legislature make it an ideal case for this study. The Philippines consistently ranked within the top 10 countries in the gender equality index of the World Economic Forum (WEF) from 2006 until 2018. It was also the only Asian country in the top ten from 2006 until 2018 and has surpassed many developed nations in the index. One of the Philippine political system's distinct features is that it is dominated by political dynasties (Cruz et al., 2017; Querubin, 2013, 2016; Tadem & Tadem, 2016). To provide context, 73 per cent of members of the House of Representatives have dynastic ties for the 17th Congress (2016 to 2019) compared to 74 per cent in the 16th Congress (2013-2016) (Tadem & Tadem, 2016) and around 70 per cent in the 15th Congress (2010-2013) (Mendoza et al., 2012). Fourteen of the 24 senators of the current 18th Congress have relatives preceding them in national or local elective positions or have relatives serving in elective posts during their term.

The Philippine Constitution states that sectoral or party-list representatives shall constitute 20 per cent of the lower house. The rationale of this provision is to have a better representation of the marginalised sectors of society such as the labour, peasant, urban poor, indigenous cultural communities, women, and youth. Two party-list groups for the women's sector, Abanse Pinay and Gabriela Women's Party (GWP), managed to obtain seats in Congress: Abanse Pinay, in the 11th Congress, and GWP in the 13th to 18th Congresses. However, there is an increasing number of nominees from political dynasties running under the party-list system in recent elections. With this development, dynasties which already dominate jurisdiction-based seats have started occupying seats allocated for party-list representatives.

This study focuses on the Magna Carta of Women (MCW). It is the country's version of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and a comprehensive women's human rights law that seeks to eliminate discrimination through the

recognition, protection, fulfilment, and promotion of Filipino women's rights – especially those belonging to society's marginalised sectors. I take a comprehensive approach to determine the various factors that influenced the ratification of the law. By casting the net wide, I consider all factors involved in the passage of the law and use SRW and dynastic relations as an analytical lens to help focus on the key issues of this study.

The MCW fits Mackay's (2008) framework, which uses the concepts of recognition and redistribution in the evaluation of SRW. Recognition is about acknowledging the legitimacy of women's issues and the significance of women's political participation. On the other hand, redistribution ensures that policies result in 'material outcomes' which address inequalities in the distribution of 'resources, power and benefits' (p. 133). In terms of recognition, the MCW specifies the rights of women based on CEDAW articles. As the Philippine version of the CEDAW, its Implementing Rules and Regulations (IRR) enumerates the laws that need to be introduced, revised, and repealed to promote more equitable political representation for women and eliminate rules and practices that impair women's rights. In other words, it seeks to advance redistribution. For example, women's reproductive health is one of the sections of the MCW, yet the subsequent law legislated according to this commitment encountered obstacles (Tanyag, 2015). Despite the UN CEDAW Committee's specific request to the Philippines as a state party to address reproductive health (UN CEDAW Committee, 2006), the reproductive health bill had to go through several hurdles before its passage. Past studies on women's rights legislation primarily examined selected aspects of the legislative process, such as voting, mostly on policy actors. By contrast, this study examines the CEDAW's journey in the Philippines to determine the important policy actors and how the actors, ideas, institutions, and their interrelationships influenced the final legislation.

It is crucial to understand how formal policies such as party rules and gender quotas relate to dynastic politics since dynastic ties remain one of the main pathways for women to enter politics regardless of geographical region (Basu, 2016; Baturo & Gray, 2018; Folke, Rickne, et al., 2017; Jalalzai & Rincker, 2018; Labonne et al., 2017; Nishizaki, 2018). Women public officials also tend to be more dynastic than men (Dal Bó et al., 2009; Folke et al., 2020; Folke, Rickne, et al., 2017; Nishizaki, 2019; Ockey, 2015; van Coppenolle, 2017). This study highlights the importance of exploring the political dynasty system as an informal institution that plays a significant role in women's representation.

In the remainder of this chapter, I introduce the range of questions asked; the theoretical and methodological choices made, including the analytical framework I conceptualised; the conclusions that I come to; the study's contributions and limitations; and the thesis structure.

Statement of the Problem

Considering the dynastic feature of the Philippine Legislature and that most women legislators are from dynastic backgrounds, the main question that this study seeks to address is, Did the political dynasty system influence the Substantive Representation of Women, particularly the process of enactment and the final content of the Magna Carta of Women?

Specifically, the study aims to answer the following questions:

- (a) What factors contributed to the passage of the MCW bill in the 14th Congress?
- (b) Who are the critical actors in the enactment of this legislation and what roles did these critical actors play in the process?
- (c) How did formal and informal structures and practices influence the process of enacting the law?
- (d) Was there a difference between women and men legislators regarding their contribution to the MCW's passage?
- (e) Did dynastic legislators differ from non-dynastic legislators in terms of their contribution to the passage of the MCW?
- (f) What are the prospects of CEDAW implementation in the Philippines under the current administration?

Approaches and Methods

This research applies the feminist institutionalism approach in exploring gender, dynastic politics, and their implications to the SRW. Feminist institutionalism offers a distinctive way of examining institutions from the gender perspective (Curtin, 2018; Kenny, 2014; Lowndes, 2014; Mackay et al., 2010; Minto & Mergaert, 2018; Thomson, 2018). It also uses the concept of critical actors in

examining how these actors ‘act for or on behalf of’ women in the context of the enactment of the Philippine women’s rights law. Finally, it applies the ‘thick’ conception of substantive representation, proposed by Mackay (2008), which endorses a holistic examination of substantive representation by considering the complexity of the process and the interrelationships of the multiple actors involved. Hence, the study utilises a range of analytical tools, depending on the research question and the available data.

The study uses within-case process tracing (Falleti, 2006; Thomson, 2018) to respond to the questions on the process of ratification of the MCW. The analysis aims to determine the factors that influenced the passage of the landmark women’s rights legislation in the Philippines and the interrelationships of these factors. I have taken the ‘extended time frame’ approach as prescribed by Pierson (2004) to assess the problem in light of the political, social, and economic conditions of the country from the time the Philippines decided to become a state party to the CEDAW in July 1980 until the ratification of the law in August 2009. Presently, the published narratives about the MCW provide very little information on activities before the final MCW bill was filed. The publication *Going CEDAW in the Philippines* is a valuable resource which discusses the United Nations Development Fund for Women (UNIFEM) CEDAW South East Asia Programme (SEAP) 2005-2008. The chapter on the drafting of the gender equality law provided information on the beginnings of the MCW, focusing on the lobby efforts of women’s organisations tapped by the CEDAW SEAP (Masilungan, 2009). However, since the publication is an informational booklet focusing on the CEDAW SEAP, it does not explain the factors contributing to the MCW’s passage during the 14th Congress.

On the other hand, media reports emphasise the actual ratification of the law, the role of women legislators in office when the bill was ratified, and the benefits of MCW while providing very little information on the events leading to the passage of the bill. Media reports tend to highlight the politicians as policy actors and overlook other actors such as civil society. Process tracing is the appropriate methodology in examining causal claims by carefully exploring the relationships of processes, sequences, and events over an extended period (Collier, 2011). It ‘holds the promise of a rich account of “how” a complex political phenomenon like public policy emerges’ (Kay & Baker, 2015). Process tracing allowed me to cast the net wide enough to consider all factors involved in the law’s passage. Using SRW and dynastic relations as an analytical lens helped me

focus on the study's critical issues. I did this by consistently examining dynastic ties in all aspects and stages of data gathering and analysis.

To respond to the questions on the contribution of critical actors to the content of the MCW, I used Feminist Critical Discourse Analysis (FCDA) in the analysis of the minutes of the meeting of the bicameral conference committee meeting, which decided on the contested provisions of the law. This method is especially useful in studying legislation like the MCW which was well-supported by legislators in terms of authorship and voting. I applied Lazar's (2005) concept of gender relationality and Fairclough's (2010) positive and negative critique. Gender relationality examines how women and men in identified groups uphold gender bias in their customs and practices. Positive and negative critique helps determine which discourses promote gender inequality and those that seek to address this issue.

Using FCDA, I noted the differences in the legislators' views and determined which opinions are consistent with the CEDAW principles. FCDA is ideal for a comprehensive examination of legislators' role as critical actors because it allows for a consideration of the substance of the arguments that shaped the final law. Lazar (2007) highlights the significance of adopting a 'critical feminist view' since 'not all studies that deal with gender in discourse are necessarily feminist in this critical sense' (p. 143). In my study, I found that there are subtleties in the discourse which could be easily missed if one does not adopt a feminist perspective at the outset.

I used the Research Network on Gender Politics and the State (RNGS) framework (Mazur & McBride, 2007; McBride et al., 2010) in combination with Chaney's (2016) framework to analyse the dynamics of Civil Society Organisations (CSO), Women's Policy Agency (WPA), and legislative actors in the context of the political dynasty system. There is value in using the RNGS model in looking at the dynamics of WPA and CSO interaction. At the same time, Chaney's (2016) framework on the contingent factors shaping the CSO's claims-making on the SRW includes WPAs as part of the state's governance structures. The RNGS framework breaks down the 'structures' identified by Chaney as we cannot assume that the mere establishment of state structures, such as WPAs, benefit women's representation. Finally, I have developed the following analytical model from the analysis of the findings of the current literature and my research data.

Analytical Model

I developed the analytical model from the integrative review of the literature explained in detail in Chapter 3. The political dynasty system, as an informal institution, has two modes of influencing representation. I define legacy as the advantage of the family name to dynastic candidates. Candidates may intentionally use their dynastic family surnames, taking advantage of name recall or unintentionally. After all, it is their surname, and they have the right to use it (For example, see Knotts et al., 2018). Based on the current literature, legacy shapes the descriptive representation of women. Studies show that being a part of a political family helps women win elective positions (Baturó & Gray, 2018; Dal Bó et al., 2009; Folke, Rickne, et al., 2017; Jalalzai & Rincker, 2018; Nishizaki, 2019; Ockey, 2015; van Coppenolle, 2017).

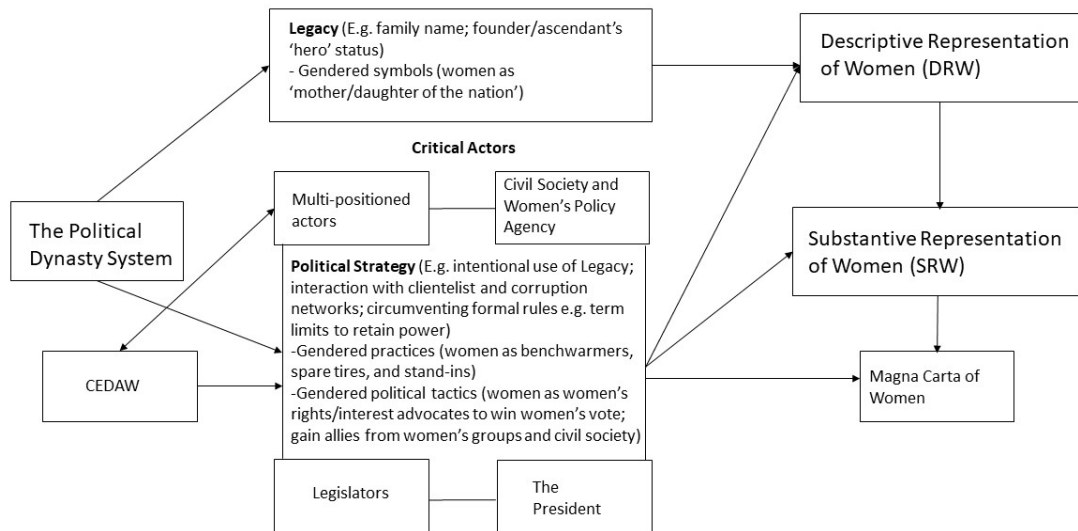
Political strategy is the use of established styles and tactics to win votes. The main difference between legacy and political strategy is that the former may or may not be intentional, whereas strategy is always intentional. Legacy is a given advantage for dynastic candidates. Strategy pertains to the purposeful use of the family name, influence, networks, and other resources to win elections. As shown in the model, strategy includes interacting with clientelist and corruption networks for electoral gain. It may also promote gendered practices such as using women as benchwarmers, spare tires, and stand-ins for their male relatives to circumvent formal rules, such as term limits stipulated by law, to retain power in the dynasty. It may also utilise gendered political tactics such as presenting women politicians as women's rights advocates to win women's votes and gain allies from women's groups and civil society. While legacy influences descriptive representation, political strategy shapes both descriptive and substantive representation.

Figure 1 applies the analytical model I have conceptualised to the empirical findings of this study. It shows the relationships between actors, ideas, and institutions. The critical actors, which include multi-positioned actors who work both at the international and local levels, interact with civil society, legislators, and the President in the translation of the CEDAW to the national or local law – the MCW. However, the multi-positioned actors also shaped the CEDAW since these actors were either diplomats, CEDAW Committee members, or women's rights activists working with international organisations.

In the process of translation, these actors work within established institutions, including the political dynasty system. The actors both utilise and react to the gendered political strategies within the system. These strategies include using the family name and the family's influence, utilising clientelist and corruption networks, evading term-limit statutes by enjoining women family members to run for office, and promoting women's rights advocacy to attract women voters and create partnerships with women's groups. The actors' interactions shaped the national law such that the CEDAW became a Philippine version of the Convention. Hence while the MCW is based on the CEDAW, it is not CEDAW per se but rather a product of the actors' interactions within formal and informal rules, including the political dynasty system.

Figure 1

The political dynasty system as an informal institution and the dynamics of critical actors in translating the CEDAW to the MCW



Aside from the analytical model, I have also conceptualised the following: The four attributes that enable critical actors to influence both global discourse translation and impact translation in Chapter 4: agenda, position, connection, and staying power. In Chapter 6, I outline the informal modes of engagement used by CSOs and the WPA in engaging with legislative actors: personal relationships, intermediaries, and reciprocity. These modes of engagement build on Chaney's (2016) work on CSOs and the SRW. In Chapter 7, the three ways by which populist leadership shapes the relationships of critical actors are discussed: polarisation, persecution, and exclusion. These conceptualisations add to theory-building on critical actors and the SRW – particularly in contexts where political dynasties are prevalent.

Data Used for this Study

Interview Data

I invited twenty-three elite actors for an interview, and a total of fourteen agreed to be interviewed for this study. Tables 1 and 2 provide a detailed description of the interviewees. Tansey (2007) maintains that elite interviews are an important means to aid 'process tracing narratives' as they help minimise 'randomness' (p. 765) by identifying those who played essential roles in the subject being studied. Nine agreed to a face-to-face interview, and the remainder sent their responses through email. My research design allowed for asynchronous email interviews to anticipate schedule conflicts and concerns with travel and location. Asynchronous email interviews are more flexible, giving the participants a longer time to respond to interview questions. Follow-up discussions were done within the whole duration of the data-gathering process. Please refer to Appendix A for a copy of the interview guide for the semi-structured interviews.

I selected the interviewees using purposive sampling. I reviewed the Philippine Senate and House of Representatives records for the legislators named as sponsors and principal authors of the bills. I examined the documents containing the names of those who have delivered speeches about the bill on the Senate/House Floor as specified in the bill history published on the websites of the Philippine Senate <https://www.senate.gov.ph> and Philippine House of Representatives <http://www.congress.gov.ph>. I reviewed the report of the Committee Chair of the Senate and House of Representatives on the MCW. These are the Committee on Women and Gender

Equality for the House of Representatives and the Committee on Youth, Women and Family Relations for the Senate.

For the names of government officials or employees other than legislators and individuals from non-government organisations and advocacy groups who played essential roles in the passing of the MCW, I searched the government websites, especially the Philippine Commission on Women website <http://www.pcw.gov.ph> and official CEDAW publications. Interviews with non-legislative actors were necessary since, aside from formal legislative activities, I studied the legislators' engagement with other policy actors, specifically the women's groups involved in the lobbying for the MCW. It is recognised in the literature that substantive representation is not confined within the Legislature or parliament (Curtin, 2008; Johnson & Josefsson, 2016; Waylen, 2014a). One of the areas that I explored was how informal activities and negotiations influence policy change and may have more value than formal legislative actions such as voting, particularly in cases when the vote is unanimous which is the case of the MCW.

The recruitment method for selecting the interviewees was a combination of direct recruitment and chain-referral or snowballing. A chain-referral process is an effective way to identify significant actors who might have been overlooked (Tansey, 2007). Interviewees could suggest other individuals and actors who may not initially have been considered relevant to the study by the researcher, other scholars, and investigators. Hence, by asking the interviewees about the individuals, organisations, and other entities they work with concerning the passage of the MCW, I was able to determine other resource persons knowledgeable about the study's subject matter. I also specifically asked the interviewees if they could recommend other resource persons who are well-informed about the topic.

Following the University of Auckland ethics guidelines, I sent my email request for interviews to the email addresses posted on public records, primarily government websites such as the Philippine House of Representatives and Philippine Senate websites. For my interviewees from the non-government organisations, I searched for their contact details from their organisation's websites. Since most of my interviewees were high-level officials and publicly known personalities, I did not have difficulty finding their contact details.

For interviewees referred by other interviewees, my initial contacts took the initiative to introduce me via email, phone call, or text message. All interviewees had years of experience being interviewed by researchers and members of the media. Hence, the process of requesting and conducting the interview was straightforward. The interviewees freely talked about their experiences and their sentiments about the issues and personalities mentioned during the semi-structured interviews. This openness allowed me to gather rich data, which is part of the objective of the study.

Among those who agreed to participate were authors and sponsors of the MCW bill. I interviewed officials of the women's policy agency, the Philippine Commission on Women (PCW) and its precursor, the National Commission on the Role of Filipino Women (NCRFW); officers and representatives of NGOs involved in the lobby work and technical working group of the MCW; and leaders of women's groups identified as advocates of the MCW.

For the legislators, two of them agreed to a face-to-face interview, and four sent their responses to the questions by email. My data gathering covered a period during the 2019 Philippine elections, and the staff of the legislators advised me that their principals were busy. I followed up by phone call and email after the polls, but only four legislators responded to my request. One former legislator told me to speak with the Committee on Women's staff at the House of Representatives and refer to the records even after meeting with her to explain the study's objectives and the significance of having the interviews.

The email responses were significantly shorter than the face-to-face interview. I asked all interviewees questions on dynastic relations and views on political dynasties. Since the study's focus is the dynamics of substantive representation, it was essential to examine whether actors view dynastic and non-dynastic legislators differently. However, one opted not to respond to the questions about their views on political dynasties. Nevertheless, the responses still gave me information on where to search for data, explicitly addressing the research questions which facilitated the data gathering process.

Table 1*List of Interviewees (Legislators)*

Legislators	Profile
<i>Legislator 1 Face-to-face interview</i>	<i>Party-list representative; former officer of a national coalition of women's organisations; women's rights activist; member of the bicameral conference committee on the disagreeing provisions of the Magna Carta of Women Non-dynastic</i>
<i>Legislator 2 Face-to-face interview</i>	<i>Party-list representative; former head of a government agency; human rights activist; one of the first proponents of a gender equality bill in the House of Representatives Non-dynastic</i>
<i>Legislator 3 E-mail interview</i>	<i>One of the authors of the Magna Carta of Women Bill in the House of Representatives; author of other bills focused on women such as the Republic Act 11313: Safe Spaces Act and Republic Act 11210: Expanded Maternity Leave Non-dynastic</i>
<i>Legislator 4 E-mail interview</i>	<i>Male legislator; one of the principal authors of the Magna Carta of Women Bill in the House of Representatives; member of the bicameral conference committee on the disagreeing provisions of the Magna Carta of Women Dynastic</i>
<i>Legislator 5 E-mail interview</i>	<i>One of the authors of the Magna Carta of Women Bill in the House of Representatives; member of the bicameral conference committee on the disagreeing provisions of the Magna Carta of Women Dynastic</i>
<i>Legislator 6 E-mail interview Not included in the analysis due to the interviewee's failure to send the signed consent form. Interview responses are not included in this thesis. However, the interviewee provided information on public documents which were used in this thesis.</i>	<i>One of the principal authors of the Magna Carta of Women Bill in the House of Representatives; member of the bicameral conference committee on the disagreeing provisions of the Magna Carta of Women Non-dynastic</i>

Table 2

List of Interviewees (Civil Society/Women’s Policy Agency/CEDAW experts)

Civil Society/Women’s Policy Agency/CEDAW experts	Profile
<i>Expert Face-to-face interview</i>	<i>CEDAW expert/former Committee member; diplomat</i>
<i>Expert/Women’s Policy Agency/Academia Face-to-face interview</i>	<i>CEDAW expert/former Committee member; former official of the Philippine Commission on Women (PCW), formerly known as the National Commission on the Role of Filipino Women (NCRFW); academic; women’s rights activist</i>
<i>Expert/Civil Society/Government Face-to-face interview</i>	<i>CEDAW expert/former Committee member; women’s rights activist; former head of a government agency; founder of a national coalition of women’s organisations</i>
<i>Women’s Policy Agency Face-to-face interview</i>	<i>Former Chair of the women’s policy agency, the Philippine Commission on Women (PCW), formerly known as the National Commission on the Role of Filipino Women (NCRFW)</i>
<i>Women’s Policy Agency Face-to-face interview</i>	<i>A staff member of the Philippine Commission on Women (PCW), formerly known as the National Commission on the Role of Filipino Women (NCRFW); Directly involved in the policy and lobby work for the Magna Carta of Women</i>
<i>Women’s organisation Face-to-face interview</i>	<i>Officer of a national network of women’s organisations; Played a lead role in the Technical Working Group (TWG) for the Magna Carta of Women</i>
<i>Women’s organisation Face-to-face interview</i>	<i>Officer of a coalition of rural women’s organisations; Involved in the policy work and lobbying for the first version of the Magna Carta of Women (for rural women)</i>
<i>Women’s organisation E-mail interview</i>	<i>Officer of a coalition of national women’s organisations; women’s rights activist; involved in the policy research and advocacy of her organisation’s version of the Magna Carta of Women bill</i>

Document Analysis

Data on Legislative Activities. I reviewed the MCW bills filed, minutes of the meetings, and journal records of the Senate and House of Representatives to determine the bill authorship and sponsorship, voting records, the representatives who delivered speeches about the MCW bill, and the content of their speeches. There were a total of 140 materials reviewed. One crucial document mentioned by the interviewees was the minutes of the bicameral conference committee meeting where the legislators from both the Senate and the House of Representatives debated the bill's contested provisions.

Public documents such as the ratified law and related/ subsequent laws. I studied the final version of the law and compared it with the bills filed and the bill version endorsed by the bicameral committee to the Senate and the House of Representatives. This version was transmitted to the Office of the President. I also reviewed the subsequent bills and laws related to the MCW, particularly the Responsible Parenthood and Reproductive Health Act (RPRHA) of 2012.

Biographies of legislators in the Philippine Congress and Senate. It was necessary to obtain data on gender and dynastic relations. For this, I adopted the method used by Panao (2014), who reviewed the biographies of legislators from the government websites and media features to determine dynastic relations. This system is ideal for this kind of study, compared to previous methods employed by Mendoza et al., (2016), which used the family name method to determine kinship as two persons may share the same surname even if they are unrelated. On the other hand, it has also been observed that certain public officials may be related by consanguinity or affinity even if they do not share the same surname (Nishizaki, 2018).

CEDAW reports and concluding observations by the CEDAW committee. The CEDAW reports are submitted to the CEDAW Committee every four years on average. These reports include comprehensive information about legislative, judicial, administrative, and other actions undertaken by the state party related to CEDAW implementation. As for the concluding observations, these documents are issued by the CEDAW Committee after evaluating a state party's report, taking note of the issues and challenges in implementing the CEDAW. Likewise, this document contains recommendations for the state party's actions to accomplish gender parity (UN Women, n.d.-b). I reviewed all CEDAW reports submitted by the Philippines from 1982-

2004 and all the concluding observations by the CEDAW Committee for the Philippines: 1984, 1992, 1997, and 2006.

Notes on data gathering. I conducted my face-to-face interviews in the Philippines from 21 April to 20 June 2019. I also visited the Philippine Senate and the House of Representatives to obtain copies of the documents and records needed for the study. By the time I conducted my data gathering, the Legislative Library, Archives, and Museum had relocated to a new building. The records, particularly for landmark laws such as the MCW, had also been digitised. Hence, while I took the time to review the physical records on-site, the staff provided digital copies of the records. This assistance saved me a significant amount of time and financial resources since there was no need to photocopy or scan the documents. Aside from that, I was able to upload the documents to NVivo 12 for data analysis immediately. As I was going through the records and interviews, I was able to identify records mentioned by interviewees or discussed in the minutes of the meetings. The House of Representatives provides a service for researchers to request documents online. My contacts from the House of Representatives referred me to their Senate counterparts. This referral facilitated the request for documents as I did not have to go through the whole introduction process and explain my study repetitively.

Covid-19 had minimal impact on my data gathering as I had completed my interviews and obtained most of the documents necessary for the research by the time the Philippine government implemented community quarantine measures. There were some delays in responding to my requests for additional documents that I needed to review based on the initial documents and interview transcripts. However, these delays were minimal since most of the documents were in digital form.

Data analysis

I used NVivo 12 for coding and analysis of all interview transcripts and documents. I used the research questions as a guide for my coding to create themes. As I discuss the thesis's structure, I also explain how I used different analytical tools developed by scholars for my data analysis.

Contributions and Limitations

This study adds to theory building on women's representation by exploring how the Philippines' highly dynastic socio-political environment shapes SRW. The focus on dynastic politics differentiates this work from previous studies as it examines the interplay of formal and informal institutions in women's representation. The study also contributes to the scholarship on international women's rights norms translation by examining the interaction of actors, ideas, and institutions in developing the Philippine version of the CEDAW. Using Mackay's (2008) words, the study uses a 'thick contextual framework comprising a whole-system approach' in SRW scholarship. Instead of examining the contribution of a group of actors or focusing on specific activities, the study's extended time frame approach allows for a comprehensive exploration of the topic, presenting representation as a dynamic process. The in-depth examination of the single case makes this study's findings valuable for scholars and actors involved in the whole policy process.

This study's main limitation is its focus on a single case – the CEDAW translation in the Philippine women's rights legislation. It examines the policy actors at the national level, and to some extent, the international level since these actors contribute to the national law. It does not attempt to explain policies in a different area or subject matter nor those enacted at the local government level. While this study is in the Philippine context, its findings may be useful for future research in other contexts, especially in countries with a high level of dynasticism.

Structure of the Thesis

Chapter two discusses SRW and feminist institutionalism literature by looking at actors, ideas, and institutions. It presents the various definition of SRW and the key concepts of feminist institutionalism in the study of formal and informal institutions. The chapter explains the meaning of 'thick conception of SRW.' It presents some of the frameworks using this approach, followed by a discussion of studies that illustrate thick conceptions in the study of SRW. The chapter concludes with an explanation of the gaps in the literature which the study aims to fill, which are as follows: (1) The need for more studies explaining the processes, both formal and informal, and the interplay of actors and institutions to determine the 'when and how' of SRW; (2) The need for more studies examining the integration of ideas and international norms to national policies. (3)

The need for more studies on informal institutions and SRW, particularly on the impact of political dynasties on SRW; and (4) The need for more studies focusing on dynastic public officials at the national level and how they act for women, particularly in the Philippine context.

Chapter 3 provides a systematic review of the literature on political dynasties. It starts with the descriptive analysis, including the distribution of works through the years and geographical context. It provides a detailed explanation of the framework proposed by Helmke and Levitsky (2004) and the more recent works of Grzymala-Busse (2010) and Azari and Smith (2012). It explains how these frameworks can be used together in the analysis of the interrelationships between formal and informal institutions. It proceeds to discuss the political dynasty system as an informal institution by presenting the concepts of legacy and political strategy. The chapter then describes how the feminist institutionalism approach provides a gender perspective in examining dynastic politics and women's representation. The chapter offers recommendations for future research, having identified the gaps in the literature. Findings include that there is a need for more studies that examine how formal policies and rules such as party policies and gender quotas relate with dynastic politics since dynastic ties remain to be a pathway for women to enter politics. For instance, the 2020 study by Schwindt-Bayer et al. shows that those legislatures with no gender quota policies have more women with dynastic backgrounds than those with established gender quotas. Representation scholarship should consider more studies like this, which explore various dimensions and pathways for women's entry to politics. Another significant area that remains unexplored is how the dynasty system's practices and tactics shape SRW. Studies should also examine the policy agenda and the actual performance of dynastic women once elected.

Chapter 4 explores the journey of the Philippines' Republic Act 9710 or the MCW, the Philippine version of the CEDAW. It provides a review of the literature on women's rights norms diffusion and translation. The chapter discusses these two different but related concepts in relation to CEDAW and women's rights policymaking. It traces the history of the CEDAW in the Philippines from when the country became a signatory to the Convention on 15 July 1980 until the MCW's ratification on 14 August 2009 and discusses the contentious provisions of the MCW bills and the process of negotiation of these conflicts. Finally, the chapter applies the analytical model on the political dynasty system as a gendered informal institution in explaining norm diffusion, translation, and the issues of cultural relativism and religion in the Philippine context. It concludes that well-positioned critical actors who could navigate the institutional complexities at the

international and local levels played a significant part in drafting the CEDAW and implementing laws in the Philippines; however, similar to other contexts, that issues of culture and religion shaped impact translation.

Chapter 5 examines the role of legislators in the passage of the MCW by looking at the following: (1) bill authorship, (2) voting, (3) participation in committee meetings and floor debates, especially in the discussion of the MCW bill's contentious provisions, and (4) engagement with women's groups advocating for the passage of the MCW. The chapter aims to determine whether there is a difference between male and female legislators and dynastic and non-dynastic legislators in their work for the SRW.

A significant part of the chapter addresses participation in committee meetings and floor debates, especially in discussing the MCW bill's contentious provisions. This analysis answers the question of the contribution and involvement of lawmakers. It also expounds on impact translation, that is, how particular articles of the CEDAW and committee recommendations have been incorporated into the MCW while others were not. This section uses feminist critical discourse analysis (FCDA) in examining the specific contributions of legislators in the debates and how they argued for or against discrimination.

The chapter concludes that while both women and men in the Legislature substantively represented women, women were more active and engaged than their male counterparts. The dynastic background did not matter in bill authorship, voting, and engagement with women's groups. However, non-dynastic party-list women legislators contributed more substantially in the discussion of non-discrimination.

Chapter 6 examines the contribution of non-legislative policy actors, particularly civil society organisations (CSOs) and the women's policy agency (WPA), to the passage of the MCW. It studies how CSOs and policymakers interact and explores the spaces where this engagement happens. It takes particular note of the informal modes of engagement that CSOs use in their SRW efforts considering that current literature focuses on formal and traditional channels. It discusses how the highly dynastic socio-political environment of the Philippines shapes civil society's SRW efforts.

The chapter uses Chaney's (2016) model and the RNGS framework (Mazur & McBride, 2007; McBride et al., 2010) as analytical tools in studying the partnership between CSOs and WPA in lobbying for the MCW. This chapter shows how informal channels help CSOs for their long-term engagement with policymakers given the unique features of dynastic Philippine politics. It finds that friendships and personal relationships have value in the SRW claims-making of non-legislative actors.

Chapter 7 explores the role of the President of the Philippines in this landmark legislation by examining President Gloria Macapagal-Arroyo's involvement in the MCW. It also explores the changing aspects of women's rights in policymaking under the populist leadership of President Rodrigo Duterte. The chapter compares women Presidents, Macapagal-Arroyo and Corazon Aquino, using the analytical framework on the political dynasty system as a gendered informal institution. It then examines the dynamics of the Office of the President's relationship with the critical actors: The Legislature, civil society, and the Catholic Church. The final sections draw from the findings of current literature and interviewees' responses to examine the implications of Duterte's populist leadership and the political dynasty system to the SRW in the Philippines.

In the case of the MCW, findings show that the President has the power to shape the legislation. The President sets the environment where civil society and policymakers can work together. The MCW is the product of civil society and government actors' combined efforts. The strong lobbying by women's groups prompted legislators to act on the measure, and legislators advocating for women's rights filed bills and promoted its passage among their colleagues. This significant role of the President is missing in the Duterte administration. Feminists criticise the President's style as misogynistic and disrespectful to women. There is division among women's groups, and some organisations claim persecution by government actors. The chapter concludes that the current administration poses a challenge to the implementation of CEDAW principles in the Philippines.

Chapter 2

Substantive Representation of Women (SRW): Actors, Ideas, and Institutions

Hanna Pitkin's seminal work, *The Concept of Representation* (1967), offers the paradoxical definition of representation as 'the making present *in some sense* of something which is nevertheless *not* present literally or in fact' (p. 8-9). It introduces the four different types of representation: formalistic, descriptive, symbolic, and substantive. Formalistic representation is about the rules and procedures of representation—how representatives gain the power to represent (authorisation) and how constituents sanction their representatives (accountability). Symbolic representation is concerned with how the representative 'stands for' the represented. The similarity between the representative and the represented is the focus of descriptive representation. What do the representatives and the constituents have in common in terms of attributes and experiences? Finally, substantive representation pertains to 'acting for' or 'on behalf of' the interest of the represented. It is representation in action—the activities that representatives carry out for the benefit of the represented. My literature review focuses on substantive representation and the SRW in particular.

Women's representation in politics is a subject that has received much attention from scholars. Earlier studies examined the descriptive representation of women in elective positions, particularly in the legislature, but more recent studies look at the relationship between descriptive and substantive representation (Beckwith & Cowell-Meyers, 2007; Celis et al., 2008; Celis & Erzeel, 2015; Lombardo & Meier, 2014; Mackay, 2008; Schwindt-Bayer & Mishler, 2005). The study of women's representation has made a substantive turn as scholars question the critical mass argument (Ayata & Tütüncü, 2008; Beckwith & Cowell-Meyers, 2007; Bratton, 2005; Childs & Krook, 2008, 2009; Mackay, 2008).

Critical mass advocates cite the works of Kanter (1977) and Dahlerup (1988) to lobby for the increase in the number of women in various positions, primarily in the government. For instance, the UN Economic and Social Council recommended a target of 30 per cent of women in 'decision-making levels' by 1995 (*The United Nations Fourth World Conference on Women Platform for Action*, 1995). The current scholarship on SRW advocates a holistic approach of understanding representation—one that does not only count bodies but also examines other factors that contribute to positive

policy outcomes for women (Beckwith, 2007; Beckwith & Cowell-Meyers, 2007; Childs & Krook, 2008; Mackay, 2008). As argued by Mackay (2008), SRW analysis requires a ‘thick’ contextual framework’ (p.125), which goes beyond looking at the performance of women in key political positions and asking whether they are making a difference. Scholars in gender and politics are moving towards this holistic framework realising the limitations of approaches that focus on women as policy actors.

Saward (2006) argues that Pitkin’s concept of representation tends to overlook the role of the represented in the process of representation. His work asserts the significance of ‘the active making (creating, offering) of symbols or images of what is to be represented’ (p. 301). According to Saward, scholars of political representation need to consider these depictions in theory-building. More recent works on substantive representation have taken up Saward’s challenge by examining claims-making and the symbolic aspects of representation with substantive representation. These works include those on the substantive representation of women and LGBTQI communities (See Hansen & Treul, 2015; Lombardo & Meier, 2014; Verge & Pastor, 2018).

These recent developments on the scholarship of SRW highlight an important point, one that Childs (2006) made about the relationship of descriptive and substantive representation of women in that ‘it remains messy, complicated by their identities and the political institutional contexts in which they act’ (p. 18). Embracing the thick contextual framework advocated by Mackay and other gender scholars is easier said than done. We can compare the task of putting together the literature on women’s representation with the parable of the blind men and an elephant. While there is a growing number of studies in gender and politics, women’s policy, and women’s political representation, most of them—just like the blind men in the parable—tend to examine only parts or particular aspects. However, unlike the blind men who claim to know what the whole animal looks like by merely touching one part, scholars acknowledge that irrespective of how rigorous the research process is, their studies can only explain a facet of this broad issue.

Given this dilemma, I break down the SRW literature into parts before discussing some studies that apply the holistic framework. This approach may seem counter-intuitive, but I argue that deconstructing SRW before moving to ‘thick’ analysis allows for a clearer understanding of the components of SRW based on findings of previous research. Another challenge is that most of the literature focuses on Western democracies. Because of the scant literature on gender and

politics, specifically on representation and women's rights policies focusing on non-Western contexts, I will also highlight studies on SRW in developing countries, given that my research is about the Philippine context.

The remainder of the chapter is organised with the first section presenting the definition of SRW, including a discussion of the literature on actors, ideas, and institutions. It gives special attention to feminist institutionalism in the study of formal and informal institutions since this study focuses on the dynamics of SRW and the political dynasty system. The second section explains the thick conception of SRW and presents the frameworks and studies using this approach. I end the chapter by explaining the literature gaps that I aim to fill in this study as a prelude to the next chapter on the political dynasty system as a gendered informal institution.

Defining SRW

Pitkin's definition of substantive representation is straightforward. It is 'acting for' or 'on behalf of' the interest of the represented. Celis (2009) presents a detailed definition of SRW that still follows Pitkin's formula but highlights the areas that remain contentious and need clarification.

Firstly, it is about representative acts as opposed to, for instance, intentions or attitudes. Secondly, the results of these representative acts should be in the interest of the represented. Thirdly, the representatives should be responsive towards the ones they represent. Applying this to the substantive representation of women, Pitkin's definition implies that women's interests and female citizens are central to the representative process. (Celis, 2009, p. 97).

The successive sections of this chapter present the literature on these three criteria presented by Celis. SRW and critical actors respond to the first criteria of 'representative acts'. Most of the studies in this category examine actions by legislative actors, political parties, and other government actors supporting gender-friendly policies (Childs & Kittilson, 2016). Studies also explore non-government actors' roles, specifically the women's movement and civil society (Chaney, 2016; Katzenstein, 2003; Meyer, 2003; Weldon, 2002; Weldon, 2004). Childs and Lovenduski's (2013) work on political representation provides a comprehensive discussion of the acts, actors, sites, and debates on SRW. This chapter's section on the battle of ideas presents the thorny issue of what constitutes women's interests. To narrow down this broad and contentious topic, I have focused the review on women's rights, specifically the CEDAW.

Scholars have also discussed the concept of ‘good substantive representation,’ which is ‘better conceived of as a process, involving debate, deliberation, and contestation over group interests, occurring inside and outside formal institutions’ (Celis et al., 2014, p. 151). Good substantive representation of women is responsive as they ‘reflect women’s issues and needs’; it is inclusive, and thus it is necessary to determine which claims are excluded; finally, the represented should be involved in the process of representation (Celis et al., 2016, p. 813). The chapter discusses studies that use the ‘thick contextual framework comprising a whole-system approach rather than a narrow focus on whether or not female political representatives “act for” women’ (Mackay, 2008, p. 125). These more recent works examine the interrelations and interactions of various actors and factors in the SRW process.

SRW and Critical Actors

A significant number of studies on women’s interest or women-friendly legislation explain the differences between men and women lawmakers. Childs and Krook (2009) argue that in discussing policy success, that is, achieving outcomes beneficial to women, critical actors need not be female, but they are likely to be female. Most studies look at specific actions of lawmakers in stages of the legislative process. For instance, many studies examine bill initiation and find that compared to men, women prioritise bills on women’s interest and exhibit better outcomes in the passage of the bills filed (Jones, 1997; Taylor-Robinson & Heath, 2003; Thomas, 1991). Tremblay (1998) conducted a study on Canada’s 35th Parliament to determine if women members of the House of Commons substantively represent women’s interests. The analysis shows that although women and men support women’s issues, women MPs outperform the men in this area. Studies likewise demonstrate the significant difference between women and men in terms of voting for women issue bills (Dolan et al., 2017; Swers, 1998, 2002). A content analysis of floor speeches in the 106th US senate showed that for issues of importance to women such as women’s health and family, women senators speak more than men (Osborn & Mendez, 2010). A case study of the Scottish Parliament, which examined parliamentary proceedings through content and critical discourse analysis, revealed the same results, showing that women parliamentarians are more active than men in debating interventions for women’s interest policies (Chaney, 2012). Tamerius (2010) conducted a study on roll call voting, sponsorship and co-sponsorship of feminist bills, and speeches in the 101st Congress of the US House of Representatives. Results showed that although there is a minimal difference between men and women regarding voting, women legislators exerted

more effort to pass feminist legislation than men, as illustrated by a higher level of activity in bill sponsorship, co-sponsorship, and delivery of speeches.

In Uganda, there are findings that the increase in the number of women parliamentarians is associated with improved policy outcomes for women. However, women's caucus, strategic partnerships with male parliamentarians, and civil society help women advance their policy agenda (Wang, 2013). Another finding presents links between women's descriptive and substantive representation, even in Muslim majority countries (Bulut, 2020). There is also evidence that more bills on women's rights were filed both by women and men legislators in assemblies with a more significant number of women (Htun et al., 2013; Tam, 2017; Thomas, 1991).

Results of studies are not always consistent with the view that women do make a difference. In studying the lawmakers of 1990 Arizona and California state legislatures, Reingold (2000) found no significant difference between women and men legislators regarding their policy priorities and voting patterns even on gender-related issues. In some instances, women legislators vote more conservatively than men. Barnello (1999) reported similar results in her article on the 1993 New York State Assembly legislative session with women and men legislators voting on women, children, and family bills following similar patterns that aligned with party and constituency influences. In some states, women successfully passed women's interest legislation, which they have initiated, although this was not the case for all states in the same study. Findings of a survey involving 10 European countries revealed that men play an essential role in SRW and that in rightist parties, 'men are more likely to speak on behalf of women and are less likely to be feminists' (Celis & Erzeel, 2015, p. 58). Nevertheless, there is evidence that women have distinct policy priorities from men across countries and cultures (Bratton & Haynie, 1999; Bulut, 2020; Dolan et al., 2017; Gottlieb et al., 2018; Wang, 2013).

A product of the conference 'Women and Politics in Asia', *Women's Political Participation and Representation in Asia: Obstacles and Challenges* (2008), is a compilation of works from scholars who have devoted time and effort to the study of women and politics specifically in the Asian region. This volume contributes significantly to SRW studies in the Asian context, considering the dearth of academic studies on this topic focused on the region. In the introductory chapter, editor Kazuki Iwanaga describes how studies on Western societies dominate the literature on women's descriptive and substantive political representation. While the theories and models presented in

these studies offer valuable perspectives in understanding the subject, he questions whether they thoroughly explain the complexity of issues in the Asian context. One significant difference is how women and politics in Asia are placed on opposite sides of the spectrum. Considering that politics is generally viewed as the men's turf in most if not all countries, this notion is more prevalent in Asia, where politics has been associated with dishonest practices and even violence; by contrast, women are regarded as gentle and pure. Hence, they are considered unsuitable to take part in the so-called dirty world of politics. The chapter by Fleschenberg (2008) focuses on women who reached the top leadership positions in their respective countries. These women came from prominent families, mostly daughters or widows of well-known leaders, either from the government or the opposition. Looking at Asia's overall picture of women's representation, these women are considered outliers since very few women in the region get elected in national positions. The study concluded that this elite group managed to reach leadership positions through familial ties, which is characteristic of Asian politics.

The chapter on women's political participation in the Philippines by Veneracion-Rallonza (2008) is one of very few studies on the subject that looks at the Philippine context. She underscores the importance of context in understanding women's political participation. Hence, her work centres on the Philippine case and primarily uses Philippine studies as references. While the work mainly examines women's representation offering both qualitative and quantitative descriptive statistics on the number of women officeholders, actual bills filed, and laws passed, it also explores the role of the women's movement and its engagement with other policy actors. It likewise discusses how women participate in what the author calls the 'informal arena of power.' The informal arena is the platform used by women as a pathway to enter the political realm by utilising their traditional roles as wives and daughters of male politicians. The study should have expounded on this topic more extensively as it is an area that has not received much attention from scholars. In the informal arena, women support their male relatives occupying elective positions by attending to activities that are traditionally viewed as appropriate for women, such as charity work and relief operations. Wives and daughters are likewise expected to offer support to the male candidate during election campaigns to paint a picture of a loving husband or doting father, which indicates high moral standards in the Philippines. Term limit laws promote women's entrance to politics by utilising the informal arena and capitalising on the family name and legacy of a patriarch.

Aside from women legislators, there is also a significant body of research on women's movements and SRW. Weldon (2002) posits that women's movements and policy agencies may be more effective actors to advance policies for women than individual legislators or elected representatives. She argues that women's movements enjoy a certain level of independence, unlike political parties and other organisations. Molyneux (1998), on the other hand, questions how the autonomy of movements leads to better policies for women. Looking at women's movements from a global perspective, she raises the concern of the diversity of aims and objectives. Some movements focus on enabling women to have the freedom to make personal choices, while some hold on to traditional roles and even consider rescinding rights that have already been claimed. Beckwith (2000) acknowledges this dilemma. She likewise highlights the confusing definition of movements since activism, feminism, and movements are often used interchangeably, spanning individual undertakings to collective actions and masking inequalities within them such as those of class and race.

The work of Htun and Weldon (2010) on sex equality policy offers a useful framework for the analysis of the role of various actors, including women's groups, in policy change. However, its focus remains on the state and formal actors. What I find lacking in the literature on women's movements is the discussion of mechanisms of engagement with other actors, particularly with lawmakers. Although there are findings that policy agencies serve as a useful connection between women's movements and government actors (Lovenduski et al., 2005; McBride Stetson, 2001; Squires, 2007; Weldon, 2002), a more extensive discussion on negotiation and conflict resolution will be helpful for SRW studies. Studies need to consider that women's movements and other actors do not always agree on the policy issues.

In the Philippines, the women's movement traces its beginnings from left-leaning organisations representing various marginalised sectors such as peasants, workers, and indigenous communities. Hence, the earliest forms of movements were closely tied with class struggle. These groups present women's oppression as one of the inescapable consequences of a society that favours the rich and burdens the poor (Sobritchea, 2004a). Dissatisfaction with how the nationalist movement failed to address women-specific issues led to the formation of other organisations that aimed to push the overlooked women's agenda forward. These factions caused conflicts within the movement, and there were claims that the focus should be on class struggle. According to some groups, advocating for a separate women's movement is a middle-class concern and does not reflect most

Filipino women's sentiments. These ideological barriers notwithstanding, the women's movement continued to flourish, and organisations found common ground on major issues. Sobritchea (2004) claims that women activists and international bodies such as the United Nations (UN) played a significant role in strengthening the movements despite political and ideological differences as various international institutions and funders pressed to highlight women's participation in the development agenda. Some women's organisations collaborated with the government. They were able to provide input in the crafting of significant legislation for women. By contrast, others who decided to decline the government's invitation for collaboration became ardent watchdogs, taking an active role in ensuring that the state is accountable for its commitment to protecting women's interests, and more specifically, those it adhered to through international treaties. This work offers a valuable insight into the interactions between and among the women's organisations, government players, and international agencies in developing policies for women.

SRW and the Battle of Ideas

'Ideational processes shape the ways actors perceive their environment and their interests' (Béland, 2009). Childs and Krook (2009) illustrate the impact of ideas on women's policies by explaining how the definition of 'women's issues' in itself may be a contentious matter. In many cases, policy actors tend to define 'women's issues' according to traditional values that limit women's choices and even impair their rights. For instance, Meyer (2003) highlights how stereotypes about women and men's roles persist and continue to influence policies for women in Germany despite the commitment of political parties to promote women's issues. Paxton and Kunovich (2003) studied the impact of ideology on women's representation using data from the World Values survey gathered from 46 countries to establish an improved measure of gender ideology. Findings revealed that ideology has an influence both on the supply side and demand side of representation. On the supply side, certain beliefs such as the persistence of traditional roles may preclude women from running for office. On the demand side, the public may prefer not to elect women candidates because the idea that men are better political leaders still finds credence among the electorate.

What constitutes 'women's interest' may also be defined differently by women legislators, depending on their political positions and party affiliations (Childs et al., 2010; Squires, 2008). The study of Erzeel and Celis (2016) involving 14 European countries shows that party ideology

influences SRW and that left-wing ideologies offer more support to SRW than right-wing ideologies. Celis (2006), in her study of budget debates in the Belgian Lower House (1900-1979), found that women parliamentarians have expanded their definition of what constitutes women's interest depending on the context. She underscores how divisive discussions about women as part of the workforce vis-à-vis women as homemakers were able to advance the level of debate about women's interests, considering that women were increasingly taking on multifaceted roles both in the private and public spheres. Molyneux (1998) differentiates between practical and strategic interests and highlights the difficulty in defining these interests as debates surrounding them are not only analytic but also political in substance. Bunch (1990) questions the rift between the concepts of women's rights and human rights, arguing that making this distinction has negative repercussions for women. The divide between private and public life often places women at risk as the private realm is considered off-limits for state action. For traditionally excluded groups, determining what 'interest' means is more complicated 'since pre-defining the objectives of ethnic minorities and women risks essentialising groups and group members' (Kroeber, 2018, p. 253). Franceschet (2011) offers a more accommodating view of the concept of 'women's interest' by focusing on its utility for analysis and theory building. She avers that as a concept, 'women's interests' 'remains useful so long as it is understood that the content of women's interests is shifting, contextual, and open to democratic dialogue, rather than static and essential' (p. 76).

As for women's rights, the CEDAW prescribes how states parties to the convention should define discrimination against women. CEDAW provides a framework to address gender inequality. It 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' (UN Women, n.d.-a). Considering that only a handful of nations are not parties to the treaty, it would seem that the CEDAW will resolve most questions concerning women's rights, particularly on the issue of discrimination. Yet, the number of reservations by states parties prove that conceptions of what constitutes women's rights may vary between and among states—even when they have agreed in principle to an international treaty. Studies show that governments and their instrumentalities define key principles of the CEDAW differently despite being states parties. Some ideas conflict with traditional and religious views (Brandt & Kaplan, 1995; Savery, 2007;

Weiss, 2003; Zwingel, 2012). Baldez (2011) maintains that the CEDAW is a valuable measure of women's interest despite its shortcomings since it enjoys support by most states. Unlike other measures of gender equality, CEDAW has a regular monitoring process, which gives importance to the context in its interchange with states parties (Liebowitz & Zwingel, 2014).

Hill (2010) examined the impact of human rights treaties to state behaviour by looking at three treaties: International Covenant on Civil and Political Rights (ICCPR); Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); and CEDAW. The study examined time-series data covering the years 1976 to 2006 for 165 states. Results show that unlike the ICCPR and CAT, the CEDAW indicates positive outcomes for women's political rights. Findings suggested no improvement in the ratifying states' behaviour on the two other treaties. Lupu (2013) argues that state preferences were not considered in earlier quantitative studies about this subject. Examining the same treaties studied by Hill, but this time evaluating state preferences by using a spatial model, the study shows similar results regarding the positive impact of CEDAW on women's rights despite showing differing results for the two other treaties.

Critical Chatter: Women and Human Rights in South East Asia by Lambert et al. (2003) is a book that presents the thoughts and opinions of women activists in Southeast Asia about human rights and feminism. The authors interviewed 64 women from the Philippines, Hong Kong, Thailand, and Burma. The qualitative study offers rich information that helps explore the complexities of the universality of human rights, vis-à-vis the localised experiences of women in the field. In summary, their findings reveal that despite the differences in religion, values, and principles of the groups, countries, and communities, it is possible to agree on norms while still holding on to divergent beliefs. In performing their work, women activists have to blend or fuse the universal principles of human rights with the groups' convictions and communities to accomplish progressive change.

One crucial point lacking in the literature is how actors decide and negotiate which ideas substantively represent women—how are ideas weaved into SRW? In the case of CEDAW, as an example, which ideas become part of national or local laws, and how are they chosen? Asking these questions is significant in women's rights legislation because the law is an essential aspect of public policy, and public policies are generally enduring and path-dependent (Pierson, 2000).

SRW and the Role of Institutions: Feminist Institutionalism as an Analytical Lens

Institutions are ‘rules and procedures (both formal and informal) that structure social interaction by constraining and enabling actors’ behaviour’ (Helmke & Levitsky, 2004, p. 727). Admittedly, formal institutions are simpler to identify, given the legitimacy of the structures that create and uphold them. Informal institutions, on the other hand, are slippery formations (Helmke & Levitsky, 2004). Waylen (2014) argues that the literature often regards informal institutions negatively. Previous studies suggest that these institutions persist because of formal institutions’ ineffectiveness, which leads to the conclusion that when formal institutions become more effective, the informal ones will likely disappear. However, recent studies take a different perspective, observing that some informal institutions tend to be resilient and serve a significant purpose within societies (Grzymala-Busse, 2010).

Feminist institutionalism is an emerging approach in the study of institutions and power. It offers a different way of examining institutions from the gender perspective (Curtin, 2018; Kenny, 2014; Lowndes, 2014; Mackay et al., 2010; Minto & Mergaert, 2018; Thomson, 2018). Looking at institutions from a gendered lens bares how gender shapes everyday processes of conceptualisation and interaction in ways that breed inequalities against women (Acker, 1992). The literature on women’s interest policies usually discuss institutions in relation to women’s representation. Institutions play a role in how women enter the political arena and influence how they function once they are in position (Caiazza, 2004). Whether women actors stand for women or work for women-friendly policies is not only a question of who these women are and what they are capable of doing but also of how institutions enable or constrain them to perform their expected roles (Bulut, 2020; Celis et al., 2008; Erikson & Josefsson, 2018; Franceschet & Piscopo, 2008; Kerevel & Atkeson, 2013).

Most of the literature tackles women’s representation and formal institutions, primarily the legislature and its internal structures such as the various committees. There are also studies on the role of political parties in SRW. In the literature on women’s rights legislation, studies often refer to the gendered rules and norms that govern these institutions. As scholars point out, most of these rules are gender blind, and they tend to obscure the established inequalities that have become embedded in the system (Kenny, 2007; Mackay et al., 2010; Mackay & Waylen, 2009; Minto & Mergaert, 2018; Thomson, 2018).

By spanning the whole process of legislation in analysing women legislators' participation, the work of Swers (2002; 2013) makes a valuable contribution in understanding how institutional features impact substantive representation. Arguing that mere numbers do not translate to better policy outcomes for women, Swers identifies institutional constraints within Congress affecting women legislators' work in the United States. The studies also find that the majority party and the President play a significant role in policy priorities and decisions. In a more recent study, Bolzendahl (2014) examined the national legislative committee memberships of Germany, Sweden, and the United States through case studies with data of up to 40 years ending in 2009. There was a similarity among the three countries regarding the types of committees assigned to men and women. There were more women in social development and cultural committees, and more men in committees traditionally ascribed to male roles.

In a study of 151,824 public bills from 19 major issue areas in the US House of Representatives for the period of 1973– 2014, findings showed that bills on women's issues have a significantly lower passage rate compared to other bills, especially when these bills are introduced by women lawmakers (Volden et al., 2016). In Sweden, despite advances in descriptive and formalistic representation of women, female MPs reported more negative experiences in their workplace than male MPs suggesting that the legislature's working environment is more challenging for women (Erikson & Josefsson, 2018). There was evidence of marginalisation against congresswomen of colour in the 103rd and 104th US Congress, illustrating race-gendered practices (Hawkesworth, 2003).

As for institutional arrangements that support women legislators, a study on the Mexican Chamber of Deputies found that regulations that prevent consecutive reelection help promote equity between male and female lawmakers in bill sponsorship, committee membership, and appointment to leadership roles (Kerevel & Atkeson, 2013). Other studies report that women's caucuses and informal networks serve as key institutions that provide essential support to women actors to build strategic alliances and promote policy change (Curtin, 2008; Johnson & Josefsson, 2016; Wang, 2013; Waylen, 2014a).

In a study that examined 899 party manifestos from 20 countries in elections held between 1952 and 2011, findings revealed that improvement in the descriptive representation of women is associated with an array of issues addressed by the political party and an increase in left-leaning

manifestos regardless of parties' ideological positions (Greene & O'Brien, 2016). However, a study on the Swedish Social Democratic Party's parental leave policy uncovered a 'gendered leeway' as female politicians are expected to promote gender-friendly policies (external mandate) and also feel that they have the responsibility to do so (internal mandate). By contrast, their male colleagues have the option not to support such policies (Bergqvist et al., 2016, p. 13).

There are fewer studies on SRW and informal institutions than those that examine formal institutional arrangements such as gender quotas. Most of the studies on informal rules examine descriptive representation—particularly male dominance in politics (Bjarnegård, 2013, 2018; Bjarnegård & Kenny, 2016; Bjarnegård & Kenny, 2015; Matloob et al., 2020). The current studies on SRW and informal institutions tend to find that the interplay of formal and informal rules impacts gender policy outcomes. The practice of conflict avoidance in Chile creates an unfriendly environment for those advancing gender rights policies such as reproductive health (Franceschet, 2011). In Azad Jammu and Kashmir, Pakistan, novice women political party members and those who do not belong to political families experienced discrimination and a lack of support for career advancement in their parties (Matloob et al., 2020).

As for the influence of familial ties, despite having more women local government leaders, studies show that they act as substitutes or benchwarmers for male relatives because of the predominance of kinship politics and political dynasties in the Philippines, Thailand, and Brazil (Boas et al., 2019; Labonne et al., 2017; Nishizaki, 2018). In the quantitative study by Washington (2008), which examined the voting behaviour of members of the United States Congress, results showed that having daughters increased a lawmaker's inclination to support reproductive rights bills. This finding suggests that parenting daughters not only influence preferences but also impacts how the legislator decides on policy matters. However, the more recent study by Costa et al. (2019) on the US Congress finds that when party membership is considered, fathering a daughter does not influence support for women's issues and co-sponsorship of bills sponsored by women. For future research, these studies may be extended to consider how relationships impact the legislative behaviour of family members who serve together in public office.

The study of Labonne et al. (2017) is the first to examine substantive representation in the Philippines' dynastic politics. The research studied election records to evaluate women's representation as local chief executives or mayors in the Philippines. The study also examined

government documents on budget allocation, local employment, and social welfare to assess policy outcomes. The Philippine Constitution specifies a term limit for elective local officials. Findings show that women have better chances of being elected into office following a term-limited incumbent. However, the study also reveals no significant change in policy outcomes when women from dynastic backgrounds are elected to take over a family member's position. This finding suggests that women mayors tend to act as 'figureheads' and 'benchwarmers' (p. 30), allowing the family to be in control of the position until the previous relative can run again in the next election. As of this writing, no study has been conducted on political dynasties and women legislators at the national level and their substantive contribution to women's rights policies.

Thick Contextual Approach on SRW

Going back to our parable of the blind men and the elephant, it would seem that if we combine the studies on actors, ideas, and institutions, we will be able to reveal our 'elephant', that is, what explains SRW? However, where do we even start? This elephant may end up having its trunk as its tail or its eyes placed somewhere near its rear. I want to illustrate that knowing the factors that influence SRW is not enough. As argued by gender scholars, there is a need to examine how the various factors work together or influence each other to have a more comprehensive understanding of SRW (Kulawik, 2009; Mackay, 2008; Wängnerud, 2009). We cannot fully grasp SRW by merely enumerating the list of actors, ideas, and institutional arrangements without exploring their interactions and relationships. I now highlight some works about this approach. Four studies offer a framework in analysing women's rights policies and SRW, while the rest are empirical studies that use this approach.

Mackay (2008) advances the holistic approach in SRW analysis and presents a framework that asks about the actors and institutional arrangements that impact SRW. The work also identifies two crucial points to consider in SRW evaluation: Firstly, recognition and redistribution and secondly, an established system of accountability. For the first point, SRW analysis should consider how women and their rights are recognised and that issues concerning them are addressed. This process involves an acknowledgement by the actors that these issues require government attention instead of treating them as private affairs or part of a society's customs and traditions. Coupled with recognition is redistribution, allocating resources to implement policies and programs, leading to tangible outcomes. It also involves the consideration of gender in the apportionment of goods

and wealth. Recognition without redistribution is mere lip service and does not result in SRW. Secondly, the system of accountability must be established to ensure that commitments are delivered. More than individual accountabilities, the framework emphasises institutional accountabilities, given that many institutions are prone to gender bias and may diminish actions aimed at gender equality. This framework's practical approach makes it a valuable SRW analysis tool, particularly in actual case studies.

While it uses a comprehensive approach, Mackay's framework leaves me asking how ideas fit into the analysis. I argue that the framework works best when the proposed ideas are straightforward. However, in most cases, such as adopting international women's human rights norms, ideas are not usually accepted 'as is' and may require negotiation and contextualisation. Additionally, there may be factors such as a country's lack of resources, which hinder the implementation of policies favourable to women. The next framework partly addresses this.

Htun and Weldon's (2010) framework attempts to explain how sex equality policy change varies across countries. It underscores the difference between gender and sex equality policies, with the former being broader in scope and the latter focusing on parity between men and women. It offers two aspects for analysing these types of policies: how they uplift women's status and how they challenge religious doctrines and prevailing cultural norms. It explains that policy change involves a multitude of issues which has an impact on the involvement and interaction of key actors. Finally, it emphasises the significance of contextual factors such as state capacity, legacy issues, pressures from the international community, and the nation's level of democracy. These factors determine the actors' strategies, such as Non-governmental Organisations (NGOs), political parties, and women's movements to impel change. The framework is useful in comparative work. However, it focuses on the state and other formal actors. It may be developed further by considering how informal actors and institutions influence state actors in shaping sex equality policies.

The third framework by Bergqvist et al. (2013) focuses on unsuccessful gender policy adoption cases. Arguing that understanding the failed attempts of policy change is equally important as understanding the successes, three points are proposed to be addressed in the analysis: (1) Proper identification and selection of 'unsuccessful' cases, selecting failed attempts are preferred over status quo cases to identify the key actors and how they acted for or against a proposed measure; (2) Analysis of resistance to the reform proposal to determine which ideas are being contested or

if resistance is motivated merely by strategic matters; and (3) Evaluation of the strategies employed by both proponents and opponents to determine common ground and identify ineffectual strategies. This third framework supplements the first two and is particularly suitable for analysing strategies employed by key actors of both spectra to promote and challenge proposed policies.

Recognising the significant role of non-government actors in SRW, Chaney's (2016) framework discusses the contingent factors influencing CSOs SRW claims-making. The framework, which explores the political, organisational, and socioeconomic factors, is useful in analysing the impact of state institutions, processes, and systems and CSOs organisational culture and capacities to civil society's promotion of women's interest. However, the framework primarily looks at the macro-level political environment.

Case studies

The UK case study by Childs and Withey (2006) on the Value Added Tax (VAT) reduction on sanitary products is an example of how the thick approach can explain the way different actors work within institutions for SRW. The study employed both quantitative and qualitative methods, including elite interviews, to explore this issue. Findings show that Labour women MPs, particularly MP Christine McCafferty, played an essential role in the legislation. However, female MPs' actions were not sufficient to realise the desired change in the legislation. Other actors behind the scenes, such as the Treasury Minister, also supported the legislation. In addition, the study shows that not all crucial acts need to be done within the parliament's formal confines. As an example, McCafferty's interview on BBC's Woman's Hour made a significant impact on key policy actors. The study highlights the importance of extensively examining the issue, timing, context, institutions, and all actors involved to understand SRW.

Savery (2007) examined the diffusion of norms of sexual non-discrimination as embodied in the CEDAW through a comparative analysis of four states: Germany, Spain, Japan, and India. Diffusion is measured by looking at actual government policies implemented by the states and amendments of discriminatory laws. The study used the qualitative approach to trace legal and policy formation to determine the factors influencing norm diffusion. Her findings reveal that the states' gender-biased corporate identity posed as the main hurdle to diffusion. However, norms do diffuse under certain conditions, so understanding actor-agency relationships and actor

motivations and interactions are necessary. This study's strength lies in its comprehensive manner of probing the issue by looking at the actors, institutions, the provisions of the treaty itself, and the local context.

Thomson (2018) studied the case of Northern Ireland to determine how policy actors and institutions impact policies on abortion. Rather than focusing on policy change, the study examined how policy actors exert effort to thwart attempts to effect changes in the country's abortion laws. Employing process tracing as methodology, she studied the Northern Irish Assembly, established in 1998, and tracked how various proposals to introduce changes were blocked by conservative critical actors who, although coming from multiple groups and parties, were mostly men. However, maintaining the status quo cannot be attributed solely to the efforts of critical actors and the legislature's support, which remains generally conservative. Moreover, Northern Ireland does not have a strong women's caucus among its women assembly members. Women members tend to support their parties' stand on issues. This recent study offers a new perspective on SRW by uncovering mechanisms that hinder policy change.

Tam (2017) looked at Hong Kong's case, an Asian county that underwent a democratic transition, and inquired if such a shift has resulted in more equitable gender policies. The study, one of the few in the Asian context, covered the period from 1970 to 2012 and examined the impact of democratisation and policy priorities measured by the motion for debates as the dependent variable. The independent variables consisted of the legislators' gender, political orientation, and time period. The Hong Kong Legislative Council or LegCo website and annual reports were the primary sources of data. The website has records of the Hong Kong Hansard, while the annual report contains the legislators' biographical information. The findings suggest that women legislators indeed acted positively on women's issues significantly more than the men. There was also a notable increase in the number of motions supporting women's interest policies from the latter period of 1991–2012.

These case studies apply the thick contextual approach and comprehensively explore SRW in specific contexts. Nevertheless, most studies focus on formal actors, spaces, and institutions. Research on informal institutions focuses on descriptive representation—specifically political recruitment. One of the most cited works on this topic is Bjarnegård's (2013) study, which primarily investigated informal institutions and descriptive representation. Another study by

Franceschet (2011) is a comparative study that examined the role of informal institutions in SRW in Argentina and Chile.

Bjarnegård's (2013) work probed male dominance in parliaments, primarily in societies where clientelism is deeply ingrained. Based on a quantitative analysis of the results, there is a positive correlation between the level of clientelist influence in a political system in an election year and the degree of male dominance in parliament resulting from that election. For the qualitative study, the author conducted a case study in Thailand to explore this relationship further. Findings revealed that in a male-dominated setting, such as in Thailand, being male may be necessary to be included in specific groups and crucial to maximise political clout. Hence, women who desire to run for elective positions need to find support from male networks. In her more recent work tackling male-dominated networks in corruption, Bjarnegård (2018) argues that the underrepresentation of women in political roles is one of the consequences of clientelism as part of systemic corruption. Bjarnegård's work offers important insights on the impact of informal institutions on descriptive representation but as the study's focus was on male dominance in politics, SRW was not part of her analysis.

Franceschet (2011) conducted a study on female legislators in Argentina and Chile. It examined the influence of informal institutions on women's representation. By comparing the two countries, the study determined how the interplay of formal and informal institutions shapes the actions of legislators and gender policy outcomes. Asking why Argentinian legislators are more engaged in specific gender issues, such as reproductive rights, than Chilean lawmakers the study's findings revealed that formal arrangements do not account for this. The informal institution of 'norm of consensus-seeking and conflict avoidance' in Chile or the so-called 'democracy by agreements' precludes even the most liberal actors from initiating bills that may stir conflict (pp 71-72). Female legislators likewise are penalised more than their male colleagues for norm violations. Another more recent study on gendered leeway by Bergqvist et al. (2016) supports these findings.

Summary

The studies mentioned above expound on the roles of actors, ideas, and institutions in SRW. Still, they have the following limitations: (1) there is a need to explain the processes, both formal and informal, as well as the dynamics of engagement between and among actors and institutions to determine when and how SRW takes place; (2) it is not clear how ideas are weaved into SRW considering that ideas are critical components of policy outcomes. For instance, for CEDAW, why are states more receptive to adopt particular articles and policy recommendations but not others?; (3) there is a dearth of studies on informal institutions and SRW, particularly on the impact of political dynasties on SRW; and (4) for studies on women's representation in the Philippine context, no study has been conducted on political dynasties and women legislators at the national level in relation to their substantive contribution to women's rights policies. This project aims to contribute to the literature on SRW by addressing these gaps. The next chapter presents the literature on political dynasties as gendered informal institutions. It highlights the area where this study contributes to the scholarship on gender and representation.

Chapter 3

The Political Dynasty System as Gendered Informal Institution

Political dynasties, defined as families occupying elective government positions either successively, simultaneously, or both, have been the subject of scholarly work. Despite this, few studies examine the gendered aspects of the political dynasty system. This chapter provides an integrative review of the literature on this topic. While previous scholars have conducted literature reviews on political dynasties and gender, such as Folke, Rickne et al. (2017), most of these studies focus on descriptive representation. This review takes a broader approach by firstly examining the literature on political dynasties in general; secondly, by looking at how gender is discussed in the literature; and thirdly, by offering an analytical model for studying the political dynasty system as a gendered informal institution. I apply this framework in my analysis of the political dynasty system and the dynamics of the Substantive Representation of Women in the case of the passage of the Magna Carta of Women (MCW).

The first section of this chapter provides an overview of the literature on political dynasties. It begins with a descriptive analysis of the studies, including the distribution of works through the studies' years and geographical context. Then, the focus switches to the political dynasty system as an informal institution. It discusses the framework proposed by Helmke and Levitsky (2004) and the more recent work of Grzymala-Busse (2010) and Azari and Smith (2012) in the study of informal institutions. Literature findings are used to discuss the interplay of the political dynasty system with formal institutions and with other informal institutions. This section leads to the discussion of the Feminist Institutionalism approach and explores how it supports a gender perspective in examining how dynastic politics shapes women's representation. The final section summarises the chapter and presents an analytical model for studying the political dynasty system as a gendered informal institution and how it can be applied to the case of the Philippines.

Informal Institutions and the Political Dynasty System

Databases Scopus and Web of Science were used to perform a systematic literature search. Appendix A provides the details on the keywords used for the search, the period covered, and inclusion/exclusion criteria. The main criteria for inclusion are how the literature used the terms political dynasty or political family. The terms should pertain to members of the same family or

families by blood or marriage being elected to government positions successively, simultaneously, or both. The definitions by Dal Bó et al. (2009), Mendoza et al. (2016), and Chandra (2016) serve as the basis for this criteria. The review includes a total of 88 works. Using thematic analysis, I examined the articles, identified patterns, coded, developed themes, and determined if relationships exist between themes. I specifically noted the works that included gender in the analysis.

A political dynasty has the following elements: (1) members of the same family or families by blood or marriage and (2) elected to positions in government successively, simultaneously, or both (Mendoza et al., 2016). Some scholars underscore the significance of succession. Chandra (2016) explains the importance of being 'preceded' by a relative to be considered dynastic. This qualifier is significant because Chandra's work focuses on succession or how family members inherit elective positions in India's context. Scholars studying aspects of dynastic power aside from succession define the term more broadly to include family members serving in elective positions simultaneously (Mendoza et al., 2016; Nishizaki, 2018; Yoshikawa, 2018), a term which Chandra (2016) refers to as 'family-based politics'. Hence, the definition depends mostly on the focus of the study; however, evident among all the studies is that the essence of the political dynasty system is how members of the same family hold elective government positions.

By looking at the elements of the political dynasty system, one may argue that political dynasties are organisations and not institutions. As groups of families actively participating in electoral politics, dynasties share certain elements with clans and mafias, which Helmke and Levitsky (2006) refer to as informal organisations. However, in their 2004 work, Helmke and Levitsky classified clan politics as competing informal institutions. North (1990) underscores the importance of a clear distinction between actors and institutions. Using sports as an illustration, he explains:

Institutions are the rules of the game in a society or, more formally, are the humanly devised constraints that shape human interaction... Like institutions, organisations provide a structure to human interaction. Conceptually, what must be clearly differentiated are the rules from the players. The purpose of the rules is to define the way the game is played (p. 4).

Like other political actors, such as parties, civil society, and the church, political dynasties need to play within the rules set by formal institutions, such as national and local laws and governance structures, and informal ones such as corruption and clientelism. There is a growing body of literature linking dynasties with the informal rules of corruption and patronage politics. However, while political dynasties navigate established institutions, they also have their own rules that shape the dynasty's internal dynamics and how they interact with other institutions. Therefore, I propose a distinction between dynasties as political actors and the political dynasty system, which is an informal institution. The following definition by O'Donnell (1996) describes a significant aspect of what constitutes institutions—a 'regularized pattern of interaction that is known, practiced, and accepted (if not necessarily approved) by actors who expect to continue interacting under the rules sanctioned and backed by that pattern' (p. 36). The 'regularized pattern of interaction' directs all actors' courses of action working within and interacting with the institution. Peters (2019) considers 'patterned interactions' as the most significant attribute of an institution. This observation particularly applies to informal institutions since the pattern is not explicit. The rules are not set in stone, yet the actors have an understanding and acceptance of how these rules govern their actions. I develop this argument further in my discussion of what informal institutions are.

Helmke and Levitsky (2004) define informal institutions as 'socially shared rules, usually unwritten, that are created, communicated, and enforced outside of officially sanctioned channels' (p. 727). There are four types of informal institutions: complementary informal institutions are those that work together with formal institutions in attaining desired outcomes; accommodating informal institutions work following the prescribed rules of formal institutions but contravene the substance or essence of formal rules; substitutive informal institutions achieve the desired outcomes of ineffective formal institutions, thereby taking the place of formal rules when these are not in place; competing informal institutions contradict formal rules particularly in cases when informal institutions are weak and unable to enforce compliance.

The work of Grzymala-Busse (2010), on transitional regimes, presents four ways through which informal institutions influence formal rules. First, is through replacement or when informal rules take the place of formal institutions. Second, is by undermining or diminishing the significance of formal institutions. Third, is by bolstering or providing support to formal institutions, and finally, by fostering competition, particularly among elite political actors. The study contextualises the Helmke and Levitsky (2004) framework to transitional regimes. 'Replacement' is comparable with

the substitutive informal institution; the ‘support’ mechanism corresponds to complementary while the ‘undermining’ mechanism is related to the concepts of accommodating and competing institutions. Unlike the other three mechanisms discussed in the study, the way informal rules shape competition is more fluid as it either supports or undermines established formal institutions.

Azari and Smith (2012) enumerate three functions of informal institutions. The first is to ‘complete or fill gaps in formal institutions’; secondly, the parallel function allowing informal institutions to collaborate with formal institutions to manage behaviour in specific areas; and the coordinating function bringing order by managing the activities of multiple overlapping institutions (p. 41). The article focuses on the functions of informal rules in the United States (US), specifically, the two term-presidency, the presidential nomination process, senate obstruction, and how US presidents speak to the public on significant issues. The functions of informal institutions presented in this framework relate to complementary informal institutions, as Helmke and Levitsky (2004) discussed. These functions can be considered as an iteration of how informal rules support formal institutions, building on Helmke and Levitsky (2004) and Grzymala-Busse (2010) by exploring how the relationship between formal and informal institutions operates to facilitate change or maintain institutional stability in established democracies.

Although the three different categorisations offered by Helmke and Levitsky, Grzymala-Busse, and Azari and Smith each acknowledge the critical role of informal institutions in addressing the inadequacies of formal rules, Helmke and Levitsky (2004) offer a broader classification of informal institutions. By contrast, the works of Grzymala-Busse (2010) and Azari and Smith (2012) are more context-specific. Azari and Smith (2012) claim that their categories are applicable for the study of informal institutions in ‘established, densely- institutionalised democracies’ (p. 41), while Grzymala-Busse (2010) studied the development of post-communist states.

On the other hand, Helmke and Levitsky (2004) consider various contexts, aiming to offer a holistic framework in the study of informal institutions. They applied this framework in their 2006 work on Latin America’s informal institutions. The volume includes studies on electoral practices and accountability of public officials in Argentina; the informal mechanisms which helped in promoting political stability in Chile’s post-1989 democracy; extrajudicial killings by law enforcement bodies in Brazil; and ‘gentleman’s agreements’ in Mexico as a way of helping weak government agencies deal with electoral protests.

The Helmke and Levitsky (2004) framework is more appropriate for my study of political dynasties in the Philippine context, considering its broader scope. Nonetheless, I refer to all three in this chapter as my objective is to develop an analytical model for analysing the political dynasty system as a gendered informal institution. While the other two frameworks are limited in scope, they offer a thorough analysis specific to their cases. Here, I underscore my observation about these three frameworks and how they analysed the case studies in their respective works—they all study informal institutions in reference to formal institutions. This approach is crucial in understanding the role of informal institutions in various contexts. It is necessary to consider how formal rules operate in a society and then examine how informal rules support or constrain formal ones. However, I argue that in specific contexts, multiple informal institutions are in play. Hence, it is also necessary to examine the relationship of these informal institutions with each other.

In this chapter, I expand the application of these frameworks to look at the dynamics of the political dynasty system with other informal institutions discussed in the literature. In the next section, I examine the political dynasty system in relation to formal rules, particularly electoral rules, applying the frameworks discussed. In addition, I explore the relationship of the political dynasty system with other informal institutions, namely, clientelism and corruption. I then apply the feminist institutionalism approach and consider the themes that emerged in my review of the literature, particularly those that pertain to gendered practices of the political dynasty system. I explain how the political dynasty system interacts with formal and informal institutions, specifically on representation, which is my study's focus. Most of the literature on political dynasties pertains to electoral politics. Hence, although representation has various facets, this chapter primarily talks about electoral politics. The last section addresses this issue by highlighting the gaps in the literature as it transitions to the succeeding chapters focusing on how the political dynasty system shapes the SRW.

Legacy: Political Dynasty System as Accommodating Informal Institution

Because of the long history of families in electoral politics, the political dynasty system has mastered electoral rules. Being part of legislative bodies, many of these families have been involved in crafting laws, including election legislation. The dynasty system acts as an accommodating informal institution through legacy, which I define as the benefit of the family name to dynastic candidates. In the next section, I discuss how the dynasty system acts as a competing informal institution through dynastic political strategy, which involves the use of established styles and tactics to win votes. The main difference between these two is that legacy may or may not be intentional, whereas strategy is intentional.

Strategy is the purposeful use of the family name, influence, networks, and resources for electoral advantage. Legacy, on the other hand, is a given advantage for dynastic candidates. For instance, candidates may intentionally use their dynastic family surnames when running for office, taking advantage of name recall; or it could be unintentional as it is their given surname, and they have the right to use it (For example, see Knotts et al., 2018). However, intentional or not, the candidate still benefits from using the surname. This distinction is important because while the literature acknowledges the advantage of dynastic candidates in getting elected, there are cases when there is no evidence of candidates being deliberate about using their dynastic ties to win elections.

With legacy as an advantage, the dynasty system works within the bounds of election laws, political party rules, and other formal institutions. Dynastic politicians comply with election requirements when running for positions just like other candidates. However, the literature shows that the dynasty system, which encourages people from the same families to remain in positions of power, conflicts with the ideals of free and fair elections where everyone has an equal opportunity to be elected to public office (Chandra, 2016).

One of the most important questions concerning the prevalence of political dynasties is whether dynastic candidates have an advantage over non-dynastic candidates. This issue is addressed by the seminal work of Dal Bó et al. (2009), which examines self-perpetuation in politics. Acknowledging that politicians from prominent families may have abilities that make them better public servants, the study compared lawmakers in the United States Congress with other professions. Findings revealed that the length of time a legislator stays in position could predict family members' possibility of becoming future legislators (Dal Bó et al., 2009). Hence, abilities or inherent traits do not explain the pervasiveness of political dynasties in the US Congress. Holding an elective position for a more extended period can provide advantages to family members aspiring to join the political arena.

Scholars also need to consider the context in the study of self-perpetuation. In the Philippines, a study by Querubin (2016) shows that incumbent legislators and governors are about 'five times more likely to have a relative serve in these offices in the future relative to similar candidates who run but do not serve' (p.22). A study of the Argentine Congress shows similar findings in terms of longer tenure and the likelihood of having family members as future legislators (Rossi, 2017). These results are consistent with the findings of Dal Bó et al. (2009). In Norway, incumbents enjoy an electoral advantage, although this is not significant in establishing political dynasties (Fiva & Smith, 2018). The same is the case in the UK House of Commons, where the length of tenure does not show any relationship to the creation or perpetuation of dynasties (van Coppenolle, 2017). As for cabinet selection, in Ireland, there is evidence that regardless of electoral popularity, those with family members previously serving in the cabinet are more likely to be selected compared to those without family connections (Smith & Martin, 2017).

The advantages favouring dynastic politicians are not limited to the Legislature. In the cross-national study of executives (presidents and prime ministers) from the years 2000-2017, Jalalzai and Rincker (2018) found that being part of a political family makes a difference. Between 9-13 per cent of executives studied had political family connections. Asia, Africa, and Latin America recorded more executives having a former chief executive as a direct relative. The same study finds that while women comprise only six per cent of the chief executives studied, compared to men, they were more likely to be members of a political family.

What are the reasons for this advantage? Like celebrity candidates, dynastic candidates have better name recall. Given little information, voters tend to choose them over non-dynastic candidates (Rossi, 2017). This finding applies particularly to voters from rural areas with high abstention rates, having low education and income levels (David & Legara, 2017). However, there is also evidence that voters with a higher level of education tend to vote for dynastic candidates over media celebrities in the Philippines. The study attributes this to the more educated population's propensity to choose those with similar traits, and most of the candidates with higher education levels are dynastic (David & San Pascual, 2016). In some cases, particularly in Asia, family names are like brands, and voters tend to prefer well-known and tested brands such as that of the Lee family in Singapore (Barr, 2016), the Sukarno family (Mietzner, 2016), and the Djojohadikusumo family (Purdey, 2016) in Indonesia. In Thailand, although political parties are starting to play a more influential role in electoral politics, dynasties continue to remain essential players, although there is evidence that their influence is declining (Kongkirati, 2016; Thananithichot & Satidporn, 2016). The wealth of experience and networks built by dynasties likewise provide their candidates with valuable resources that newcomers do not have (Cruz et al., 2017; Mietzner, 2016; Muraoka, 2018; Nishizaki, 2018, 2019; Purdey, 2016; Querubin, 2016; Teehankee, 2018).

Political Strategy: Political Dynasty System as Competing Informal Institution

As discussed in the previous section, the family name itself offers advantages to dynastic candidates whether or not they purposefully utilise this asset. The literature discusses how families maximise dynastic resources to remain in power. The dynasties' knowledge and experience accumulated through the years of navigating the political arena are valuable assets. As the political environment transforms and the government implements reforms, dynasties adapt to these changes in a chameleon-like manner, ensuring that changes serve their interests or at the very least do not impede their succession and expansion plans. I draw on the framework by Azari and Smith (2012) to analyse how the political dynasty system as an informal institution finds support from another informal institution, particularly clientelism. While Azari and Smith (2012) studied how informal institutions in established democracies complete and reinforce formal institutions, I use their framework to explain how the informal institutions of the dynasty system and clientelism complement each other.

Clientelism is defined as bestowing goods or benefits to gain electoral favour (Piattoni, 2001; Stokes, 2009). However, there is a tendency in the literature to conflate dynastic and clientelistic institutional arrangements. Political dynasties are mostly seen as actors participating in clientelism or utilising clientelist practices, especially in highly dynastic settings (Teehankee, 2012; Tomsa & Ufen, 2013). One problem with linking political dynasties as actors with clientelism as an informal institution is the inclination to assume that only dynasties practice clientelism, which is not the case. Regardless of dynastic ties, any person can engage in clientelist practices since the two have different although related purposes. The rationale of the political dynasty system is for the family to retain and expand political power in many cases.

Clientelism's purpose is to gain electoral support. Dynasties may engage in clientelist practices but so do political parties (Ferrera, 1996; Stokes et al., 2013). Since dynasties form the political elite in some countries, they may also engage in clientelism through their respective political parties (Costabile & Coco, 2017; Quimpo, 2007). Stokes et al. (2013) illustrates how clientelism is practised in various contexts. It cites vote-buying as an example of a common political strategy in developing democracies but not in advanced democracies. One cannot also assume that all dynasties engage in clientelism, and looking at dynasties as clientelist actors often leads to the generalisation that clientelist practices occur only in less developed countries.

I propose to look at the political dynasty system and clientelism as two informal institutions that reinforce each other. Borrowing the concept from Azari and Smith (2012), clientelism serves a 'parallel function' for the political dynasty system to manage the electorate's behaviour. Since the dynasty system's objective is to remain in power, clientelism offers that arrangement of providing private goods to constituents for electoral support.

The interaction between these two informal institutions requires careful consideration. Unlike non-dynastic politicians, those belonging to dynasties consider the past, the present, and the future. The past is a valuable resource, the present is essential to pave the way for successors, and it is crucial to plan for the future, primarily by ensuring smooth succession since failing to do this may imperil the sustainability of the dynasty (Kongkirati, 2016; Mietzner, 2016; Savirani, 2016). The literature discuss how dynasties nurture relationships to strengthen their networks necessary for sustained electoral success. The kinship-politics-business nexus is a key factor to ensure continuity of dynastic rule in various contexts such as in Goa, India (Parobo, 2018); Bangladesh

(Ruud & Islam, 2016); Banten, Indonesia (Hamid, 2014); Central Kalimantan (Aspinall & As'ad, 2016); and the Philippines (Tuaño & Cruz, 2019). The study of Muraoka (2018) shows how dynastic ties shape electoral politics even in a highly developed country like Japan, debunking the myth that clientelist practices by dynasties only happen in developing countries. In looking at dynastic politicians' campaign strategies in Japan, Muraoka's (2018) findings demonstrated that candidates from dynasties highlight the particular goods delivered to their key supporters, showing how dynasties invest in high-value networks that help their long-term electoral success.

Political dynasties also need to evaluate the current political environment and address changes in legislation, policy directions, and even public opinion. The dynasty system finds ways to circumvent electoral reforms that may deter succession and expansion plans. Thailand's party-list system and elected senate reforms, introduced in its 1997 Constitution aiming to curb the dominance of the political elite, were hijacked by the dynasty system, resulting in more of the same family names serving in the legislature (Nishizaki, 2019). In Indonesia, the strengthening of local dynasties followed the government's promotion of regional autonomy (Guritno et al., 2019). The term limit statute introduced in the Philippines' 1987 Constitution had similar outcomes with political dynasties' managing to fill in the positions with family members when the law barred incumbents from running for another term (Querubin, 2012, 2016). Moreover, the Philippine Constitution's provision precluding dynastic rule is yet to be implemented pending legislation to carry it out (Tadem & Tadem, 2016; Teehankee, 2018; Yoshikawa, 2018). This highlights that placing family members in key positions in the bureaucracy is another strategy employed by dynasties to make sure they cover all their support bases (Muslikhah et al., 2019).

These studies show how the dynasty system can undermine formal electoral rules. By deliberately implementing strategies that maximise the dynasties' wealth of experience and associations, the dynasty system makes it possible for elite political families to retain elective positions and facilitate family members' move to run for higher offices. The dynasty system orchestrates efforts, working together with clientelism, to achieve long-term political gains. However, in some cases, the dynasty system combines clientelism with another informal institution: corruption.

Competing informal institutions 'structure incentives in ways that are incompatible with the formal rules: to follow one rule, actors must violate another' (Helmke & Levitsky, 2004, p. 729). I argue that the political dynasty system, supported by clientelism and corruption, competes with the

political party system. Election campaigns are costly, and dynasties need funds to support their candidates' electoral bid to ensure victory. In most contexts, political parties still play a significant role in election campaigns (Herrnson, 2009; Ubertaccio, 2012). In certain countries, dynastic families dominate political parties or even establish their political parties. In the Philippines, it is common for popular candidates to launch new parties or revive inactive parties in time for national elections (Ufen, 2008; Yoshikawa, 2018). In Indonesia, the Sukarno family founded the Indonesian National Party and remained influential in the party leadership even during the founder's exile in the early 1930s (Mietzner, 2016). In such contexts, the party becomes a mere instrument of the dynasty system to support its overall operations. As for corruption, it involves intricate machinery which clientelist networks provide. With its members related by blood or marriage, the political dynasty system offers a high-trust network that is more durable than political parties. Families, unlike parties, cannot be quickly disbanded. The stability provided by the dynasty system is ideal for maintaining the business-kinship-politics nexus. In his study of dynastic politics and political parties in the Philippines, Yoshikawa (2018) explains:

The informal power of political family undermines the development of a stable institutionalised party system in the Philippines... Political family finds no incentive to develop authentic party system in a long run. The ties and loyalty among kin are automatic and most enduring negating the volatile and fluid party loyalty which is activated only at election time. The alliance among political families as a corporate body is more workable than among political parties. The clientelistic politics based on the patron-client reciprocity require a lot of patronage, logistics, and services in exchange for maintaining such relationships (p. 161).

Such a system is not unique to the Philippines. Michelutti (2018) examined the case of India's Uttar Pradesh and revealed how a dynasty used violence and money to retain political power. The following excerpt from the study illustrates the tight connection between clientelism, corruption, and the dynasty system in the local politics of Uttar Pradesh. The use of the word 'mafia' is akin to the concept of oligarchy, where a small group has a significant influence in the local economy by utilising networks, including political kinship ties:

In the district under study, people talk about 'small mafia' and 'big mafia'. To elaborate further, the Indian term 'mafia' is locally employed to refer to business enterprises with

political protection that seek to monopolise particular trades, sectors and localities through extra-legal and violent means (as in the cases of ‘alcohol mafia’, ‘water mafia’, ‘oil mafia’, ‘coal mafia’ or a variety of ‘land grabbing’ practices by the ‘land mafia’). Such syndicates protect clients and cronies and work simultaneously against and in tandem with local politicians, the justice system and the bureaucracy. Local expressions such as ‘company’, ‘lobby’, ‘firm’ or ‘racket/cartel’, *parivar* (family) or ‘groups’ or ‘rings’ can locally describe anything from a protection racket to a power syndicate, a violent lobby/interest group or a handful of ambitious criminals working as part of a team. (p. 201)

Why would voters continue to support candidates with a record of corruption and involvement in disreputable transactions? The dynasty system’s focus on the family is convincing in that constituents tend to consider themselves part of the dynasties’ extended family. A dynastic leader’s violent character can even be regarded as a sign of strength—an essential quality of a ‘protector’ (Kumar, 2018, p. 192). In the same vein, family members forgive each other for their wrongdoings. In a field experiment study in Brazil, findings revealed that although voters have a strong attitude against corruption, they tend to be more accepting of similar behaviour from their mayor, who, in this context, is likely to be dynastic. This finding suggests that relationships with local dynasties do matter, and candidates from established political families do not necessarily get penalised by voters for their malfeasance (Boas et al., 2019). The robustness of the political dynasty system-clientelism-corruption arrangement makes it possible for unscrupulous practices to persist (Costabile & Coco, 2017), which can have long-term economic and social consequences (Tuaño & Cruz, 2019). The study by Mendoza et al. (2016) procured evidence that provinces in the Philippines, where political dynasties are more pervasive, are poorer than areas where dynasties are less prevalent.

The Marcos family in the Philippines is an example of a dynasty that has survived through various scandals. After the people power revolt in 1986, former President Ferdinand Marcos was removed from his position, and the whole family left the Philippines for Hawaii. The family, with its base in the Ilocos Norte province, never lost its influence even after the former president died in 1989. When his family was allowed to return in 1992, members of the dynasty won the elections in their province and continue to be active not only in local politics but even in national politics. An article in *The Sydney Morning Herald* refers to the Marcoses as a ‘dynasty on steroids’ (*A Dynasty on Steroids*, 2012), describing how the family remains popular despite the record of human rights abuses during

the Martial Law period, the unexplained wealth, and corruption charges. Chaikin and Sharman, (2009) illustrate how the Marcos family utilised the corruption-clientelism-dynasty system nexus in their money-laundering operations:

The scale of the grand corruption of Ferdinand Marcos, his family, relatives, and cronies necessitated an extensive use of money laundering devices. The money laundering methods used by Marcos in hiding his corrupt proceeds were so sophisticated that government officials believe that less than 10 percent of his illicit assets have been recovered (p. 153).

I need to highlight a significant finding that previous scholars such as Ockey (2015) and Nishizaki (2018) stated, and that is the difference of how dynastic politics is studied and discussed in developing democracies versus advanced democracies. Most of the above studies that talk about the dynasty system's link with clientelism and corruption examine the phenomenon in developing democracies. As observed by Ockey (2015), in emerging democracies, scholars have theorised family politics or dynasties 'in terms of corruption and of dominance over a particular province or area. Yet if we turn to the literature on Western democracies, we find a very different discussion of family politics, which focuses instead on occupational following' (p. 192). Nishizaki (2018) explains the stark difference between political dynasties in the United States and Thailand, referring to how the US's socio-economic development fostered a value system that regards elective positions as venues to influence public policy rather than assets to covet for private gain. On the other hand, Thailand's history encouraged patrimonial practices that enabled elites to secure public offices, intending to pass them on to their offspring in a pseudo monarchical manner.

Hence, while the literature addresses how the political dynasty system, collaborating with other informal institutions, undermines formal rules—particularly during elections—these studies are mostly on developing democracies. The limited studies from advanced democracies suggest that the dynasty system's clientelism-corruption nexus is uncommon in these contexts. For example, the study of Folke et al. (2017) shows that the practice of providing benefits to family members or so-called political rents is minimal and insignificant in Swedish municipalities. This finding is in contrast with the results of similar studies conducted in Italy, which show that being a member of a political family in the same municipality provides advantages in private sector employment (Gagliarducci & Manacorda, 2020) and in the Philippines, where family members with the same

surname as winning local politicians find better employment opportunities in the public sector (Fafchamps & Labonne, 2014). In terms of dynasty formation, studies conducted in Norway and the UK show that while being a member of a political family offers advantages in terms of winning in elections, the length of stay in office of these elected officials does not translate to the dynastic formation or self-perpetuation (Fiva & Smith, 2018; van Coppenolle, 2017).

These findings tell us why, even in popular culture, dynasticism evokes pride and honour in some contexts while it has a negative connotation in others. Because of the close association of political dynasties with career aspirations in advanced democracies and corruption and clientelism practices in developing democracies, it has never been examined as a separate informal institution. The preceding discussion explains the need to recognise the political dynasty system as a different institution. This differentiation allows us to fully understand its structure, conventions, and internal and external dynamics so that we can determine its role in political representation. This thesis examines the various aspects of the dynasty system in relation to women's representation, specifically, the SRW.

The following section discusses the feminist institutionalism approach and the current state of the literature on political dynasties and women's representation. It serves as the prelude to the final section of this chapter on the analytical model and research agenda for the political dynasty system as a gendered informal institution.

Feminist Institutionalism: Political Dynasty System and Gender

The feminist institutionalism approach offers a more comprehensive understanding of gender and political institutions, both formal and informal, including how gendered notions are conceptualised, reproduced, and transformed (Curtin, 2018; Kenny, 2014). It provides a gender lens in examining institutional norms and practices, given that most institutions are gender blind. It highlights the significant role of women as political actors and aims to promote the study of the relationship between gender and political institutions' processes and outcomes (Mackay et al., 2010). In line with new institutionalism, this approach values the study of informal institutions and the interplay of formal and informal rules and their gendered effects (Bjarnegård & Kenny, 2016; Bjarnegård & Kenny, 2015; Mackay et al., 2010). Curtin (2018) explains why it is critical to consider gender in the study of institutions:

...if temporally grounded mechanisms are important to institutional explanations of human action and interaction, then gender, whether it is conceived of as structural, constructed and/or discursive, is also important to institutional explanations. Gender necessarily impacts on how we conceive of, and operationalise, path dependence, critical junctures, logics of appropriateness, standard operating procedures, unintended consequences and the process of locking in or embedding new institutions. (p. 116)

The feminist institutionalism approach addresses the problem of new institutionalism's 'under-appreciation' of institutions' gendered aspects (Kenny, 2007; Kenny & Mackay, 2009; Thomson, 2018). Most institutional arrangements are taken as given, and this idea of 'that's how we've always done it' places women at a disadvantage. Without questioning the 'way things are done around here,' formal procedures and informal practices that favour a group of people, such as men, persist. Most of society's rules were created by men at a time when women did not have the opportunity to participate in the decision-making process. Nearly all rules of political institutions were imposed on women. From a political and economic perspective, gender can be seen as one way by which societies structure wealth distribution where men become entitled to more economic benefits such as superior property rights, better wages, and employment opportunities (Kabeer, 2000). Discriminatory policies continue to dominate institutions worldwide; it is therefore unsurprising that the gender pay gap continues to be a problem across the globe (*UN Women Equal Pay for Work of Equal Value*, n.d.).

In a US study on women's suffrage, findings reveal that those states that championed women's right to vote were those that had the smallest population of women. Hence, with minimal political cost to men, this policy change allowed the states to enjoin more women to participate in their socio-economic development (Braun & Kvasnicka, 2013). While this may not be the case in other contexts, the study illustrates that institutions can positively change for women when such changes provide more benefits and pose fewer risks for men. Therefore, in studying institutions, it is necessary to determine who benefits from the existing structures, practices, and arrangements.

Since this chapter looks into the political dynasty system as a gendered informal institution, it is fitting to discuss Acker's (1992) work on gendered institutions. Acker defines gendered institutions

as gender being ‘present in the processes, practices, images and ideologies, and distributions of power in the various sectors of social life’ (p. 567). Acker enumerates four processes of institutions where gender should be examined: (1) explicit policies and written rules such as laws that discriminate based on gender; (2) the use of ‘images ideologies, and symbols’. Acker explains how institutions express ideals, such as those on leadership in a gender-neutral manner, yet these ‘ideals’ tend to have masculine attributes, thereby devaluing feminine qualities; (3) ‘interaction’ or how people ‘do gender’, the everyday activity of reproducing gender conceptions that society considers acceptable; and (4) identity, how people choose the group to belong to or be classified under, and how to act based on established institutional norms (p. 568). The subsequent discussions will focus on the gendered aspects of the political dynasty system. In reviewing the literature on political dynasties, 15 out of 88 articles from the systematic search discussed gender. Knowing that the dynasty system provides distinct advantages to political families, whether by legacy or through strategic actions, the question at hand is how do these elements influence women’s participation in politics?

Studies of the dynasty system on developing democracies differ from advanced democracies. The focus of prior studies varies, and those that examine the same issues or ask the same questions find divergent results. The same holds for how the literature discusses gender. Except for cross-national studies, the literature primarily discusses the rise to power of individual women leaders from developing democracies and how they reached their positions by or through their male kin. There are limited studies about dynastic women leaders from advanced democracies. One likely reason for this is that there are fewer women leaders from political dynasties in advanced democracies than developing democracies. In a cross-national study of top government executives, findings were that in Latin America, Asia, and Africa, more women leaders are from political families compared to men (Jalalzai & Rincker, 2018).

The study of Baturu and Gray (2018), covering all world leaders from 1960 to 2010, found no difference between male and female leaders in terms of educational background and experience in politics. The single differentiating factor between genders was the family’s political connection. As Jalalzai and Rincker’s (2018) study highlighted, belonging to a political family is more pronounced for women leaders than their male counterparts. On a positive note, this study also found that family ties become less important for countries where women’s right to vote has been in place for longer. The 2020 study by Inguanzo (2020), using qualitative comparative analysis of

Asian countries from 1998 to 2017, showed that a country's level of political freedom is the main predictor of whether that country will have a female leader. The article concludes that as governments continue to evolve, so do women's conditions to enter the political realm. These variable conditions notwithstanding, the findings show that being part of a political dynasty or a major left-wing party is crucial for women to make it to top leadership. Women aspirants outside of these two groups have minimal opportunities for top political positions.

Even for legislators, women tend to be more dynastic than their male counterparts (Dal Bó et al., 2009; Folke, Rickne, et al., 2017; Nishizaki, 2019; Ockey, 2015; van Coppenolle, 2017). Similar to Jalalzai and Rincker's (2018) findings for top executives, the study by Folke, Rickne et al. (2017) examined data of national legislators from 12 countries and found a downward trend in the number of women with a dynastic background. However, it must be noted that the study covered mostly advanced democracies: Australia, Canada, Finland, Iceland, Ireland, Israel, Italy, Japan, New Zealand, Norway, Switzerland, and the United States. Therefore, it cannot be determined if the same trend applies to developing democracies. These findings suggest that, at least for descriptive representation or increasing the number of women in political leadership positions, the political dynasty system is a positive institutional force. However, studies also present the negative aspect of the dynasty system as a gateway for women to enter the male-dominated world of politics. I elaborate on these negative aspects in the following discussion.

Representation as Performance: The Dynasty System as an Orchestra

Saward (2006) argues that representation is performance. In discussing the importance of culture and context in representation, he explains:

The style, timing and content of a representative claim must tap into familiar contextual frameworks. Claims must repeat the familiar as well as (indeed, in order to) create something new; must iterate features of political culture to cross a threshold of potential acceptability. (p.303)

Performance is an essential aspect of the political dynasty system. If performance is a challenge for individual politicians, that is, it can make or break their chances of winning an election, for dynasties, performance is a concerted effort. Dynastic candidates do not face the electorate as a solo artist but as part of an orchestra. Each musician contributes to making beautiful music. In

the political dynasty system, the founder, or the designated 'heir', acts as the conductor everyone has to follow. The most important element of the orchestra is that the musicians play in a unified manner. As I have explained in the previous sections, the dynasty system benefits dynastic candidates in many ways, but it also requires the individual candidate's cooperation. I posit that although voters write down individual names on the ballot, the dynasty is behind that individual. In some contexts, personal choices and decisions must follow the dynasty's overall plan of action. In contexts where family unity is seen as a virtue, disagreements between family members may have adverse effects on the family's standing. Moreover, as a political strategy, all participants need to coordinate their actions to maximise the gains from the political dynasty-clientelism-corruption nexus. In settings where muscle politics or violence is part of how actors do politics, disloyalty can have dire consequences.

If representation is considered a performance, women need to play by the rules of the dynastic orchestra. In the past, women used to be behind the scenes, offering support to their husband, usually in a social aspect. The shift from being on the sidelines to taking the lead role could be challenging for women, given that politics continues to be male-dominated. In his book chapter on the Clinton family and Hillary Clinton's role as first lady, Hess (2016) notes the difficulty encountered by women in adjusting how they should act for the public:

How does one audition for the role of a president's First Lady? Are there exceptions for First Ladies with a graduate degree? It was "an odd experience" to be "solely 'the wife of,'" she later remarked. The role seemed to chafe at times, and the public got glimpses of her discomfort. She wasn't like Tammy Wynette ("Stand by your Man"); she wasn't going to stay home baking cookies and pouring tea. These statements were not intended to be taken out of context, but that context happened within a larger context of Hillary trying to adjust to being a "wife of" while the rest of the country had to adjust their expectations of what a First Lady should be. (p. 579)

Will the public ever accept Hillary Clinton for who she is? As described in the excerpt, she was an awkward first lady—awkward in this context means that she never really fitted in that role the way the public expected her to. However, as a political candidate, she also had to overcome gendered hurdles (Carlin & Winfrey, 2009; Oles-Acevedo, 2012; Templin, 1999). I posit that gender placed Clinton in a difficult position in terms of performative representation.

Spare Tire, Benchwarmers, and Stand-ins

Jalalzai (2013) examined the rise to the top of women leaders in Latin America and Asia, specifically looking at kinship ties. Despite their achievement, considering that women comprise just six per cent of the top executive positions worldwide (Jalalzai & Rincker, 2018), these women are regarded negatively (Jalalzai, 2013). These leaders are seen as alter egos of the men in their families. Labonne et al. (2019) found that women local government officials in the Philippines act as benchwarmers of their term-limited male relatives. Their study found that having a female mayor has a null effect on policy and economic outcomes, such as employment rates and women's labour force participation, and concluded that women mayors run for elections as a proxy—to keep the position within the family. The study of Boas et al. (2019) of Brazilian mayors suggests a similar result. The following excerpt from the article illustrates how women running for mayoralty position are regarded by voters:

Oftentimes, dynastic candidates are widely seen as stand-ins for former mayors who cannot run again due to term limits or disqualification. For example, in the Tabira focus group, one participant explained that a candidate who was the wife of a former mayor was jokingly referred to as “the mute” during the campaign because “she never spoke . . . he was the one who spoke.” (p. 396)

The work of Bjarnegård (2013) examines the gender aspect of male dominance in parliamentary settings. However, it focuses on clientelism as an informal institution and explains how clientelist practices proscribe women from entering Parliament. In Thailand's case study, the work did not explore the significance of family ties in Thai politics. In a critique of Bjarnegård's work, Nishizaki (2018) argued that the study overlooks the significance of political families. These families enable their women members to tap key networks that allow them to run and win legislative seats. Nishizaki adds that Bjarnegård's theory could not explain the increasing number of women parliamentarians in Thailand. Overall, according to Nishizaki, when parties choose their candidates, family ties are given more importance than gender. In examining both propositions by Bjarnegård and Nishizaki, and by looking at the findings of this integrative literature review, I posit that the corruption-clientelism-dynasty system nexus and the interaction of these three informal institutions with the formal institution of electoral politics offer a more comprehensive explanation of the increasing number of women in the legislature.

The literature is clear on the descriptive representation aspect—political dynasties are instrumental in helping women enter politics, from local government to legislatures and even top executive positions. Yet, it is also clear that these women not only bring themselves to these positions of power. They also bring their families with them. I am not saying that dynastic men do not have the same responsibility and/or privilege. But, going back to Acker’s discussion of gendered institutions, we need to examine what makes the political dynasty system gendered. In doing so, I ask the following questions: Are women agents of change or agents of the dynasty system? Do women have their own policy agenda? Why do the narratives about dynastic women in power remain critical of women? Why are dynastic women’s efforts largely remain unrecognised—or more specifically—why does the literature continue to refer to them as ‘the wife/widow/sister/daughter’ of?

Dynasties are Families

The political dynasty system starts with the family. Setting aside other possible motivations for retaining power within the family as discussed in the previous section (refer to my discussion of legacy and political strategy), we will consider politics as a ritual, tradition, or ideal of the dynastic family. For example, there is evidence of intergenerational transmission of party affiliation in political families, even in contexts that uphold individualism like in Sweden (Aggeborn & Nyman, 2020). This ritual is similar to how other families have traditions and aspirations, for example, having all family members obtain a University degree or being members of the same civic organisation. All family members are expected to abide by the rules and follow the processes dictated by these traditions and rituals. One crucial factor to consider is who gives the orders—the person who tells the family members about the plans and strategies to realise the aspiration or to continue the family tradition. Chandra (2016) refers to this person as the founder of the political dynasty. The founder is the first person in the family to join politics and be elected to the position. As discussed in the literature, the founders are mostly men (Jalalzai & Rincker, 2018). A successful dynasty trains a successor long before the founder passes away, decides to retire, or reaches the term limit. More importantly, the dynasty prepares the constituency or the voting public for the coming of the successor. The successor needs to be the constituency’s top choice among their preferred candidates to take over the predecessor’s position.

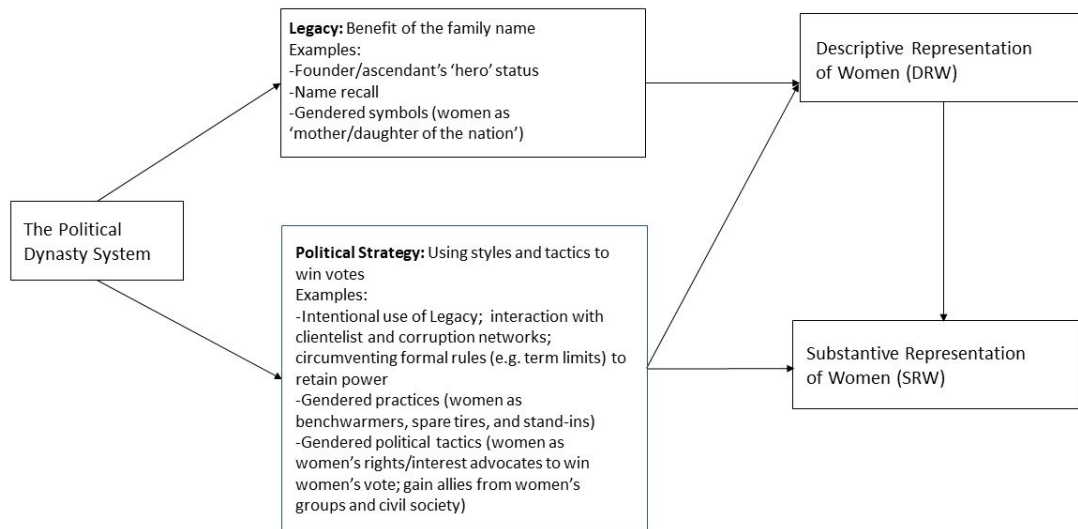
Dynasties are families, and as such, the traditional family roles are carried into the political arena. The recent study of Ichsán Kabullah and Fajri (2021) shows that in the 2019 election campaigns in West Sumatra, Indonesia, wives of dynastic politicians highlighted their roles as mothers in a novel way, emphasising that their attributes as nurturers serve the interest of their constituents. Thus, expanding the concept of motherhood from the private to the public realm. In a traditional family setting, the husband is the head and leader, the wife supports the husband and cares for the children, and the children are expected to follow in their parents' footsteps. Transposing these roles from the family to the dynasty, the husband provides direction and leads the constituency. The wife takes care of the household while taking on responsibilities that show motherly care for the electorate, such as organising charity projects and livelihood programs for the community (Roces, 1998; Veneracion-Rallonza, 2008). Male children are expected to be in training, usually accompanying the father to public engagements. Female children assist the mother in her projects or provide administrative support to the father when needed.

Changes in policies, such as introducing term limits, prompted dynasties to field women in elections (Labonne et al., 2017; Nishizaki, 2018; Teehankee, 2018). Because the husband is no longer allowed to run for the next term, the wife files her candidacy—especially if the children are not yet prepared or are too young to run. When the wife wins, she gains the title, but not the role, because the dynasty system's roles and rules remain. Hence, it is essential to examine the gendered practices of dynasties. By merely looking at the number of women getting elected, it is easy to conclude that women are gaining ground in political participation, specifically as leaders in government. What goes on inside the dynasty, however, is usually concealed from the public view. When legislator B, the wife of former legislator A, wins an election and gains a position in the legislature, there is no assurance that legislator B will have her legislative agenda. The study of Labonne et al. (2019) produced evidence that women mayors who replace their relatives, who are usually men, bring no positive difference in policy outcomes, specifically in areas beneficial for women such as labour force participation. Although the study's subjects were women mayors, the possibility that this happens in other elective positions cannot be disregarded.

Figure 2 below is the analytical model I have developed based on the review of the literature. Current studies find that legacy or the family name benefits dynastic candidates to win elections. Hence, the political dynasty system positively impacts women’s descriptive representation. On the other hand, political strategy influences both descriptive and substantive representation. However, there are limited studies on the SRW and the political dynasty system. This study aims to fill this gap.

Figure 2

The political dynasty system as an informal institution and how it shapes women’s representation



Legacy versus political strategy: Is there any difference for women?

How do legacy and political strategy shape women's representation? Political dynasties, regardless of geographical context, influence women's entry into politics. Legacy or the use of the surname and merely belonging to a political family gives women a distinct advantage over non-dynastic aspirants. In terms of representation, this shows that the dynasty system is an institution that should not be ignored in the study of descriptive representation—the number of actual 'bodies or the quantitative measure of women taking part in electoral politics.

Representation is not just about descriptive representation. Substantive representation is essential to have positive policy outcomes, especially for marginalised groups such as women. I posit that for substantive representation, understanding the political strategy of the dynasty system is significant. The key networks maintained by the dynasty system as it interacts with other informal institutions are relevant in determining the political actors' interests. Given the complexity of this interaction, the dynasty system needs to be cautious in ensuring its good relationship with actors belonging to its networks.

Through political strategy, dynasties look after the interests of the players in their networks. These interests may not necessarily prioritise the interests of women. Thomson's (2018) study on Northern Ireland's abortion policies demonstrates how critical actors can place roadblocks to policies they don't support. Critical actors can facilitate policy change, but as the study shows, certain types of critical actors can also exert effort to ensure that policies remain the same. In a comparative study of 14 countries in Europe, Erzeel and Celis (2016) found that in terms of ideologies, left-wing parties represent women's interests more than right-wing parties, although there are variations among countries. If political parties serve as the key network of women legislators in advanced democracies, women from developing democracies rely on their dynastic networks. Hence, it is crucial to consider the actors' interests in these networks in terms of their policy agenda. In India, Basu (2016) contends that dynastic ties did not determine women legislators' position on significant women's issues such as rape legislation. However, it is also possible that the dynasty system networks may support women's interest policies—as long as it is not politically or economically costly for them to do so. Supporting some women's interest policies, especially those that are popular, could be another strategy that the dynasty system can utilise as part of their 'performance.'

Summary

While political dynasties navigate established institutions, they also have their own rules that shape the dynasty's internal dynamics and their interaction with other institutions. In this chapter, I argue that there needs to be a distinction between dynasties as political actors and the political dynasty system as an informal institution. This chapter builds on the work of Helmke and Levitsky (2004), Grzymala-Busse (2010), and Azari and Smith (2012) by highlighting the importance of examining informal institutions not only in reference to formal institutions but also to other informal institutions. This study examines the political dynasty system's interrelationships with formal institutions and other informal institutions such as corruption and clientelism.

The literature shows the difference between advanced democracies and developing democracies. In most advanced democracies, the dynasty system interacts with the formal electoral institutions through legacy as one of the advantages of merely belonging to a political family. Future studies on political dynasties should examine how the system interacts with political party rules and electoral reforms such as gender quotas in these contexts. While there are a growing number of studies on party systems and gender quotas and how they influence SRW, how these rules interplay with dynastic politics should still be considered since dynastic ties remain as a pathway for women to enter politics. Women public officials are also more dynastic than men.

In developing democracies, most studies examine the dynasty system's links with other informal institutions, particularly clientelism and corruption. I refer to this as the dynasty system's political strategy. One crucial area that remains unexplored is how the dynasty system's practices and tactics shape the SRW. Overall, the literature is focused on descriptive representation. This study aims to fill this gap as it examines the policy agenda and performance of dynastic women. It also explores the interaction of critical actors navigating the political dynasty system in advancing the women's rights agenda.

The political dynasty system shapes women's representation through two modes: legacy and political strategy. Legacy mainly influences descriptive representation. The existing literature clearly shows that family name helps women to be elected into positions of power. Political strategy, on the other hand, shapes both descriptive representation and the SRW. The next chapters explain how critical actors influence women's rights policymaking, considering the

complexities of the political dynasty system. I apply the analytical framework that I have developed in examining the involvement of critical actors in the SRW, particularly the making of the MCW. The next chapter traces the history of CEDAW in the Philippines and expounds on the contribution of actors who played critical roles both at the international and national levels.

Chapter 4

Magna Carta of Women: Translating CEDAW to the Philippine Context

Maybe I was lucky that I participated in the women's movement when it was just beginning. The international women's movement did not come automatically. It took a group of us in the Department of Foreign Affairs...who were all part of this international women's movement and who saw to it that we brought whatever international standards there were in women's rights to the national level and I think this is what made us quite influential among other ASEAN countries. – Leticia Ramos-Shahani (CNN Philippines, 2016)

This chapter explores the journey of the MCW, the national law translation of the CEDAW. The first part reviews the literature on the diffusion and translation of women's rights norms. It includes discussing these two different but related concepts. Specifically, it addresses Zwingel's (2016) framework and examines how the concepts of global discourse translation and impact translation apply to the case of the CEDAW and MCW. It then looks at CEDAW in the Philippine context and traces its history from the time the Philippines became a signatory to the Convention on 15 July 1980 until the MCW's ratification by Philippine President Gloria Macapagal-Arroyo on 14 August 2009. Using the concept of critical actors (Childs & Krook, 2009) and 'multipositionality' (Englehart & Miller, 2019), it examines the role of Filipina women, who held strategic positions both at the international and local levels, in bringing CEDAW to the Philippines. It uses an actor-centred approach to present an expanded account of CEDAW in the Philippines, arguing that the process began even before the Philippines became a signatory to the Convention. A discussion of the contentious provisions of the MCW bills follows. Finally, the chapter applies the analytical model discussed in the previous chapters in discussing the concepts of norm diffusion, translation, cultural relativism, and religion in the context of the Philippines' dynastic politics. It concludes that well-positioned critical actors, navigating the institutional complexities at the international and local levels, were crucial to the CEDAW discourse translation. However, similar to other contexts, issues of culture and religion shape impact translation.

CEDAW and Women's Rights Norms

The United Nations General Assembly approved the CEDAW on 18 December 1979, becoming an international treaty on 3 September 1981 after being ratified by the 20th country. Zwingel (2013) refers to the CEDAW as 'the cornerstone of the international women's rights discourse for over 30 years' (p.111). Englehart and Miller (2014) aver that while CEDAW has weaker enforcement mechanisms than other human rights treaties, its goals are more encompassing, covering both public and private domains as it urges states parties to carry out extensive policy changes on gender equity.

Norms Diffusion versus Norms Translation

Firstly, in discussing international treaties such as CEDAW, it is necessary to clarify three concepts: norms, norms diffusion, and norms translation. Norm is defined as 'a standard of appropriate behavior for actors with a given identity' (Finnemore & Sikkink, 1998, p. 891). Norms are intersubjective as they refer to standards of appropriateness—what is considered proper by a group or community (Finnemore & Sikkink, 1998). The literature considers the following as norms: '(1) international treaties or conventions, (2) the social justice claims of social movements, and (3) hegemonic ideas or frames in the global community' (van Eerdewijk & Roggeband, 2014, p. 43). This chapter focuses on the first type. Scholars debate the concept of norm diffusion, which seems to imply a unidirectional process (Zwingel, 2016). Draude (2017) acknowledges the 'linear paths of diffusion research' and argues against norm diffusion being a 'top-down process' (p. 588). In her article focusing on women's rights norms, Zwingel (2013) offers a critique on the assumptions of International Relations (IR) literature on global norm diffusion: the idea that human rights and international norms are unambiguous and explicit; that states can be clearly classified between those that abide by international norms (liberal) and those that reject them (authoritarian) and that authoritarian states should be guided to accept these norms; and setting nongovernmental actors and governments in opposition, regarding the former in a positive manner while looking at the latter as 'norm-violators.' Hence, more recent scholarship on norm diffusion is shifting towards 'multi-directionality' (Zwingel, 2016), leading to the concept of translation.

Diffusion theorises that international norms spread to local contexts engendering similarity among institutions all over the world. On the other hand, translation looks at how the local context makes sense of and activates international norms (Draude, 2017). Aside from being multi-directional, Zwingel (2016) adds that the concept of translation is a ‘more active term... allowing different avenues of cross-cultural encounters and transmissions of meaning’ (p. 31). This thesis uses the concept of translation instead of diffusion to examine CEDAW in the Philippine context. As argued by scholars who previously studied norm translation, a unidirectional or top-down approach does not capture the multi-layered dimensions of how international norms become part of state institutions (Draude, 2017; Zimmermann, 2016; Zwingel, 2012, 2016). Diffusion makes the UN front and centre in the study of CEDAW and its impact on local women’s rights laws while translation makes the various actors involved in the process visible. Using the concept of translation allows the study to examine the contributions and oppositions of all actors.

In her work focusing on diffusion of international women’s rights, Savery (2007) argues that the states’ ‘gender-biased corporate identity’ serves as the main hurdle in diffusion. In a comparative study of Germany, Spain, Japan, and India—countries which are very different in terms of society and culture—findings reveal that historical and contextual factors shape diffusion. In Germany’s case, feminist actors who are part of the political elite exerted pressure on government actors to adopt international gender equality norms. Spain’s strong Catholic influence promoted resistance to international norms. However, the call to take action in response to international bodies’ reporting requirements and the country’s European Union (EU) membership prompted diffusion. Conservatism prevailed with the change in the political elite in 1996, and the government forestalled initiatives promoting international gender norms. Japan implemented minimal policy changes and maintained indifference to CEDAW while India developed strategies to evade treaty commitments despite its ratification of the CEDAW.

While Savery (2007) highlights significant points in understanding diffusion and the barriers to states parties’ adoption of international gender norms, there is little discussion of how governments translated these norms in their contexts. For instance, in discussing Japan’s marginal policy improvements in response to CEDAW, it is unclear how certain policies were prioritised over others and what factors shaped these policies. Hence, there is a need to examine policy changes from the perspective of translation and not merely diffusion. Savery touches on historical, cultural, and institutional factors influencing the adoption of global gender norms. The following

questions were left unanswered: Why did states adopt certain norms but not others? How did domestic laws interpret such adoption?

Zwingel (2016) differentiates between ‘global discourse translation’ and ‘impact translation’. The former focuses on the international level, specifically, how actors utilise institutions for collaborative action to form global norms. She cites CEDAW as an example of global discourse translation. Being more context-specific, ‘impact translation’ considers domestic actors, their perspectives, and actions, whether in support of or contrary to global norms. This chapter touches on global discourse translation in its discussion of the beginnings of CEDAW and the crucial role that women in key positions at the UN and their respective countries played in its formation. However, a significant portion of the chapter examines impact translation—how CEDAW principles were translated to the Philippine national law.

Why CEDAW? The Value of Making Women’s Rights Universal

CEDAW is composed of six parts with 30 articles. Part I (articles 1 to 6) defines ‘discrimination against women’ and the measures that State’s Parties should undertake to eliminate discrimination in the political, economic, social, and cultural spheres. Part II (articles 7 to 9) focuses on political and public life, specifically political representation at the national level, representation at international bodies, and nationality. Part III (articles 10-14) focuses on equal opportunities in education, employment, livelihood, and access to health care, while part IV (articles 15 and 16) tackles equality before the law, marriage, and family life. Part V (articles 17 to 22) details the Committee on the Elimination of Discrimination against Women, referred to as Committee in this chapter. It defines the Committee’s composition, nomination and election process, roles and responsibilities, the term of office, and meeting and reporting requirements. Part VI (articles 23-30) discusses the process of ratification, revision, reservation, and dispute resolution.

The Convention’s articulation of the idea of universality has been the subject of debate. Cultural relativists claim that this is a form of Western imperialism which ‘infantilises developing countries, and removes their right to achieve progress in harmony with their own cultures’ (Goonesekere, 2007, p. 53). There is also criticism regarding CEDAW’s focus on gender equality without considering intersectionality (Farha, 2008). Another aspect of CEDAW which critics claim makes it less effective is the reservation under Article 28 (De Pauw, 2013; Mullins, 2018; Riddle, 2002;

Schopp-Schilling, 2007). Section 2 of the article states that a ‘reservation incompatible with the object and purpose of the present Convention shall not be permitted’. Riddle (2002) argues that reservations ‘have allowed states to avoid any obligation to change domestic legislation and are broad enough to be considered against the object and purpose of CEDAW’ (p. 625). Recent changes in how the Committee tackles reservations had mixed outcomes that show improvements in withdrawals and modifications for states parties who have ratified the CEDAW earlier but not with new states parties (De Pauw, 2013).

Despite the Convention’s weaknesses, studies show that CEDAW has had a positive impact on women’s rights compared to other human rights treaties. A study by Hill (2010) finds that CEDAW is linked with improvements in women’s political rights in ratifying states. By contrast, ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and International Covenant on Civil and Political Rights (ICCPR) do not show similar results. The studies by Lupu (2013) and Cole (2013) show similar findings as to CEDAW’s positive impact on women’s political rights. However, Lupu’s research also finds that the Convention is associated with advancements in women’s economic and social rights. Cole’s findings show improvement in political rights but not in economic rights and social rights. The study also finds that CEDAW’s effectiveness varies across countries and that it is ineffective in Muslim societies. Finally, Englehart and Miller’s (2014) study suggests that CEDAW positively impacts women’s political and social rights but not women’s economic rights.

The Committee performs the crucial function of monitoring the states parties’ implementation of the CEDAW. It is composed of ‘twenty-three experts of high moral standing and competence in the field covered by the Convention’ (CEDAW, article 17). A national report is submitted by states parties to the Committee at least every four years. The report provides details on actions undertaken by parties to carry out the articles of the Convention. The Committee conducts a dialogue with the states’ representatives to discuss the report submitted during its annual session. These concluding comments are an essential output of the Committee, giving the parties recommendations on how they can realise the CEDAW articles. The Committee’s expertise makes it a necessary actor in universalising CEDAW (Farha, 2008). The Committee’s work helps reinforce the Convention’s articles by providing concrete advice to parties (McPhedran et al., 2000). Human rights advocates and organisations from various countries reported improvements

in their legal systems and policies after using the Committee's concluding observations to lobby for change, particularly in addressing gender discrimination (Byrnes, 2013).

Jackson (2016) endorses the engagement approach in making international human rights law universal. Using the CEDAW as a case study, analysis shows that engagement makes it possible for national governments to take ownership of their decisions on the Committee recommendations. This approach makes the process more interactive as states parties are not obligated to abide by what the Committee says but are encouraged to respond detailing what their governments are doing to fulfil their commitments on gender equality. In her study looking at constitutions, she argues that pluralism may still reflect conformity with international human rights law as long as the fundamental principles of non-discrimination under CEDAW remains integral.

The Philippines signed the CEDAW on 15 July 1980 and ratified it on 5 August 1981 before the treaty came into effect on 3 September 1981; however, it took another 28 years for full implementation through the passage of the MCW.

CEDAW and the Philippines: A Brief History

After ratifying CEDAW, the Philippines went on to submit six reports to the Committee prior to the ratification of the MCW. The first report was filed on 22 October 1982, the second periodic report on 12 December 1988 (due 4 September 1986), the third periodic report on 20 January 1993 (due 4 September 1990), the fourth periodic report on 22 April 1996 (due 4 September 1994), the fifth periodic report on 27 July 2004 (due 4 September 1998), and the sixth periodic report on 26 July 2004 (due 4 September 2002). That there were delays with some of the reporting is unsurprising; the study of Heyns and Viljoen (2002) found, for example, that funding issues and the absence of a specific government agency assigned for reports preparation are the main reasons for late report submission.

What happened between the Philippines' ratification of the CEDAW and the signing of the MCW? It is necessary to ask this question considering the 28-year gap between the CEDAW ratification and the local translation's passage. In other words, why was the law was passed in 2009 and not earlier?

The first five years after the country ratified the CEDAW was a period of political turbulence. In 1983, Benigno Aquino Jr., known as 'Ninoy,' a leader of the opposition, was assassinated upon returning to the Philippines from the United States. Mass demonstrations followed this event. In 1985, Marcos called for a snap election. Ninoy Aquino's widow, Corazon 'Cory' Aquino, ran as the opposition's candidate. Marcos won the election, but it was riddled with controversy and fraud allegations. The EDSA people power uprising in February 1986 ousted Marcos from the presidency, and Cory Aquino took her oath as the 11th President of the Republic.

A new Constitution was drafted during the administration of Corazon Aquino. The 1987 Constitution introduced the gender equality clause under Article 2 Section 14, which states: 'The State recognises the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.' This provision was a result of the lobby efforts of women's groups. According to women's rights activists interviewed for this thesis, the women's groups were lobbying for two provisions. The first one was the gender equality clause which became part of the Constitution. In their proposal, they lobbied for equality in social, political, economic, and cultural realms. The provision included in the Constitution stated, 'equality before the law of women and men'. Secondly, they petitioned for the removal of the provision for protecting the life of the unborn under Section 12, which states: 'The State recognises the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception'. The petition to remove this provision was mainly championed by feminist groups claiming that women having abortions should not be criminalised. Unlike the gender equality clause, however, women's groups did not have a united stand. In the end, the Constitution included Section 12. Abortion is considered a criminal act under Philippine law to date.¹

Among the significant developments during the Corazon Aquino administration was the adoption of the 1989-1992 Philippine Development Plan for Women (PDPW). In 1992, President Aquino ratified Republic Act 7192 or the 'Women in Nation-Building Act'. The law includes provisions that abide by CEDAW principles such as 'Equality in Capacity to Act: Women of legal age,

¹ Personal interview with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, Quezon City, 21 May 2019; with a women's rights activist and former member of the Committee, Quezon City, 6 May 2019.

regardless of civil status, shall have the capacity to act and enter into contracts which shall in every respect be equal to that of men under similar circumstances' under Section 5; Equal memberships in clubs under section 6; and the specific provision on equal opportunity in terms of admission to military schools.

Fidel Ramos was elected President in 1992. During his administration, the country adopted the 1995-2025 Philippine Plan for Gender-Responsive Development (PPGD). The 30-year plan was part of the country's commitment to the 1995 Beijing Declaration and Platform for Action. The Philippines passed other noteworthy legislation for women, particularly from 1995 until the MCW was passed in 2009, spanning three administrations: Fidel Ramos, Joseph Estrada, and Gloria Macapagal-Arroyo.² These laws include Republic Act 7877 or the Anti-Sexual Harassment Act of 1995, Republic Act 8353 or the Anti-Rape Law of 1997, Republic Act 9208 or the Anti-Trafficking in Persons Act of 2003 (amended by Republic Act 110364 or the Anti-Trafficking in Persons Act of 2012), and Republic Act 9262 or the Anti-Violence Against Women and their Children (VAWC) Act of 2004.

There are currently no studies that explain the time gap between the Philippine ratification of the CEDAW and the passage of its national law translation. When asked about her thoughts as to why the MCW was passed only in 2009, a women's rights activist interviewed for this study replied, 'I think Magna Cartas are not the most essential legislation. My feeling is that Magna Cartas are usually just symbolic, but you want legislation that addresses specific and urgent problems; you go for specific laws of which there were.'³ Leaders of women's organisations, including a former legislator directly involved in the lobbying and legislative work for the MCW, echoed this view. They emphasised that there were important women's laws passed before the MCW. A former legislator refers to the MCW as 'aspirational'. She explained that 'there are laws necessary to concretise the aspirations provided in the Magna Carta'⁴; hence, in response to why a national translation of the CEDAW was passed only in 2009, a number of women's rights advocates

² The RPRHA which expands the MCW's reproductive health provisions was signed into law in December 2012 by President Benigno Simeon Aquino.

³ Personal interview with a women's rights activist and former member of the Committee, Quezon City, 6 May 2019.

⁴ Personal interview with a women's rights activist and former legislator directly involved in the deliberations for the Magna Carta of Women, Quezon City, 6 May 2019.

believed there were more urgent laws in the earlier years—laws that directly impacted women’s lives.

It is necessary to investigate how the Philippines began its CEDAW journey to determine what accounts for the time gap since one of the aims of this study is to explore the factors contributing to the enactment of the Philippine CEDAW translation in 2009. This inquiry requires an ‘extended time frame’ approach prescribed by Pierson (2004). The following sections examine the role of critical actors both in global discourse translation and impact translation. It also explains why the Philippines’ CEDAW journey did not start when the Philippines became a signatory. The CEDAW journey began when critical actors, most of them diplomats, were either elected or appointed in strategic positions at the UN. These actors also took roles in the Philippines, which allowed them to lobby for integrating CEDAW principles through legislative action.

Critical Actors: From Global Discourse Translation to Impact Translation

Englehart and Miller (2019) argue that it is the ‘common normative commitment to women’s rights’ which binds these CEDAW supporters (p 21). They identify elite women in strategic positions in governments and activist organisations as critical actors who advance their advocacy in gender equality and influence international law. The study uses the word ‘multipositionality’⁵ as the defining factor for these critical actors to facilitate change. By linking the concepts of critical actors and Giddens’ ‘structuration’, the study posits that these critical actors work within existing structures and ‘may transform the structure in which they operate in the process of reproducing it’ (p. 3). By ‘multipositionality’, these elite women, who are diplomats, not only have access to a vital resource, the UN, but also have linkages with activist organisations. Some of them may also be considered as ‘organisational entrepreneurs’, which Joachim (2003) refers to as ‘individuals or organisations who care enough about an issue to absorb the initial costs of mobilising, bring with them a wealth of organising experiences, are well-connected, and have vision and charisma’ (p. 252).

⁵ The concept of ‘multi-positioned’ actors was first used by Midtgaard (2011).

Leticia Ramos-Shahani⁶ is an example of the elite women referred to in Englehart and Miller's (2019) study. What makes her different is that she could play multiple roles simultaneously, both in the UN and in the Philippines, to advocate for women's rights. According to UN records, Ramos-Shahani was elected Chairman of Commission on Status of Women in 1974 and as Chairman of Assembly's Third Committee (Social, Humanitarian and Cultural) in 1978. She was appointed Assistant Secretary-General for Social Development and Humanitarian Affairs in 1980 and as Secretary-General of World Conference to Review and Appraise Achievements of United Nations Decade for Women in 1983. In her piece, included in the volume *Developing Power: How Women Transformed International Development*, Ramos-Shahani (2004) narrated how they prepared the CEDAW working document. With countries such as the United Kingdom and the United States showing disinterest in having a convention, developing countries pushed for the convention, especially after the UN General Assembly's proclamation of the period 1976-85 as the UN Decade for Women: Equality, Development, and Peace:

In preparing for the next annual meeting of the CSW [Commission on the Status of Women], I saw that the absence of a working draft would be a major stumbling block...I took it upon myself to prepare a draft convention without making it a Philippine submission...We used the Declaration on the Elimination of Discrimination Against Women to guide us on the various sectors where discrimination had to be removed. With a complete draft of the convention in hand, I went to New York to attend the annual session of the commission. At the working group meeting, the nonexistence of a working draft became an issue. Wanting to help find a solution, I quietly approached the Soviet delegate, Tatiana Nikolaeva, to ask whether she was willing to join me in submitting a draft. At that time, our countries had no diplomatic relations, but women could be ahead of their times. Since she did not always ask for instructions and was ready to take initiatives, Nikolaeva readily said yes. For my part, I knew I was taking a risk for I had not cleared the draft with my government. (p. 31-32)

⁶ In The New York Times (NYT) 'overlooked' obituary written by Jennifer Jett dated 9 May 2018, her first line states: 'Leticia Ramos Shahani is a name every feminist should know'. 'Overlooked' is the publication's attempt to feature people with noteworthy achievements considering that NYT obituaries 'have been dominated by white men' since its inception in 1851. According to the piece, Ramos-Shahani, who passed away on 20 March 2017, should be recognised for her contribution to women's rights not only in the Philippines but also globally.

Ramos-Shahani admitted that her superior at the time, foreign affairs secretary of the Philippines, Carlos P. Romulo, reprimanded her for her actions. However, she believed that had she gone through the standard procedures, the working draft would not have been ready in time for the session. She said:

I explained my dilemma to the working group and out of consideration for the delicate situation in which we found ourselves, the group put aside its usual objections and decided to adopt the draft as a basic working paper without attributing it to any individual delegation. (Ramos-Shahani, 2004, p. 32)

There was no mention of Leticia Ramos-Shahani or her role in the CEDAW preparatory work in Englehart and Miller's (2019) study. This is a significant omission considering that their study focused on CEDAW's critical actors and used process tracing to determine the links of various actors, their actions, and processes. This omission could be explained by referring to the work of Ramos-Shahani (2004) herself, where she mentioned that 'the group put aside its usual objections and decided to adopt the draft as a basic working paper without attributing it to any individual delegation' (p. 32). Fraser (1995) echoed this statement in describing the Commission on the Status of Women as 'free space' where women had 'off the record discussions' (p.83). While Ramos-Shahani's efforts did facilitate the adoption of CEDAW, her action, which was crucial in understanding the pace at which the General Assembly adopted CEDAW, has not been recognised by scholarly writing on this topic.

Englehart and Miller (2019) acknowledge the significance of the CSW's preparatory work in the fast-tracking of CEDAW, quoting Jacobson (1992), 'such rapid speed can be explained either by the comprehensiveness of the preparatory work or by the Third Committee's relative lack of interest in the issue, or both' (p. 446). Ramos-Shahani's drafting of the working document, which became the basis of the CEDAW, is one of the missing puzzles in this narrative. In her view, how she did it may be considered underhanded since her submission did not pass through the Philippine government's approval process. However, as Fraser (1995) described, such kinds of actions were not unusual in the CSW as the members understood that they needed to find inventive ways to overcome institutional barriers both at the UN and their governments to advance women's interest. Zwingel (2016) refers to global discourse translation as a 'continuous international negotiation of gender equality norms' (p. 10). The case of CEDAW, as discussed in

this section, shows that this negotiation refers to both formal channels and informal channels. Additionally, while these negotiations involve states parties, their key drivers remain the women critical actors who invested time and effort to advance their rights agenda.

Another issue that was not discussed in the study of Englehart and Miller (2019) is how the move to have a convention was not part of Western countries' agendas. Hence, the initiative for a convention after the General Assembly adopted the Declaration on the Elimination of Discrimination Against Women (DEDAW) in 1967 was driven mainly by developing countries. As explained by Ramos-Shahani (2004):

Western countries, especially the United States and the United Kingdom, were lukewarm about this initiative saying that their own lawmaking processes did not automatically follow UN conventions and that they did not regard UN conventions to which they were not parties legally binding. (p. 31)

Aziza Hussein (2004) shares similar sentiments on the reluctance of some members to support a convention. Hussein served the UN Commission on the Status of Women from 1962-1977. In her work, she imparts her observation:

Commission members had been split between those who endorsed the idea of a comprehensive convention and those who feared that it would undermine already existing specialized conventions that were in operation under the aegis of various bodies, including the commission, the ILO, and UNESCO. It seemed to me that the latter group was trying to sabotage the effort to achieve consensus. Finally, the conference endorsed the drafting of a comprehensive convention, thus putting an end to the stalemate and spurring the commission on to work on a comprehensive draft convention. (p. 11)

Tinker (2004) explains that women from industrialised countries whom she refers to as 'women of the North' were taking the position of keeping women's issues separate from 'global issues'. On the other hand, women from developing countries preferred to consider gender as part of a larger problem of inequality and power dynamics between developed and developing countries. Zwingel (2016) refers to these dynamics as 'international meaning making' (p. 32), where participants do not necessarily share the same notions of women's rights but need to work together to make CEDAW useful and relevant for women. I argue that it is crucial to expound on these

‘undercurrents’ in the global discourse translation scholarship. The discussion of the process of negotiation makes the actors and their voices visible. There needs to be a deliberate effort to examine whose voices are being heard, what these voices are saying, and who benefits from the articulation of these voices.

As for impact translation, Heyns and Viljoen (2002) argue that Filipina experts’ active roles in the preparatory work for the CEDAW was a significant factor in the Philippine government’s decision to ratify the treaty. To support their claim, they explain that Helena Z. Benitez, a Filipina educator, was the Chairperson of the UN Commission on the Status of Women during the preparation of the CEDAW’s initial draft while Ramos-Shahani was the Chairperson at the time of the final draft’s completion. It should also be noted that both Benitez and Ramos-Shahani were commissioners of the Philippines’ women policy agency, the National Commission on the Role of Filipino Women (NCRFW), and both were Philippine Senators. Ramos-Shahani was elected to office after serving at the UN. There were four Filipinas who acted as CEDAW experts: Justice of the Philippine Supreme Court Irene Cortez, Vice-Chair from 1982 to 1986; women’s rights activist Teresita Quintos-Deles, serving from 1991 to 1994; educator and women’s rights activist Aurora Javate-De Dios, serving from 1995 to 1998; and diplomat Rosario Manalo, serving from 1999 to 2006 and from 2017-2020.

Agenda, Position, Connection, and Staying Power

‘Critical actors are those who act individually or collectively to bring about women-friendly policy change... The notion of critical actors has significant implications for future empirical research, not least, by calling attention to the need for research designs that enable these actors to be identified.’ (Childs & Krook, 2009, pp. 126–127). Childs and Krook (2008) suggest that scholars examine actors’ actual contribution to the SRW. In the case of the CEDAW, it was an elite group of actors who took advantage of their positions to shape the international human rights law for women (Englehart & Miller, 2019). This section expounds on this finding by looking at the Philippine context where a small but influential group of women managed to advance their agenda both at the UN and local levels. Considering the involvement of Ramos-Shahani at the international level as well as at the local context, a substantial portion of this section discusses her characteristics and contributions in explaining the four attributes that enable critical actors to influence both discourse and impact translation: Agenda, Position, Connection, and Staying

Power. I have conceptualised these four attributes from the analysis of primary and secondary data gathered through process tracing. These four attributes expand the concept of ‘multipositionality’ (Engelhart & Miller, 2019; Midtgaard, 2011) by examining the role of critical actors who bridge the gap between global discourse translation and impact translation.

Agenda. Kingdon (2003) defines agenda as ‘the list of subjects or problems to which government officials, and people outside the government closely associated with those officials, are paying some serious attention at any given time’ (p. 3). Critical actors need to have a clear agenda on women’s rights, specifically bringing CEDAW to the local context. This plan includes advocating for the articles of CEDAW and the concluding comments of the Committee to become part of national legislation. As discussed in the previous section, it is evident that Ramos-Shahani was committed to make CEDAW a treaty. She placed her career at risk when she submitted the CEDAW working document draft without clearing it with the Philippine government. Fraser (1995) acknowledged that such actions were common in the CSW. The women in the CSW had clear objectives and ensured they met these objectives by navigating the UN’s complicated rules and their respective governments. Hence, effective critical actors, whether diplomats, government officials, or activists, have the women’s agenda as a common ground.

Effective critical actors need to have zeal for their agenda. They must be prepared to be reprimanded or reproached by governments, including their own (Fraser, 1995; Hussein, 2004; Ramos-Shahani, 2004), if their actions in support of their agenda contradict the position of any states parties. These actors are focused on their women’s rights advocacy to the point where the political dynamics between and among the countries they represent can become secondary or even irrelevant. In Ramos-Shahani’s presentation of the CEDAW working draft, she sought the support of Soviet delegate, Tatiana Nikolaeva, when the Philippines had no diplomatic relations with Russia. She narrated that the working group understood the situation, ‘put aside its usual objections’ and agreed to adopt the paper without attribution (Ramos-Shahani, 2004, p. 32).

As Kingdon (2003) explains, agenda-setting makes a particular issue the focal point at a given time. Having a clear agenda is the most important attribute of a critical actor working on women’s rights discourse translation and impact translation. It is the core attribute that allows the actor to take full advantage of the other qualities. Where men dominate institutions, as was the context when this small group of women was working on the beginnings of CEDAW, it is easier for women to

play by men's rules to advance their careers or at the very least avoid losing their positions. It takes purpose, fortitude, and the fellowship of like-minded women to push through with the agenda, that is, creating CEDAW, the treaty for women's rights, or global discourse translation, then bringing the treaty to the national and local context or impact translation (Zwingel, 2016).

Applying the analytical framework on the political dynasty system and the SRW, having the women's rights agenda enables an actor to maximise the political dynasty system's opportunities—especially if the actor has the benefit of legacy. The actor can tap into networks and mobilise resources to promote their agenda. The actor is conscious that other political actors could use women's rights to advance their careers or win the favour of women's groups. However, taking calculated risks in negotiating with other political actors is part of the dynamics of the SRW within the political dynasty system. In Ramos-Shahani's case, these calculated risks involved sidestepping standard protocols in presenting the CEDAW working draft. The other attributes that follow explain how she managed to promote the women's rights agenda in the impact translation of CEDAW.

Connection. Critical actors who are well-connected with other critical actors, especially with veto players, have more success in influencing both global discourse translation and impact translation. Ramos-Shahani is connected by blood to former Philippine President Ferdinand Marcos and was appointed by Marcos as a Commissioner of the women's policy agency, the NCRFW. Her work as a diplomat allowed her to network with other diplomats. Her transfer to the section on Status of Women under the Division of Human Rights gave her a thorough understanding of women's issues (Ramos-Shahani, 2004). With her appointment as a Philippine representative to the CSW, her linkages with women from various nations and sectors grew.

Ties with fellow diplomats, activists, and civil society are not sufficient for critical actors to influence impact translation. Therefore, relationships with other critical actors in the local context become significant. Other Filipina were appointed or elected in key positions at the UN, such as the CSW and the Committee. However, most of them were activists; one was a member of the Philippine judiciary and another, a diplomat. While well-known in their fields and influential among their peers, their influence on the legislative and executive branches was limited compared with a critical actor like Ramos-Shahani, a diplomat who had strong political linkages. Her father, Narciso Ramos, was a legislator and prominent diplomat, a signatory to the Association of

Southeast Asian Nations (ASEAN) declaration in 1967. Fidel Ramos, her brother, was a general of the Armed Forces who became Philippine President in 1992. Ramos-Shahani herself was elected Senator in 1987, where she continued her policy advocacy on women's rights.

Ramos-Shahani had a thorough understanding of the systems and structures at the international level and the intricacies of Philippine politics. Aside from her knowledge, she established strategic relationships, both internationally and locally, to advance her women's rights agenda. As a former chairperson and commissioner of the NCRFW, the policy agency for women, she had close associations with civil society, including women's organisations from both conservatives and feminists. Since the NCRFW is a government agency, she could also maintain important connections with the bureaucracy. Because Ramos-Shahani was an educator and a diplomat who held significant roles in the UN before becoming a politician, she gained the respect of fellow politicians and civil society. She had close associations with women's groups, given her roles at the NCRFW and the UN. In the Philippines, it is rare for a politician to be well respected by civil society, especially by organisations considered left-leaning. Ramos-Shahani influenced both politicians and civil society, serving as a bridge to allow multiple actors to work together. Ramos-Shahani also served as the link between conservatives and feminists in lobbying for the gender equality provisions in the 1987 Constitution. In the words of a women's rights activist who also became a member of the CEDAW Committee:

The reality under martial law, the women's movement was divided between those who were cooperating under the wing of Imelda [former first lady]. These are the more traditional women's organisations, or you can refer to as civic organisations and the ones who were fighting Marcos, who were out in the streets and did not have anything to do with Imelda. After Marcos's ouster and the new administration decided to draft a new constitution, we said pretty late in the game that we should have an agenda for the constitution. I had approached then Undersecretary Letty Shahani because we knew that it had to be a broad coalition. We thought, who could convene the women's organisations? So when I went to her and asked her if she could be the one to convene us, she said, "I will do it, but you

would have to include everybody, which means not just those who fought Marcos but those who were more of the civic org types that did not fight Marcos”.⁷

In the context of the political dynasty system, having connections with government and non-government actors regardless of their ideologies is essential in the SRW. Each actor may have the resources necessary to advance your agenda. A critical actor who can link multiple actors together towards a common objective can facilitate women’s interest policies.

Position. I argue that position and connection are closely linked and that strategic positions help critical actors make meaningful connections or build networks. However, I posit that the two most essential resources that position provides, particularly in the Philippine context, are funding and access. Formal positions usually come with a budget—however minimal. If the grant is substantial, actors can initiate programs or fund existing ones aligned with their advocacies, rationalising such support as part of their mandate. Access is a more valuable resource than funding because it may be utilised to raise funds, build networks, and anticipate possible opposition to current initiatives or plans. Critical actors know about available grants and seek the help of other actors to benefit from these grants or funding opportunities through the office. The office can also connect with organisations and experts who may serve as resources for knowledge transfer. Finally, critical actors know what is happening through the grapevine, so to speak, and have the opportunity to foresee the actions of critics or those opposing their ideas or advocacies. Hence, they can draw support from external allies when they expect resistance or conflicts. These external allies can be from civil society such as women’s organisations, the media, or even governments of other countries or international organisations.

President Ferdinand Marcos established the Philippines’ women’s policy agency, NCRFW, in January 1975 through Presidential Decree 633. The first two statements in the law’s preamble are, ‘Whereas, the General Assembly of the United Nations has designated 1975 as International Women’s Year with its central theme of “Equality, Development and Peace”; and, whereas the United Nations will convene during International Women’s Year an International Conference in which, inter alia, will be launched an international action-program including short and long term measures aimed at achieving the integration of women as full and equal partners with men in the

⁷ Personal interview with a women’s rights activist and former member of the Committee, Quezon City, 6 May 2019.

total development effort'. The lobby efforts to establish a policy agency started in the late 1960s, yet '...it would take the added leverage of 1975 as International Women's Year for President Ferdinand Marcos to redeem a half-forgotten pledge and decree the birth of the NCRFW' (Honculada & Ofreneo, 2003, p. 133). A critical actor working closely or within the UN would have played a role in reminding the Philippine government about creating a women's policy agency and establishing programs for women in response to the UN declaration. Ramos-Shahani served as the chairperson of the CSW in 1974, and one of her most important tasks was to prepare for the 1975 first international conference on women (Ramos-Shahani, 2004). She was also appointed as one of the commissioners of the newly-established agency. Feminist organisations regarded the NCRFW under the Marcos administration as pro-administration since it was headed by first lady Imelda Marcos and supported by groups allied with the Marcoses.⁸ However, the policy agency provided a platform for women's issues. It also had the resources for program implementation. Ramos-Shahani took advantage of her international and national positions to realise her objectives, bringing CEDAW to her home country and establishing the policy agency to expediate its implementation in the Philippines.

Staying Power. Staying power means that the critical actor remains influential despite changes in the political landscape, including power shifts common under the political dynasty system. Scholars have yet to fully explore this attribute as the current literature is dominated by the study of women activists and legislators as critical actors. This gap in the literature could be explained by the small number of actors who were able to take multiple roles. In Ramos-Shahani's case, when Marcos was ousted in the 1986 people power revolt, she became an ally of Corazon Aquino, who was sworn in as President. She managed to maintain her political influence even though she is related by blood to the former President. She was appointed as Chair of the women's policy agency, NCRFW before she ran for Senator under Aquino's party. She was elected to the Senate in 1987, becoming one of the two women senators under the Aquino administration. Here, Ramos-Shahani pressed on with her advocacy. Among the laws that she lobbied for were the Gender and Development (GAD) budget and the anti-rape law (Philippine Commission on Women, 2017).

A critical actor with staying power plays a crucial role in impact translation. In Spain, the change in the country's leadership in 1996 averted the integration of international gender norms, such as

⁸ Personal interview with a women's rights activist and former member of the Committee, Quezon City, 6 May 2019; with a former Commissioner and Chairperson of the women's policy agency, Makati City, 7 May 2019.

CEDAW, to local policies. This move contrasts with the previous government's stance, which recognised and addressed the Committee's recommendations primarily due to the lobbying of women's rights activists who took advantage of the country's EU integration efforts (Savery, 2007). Critical actors with staying power are rare, especially in the Philippine dynastic context where politics is dominated by personalities and not ideology (Quimpo, 2005; Teehankee, 2002). Hence, Ramos-Shahani is not just *one* of the critical actors but is *the* key actor in bringing CEDAW to the Philippines. Her seamless transition from her UN role to a legislator in her country under a volatile political environment facilitated pro-women laws. She used her influence to bring together the women's groups, those who were aligned with the Marcoses and those who were part of the anti-Marcos movement, to lobby for the gender equality clause that served as a 'linchpin' for the passage of anti-discrimination laws.

The Magna Carta of Women: CEDAW Translated in the Context of Dynastic Philippine Politics

The first part of this chapter explained how a multi-positioned actor, Ramos-Shahani, played a crucial role in global discourse translation and impact translation, describing the attributes which made her an effective actor in bringing CEDAW to the Philippines. However, she was no longer active in politics when the MCW was introduced in Congress. My analysis shows that her role was influential in setting the stage for a CEDAW Philippine translation. However, the actual making of the national law is a product of years of establishing and strengthening connections both at the international and local levels, including having more Filipina women become part of the CEDAW Committee. It also entailed promoting the women's rights agenda primarily in the legislature and in government agencies directly involved in gender and development. This next section homes in on the origins of the MCW and how the bill became a law. It provides an overview of the different actors who advocated for or lobbied against the passage of the MCW in discussing the bill's contentious provisions. This section introduces the next two chapters of this thesis which present a detailed analysis of these actors' roles. Chapter 5 investigates legislative actors, while Chapter 6 examines non-legislative actors' contributions, mainly civil society.

History of the Magna Carta of Women

The MCW bill was first filed in the 12th Congress by Bellaflor Angara and Josefina Josen. There were three public hearings for the bill conducted outside of Metro Manila and 18 technical working group meetings in Congress. While the lower house passed the bill, it did not get the Senate's approval. Hence, it was refiled in the 13th Congress by Congresswoman Josen (*Minutes of the Meeting of the Committee on Women, Philippine House of Representatives, 27 November 2007, 2007*). It was only in the 14th Congress that the Senate was able to pass Senate Bill 2396 'An Act Providing for the Magna Carta of Women' (*Committee Report 76, 2008*).

Interviewees who were part of the technical working group for the MCW provided a more detailed narrative of the MCW bill's crafting. An officer of a women's organisation directly involved in the lobby efforts for the bill explained, 'We were actually part of the group pushing for changes in the Constitution to include CEDAW principles knowing that the provision on gender equality in the 1987 Constitution was quite limited, but this did not materialise'.⁹ In 2005, President Gloria Macapagal-Arroyo issued Executive Order No. 453, 'Creating a Consultative Commission to Propose the Revision of the 1987 Constitution in Consultation with Various sectors of Society'. It was an opportunity that women's groups wanted to seize to expand the Constitutional provisions on gender discrimination. However, with the various problems that faced the Macapagal-Arroyo administration, including allegations of cheating in the presidential elections, these moves for the so-called charter change to introduce changes in the Constitution failed (Hutchcroft, 2008; Rocamora, 2007).

The women's groups sought other opportunities to have the national legislation on CEDAW. It was also around that time when the UNIFEM CEDAW South East Asia Programme (SEAP) 2005-2008 started. The program implemented a 'three-pronged strategy' to use 'CEDAW as the mechanism for change: The substance of laws and policies; Institutional structures and procedures; and Cultural Factors' (Women's Feature Service Philippines, 2009, pp. xviii–xix). 'Initially, the funding under CEDAW SEAP was supposed to be in leading the advocacy in the constitutional amendment, but since that was no longer possible, we decided to explore the

⁹ Personal interview, Quezon City, 21 May 2019

possibility of a gender equality law.¹⁰ They decided to take advantage of the bill filed by Congresswoman Josen on the Magna Carta for Rural Women championed by the group Pambansang Koalisyon ng Kababaihan sa Kanayunan (PKKK or National Rural Women's Coalition). It was also in 2006 when the Philippine government submitted its report to the Committee and the Concluding Remarks of the Committee specified:

10. The Committee requests the State party to clarify, in its next periodic report, the status of the Convention in the national legal system, including which provisions would prevail in case of a conflict between the Convention and a national law. The Committee urges the State party to ensure that the Convention becomes fully applicable in the national legal system, and that a definition of discrimination in line with article 1 of the Convention is included in national law. (UN CEDAW Committee, 2006)

Representatives of the policy agency and women leaders of organisations interviewed for this thesis remarked that this comment by the Committee was communicated clearly to the legislators in all meetings. They agreed that they used this to engage with and encourage legislators to support the MCW bill.¹¹

Impact Translation: Contentious Provisions

The committee meetings' minutes, especially the bicameral committee meeting of the Senate and the House of Representatives, provide important details as to how CEDAW was translated to MCW. Lawmakers were quick to point out that the Philippine Constitution remains superior to any treaty. In a discussion about defining gender, some lawmakers commented that the World Health Organisation definition needs to be considered in the MCW definition. The Chair of the meeting, Senator Jamby Madrigal, commented:

¹⁰ Personal interview with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, Quezon City, 21 May 2019.

¹¹ Personal interviews with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, Quezon City, 21 May 2019; with a former Commissioner and Chairperson of the women's policy agency, Makati City, 7 May 2019; with a staff of the women's policy agency directly involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019; with the Secretary General of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 7 June 2019, Quezon City.

I don't honestly believe that everything that the WHO or the UN does is applicable to us. After all, these are organisations made by imperialistic countries who enslave our, you know, mentalities from time to time...a lot of the UN Laws are so devoid of spiritual. (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, pp. 22–23)

Reproductive health is an area that has faced considerable opposition. The aversion of lawmakers, most of them men, to the word 'abortion' is evident. Lawmakers who opposed the use of the concept of 'international humanitarian law' in the section on women's rights expressed that it could be used to justify the legalisation of abortion. Congressman Zialcita, who moved for the deletion of the phrase, commented: 'The fact that we're saying the state shall observe international standards, I think it's sufficient. Because we're allergic to that right to abortion which is part of this so-called international humanitarian laws' (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 33).

There were discussions on whether providing medical support to women suffering from illness after an abortion would promote abortion, which is illegal in the Philippines. Congressman Zialcita argued:

...most of the people who will read the Magna Carta are not doctors, they are not lawyers, they are ordinary people so when they use the word, *prevention of abortion and abortion complications*, they might get the impression that we are promoting abortion. (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, pp. 74–75)

In the final version ratified by the president, the word abortion was only mentioned once. Under the women's right to health, it says: 'Access to the following services shall be ensured (7) Prevention of abortion and management of pregnancy-related complications' (*An Act Providing for the Magna Carta of Women*, 2009).

The Philippine translation avoided provisions on divorce and abortion. Although the CEDAW Committee highlighted the Philippines needs to have legislation on divorce, the word divorce was not even mentioned in the MCW. Paragraph 32 of the Concluding comments of the Committee on the Elimination of Discrimination against Women (August 2006) states:

32. The Committee urges the State party to introduce and support vigorously legislation which permits divorce, allows women to remarry after divorce, and grants women and men the same rights to administer property during marriage and equal rights to property on divorce. It also recommends that women be granted the right to initiate divorce on the same terms as men.

28. ... The Committee recommends that the State party consider reviewing the laws relating to abortion with a view to removing punitive provisions imposed on women who have abortions and provide them with access to quality services for the management of complications arising from unsafe abortions and to reduce women's maternal mortality rates in accordance with the Committee's general recommendation 24 on women and health and the Beijing Declaration and Platform for Action.

Another contentious issue in the drafting of the MCW was the definition of the word 'gender'. In the minutes of the meeting, it is reflected that lawmakers consulted a Catholic priest, Archbishop Cruz, on how to properly define the concept (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 17). Most lawmakers expressed apprehension with the WHO's definition of the concept. They were leaning towards conflating the concepts of sex and gender, a proposition which women members of the committee, particularly Congresswoman Janet Garin, a medical doctor, and women party-list representatives, Liza Maza and Luzviminda Ilagan, disagreed with. Senator Aquilino Pimentel even proposed that the MCW law be made specifically for women.

I cannot understand why when we talk of Magna Carta for Women we have to talk of other variations of womanhood (Laughter). In other words, why not talk about sex? Sex is more clear, more concise, and direct to the point, and the issue was raised—what about homosexuals and lesbians?—maybe in other legislation but not Magna Carta for women. *Women ang pinag-uusapan dito eh* (We are talking about women here). (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 23)

Congresswoman Liza Maza argued that by strictly adhering to the concept of sex, the law could be discriminatory against LGBTQI, to which Senator Pimentel responded: “This is not the Magna Carta for homosexuals’ (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 23).

After a lengthy discussion, lawmakers agreed not to define the word gender. The members arrived at this decision, although the word gender has been used extensively throughout the bill. The following discussion among Senator Lacson, Congressmen Zialcita, and Villarosa illustrate the difficulty of translating an international convention to national law and how the Philippine lawmakers opted for flexibility in this matter:

Sen. Lacson: How many times is the word ‘gender’ mentioned in this bill?

Rep. Zialcita: It was mentioned many times but let history and let experience define it.

Rep. Villarosa: That will be a problem, Madam Chair.

Rep. Zialcita: Because otherwise, we’ll insist on the word ‘nature’ until doomsday comes... (laughter) (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 31)

Strict adherence to the WHO definition would place these lawmakers in a difficult position with religious groups, specifically the Catholic Church. These groups were strongly lobbying against the passage of the bill. On the other hand, some Congresswomen were opposed to a definition that could be deemed discriminatory against LGBTQI and contrary to the internationally accepted definition. Women legislators Garin, Maza and Ilagan were mainly against creating a new definition of gender.

The legislators also debated the provision related to dismissing students and teachers based on pregnancy outside of marriage. The debate focused on whether this provision violates institutions’ academic freedom, particularly those affiliated with or under the auspices of religious organisations. Before the MCW, schools were allowed to remove the students and teachers of such institutions who become pregnant without being married. Women legislators, particularly Congresswomen Garin, Maza, and Ilagan, argued that this practice discriminates against women as the child’s father is not included in the disciplinary action. Congresswoman Garin asked: ‘Why

not include the father of the child? The one who impregnated the teacher or student? Congressman Zialcita responded: ‘This is not the Magna Carta for Husbands’ (laughter). Congresswoman Maza explained:

While this issue about men not being included was laughed at, we have to acknowledge that this is precisely the problem. Both the man and the woman had sex, but when the woman gets pregnant, it is only the woman who gets punished by society. This is the logic behind this provision. We need to recognise that we have laws that discriminate against women. (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 46)

It is notable that the contested provisions challenge Catholic doctrines, specifically abortion, divorce, and pre-marital sexual relations, yet in justifying pro-women provisions, legislators also refer to Christian values. The following excerpt from the minutes of the bicameral conference committee meeting illustrates this. To explain why the management of abortion complications should be included in the law, Congressman Lagman argued:

Let us divide this into two portions. First is the prevention of abortion, and second, management of abortion complications. Prevention of abortion is unqualified. We are against abortion. That remains to be a criminal act...Now, this is, the management of abortion complications is a very Christian trait. I would compare this to an incident where police officers or military men would have an encounter with rebels, and one of the rebels was wounded. He is hemorrhaging. I think it is the obligation of the agents of the state to bring that rebel to a hospital facility for medical treatment. That act, that Christian act of bringing a wounded rebel to a medical facility is not condoning rebellion. So we strongly believe that the Senate version of the management of abortion complications is not condoning abortion. It is a Christian trait which we should encourage. (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, pp. 75–76).

Finally, it is worth highlighting that the bicameral conference committee decided to remove the word ‘ethical’ under the heading women’s right to health in Sec. 17 of the MCW. The legislators who lobbied to remove the term argued that it is subjective and lay open to various interpretations

of those mandated by the state to provide this service. The decision to remove the word ‘ethical’ was duly recorded in the minutes of the meeting (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, pp. 66–67). This was also recorded in the Senate Journal, where Senator Aquilino Pimentel raised his objection regarding the bicameral conference committee’s decision to delete this term (*Senate Journal No. 60*, 2009, pp. 1790–1791). However, the word reappeared in the final version of the law, which now reads: ‘Access to the following services shall be ensured (3) Responsible, ethical, legal, safe, and effective methods of family planning’ (An Act Providing for the Magna Carta of Women, 2009). No document on record explains how the term ‘ethical’ reappeared in the version ratified by President Macapagal-Arroyo. However, there were unsubstantiated claims that officials of a religious institution visited the President before the bill was signed into law.¹²

Summary

This chapter highlighted Englehart and Miller’s (2019) explanation of how an elite group of women shaped women’s rights in international law and Zwingel’s (2016) reference to CEDAW as a ‘piece of global discourse translation when it was brought to the international agenda by governmental actors with overlapping, but by no means identical, ideas about women’s rights’ (p.32). Conversely, impact translation pertains to how CEDAW is articulated in the local context. I used the concept of critical actors and feminist institutionalism approach in my analysis of the CEDAW national law translation. This chapter explained how a key actor, diplomat, women’s policy agency chair, and legislator, Leticia Ramos-Shahani, contributed significantly to both global discourse and impact translation. Her attributes as a critical actor enabled her to navigate both the UN and the politics at the local level.

In tracing the beginnings of CEDAW and its impact translation, Ramos-Shahani’s name appears repetitively: when CEDAW was drafted; when she was named one of the commissioners of the newly-established women’s policy agency; the time of Corazon Aquino, when she was named Chair of the women’s policy agency before she ran for Senate and eventually won; and the time of her brother Fidel Ramos’ presidency when she became Senate President pro tempore. She was

¹² Personal interview with a national coordinator of a women’s organisation directly involved in the lobby work for the Magna Carta of Women, Quezon City, 21 May 2019.

even appointed by Gloria Macapagal-Arroyo as presidential adviser on culture, showing how her influence persisted despite changes in government leadership.

Applying the analytical model developed in the previous chapter, Ramos-Shahani enjoyed the benefits of legacy, being the daughter of one of the Philippines' esteemed diplomats and former legislator, and the sister of an Armed Forces general who became Philippine President. She used this legacy to promote her women's rights advocacy which started when she joined the UN. In terms of political strategy, another key factor in the CEDAW impact translation was women presidents' election. Both Corazon Aquino and Gloria Macapagal-Arroyo ratified laws integrating CEDAW principles. Under Corazon Aquino's term, the gender equality clause was introduced to the 1987 Philippine Constitution. It became the anchor of succeeding progressive women's rights laws. Macapagal-Arroyo managed to ratify the MCW before her term ended. As discussed, other significant laws were passed under male presidents, but these two, the gender equality clause and the MCW, are both 'symbolic' and 'aspirational'.¹³ Interviewees agreed that these women Presidents wanted to be remembered for 'doing something for women'.¹⁴

Finally, despite the efforts of critical actors, the majority of them being women, in bringing CEDAW to the Philippines, the legislative proceedings leading to the passage of the law showed the Catholic Church's influence in shaping gender norms in the Philippine context. The Church served as a critical actor hindering the adoption of the CEDAW Committee's recommendations specifically on divorce, abortion, and reproductive health. The minutes of the bicameral conference committee meeting revealed the gendered practices at the Legislature which women legislators had to endure to gain support for the much-debated non-discrimination provisions.

¹³ Personal interviews with a women's rights activist and former legislator directly involved in the deliberations for the Magna Carta of Women, Quezon City, 6 May 2019; with a women's rights activist and former member of the Committee, Quezon City, 6 May 2019.

¹⁴ Personal interviews with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, Quezon City, 21 May 2019; with a former Commissioner and Chairperson of the women's policy agency, Makati City, 7 May 2019; with a staff of the women's policy agency directly involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019; with the Secretary General of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 7 June 2019, Quezon City.

While the MCW is generally considered the Philippine translation of CEDAW, it is part of a collection of impact translation laws that critical actors worked on for 28 years. The next chapter focuses on the legislators as critical actors and their contribution to the passage of the MCW. It further explains how the political dynasty system shaped this national women's rights law.

Chapter 5

Legislators as Critical Actors and the Substantive Representation of Women

The day after the 2019 midterm elections in the Philippines, a television news anchor was interviewing leading senatorial candidate Cynthia Villar. More than 90 per cent of the votes had been tallied, and the news anchor congratulated the senator for her lead. She also asked the senator about her daughter, who won the congressional race for their district. The senator proudly said that their family has always occupied the seat in Congress. It was a seat that her husband, herself, and her son held and now being passed on to her daughter.

The story of the Villars is nothing extraordinary in the Philippines. Philippine politics has always been dominated by political families (Cruz et al., 2017; Querubin, 2013, 2016; Tadem & Tadem, 2016). For the 17th Congress (2016 to 2019), 73 per cent of the lower house members had dynastic ties. This percentage is about the same as that of the 15th Congress (2010-2013), where it is estimated that dynastic politicians comprised 70 per cent of jurisdiction-based legislators (Mendoza et al., 2012) and the 16th Congress (2013-2016), with 74 per cent (Tadem & Tadem, 2016). Currently, 14 of the 24 senators had relatives preceding them in national or local elective positions or have relatives serving in elective posts during their term. The dominance of dynastic politicians is ironic, given the Philippine Constitution's prohibition of political dynasties. Article II Section 26 of the 1987 Constitution states: 'The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.' Except for the Sangguniang Kabataan Reform Law which applies to barangay or community youth council, no other law has been passed by Congress to implement or even define political dynasties despite several attempts over the years (Tadem & Tadem, 2016).¹⁵

To provide representation to marginalised sectors of the society such as the labour, peasant, urban poor, indigenous cultural communities, women, and youth, the Philippine Constitution included a provision for sectoral or party-list representatives constituting 20 per cent of the lower house. Each sectoral party with two per cent of the national vote shall be entitled to one seat each with an additional seat for every two per cent of the vote thereafter until a party has three seats. Hence,

¹⁵ SBN-1480: The Anti-Political Dynasty Act filed by Senator Grace Poe; SBN-264: Anti-Political Dynasty Act of 2019 filed by Senator Francis Pangilinan; SBN-30: Anti-Political Dynasty Act of 2019 filed by Senator Panfilo Lacson; SBN-11: The Anti-Political Dynasty Act filed by Senator Franklin Drilon; HB00110: An Act Defining Political Dynasty and Prohibiting the Establishment Thereof filed by Congressman Lawrence Fortun; HB00145: An Act Defining Political Dynasty and Prohibiting the Establishment Thereof filed by Congressman Rodante Marcoleta.

a sectoral party can obtain only a maximum of three seats. There were two party-list groups for women's parties, Abanse Pinay and GWP, which managed to obtain seats: Abanse Pinay, in the 11th Congress, and GWP in the 13th to 18th Congresses.

Considering that political dynasties occupy most of the jurisdiction-based seats, dynasties also fielded candidates as nominees under the party-list system in recent elections. For instance, Juan Miguel Macapagal Arroyo, son of former president Gloria Macapagal Arroyo, was district representative of Pampanga during the 13th and 14th Congresses. He became a party-list representative of *Ang Galing Pinoy* party during the 15th Congress as his mother replaced him for the Pampanga congressional seat. With this, political dynasties dominate Congress as district representatives and obtain additional seats by nominating candidates under the party-list system.

That begs the question, if dynastic women are elected primarily through name recall and political machinery of their families (Basu, 2016; Derichs & Thompson, 2013; Nishizaki, 2018), do they represent women's interest once they are in the legislature? Considering that dynastic legislators comprise most legislators in the Philippines and most women legislators are from political families, how does substantive representation happen?

A significant number of studies on women's interest or women-friendly legislation explain the differences between men and women lawmakers. Childs and Krook (2009) argue that in discussing policy success, which means achieving outcomes beneficial to women, critical actors need not be female but are likely to be female. A number of studies look at specific actions of lawmakers in stages of the legislative process. For instance, studies that examined bill initiation found that compared to men, women prioritised bills on women's interest and exhibited better outcomes in the passage of the bills filed (Jones, 1997; Taylor-Robinson & Heath, 2003; Thomas, 1991). Tremblay (1998) conducted a study on Canada's 35th Parliament to determine if women members of the House of Commons substantively represent women's interests. Results of her analysis show that although actions of both women and men MPs indicate positive support for women's issues, proportionately, women MPs outperform men in this area.

Studies likewise demonstrate the significant difference between women and men in voting for women issue bills (Dolan et al., 2017; Swers, 1998, 2002). A content analysis of floor speeches in the 106th US senate shows that for issues of importance to women, such as women's health and family, women senators speak more than men (Osborn & Mendez, 2010). A case study of the Scottish Parliament, which examined parliamentary proceedings through content and critical discourse analysis, reveals similar results with women parliamentarians more active than men in

debating interventions for women's interest policies (Chaney, 2012). Tamerius (2010) conducted a study on roll call voting, sponsorship, and cosponsorship of feminist bills and speeches in the 101st Congress of the US House of Representatives. Results show that although there is minimal difference between men and women regarding voting, women legislators exerted more effort to pass feminist legislation than men, as illustrated by a higher level of activity in bill sponsorship, co-sponsorship, and delivery of speeches. In the UK, a study on the signing of early day motions (EDMs) shows that Labour women MPs performed better than their male counterparts in terms of EDM signing on women's interest issues (Childs, 2006; Childs & Withey, 2004). The findings of a study of the reserved seats in Pakistan and Bangladesh reveal that reserved seats improve both descriptive and substantive representation of women as those elected in reserved seats had more accomplishments in advancing women's interest in the legislature, party, and constituency levels (Chowdhury, 2015). There is also evidence that more bills on women's rights were filed both by women and men legislators in assemblies with a greater number of women (Htun et al., 2013; Tam, 2017; Thomas, 1991).

As of this writing, no study has been conducted on political dynasties and women legislators at the national level in relation to their substantive contribution to women's rights policies in the Philippines. The study of Labonne et al. (2017) is the first to examine SRW in the context of dynastic politics. However, the research focused on women as local chief executives or mayors. It studied election records, government documents on budget allocation, local employment, and social welfare to assess policy outcomes. The Philippine Constitution specifies a term limit for elective local officials. Findings show that women have better chances of being elected into office following a term-limited incumbent. However, the study also reveals no significant change in policy outcomes when women from dynastic backgrounds are elected to take over the position of a relative. This finding suggests that women mayors tend to act as 'figureheads' and 'benchwarmers' (p. 30), allowing the family to be in control of the position until a previous relative can run again in the next election.

Here, I examine the role of legislators in the passage of the MCW by looking at the following: (1) bill authorship; (2) voting; (3) participation in committee meetings and floor debates, especially in the discussion of the MCW bill's contentious provisions; and (4) engagement with women's groups advocating for the passage of the MCW. In studying these indicators, the chapter answers two questions: (1) Whether there is a difference between women and men legislators in their contribution to the passage of the MCW (2) Whether the dynastic background of legislators influenced their work for the MCW. For the first three indicators, this chapter builds on the work

of scholars who have previously studied the difference between men and women legislators. However, since this thesis explores the dynamics of SRW in a dynastic context, aside from comparing men and women legislators, this chapter considers the family background and asks whether there is a difference between dynastic and non-dynastic lawmakers in the representational work they undertook on the MCW. In this way, my research investigates whether previous studies' findings apply to the Philippine context, and specifically, do we see a difference between women and men lawmakers in acting for women? The chapter thus explores how the political dynasty system shaped the passage of the MCW.

First, I discuss the political dynasty system in the Philippine legislature. This is followed by the presentation of the results of the analysis of the first and second indicators, which are bill authorship and voting. The next section explains the significance of participation in committee meetings and floor debates, especially in discussing the MCW bill's contentious provisions. I follow this with a discussion of the interaction of women's groups and legislators in lobbying for the passage of the MCW. I then sum up and identify how legislators' dynastic background influenced the enactment of the MCW.

The analysis and discussion of the first three indicators are based on previous scholarship on legislators' gender and SRW. The fourth indicator, engagement of lawmakers with women's groups, is an understudied aspect of representation. One of the possible reasons for this is that most studies look at legislators' output, which can be measured quantitatively. The studies cited in this chapter employed methods to quantify the difference between men and women in bill authorship, voting, and participation in floor debates, delivery of speeches, and interventions. Considering that civil society, specifically women's groups, play an essential role in SRW (Chaney, 2016; Joachim, 2003; L. Weldon, 2002), it is crucial to examine how lawmakers interact with civil society and vice versa.

The previous chapter discussed how strategically positioned critical actors, who worked at the international level, such as the UN and the local level, were linked with women's organisations for CEDAW's impact translation in the Philippines. Findings show that UN SEAP tapped women's groups as part of the technical working group to lobby for a CEDAW local translation legislation. Hence, to study the fourth indicator, this chapter examines the interview responses of non-legislative actors directly involved in the lobby efforts for the MCW. The fourth indicator is significant for this study because it explores the dynamics of SRW between legislators and extra-

parliamentary actors¹⁶ (Chaney, 2016; Squires, 2008) in a context where political dynasties are prevalent.

The Political Dynasty System and Women's Representation in the Philippine Legislature

Teehankee (2012) argues that 'clans, not parties, have been the building blocks of politics' in the Philippines as these clans adapt to the changing political, social, and economic landscape and thrive on clientelism to remain in power (p. 195). Because clientelism is well-entrenched in Philippine politics, it is more difficult for women to enter the political arena without the support of an established network of families, allies, and partners (Aguilar, 1998). Hence, most women who manage to win the polls come from families considered a permanent fixture in Philippine politics. Dynastic women leaders are expected to continue the legacy of their departed male relative, and they are often given a gendered symbolic title as 'mother' or 'daughter' of the nation. However, these women's political careers and influence tend to be short-lived as they are criticised for allegations of corruption and for using their positions to further their dynasties' interests (Thompson, 2003).

The 'informal arena of power' is one of the platforms used by women from political families to enter politics by utilising their traditional roles as wives and daughters of male politicians (Veneracion-Rallonza, 2008). In the informal arena, women support their male relatives occupying elective positions by attending to activities that are traditionally viewed as appropriate for women, such as charity work and relief operations during calamities. Wives and daughters are likewise expected to offer support to the male candidate during election campaigns to paint a picture of a loving husband or doting father which, in the Philippines, is an indication of high moral standards. Term limit laws promote women's entrance to politics by utilising the informal arena and capitalising on the family name and legacy of a patriarch (Veneracion-Rallonza, 2008).

While there is a growing interest in the study of political dynasties as gendered institutions, most studies are focused on descriptive representation—how dynasties help women win positions in the government. Studies on substantive representation, particularly in national legislatures of countries with a high level of dynasticism, are few. For Asian politics, most scholarly works discuss the rise and fall of prominent dynastic women—how they reach the top positions in the government. These women's rise to popularity usually follows the death or ousting of male family members. Their terms are ridden with controversy, such as allegations of corruption and patronage

¹⁶ Extra-parliamentary refers to non-electoral representation (Squires, 2008).

politics (Derichs & Thompson, 2013). Thus, there is a dearth of research on dynastic women’s policy contributions and their activities once they are elected.

Gendered Practices in the Philippine Legislature

Filipino women gained the right to vote in 1937. Elisa Rosales Ochoa became the first woman to be elected to Congress in 1941, while the first woman senator, Geronima Tomelden Pecson, was elected in 1947. The Philippine legislature remains a male-dominated arena. No woman lawmaker has been elected Senate President. Former Philippine President, Gloria Macapagal Arroyo, became the country’s first woman Speaker of the House only in 2018—77 years after the first woman won a seat in Congress. Figures 3 and 4 show the comparison of the number of female and male members of the House of Representatives and Philippine Senate through the years.

Figure 3

A comparison of the number of female and male members of the Philippine House of Representatives (1943-2019).

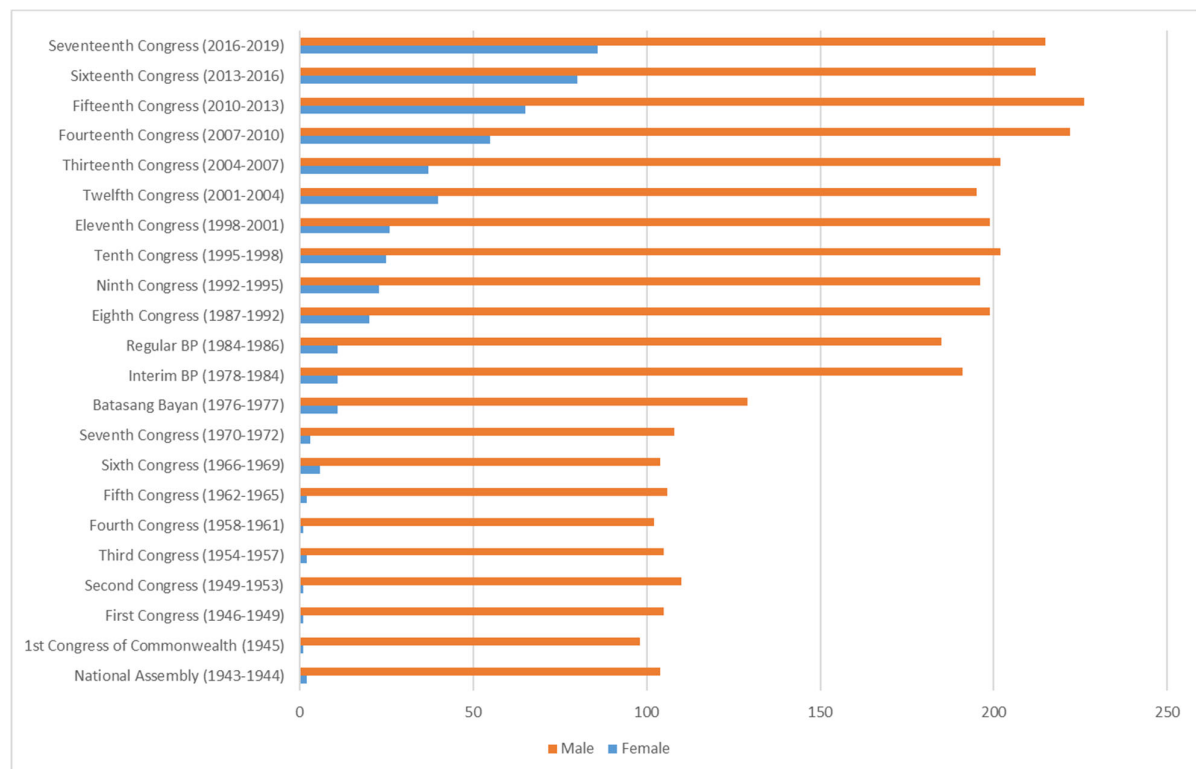
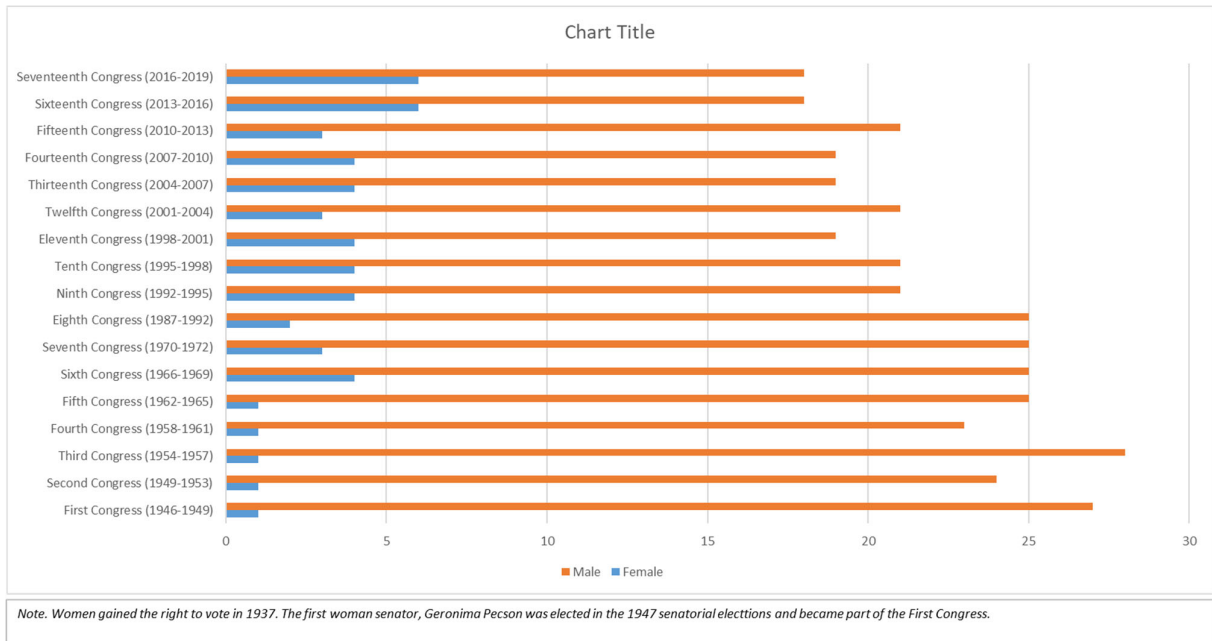


Figure 4

A comparison of the number of female and male members of the Philippine Senate (1946-2019).



When asked if the environment at the Senate/House of Representatives is conducive for women lawmakers to perform their responsibilities, the majority of the women lawmakers interviewed responded that it is an institution controlled by men, with leadership positions mostly occupied by men. They remarked that despite the gains of women, they believe that the legislature still promotes women's traditional roles. A former woman legislator recounted a ritual at the House of Representatives when there is a new speaker of the house—a position that has always been occupied by male legislators. The ritual illustrates how the legislature has been perceived as a men's turf and that the men expect it to remain as such:

When there is a new speaker, he will be asked to go to the podium and deliver a speech. The tradition was to have all the female lawmakers gather around him and escort him to the podium. I joined the first one, but the second time it happened, I decided not to join. I said, why do we need to do that? I felt like women lawmakers were being used as decorative pieces. There were two of us women lawmakers who stood our ground and decided not to join the parade. They were summoning us to join, but we refused. I was thinking, what if a woman becomes the speaker of the house? Would all the men escort her to the podium?

After that incident, they had a realisation that women should not be treated like ornaments. They decided to put an end to that tradition.¹⁷

While there were sexist practices and traditions in the legislature, the same former woman legislator commented that male public officials pride themselves on supporting women's rights. She believes that these men consider themselves part of the 'enlightened gentry' who have liberal views on women's roles in society. She added that male legislators are proud of the Philippines' good standing in gender equality, especially among the ASEAN. Sharing a specific experience when she was still part of the House of Representatives:

I remember being in an ASEAN event, and these male legislators wanted to highlight that the Philippines is a democratic country and that we have a lot of women lawmakers. They said: 'Let us show them our women lawmakers.' They're proud that they have more women in the House of Representatives. It would make the House democratic, even if the women were the wives who had to fill in the seats because the men have already completed the term. For me, it was amusing because it was so peripheral. The fact that they were flaunting our women lawmakers as if having more women in Congress makes us democratic when most of these women were just there because the men in their families have reached their term limit... And these men in Congress, if they can be as gentlemanly as they can, they will. They believe that they are the enlightened gentry. These men are 'hacendados' (from the landed class).¹⁸

This view is shared by a former member of the CEDAW Committee who also became an officer of the women's policy agency. She mentioned that the educational background of legislators influences their views on women's issues:

Most of these young women and men, because there are male supporters as well, have been educated in top universities. Many of them have gone abroad and have seen how other countries also tackle gender. Their orientation is also influenced by other external factors like their education and exposure to viewpoints in other countries, so although they're there as political and dynastic representatives, they also bring in some progressive ideas.¹⁹

When asked if there is an expectation for women legislators to be the leading advocates of women-interest laws, all women legislators interviewed for this study answered in the affirmative. A woman

¹⁷ Personal interview, Quezon City, 28 May 2019.

¹⁸ Personal interview, Quezon City, 28 May 2019.

¹⁹ Personal interview, Makati City, 7 May 2019.

legislator from a political dynasty answered, ‘Who can better understand the needs of women but women themselves?’²⁰ However, a former party-list woman legislator clarified that this expectation starts once a woman has been elected and not while running for office.

During my time in Congress, there were a lot of women from political dynasties. I believe that when they were still campaigning for the position, they were mostly seen as representatives of their families, not of women. Once elected, however, for me, as a lawmaker who is a very conscious women’s advocate, I would expect women legislators, even those from political families, to at least support our cause.²¹

Although these interviewees believe that there is an expectation for women to be the main advocates of women’s interest legislation, they all answered that men should also work for such laws. As explained by a woman lawmaker:

I think that there is still an expectation for women legislators to push for pro-women legislation. This makes sense because women have specific knowledge rooted in our experiences that could enrich legislation in a way that men’s experiences cannot equal. Despite this, I am a firm believer in the opinion that the fight for gender equality is everybody’s fight, and pushing for pro-women legislation is not limited to women only.²²

The only male legislator who agreed to be interviewed for this study answered that women lawmakers are not necessarily expected to work for women’s interest laws, adding that, ‘All legislators bear equal responsibility in advocating measures promoting women’s interest. Most importantly, there should be a greater focus on advancing bills that sanction discrimination against any sex or gender identity.’²³

Despite the increase in the number of women legislators over the years, the Philippine legislature remains dominated by men. As mentioned by a former woman legislator, certain sexist rituals have been abolished or changed.²⁴ However, as some interviewees articulated, the increase in the number of women legislators does not necessarily make the legislature pro-women. Legislators interviewed in the study believe that there is still some expectation for women to advance women’s

²⁰ Response sent by e-mail, 16 September 2019.

²¹ Personal interview, Quezon City, 6 May 2019.

²² Response sent by e-mail, 30 November 2019.

²³ Response sent by e-mail, 6 August 2019.

²⁴ Personal interview, Quezon City, 28 May 2019.

interests. The dynastic background of most women legislators remains problematic for some interviewees as they see them as benchwarmers of their male relatives.

Bill Authorship and the Significance of Family Ties

Records from the Senate and House of Representatives show that the bill was well supported in the 14th Congress, not just by female legislators but also by male legislators, whether they belonged to political dynasties or not. The bill was unanimously approved by the Senate and the lower house on its third reading. In terms of authorship, the bill had 18 male authors and 23 female authors in the lower house. It was sponsored by ten legislators, eight women, and two men. For the Senate, the record shows 11 senators as authors, including three women senators. Senator Anna Madrigal, the Chairperson of the Committee on Youth, Women, and Family Relations, was the bill's sponsor. The Senate version of the bill was a consolidation of 18 bills filed both by women and men senators. All women senators were involved either as sponsor or author of the bill compared to seven of the 19 men senators. Hence, while both women and men lawmakers were listed as authors of the MCW bill, proportionally, women outperformed men in bill authorship.

Examining official records from the Philippine Senate and House of Representatives in the 14th Congress reveals no significant difference between dynastic and non-dynastic legislators regarding bill authorship and voting. The bill was widely supported by legislators regardless of dynastic ties. However, in tracing the beginnings of the MCW, the study finds that the first MCW bill was filed by Congresswoman Bellaflor Angara and Congresswoman Josefina Josen (*Minutes of the Meeting of the Committee on Women, Philippine House of Representatives, 27 November 2007, 2007*). Congresswoman Bellaflor Angara served in the House of Representatives from the 10th to 12th Congress (1995 to 2004), representing the lone district of Aurora. When she reached the term limit in 2004 (12th Congress), her nephew Juan Edgardo M. Angara ran for the position and won, succeeding his aunt. In the records, Congressman Juan Edgardo Angara acknowledged his aunt's role in filing the first MCW bill, which he refiled in the 14th Congress. In his sponsorship speech, he said, '...I don't think I need to give an extended sponsorship speech of this bill. I hope we pass it and it will not be one of those bills that just keep getting refiled in every Congress' (*Minutes of the Meeting of the Committee on Women, Philippine House of Representatives, 27 November 2007, 2007*). Senator Edgardo Angara, the father of Congressman Juan Edgardo Angara and brother of Congresswoman Bellaflor Angara, was one of the senators who filed a counterpart bill in the Senate (*Committee Report 76, 2008*). One of the principal authors of the bill interviewed for this study commented that 'there

were formal and informal discussions' about the MCW with a relative who had a significant role in legislative work for a similar bill filed in previous Congress.²⁵

This study's findings support previous studies on the SRW that show women perform better than men in terms of bill authorship. As for the relevance of dynastic ties, analysis shows that both dynastic and non-dynastic legislators authored bills on the MCW. There is also some evidence that legislators from the same family all filed their own versions of the MCW bill. This finding suggests that dynastic ties could be a significant indicator of how members of the same family, serving in the legislature, support specific measures. The impact of family ties on legislative performance, particularly in highly dynastic contexts, is an area that needs further research.

The Bill's Contentious Provisions: Women Advocating for Women

The records of the House of Representatives show that there were four privilege²⁶ speeches about the MCW, all delivered by women on 3 March 2008 (*House of Representatives Journal No. 63*, 2008). The journal entry stated that the women legislators were given the opportunity to deliver their privilege speeches, 'considering that March is the International Women's month' (p. 9). Those who gave the speeches were representatives Mary Mitzi L. Cajayon (privilege speech 151), Emmylou Talino-Mendoza (privilege speech 153), Ma. Amelita C. Villarosa (privilege speech 154), and Thelma C. Almario (privilege speech 155). Senator Maria Ana Consuelo Madrigal delivered the sponsorship speech for the Senate, and Senator Loren Legarda delivered the co-sponsorship speech (*Senate Journal No. 5*, 2008).²⁷ On 4 March 2009, Senator Madrigal moved for the approval of the conference committee report submitted to the Senate for the consolidated Senate (SBN-2396) and House (HBN-4273) versions of the MCW bill (*Senate Journal No. 60*, 2009, p. 1790). While it was not explicitly stated in the Senate records, it is notable that Senator Madrigal's proposal was made in time for the women's month celebration.

Although women delivered most of the speeches for the MCW, it does not necessarily mean that their male counterparts were indifferent towards the passage of the measure. Based on the records, it appears that men took a step back in this piece of legislation and allowed the women 'to take

²⁵ Response sent by e-mail, 6 August 2019.

²⁶ Under Section 11, Article VI of the Philippine Constitution, 'No Member shall be questioned nor be held liable in any other place for any speech or debate in the Congress or in any committee thereof. Delivery of privilege speech is an entitlement of a legislator by virtue of the office and part of the rituals and traditions of the Philippine legislature.

²⁷ Senator Pia Cayetano's cosponsorship speech on Senate Bill No. 2396 was deemed read into the Journal and Record of the Senate.

center stage'. The following excerpt from the records of the House of Representatives illustrates this (*House of Representatives Journal No. 63*, 2008):

Subsequently, Rep. Magsaysay manifested that no interpellation will be allowed until the Lady Legislators shall have finished with their privilege speeches.

Rep. Magsaysay said that she knows that Rep. Amante is a gentleman, and that the latter will give way to the women-legislators' privilege speeches considering that March is the International Women's Month.

At this point, the Chair recognised Rep. Amante.

Rep. Amante withdrew his earlier manifestation to allow the women legislators to deliver their privilege speeches.

The excerpt above shows how women legislators used gendered practices, such as referring to a male colleague 'as a gentleman', to advance their advocacy. Ironic as it seems, it is an example of how women legislators navigate their male-dominated environment. It makes the delivery of speeches less threatening to the male legislators and obliges them to 'give way' to the women. These practices are part of the negotiation within the institution where men continue to dictate the agenda. I argue that since most of the women legislators are from political dynasties, speaking about women's rights becomes even more challenging in a session with an audience full of male colleagues who are family members, friends of fathers, brothers, spouses, or uncles. We need to revisit our discussion about dynasties as families. The Filipino culture dictates that women submit to the men in the family. Hence, there seems to be an unwritten rule for women to seek permission from men before they speak—even if they are supposed to be equals.

While the delivery of speeches is an integral part of a lawmaker's role as it promotes the bill to fellow lawmakers, I argue it is also often a ceremonial practice or a ritual that legislators perform as part of the job. Those I interviewed, who were part of the technical working group, commented on how they provided information and resources to most legislators through their staff.²⁸ Legislators had time to prepare their speeches and could assign members of their staff to assist them. On the other hand, engaging in dialogues, especially in resolving the bill's contentious provisions, is a more challenging aspect of legislative work since this entails knowledge of the bill.

²⁸ Personal interview with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, Quezon City, 21 May 2019; with a staff of the women's policy agency directly involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019; with the Secretary General of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 7 June 2019, Quezon City.

Unlike privilege speeches that can be read, defending and explaining one's position on provisions to be retained or removed require lawmakers to argue with fellow lawmakers and even question their views. Hence, the following section focuses on how the conferees acted on the bill's contentious provisions using feminist critical discourse analysis (FCDA). It considers whether the lawmakers' argument is in accordance with the articles of CEDAW and the CEDAW Committee recommendations on non-discrimination. However, a caveat needs to be raised that the lawmakers did not have a wholesale adoption of the CEDAW articles or the Committee recommendations as discussed in the previous chapter. Therefore, by saying that a lawmaker's argument or position abides by the CEDAW, the study refers to the ideals of non-discrimination based on gender espoused by the Treaty.

Using FCDA allows for a comprehensive examination of legislators' role as critical actors by considering the substance of the arguments that shaped the final law. As discussed in the previous sections, it was clear that the MCW bill was well supported by lawmakers, both women and men, coming from dynastic and non-dynastic backgrounds. Although consistent with previous studies, women lawmakers proportionally outperformed the men in authorship and delivery of speeches. Focusing on the substance of their arguments provides a better understanding of the dynamics of substantive representation, which is the aim of this study. Finally, as argued by Lazar (2005), the focus of FCDA is 'on how gender ideology and gendered relations of power are (re)produced, negotiated and contested in representations of social practices, in social relationships between people, and in people's social and personal identities in texts and talk' (p. 11). Lazar further explains the concept of 'gender relationality' which highlights two types of relationships: between women and men 'in particular communities of practice' and the 'dynamics between forms of masculinity' which includes how women within male-dominated cultures take part in maintaining and promoting practices that discriminate against other women (p.12). Gender relationality is a significant aspect of this study. It investigates how women and men lawmakers act for women in a male-dominated legislature, where the majority of the minority (the women lawmakers) come from dynastic families.

I examine the bicameral conference committee meeting on the disagreeing provisions of the MCW bill for three reasons. Firstly, it was the venue for the House of Representatives and the Senate to prepare a conference report which paves the way for a finalised version of the bill for transmission to the President. In theory, conferees are prevented from removing provisions agreed to by both Houses to the effect of including new provisions. Second, the contentious provisions include those that faced significant scrutiny in both chambers. Official records show that lawmakers decided to

defer the discussion of these provisions during committee meetings and let the bicameral conference committee decide on them. Third, it was the final opportunity to argue for the inclusion or removal of the contested provisions.

The previous chapter partly discussed these contentious provisions under the topic of impact translation. It presented how the MCW became the Philippines' CEDAW translation and how lawmakers resolved the conflicts arising from these provisions. Here, I focus on the roles of legislators in the deliberations. The bicameral conference committee meeting minutes show both women and men advocating for provisions aligned with CEDAW. However, the records also show that all opposition to such provisions came from male legislators. It is also evident that women party-list representatives were more insistent on discussing the non-discrimination provisions of the bill compared to jurisdictional legislators who are predominantly from dynasties. Excerpts of the meeting's minutes are presented here to illustrate significant points on how legislators argued for provisions that they believed should be added to or removed from the final version of the bill.

The following legislators lobbied strongly for provisions that are in accordance with CEDAW: Congresswoman Janet Garin, a medical doctor, pushed for the approval of providing medical care for women who had undergone an abortion. She likewise advocated for the definition of gender, which aligns with the WHO definition. Congresswoman Liza Maza and Congresswoman Luzviminda Ilagan were both representatives of GWP. GWP was the only women's party in Congress. The two women advocated for the non-discrimination provisions, particularly in the dismissal of women in educational institutions on the grounds of pregnancy outside marriage and the inclusive definition of gender, which considers the LGBTQI. Among the men, Congressman Edcel Lagman, a human rights lawyer, supported the position maintained by the women lawmakers Garin, Maza, and Ilagan and endeavoured to harmonise these positions with Philippine statutes, particularly the Philippine Constitution.

Congressman Eduardo Zialcita and Senator Aquilino Pimentel Jr argued against the provisions aligned with CEDAW. The other male members of the bicameral conference committee generally agreed with the women lawmakers' position except for the issue on the dismissal of women from educational institutions on pregnancy outside of marriage. Under Section 16 C, the bill provides:

Expulsion and non-readmission of women faculty due to pregnancy outside of marriage shall be outlawed. No school shall turn out or refuse admission to a female student solely on account of her being pregnant outside of marriage during her term in school.

Congressman Zialcita was arguing for the adoption of the proviso, ‘except after due process as provided by the appropriate school authorities’. The lengthy debate about the provision stemmed from the supposed conflict with academic freedom, particularly of schools operated by Catholic religious organisations. These schools maintain that the rules on the retention of staff and students are part of their academic freedom. Based on the minutes of the meeting, except for Congressman Lagman, the male legislators were leaning towards the inclusion of the proviso in agreement with the position of educational institutions operated by religious groups or had no direct opposition to it.

In determining the legislators’ critical contribution to the discussion on the bill’s contentious provisions, this study draws on Fairclough’s (2010) normative concept of ‘critique’—‘what is wrong with a society (an institution, an organisation etc.), and how “wrongs” might be “righted” or mitigated, from a particular normative standpoint’ (p. 7). Fairclough’s approach to Critical Discourse Analysis emphasises the significance of values and the potential for making change—to see the difference between society’s aspirations and realities. He differentiates between ‘*negative critique*’, which looks at how societies maintain practices that propagate social ills, and ‘*positive critique*’, which examines how these practices are addressed for mitigation or rectification. Finally, Fairclough stresses that the ‘primary focus of CDA is on the effect of power relations and inequalities in producing social wrongs, and in particular on discursive aspects of power relations and inequalities...’ (p. 8). Hence, this section selects statements by lawmakers exemplifying *negative critique* or ideas that maintain discriminatory practices on account of gender and *positive critique* or ideas promoting policy change to address these discriminatory practices as it expounds on the role of legislators in shaping the final version of the MCW bill.

There were six disagreeing provisions between the House and Senate versions of the bill²⁹ (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009). However, the provisions on the definition of gender, equal access, and elimination of discrimination in education, scholarships, and training, and women’s right to health required the most extended deliberation. This part of the chapter discusses these three contentious provisions and how the lawmakers contributed critically to the debates using Lazar’s

²⁹ The six disagreeing provisions were under Section 2 Declaration of Policy on the Principles of Human Rights of Women, specifically on the concept of universal human rights; Section 4 on the Definition of Gender; Section 13 on Equal Access and Elimination of Discrimination in Education, Scholarships, and Training specifically on the dismissal of women from educational institutions on account of pregnancy outside of marriage; Section 15 on Women in Military, where lawmakers decided to expand the provision to include the police and other similar services; Section 17 on Women’s Right to Health; specifically the inclusion of the word ‘ethical’ in the methods of family planning; and Section 19 on Equal Rights in All Matters Relating to Marriage and Family Relations, specifically the use of the concept of common-law relationships.

(2005) concept of ‘gender relationality’ and Fairclough’s (2010) notions of *‘positive and negative critique.’*

On the Definition of Gender

The following excerpt, a discussion among three male lawmakers, Senator Pimentel, Congressman Zialcita, and Senator Lacson, shows that while male lawmakers acknowledge the LGBTQI community, there was hesitation to include them. Senator Pimentel was strongly advocating for the use of sex as opposed to the WHO definition of gender, a proposal that women lawmakers, particularly medical doctor Garin, opposed. Senator Pimentel’s position on this matter reflects the norm in Philippine society and culture. This prevailing ideology limits the discussion of gender rights of the LGBTQI in the socio-political and economic realms. For instance, article 1 of the Family Code of the Philippines defines marriage as ‘a special contract of permanent union between a man and a woman entered into in accordance with law for the establishment of conjugal and family life.’ Article 2 of the Code specifies that parties ‘must be a male and a female’.³⁰ Marriage is only one of those areas where gender identity has consequences to individual rights.³¹

Senator Pimentel: Before we do that, just for the record because obviously, at some point, there may be questions that will reach the Supreme Court on this issue. So that for the life of me, I cannot understand why when we talk of the Magna Carta for Women, we have to talk of other variations of womanhood (Laughter). In other words, why not talk about sex? Sex is more clear, more concise, and direct to the point, and the issue was raised—what about homosexuals and lesbians?—maybe in other legislation but not for Magna Carta for Women. We are talking about women here.

Representative Zialcita: Maybe we should just strike the word gender, Madam Chair.

Senator Pimentel: It’s not the Magna Carta for homosexuals.

Senator Lacson: In reply to Senator Nene’s [Pimentel] comment, there are a lot of gay women.

³⁰ In the case of *Falcis III v. Civil Registrar-General* (G.R. No. 217910), the Philippine Supreme Court dismissed the petition questioning the constitutionality of these provisions in the Family Code. In its ruling, the Supreme Court stated: ‘Lest the exercise of its power amount to a ruling on the wisdom of the policy imposed by Congress on the subject matter of the law, the judiciary does not arrogate unto itself the rule-making prerogative by a swift determination that a rule ought not exist’. Stated simply, the Judiciary leaves the issue on same-sex marriage to the hands of the Legislature.

³¹ The Sexual Orientation and Gender Identity Expression (SOGIE) Equality Bill has been filed in the 18th Congress. It has been referred to as the non-discrimination bill which prohibits gender-based discrimination.

Voice: Ah yeah

Senator Pimentel: But they are still women, and the sex is still women no matter if they undergo surgery or dress...accoutrements or surgical skills do not a man and a woman make. It is nature that makes a woman, woman and a man, man. (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 23).

It was evident in the deliberation that lawmakers opted to avoid the complexity of the issues associated with defining the concept of gender. As discussed in the previous chapter, this resulted in the omission of the definition of gender in the MCW law despite the use of the concept in various sections of the law. Instead of opening the conversation to include LGBTQI rights, the legislators decided to define women's rights from the heterosexual perspective. Senator Pimentel's response to Senator Lacson's comment about specifically including gay women in the bill shows negative critique. It discriminates against those who do not fit his binary conceptualisation of gender.

On the dismissal of women from educational institutions because of pregnancy outside of marriage

Although there was a general agreement among all lawmakers that educational institutions should not dismiss women students and faculty on account of pregnancy outside marriage, some lawmakers were taking the position of educational institutions managed by religious organisations to allow leeway in such matters, arguing that it is part of academic freedom. They argued that schools have policies and guidelines that their faculty and students need to follow. Applying the concept of positive critique, women lawmakers, particularly Garin and Maza, explained that such rules were discriminatory considering that only women were being penalised. The following excerpt shows how Congressman Zialcita took the discussion away from the issue of discrimination by saying that the bill being discussed applies only to women and not men. He was taking the position of some Catholic schools that dismissing women students and teachers because of pregnancy outside of marriage does not necessarily discriminate against women.

Rep Zialcita: Please allow me to speak with all candor and honesty. There are some Catholic schools, in particular, that are objecting to the idea that women can get pregnant without getting married. Sure they can do it provided they keep it, or it's really up to their conscience. But if you're running a Catholic school where you are preaching morality and righteousness,

supposing there are 50 of the teachers who are pregnant outside marriage, it becomes very difficult to explain it to the student.

So, it's simply saying that we are not just about to fire everybody in school because they get pregnant, but we're simply saying that, please allow the schools to have some flexibility so that after due process they may or may not be retained. (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 35)

Rep Garin: Why don't we include the father? The one who impregnated the teacher or the student?

Rep Zialcita: This is the Magna Carta for Women, not Magna Carta for Husbands

Laughter. (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 38)

Rep. Largoza-Maza: I think it is incumbent upon me to manifest based on a feminist perspective why this specific provision is included here. Earlier, it was just laughed upon that the men should not be included because this is not the Magna Carta for Men. That's precisely the problem. Both the man and the woman decided to have sex and enjoyed it, but the woman who gets pregnant gets punished by society. The man gets to stay in the school. That's why we are saying that there are discriminatory practices like this. That's the logic behind this provision.

Rep Climaco: ... We have been penalising girls for being pregnant, and what message does this bring to society? What is the shared responsibility or culpability of the male? (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 45-46)

Rep Largoza-Maza: I will pursue my point, and again, I will reiterate the rationale behind this provision. For me, it's not even academic freedom. It's about equality. And what I'm saying is that women are the ones discriminated and men are not.

Rep. Lagman: Why is that this exception reading 'except after due process as provided for by appropriate school authorities' should be deleted? This exception makes a loophole to the rule, which is inordinately used. So we're just making a mockery of the rule by making

this exception. (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 55-56)

Congresswoman Maza's argument brought back the discrimination issue, which was being evaded as the male lawmakers focused on the concept of academic freedom. She explained the rationale of the provision and why the exception being sought by educational institutions managed by religious organisations should not be considered. This statement was followed by Congresswoman Climaco's final appeal that women were being penalised for being pregnant and Congressman Lagman's argument that granting the exception would make 'a mockery of the rule'. The deliberation ended with the vote that such an exception should be stricken out. Thus, the MCW law prohibits the dismissal of women from schools due to pregnancy outside of marriage without any exceptions.

These excerpts illustrate how male legislators regard pregnancy as a women's sole responsibility. The male legislators advocating for academic freedom seem unmindful of how women are penalised in this situation. In the case of *Struck versus Secretary of Defense*, Prof. Ruth Bader-Ginsburg argued that 'pregnancy discrimination is sex discrimination' and that 'women's equality and women's reproductive freedom are inextricably linked' (Siegel & Siegel, 2015, p. 796). The study of Shalev (2000), which examined states parties' periodic reports under CEDAW, reveals that policymakers' attitudes play an important role in addressing women's reproductive rights issues. In the Philippine context, the conflict of gender equality principles, particularly in reproductive health, with Catholic doctrines remains a significant hurdle in legislation addressing these policy issues (Ruiz Austria, 2004; Tanyag, 2015).

On Women's right to health and methods of family planning

Rep Zialcita: I thought that we understand that we are not promoting abortion. However, it may be construed precisely misinterpreted. So please just say, to play it safe is to use the word post-pregnancy complications because it's even broader.

Senator Pimentel: What Ed [Zialcita] is trying to point out is the possibility that other interpretations might creep into on otherwise supposedly innocuous provision, which we can avoid. We simply say, *prevention of abortion*, period. (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 76).

The previous chapter describes how lawmakers avoided the discussion of abortion in the MCW despite the CEDAW Committee's recommendation. The excerpts illustrate the fear of lawmakers, especially the male lawmakers, to incorporate any concept that may be construed as consenting to or tolerating abortion or abortifacient means of family planning. The insistence on inserting the word *ethical* in the state's provision for family planning methods shows the plea to religious morality following the Philippine Catholic Church's position on the matter to avoid the use of contraceptives (Ruiz Austria, 2004; Tanyag, 2015). Except to push for the provision to protect women from pregnancy-related complications, even women lawmakers did not discuss abortion. There is an expectation that the Philippines' strict laws against abortion would remain even after the country passed the RPRHA in 2012.³²

Using FCDA reveals that the lawmakers' participation in the deliberation of the bill's contentious provisions mattered in shaping the MCW law. Here, I argue that the background of the legislators is significant. Congresswoman Liza Maza is a women's rights activist, and she disputed the inclusion of provisions that could allow schools to dismiss women based on pregnancy outside of marriage. She steered the discussion back to discrimination when Congressman Zialcita and others were endorsing the academic freedom argument to justify such provisions. Congressman Lagman is a human rights lawyer and activist, and his statements helped in harmonising the provisions of non-discrimination with Philippines laws. Congresswoman Garin is a medical doctor, and she used her knowledge and experience in medicine to push for women-friendly provisions related to pregnancy and post-pregnancy complications.

Regarding gender relationality, it was primarily the men who were vocal in the discussions on the contentious provisions. Even Congresswoman Garin, who was active in the debate, had to make an introductory statement to avoid sounding disrespectful to her male colleague, who also happens to be her relative. In explaining her position on the issue of the inclusion of international treaty principles in the national law:

With due courtesy to my uncle, the Honorable Raul Del Mar, I do respect his opinion, but whenever we craft bills and laws...anything that we do, if it is in violation of what is stated in the Constitution, the Constitution prevails (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 15).

³² The constitutionality of the RPRHA was challenged, and the Supreme Court issued a status quo order for its implementation. In 2014, the Supreme Court upheld the constitutionality of the law.

When Congresswoman Garin argued against penalising women who get pregnant outside of marriage, and Congressman Zialcita answered, ‘This is the Magna Carta for Women, not Magna Carta for Husbands’, which was followed by laughter, Garin did not answer back. Congresswoman Maza had to revisit this point and remind her colleagues about the issue of discrimination when the committee was already leaning towards justifying the discriminatory provision as part of the school’s academic freedom. These exchanges illustrate how dynastic ties can shape the discourse in the male-dominated legislature. Garin, a dynastic lawmaker, used her relationships to appear less aggressive. However, when the men insisted on their position, a non-dynastic women’s party-list lawmaker had to step in and argue against including the discriminatory provision. Applying my earlier analysis on dynasties as families, It appears that dynastic ties can facilitate interaction. It is easier to speak with someone related to you, but there is still some expectation for women not to argue with men in the Philippine culture—especially older or more senior men in terms of position or experience. Hence, support from a fellow woman lawmaker, in this case, Maza, who does not have any dynastic ties, seemed necessary.

Using FCDA provides a ‘thick’ analysis of the gendered dimensions of dialogue and debate as part of the legislators’ role as policymakers. However, while active participation in deliberations is an essential part of the position, lawmakers do not work in a vacuum. Their interaction with stakeholders, especially those who strongly advocate for proposed bills, is also significant. The last part of this chapter discusses the engagement of legislators with non-legislative actors.

Engagement with Non-legislative Actors

When asked about the factors they considered in approaching a legislator to support the bill, the non-legislative actors interviewed for this study answered that the legislators’ sphere of influence is important. ‘I don’t consider the gender or background of the legislator but whether he or she can influence fellow legislators,’ commented one from a women’s non-profit organisation.³³ The women’s policy agency staff answered that they work on winning over the lawmakers holding crucial positions, such as the committee chair.³⁴ However, most of those interviewed answered that generally, they approach women legislators first when lobbying for women’s interest bills.

³³ Personal interview with a national coordinator of a women’s organisation directly involved in the lobby work for the Magna Carta of Women, Quezon City, 21 May 2019.

³⁴ Personal interview with a staff of the women’s policy agency directly involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019.

Some interviewees expressed negative opinions about male legislators.³⁵ They said that many male legislators still do not take women's issues seriously. A former official from the policy agency remarked that many male legislators believe that women in the Philippines are already equal with men and that non-discrimination laws are no longer necessary.³⁶

While the majority of the interviewees from civil society argued that dynastic background does not matter in terms of engagement, an officer of a women's organisation working with women in rural areas expressed a different view. 'When we approach lawmakers, we consider their class. We know that many of them belong to landed elites and have interests that may be against what we are advocating for rural women. Many of our lawmakers from political dynasties are from this landed class.'³⁷ A former woman lawmaker remarked that while lawmakers support women's rights and gender issues in general, areas that pertain to economic rights may be more challenging to legislate when they compete with individual lawmakers' interests.³⁸ Another former woman lawmaker agreed with this view,³⁹ commenting that legislators, even men, would work to pass women's issue laws that are 'harmless'. Asked to elaborate about what 'harmless' means, she responded, 'When a proposed bill touches their economic and political interests, they will oppose that, but for women's rights, they would be benevolent'. The view that legislators are generally supportive of gender equality is shared by a lawmaker who belongs to a political dynasty interviewed for this study.⁴⁰ She argued that the gender equality clause under Article 14 of the Philippine Constitution, which mandates 'fundamental equality before the law of women and men', was one of the key reasons why the MCW was passed. This lawmaker supported the MCW despite her affiliation with religious organisations and traditional women's organisations who lobbied against it.

Another former lawmaker who was part of the 12th Congress, when the first MCW bill was introduced in the lower house, believes that there is a difference between women legislators who have an NGO background and those who entered the legislature through the dynasty system:

This is not to put down anybody. It is just the reality of the quantitative number of women in Congress, in the House of Representatives, in particular. [Having more women] does not mean that there are more women advocates. What it means is that men have conveniently

³⁵ Personal interviews with a staff of the women's policy agency directly involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019; with a former Chairperson of the women's policy agency, Quezon City, 17 May 2019; with a women's rights activist and former legislator, Quezon City, 6 May 2019.

³⁶ Personal interview with a former Chairperson of the women's policy agency, Quezon City, 17 May 2019.

³⁷ Personal interview, Quezon City, 7 June 2019.

³⁸ Personal interview, Quezon City, 6 May 2019.

³⁹ Personal interview, Quezon City, 28 May 2019.

⁴⁰ Response sent by email 16 September 2019.

convinced their wives to run for Congress to save the seats that they can no longer occupy because they have already completed their three terms in Congress, and that's substantially much of the reason why you've got a whole lot of women. So that's the difference, I'm saying. You have a difference with a woman in Congress who's had an NGO background fighting for women's rights and has been created precisely to fight for women's rights. There's a difference between that and a woman who ran for Congress and won because her husband can no longer sit because he already completed three terms, but they have to save the seat for the next term around.⁴¹

This view is shared by an officer of a women's organisation belonging to the technical working group of the MCW. She commented that their group needed to feed information to women legislators to prepare them for their legislative work, for example, bills, speeches, and discussions. However, this is not the case for women legislators from party-list groups. 'The party-list representatives have their inputs. They also had their bills that they integrated into the MCW bill.'⁴²

Most of the non-legislator interviewees believe that the legislators supported the bill because they were able to demonstrate that it was widely supported by women's groups from all over the country. The interviewees from the non-profit sector and policy agency recalled how they had to bring constituents from the legislators' districts when they met with individual legislators about the bill. 'Visible constituency was one of the key factors why Congress passed this bill',⁴³ remarked one of the interviewees. 'To the credit of the women's organisations, they really lobbied for the passage of this bill, not just the Manila-based organisations but even those from the provinces',⁴⁴ said another interviewee. 'We had women's groups attend the Senate and the House sessions, and the legislators saw this',⁴⁵ commented another.

A leader of a women's organisation involved in lobbying for the bill pointed out that seeing how women's organisations can be mobilised for a cause made the legislators realise that the same organisations can be tapped in future political agenda.⁴⁶ Bill authorship, voting records, and the interviewees' experiences and observations indicate that the dynastic background of legislators did not matter in their support for the MCW bill. However, given that the main objective of the political dynasty system is to keep power in the family (Querubin, 2013, 2016; Teehankee, 2002),

⁴¹ Personal interview, Quezon City, 28 May 2019.

⁴² Personal interview, Quezon City, 7 June 2019.

⁴³ Personal interview with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, Quezon City, 21 May 2019.

⁴⁴ Personal interview with a former legislator, Quezon City, 6 May 2019.

⁴⁵ Personal interview with a former officer of the women's policy agency, Makati City, 7 May 2019.

⁴⁶ Personal interview, 21 May 2019.

it is plausible that dynastic politicians recognise that supporting the bill will serve their political interests, seeing how women's groups were able to organise women from the grassroots.

Summary

There are two significant points we can learn from these findings. First, non-legislative actors see women as allies in advancing women's rights legislation, such as the MCW, more than the men. Secondly, what legislators can contribute based on their position and perceived sphere of influence are the main factors considered by non-legislative actors. The dynastic background matters only when the bills being advocated may conflict with the legislators' class interest, such as those involving economic rights. These findings show that when it comes to engagement with non-legislative actors, more women, regardless of their background or political affiliation, are important since they are perceived as possible allies. This does not necessarily mean that non-legislative actors have expectations that advancing women's rights legislation is primarily the role of women lawmakers. All interviewees answered that they believe that both women and men legislators should push for women-friendly laws. Based on their responses, past experiences, such as how women legislators were more active in supporting their proposed legislation and the negative experiences when engaging with male legislators, may have shaped their actions.

My findings show that dynastic women and men in the legislature substantively represented women. They have authored and sponsored bills and engaged with non-legislative actors in lobbying for the bill. However, both dynastic and non-dynastic women were more active than their male counterparts in working for the passage of this landmark legislation. Although the male legislators also voted for the bill, the more tedious legislative tasks were undertaken by women legislators. There is also some evidence that legislators from the same family all filed their own versions of the MCW bill. This suggests that dynastic ties could be a significant indicator of how members of the same family serving in the legislature support specific measures. Despite this, politics is still a balancing act. Legislators, regardless of gender, need to think about their political careers. Dynastic legislators need to consider their future and the future of their dynasties. As posited by Saward (2006), representation is a complex process of 'performance'. This study shows that legislators have substantively represented women but only to a certain extent—some provisions of the bill needed to be toned down. Despite the CEDAW Committee's recommendations for the Philippines to have legislation on divorce and abortion, these were not considered by the Legislature. The minutes of the deliberations on the bill's contentious provisions indicate the lawmakers' hesitation, especially the men, to even mention these concepts.

Finally, my analysis also suggests that the lawmaker's background matters in shaping the final form of the law. Congresswoman Liza Maza is a women's rights activist, and she argued against the inclusion of discriminatory provisions against women in education. Congressman Lagman is a human rights lawyer and activist, and his arguments helped harmonise the provisions of non-discrimination with Philippines laws. Congresswoman Garin is a medical doctor, and she used her knowledge and experience in medicine to push for women-friendly provisions related to reproductive health.

This chapter contributes to a better understanding of women's substantive representation in contexts where informal institutions rather than party affiliation and ideology shape policy agendas and preferences. It shows that legislators' roles in SRW remain important—despite claims that they are less effective than other policy actors such as women's movements in articulating women's interests (Weldon, 2002). The chapter also provides a concrete example of how the 'thick' contextual framework proposed by Mackay (2008) works as a methodology in the SRW studies. Quantitative tools and counting policy outputs, such as bill authorship and voting, provide quantifiable information on substantive representation. However, this chapter shows that using FCDA allows us to see which actors contribute to the MCW's provisions that have more substantial and long-term benefits for women. These findings reveal that legislators' contributions cannot be reduced to filing a bill and voting on it. The bill's final version is highly dependent on how legislators, as critical actors, argue their points to advocate for provisions that they support. Their engagement with civil society, especially the technical working group which conducted various meetings with women's groups from all over the country, is equally important. This point will be explained further in the following chapter which examines the role of non-legislative actors focusing on civil society and women's policy agency.

Chapter 6

The Role of Civil Society and the Women's Policy Agency

When the MCW was ratified in 2009, the media highlighted how the law was passed during the term of the second woman President of the Philippines, Gloria Macapagal-Arroyo. The news featured interviews with women senators, particularly those seen as champions of the bill, depicting them as defenders of women's rights in the male-dominated Philippine legislature. While the public primarily focused its attention on the prominent personalities, comprised mostly of elected officials in the national government, little is known about the policy actors that worked behind the scenes, such as Civil Society Organisations (CSOs). This seeming lack of acknowledgement of civil society's participation in advancing gender equality and women's rights in policy-making does not only happen in public discussions in the mainstream media. In his study, Chaney (2016) highlighted this gap, claiming how the civil society's role in SRW remains a marginal note in political science studies.

Before I proceed, I need to clarify that, unlike scholars focusing on Western democracies, I deviate from using the term feminist to refer to pro-women ideas and policies in my analysis of the work of civil society organisations. In the Philippines, the label 'feminist' in some respects is regarded as a Western concept (Roces, 2012; Santiago, 1995), which some groups move away from despite their advocacy for women's rights. As this chapter shows, the debate on what is 'pro-women' is far from over—especially when cultural and religious factors are considered. As explained in the introduction of this thesis, this study focuses on the CEDAW in its analysis of the MCW and women's substantive representation. While acknowledging the criticisms against the CEDAW (Brandt & Kaplan, 1995; De Pauw, 2013; Riddle, 2002), it is widely considered the women's bill of rights.

I also refrain from using the term women's movement when referring to women's organisations. Beckwith (2000) observes that a significant hurdle in the scholarship on women's movements is the absence of a definition that can be used in comparative political studies. Santiago (1995) defines women's movement as 'any action undertaken by institutions, groups, organisations, or individuals that results in social change favorable to women as a whole'⁴⁷ (pp. 111–112). While this may serve as

⁴⁷ The concept of 'women's movement' is fluid. For the challenges and issues related to defining the concept, please refer to the work of Beckwith (2000).

a working definition for specific case studies, determining how actions benefit women ‘as a whole’ is a complex process, especially when we factor in the intersection of race and class. Therefore, I use the more generic concept of civil society, which covers most women’s organisations. Civil society refers to ‘a third sector of private associations that are relatively autonomous from both state and economy... voluntary, in the sense that they are neither mandated nor run by state institutions, but spring from the everyday lives and activities of communities of interest’ (Young, 2000, p. 158). By doing this, I consider organisations that espouse feminist ideologies and those that do not. The next sections show that even organisations that are not feminist in orientation can participate in the discourse on women’s representation and advocate for some of the CEDAW principles.

The works of Beckwith and Cowell-Meyers (2007), Htun and Weldon (2010), and Weldon (2002) examined the factors influencing states’ enactment of policies for women. They found that civil society plays a critical role in promoting women’s interest in public policies. Weldon’s cross-national study revealed that the women’s movement was the key factor driving states’ adoption of policies addressing violence against women. Beckwith and Cowell-Meyers found that civil society is a prerequisite to having women-friendly policies. Their analysis of the literature and cross-national data on women’s representation showed that civil society influences both the political context and decision-making of parliamentary actors. Htun and Weldon’s study considered civil society as one of the critical actors in policymaking, whose role is defined by the country’s level of democracy. Hence, women’s organisations have more freedom to mobilise in democratic contexts, yet they may also face opposition from conservative groups. In their more recent work, Htun and Weldon (2018) also find that there are multiple ways of addressing women’s rights depending on the issue. In the case of violence against women and workplace equality, women’s movements utilise international norms to advance their agenda.

The Research Network on Gender Politics and the State (RNGS), founded by a group of scholars in 1995, conducted studies to examine the contribution of women’s policy agencies (WPAs) to women’s descriptive and substantive representation. The group looked at WPA’s work with women’s movements to advance women’s interest in policymaking (Mazur, 2001; McBride Stetson, 2001; Outshoorn, 2004). Based on the RNGS framework, ‘women’s movements are more likely to be successful in achieving favorable state responses when they ally with women’s policy agencies’ (McBride et al., 2010, p. 6). Despite the mixed results of the cross-national study across five different policy areas, namely, abortion, job training, prostitution, political representation, and a country-

specific priority issue, the findings suggest that WPAs may not always be necessary and mostly play a 'backup role' in advancing women's interest. However, most of them work with women's movements in advocacies that challenge the society's prevailing norms.

These studies provide a starting point for empirical examination of how CSOs advance SRW. Still, it is also important to analyse how CSOs engage with policymakers given that CSOs alone do not have policy-making powers. Chaney's 2016 framework discusses the formal modes of engagement, such as official meetings, consultations, deliberations, and traditional methods such as protest and lobbying. He also mentions the growing interest in how organisations utilise technology and electronic media. Nevertheless, the formal and conventional modes of engagement tend to receive more attention from policy practitioners and scholars, but it is unclear where the informal modes of engagement with the government and its instrumentalities fit within these frameworks. Although one could argue that utilising informal modes is included in the traditional modes, such as lobbying, it is useful to examine the significance of these informal channels more closely and their value for the analysis of the SRW.

This chapter examines the contribution of non-legislative policy actors, particularly CSOs and the WPA, to the passage of the MCW. It asks how CSOs and policymakers engage with each other in advancing policy change on women's rights. It explores the spaces which CSOs utilise for their SRW claims-making. Chaney (2016) defines claims-making as 'advancing policy demands on those in power' (p. 201). It also examines the informal modes of engagement that CSOs utilise in their SRW efforts, considering that current literature is focused on formal and traditional modes of engagement. It discusses how the highly dynastic socio-political environment of the Philippines shapes civil society's SRW efforts. The focus on informal channels differentiates this work from previous studies on civil society and SRW as it looks at the interplay of formal and informal institutions in CSOs' SRW claims-making.

The first section of this chapter provides a brief discussion of civil society in the Philippines, focusing on women's organisations and their role in the passage of the MCW using the framework by Chaney (2016). This is followed by a brief historical background of the Philippine Commission on Women (PCW), the Philippines' WPA, and then an examination of CSOs-WPA partnerships in lobbying for the MCW using a combined analytical framework. Chaney's (2016) approach and the RNGS framework (Mazur & McBride, 2007; McBride et al., 2010) thus allows for a more comprehensive understanding of the CSOs-WPA-legislative actors' dynamics. The chapter concludes by exploring the

modes of engagement utilised by the CSOs-WPA partnership in interacting with key actors, primarily legislative actors. I apply the framework I have developed to explain how the CSOs navigated the political dynasty system.

Civil Society and the Magna Carta of Women

Weldon (2002) argues that there is too much emphasis on lawmakers considering that women's movements and policy agencies proved to be more effective in advancing policies for women compared to individual legislators. These 'extra-parliamentary' actors need to be factored into the study of SRW as they play a substantive role in promoting women's interest in policymaking (Squires, 2008). In her review of 50 states across the United States, Weldon (2004) found that feminist civil society had better gains in advancing policies on violence against women than intrastate organisations such as women's caucuses, women's commissions, as well as culturally-oriented women's organisations. In Mexico, the work of feminist civil society, including the formation of alliances with other gender rights advocates, proved to be instrumental in the policy change on gender discrimination (Stevenson, 2005). In China, the women's policy machinery, working with more independent organisations, initiated policy changes beneficial for women despite constraints within the socio-political environment. However, most of these policy changes addressed short-term and practical issues distinguished from strategic policies with transformational outcomes (Howell, 2005). In India and Nepal, there was evidence of civil society and state partnership in gender mainstreaming programs. Yet, civil society participation could be described as 'declaratory and instrumental in orientation rather than substantive' (Chaney, 2015, p. 406), with the state driving most of the initiatives.

Turning to the Philippines, we see there were two significant periods in the history of women's rights activism: the suffrage campaign in the 1920s and 1930s and the rise of more progressive women's organisations following the fall of the Marcos administration (Roces, 2010). After the independence from American rule until around the mid-70s, women's organisations were mostly engaged in community and charity work. They were usually headed by women from well-known political families, serving as a 'support group for the men' and could hardly be classified as 'feminist' in orientation (Roces, 2010, p. 36). In the 60s, a student organisation called MAKIBAKA (Malayang Kilusan ng Bagong Kababaihan, roughly translated as Free Association of Modern Women) was established. Lorena Barros was one of its prominent leaders. MAKIBAKA aimed to organise women and raise their consciousness on issues of national concern (L. Lee, 1988). With the declaration of

martial law, MAKIBAKA went underground, and its leader Barros died at the hands of the military. According to Roces, these events prevented MAKIBAKA from developing into a feminist movement, and there was a lull in women's organisations in the Philippines.

The 1980s saw the emergence of organisations opposed to the Marcos administration. With the assassination of former Senator Benigno 'Ninoy' Aquino, a known critic of the Marcos family, the mass mobilisations culminated in the 'EDSA revolution' which led to the ouster of President Marcos in 1986 (Ileto, 1993). Women's groups composed of women's activists, including Catholic nuns (Mananzan, 2002), were involved in the anti-Marcos movement. Among these women's groups were Katipunan ng Kababaihan Para sa Kalayaan or Organization of Women for Freedom (KALAYAAN), PILIPINA, and General Assembly Binding Women for Reforms, Integrity, Equality, Leadership, and Action (GABRIELA) (Roces, 2010; Sobritchea, 2004b). Roces claims that these three groups have a feminist orientation and became active in advancing women in national policies in the succeeding administrations. As a caveat, as noted by Roces (2010, 2012), Filipina feminism is a highly debated concept. The main reason why these organisations are referred to as having a feminist orientation is to distinguish them from social or cultural women's organisations (Weldon, 2004) and those that promote values emphasising the traditional role of women (Meyer, 2003). While there were other organisations with feminist leanings, the literature highlighted these three organisations because of the size of their networks and grassroots organising efforts and having affiliates and members not just from major cities but also from rural areas. As I discuss the findings, I will explain how these organisations together with other women's groups, started to engage with state actors, helping shape policies for women. Some of their leaders later became part of the government as elected officials, WPA officers, and heads of government agencies.

Using Chaney's framework provides a macro-level analysis of how CSOs operate within the broader socio-political Philippine environment. I use the RINGS framework as an analytical tool (Mazur & McBride, 2007; McBride et al., 2010) in analysing the partnership between CSOs and WPA in lobbying for the MCW. There is value in using the RINGS model in looking at the dynamics of the WPA-CSO interaction. Additionally, Chaney's (2016) framework on the contingent factors shaping CSOs claims-making on the SRW includes WPAs as part of the state's governance structures. The RINGS framework breaks down these 'structures' identified by Chaney as we cannot assume that the mere establishment of state structures such as WPAs benefits women's representation.

Contingency Theory and the Analytical Framework on CSOs and SRW

Chaney (2016) used contingency theory to develop a framework that presents the factors influencing CSOs SRW claims-making: political, organisational, and socioeconomic. While the framework is useful for analysing the impact of state institutions, processes and systems, and CSOs' culture and capacities for civil society's promotion of women's interest, Chaney acknowledged that the framework primarily looks at the macro-level political environment. This is because the current literature on civil society and women's representation mostly examines these aspects. In addition, the framework does not cover informal institutions such as political dynasties. As I noted earlier in the thesis, there has been a growing scholarly recognition of the importance of looking at formal and informal institutions and their dynamics instead of treating them as separate spaces in institutional analyses (Helmke & Levitsky, 2004; Waylen, 2014b). In the Philippine context where most legislators are from political families (Cruz et al., 2017; Querubin, 2013, 2016; Tadem & Tadem, 2016), it is necessary to incorporate the distinctive characteristics of dynastic politics in the analysis of political factors shaping public policies.

This chapter uses Chaney's framework to examine civil society and SRW in the context of the Philippine political environment, focusing on CSO's means of engagement with the states' critical actors: the legislators and the WPA. While there were organisations from both sides advocating and opposing the measure, given that the main goal of the law is to eliminate discriminatory practices against women and promote gender equality, it can be resolved that supporting the legislation was an act of substantive representation. Moreover, although feminist conceptions of civil society and civil society's notions of gender remain problematic, promoting equality and fighting any form of discrimination is a prerequisite for societies that are civil (Edwards, 2014).

For the MCW, opposition on provisions, particularly those on women's reproductive health and gender, were mainly from organisations associated with the Catholic Church. These groups fear that the law would be used to support abortion. This excerpt, from the speech of Lucy Luistro, a representative of the Alliance for the Family Foundation of the Philippines, is one such example:

I would like to mention that we oppose certain aspects of the Magna Carta for Women in the several versions proposed because we feel they will harm Filipino society, including Filipino

women. We reject the inclusion of Section 20 of House Bills 164 and 2111 of reproductive health services among the services to be provided by the government.

The term reproductive health services have been used by supporters of abortion over many years in many countries and by many means. Similarly, we object the use of the terms reproductive health and reproductive rights. The term reproductive health as per international definition includes the right to abortion, which is illegal... In its universally accepted definitions, reproductive rights mean that contraception and abortion are framed as rights of women resulting from the woman's exclusive decision to choose whether to have children or not. While we are also committed to safeguard the dignity of women, we oppose any suggestion that childbearing is a form of discrimination or oppression that is grouped together with such problems as violence against women, lack of representation and political decision-making or unemployment. (*Minutes of the Meeting of the Committee on Women, Philippine House of Representatives, 27 November 2007, 2007, pp. 31–32*).

While these organisations disagree with the provisions on reproductive health for ideological and religious grounds, some feminist organisations were resistant to the MCW because they wanted the Reproductive Health Bill to be enacted first.⁴⁸ They had apprehensions that the MCW, which they considered the 'weaker' legislation on reproductive health, would be passed ahead of the Reproductive Health bill, and Congress may decide not to legislate the latter.

According to one of the lead persons from a women's group involved in lobbying for the MCW:

We also had problems with some women's groups, especially those advocating for reproductive health. Some of these groups wanted us to pull it out [the provisions on reproductive health]. From their perspective, if the Magna Carta of Women becomes a law, and women's right to health has been made part of it, it may weaken the lobbying for the reproductive health law.⁴⁹

A staff member of the women's policy agency mentioned the same issue:

⁴⁸ Personal interviews with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City; with a current staff of the women's policy agency directly involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019; with the Secretary General of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 7 June 2019, Quezon City.

⁴⁹ Personal interview with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City.

The lobbying for the Magna Carta of Women and the Reproductive Health bill was happening at the same time. There were even efforts to have all the reproductive health provisions included in the Magna Carta of Women, but some were removed in the process. On one end, there was the idea that when the Magna Carta of Women becomes a law, it will then serve as an anchor for the lobby work for the reproductive health bill. However, for other groups, they saw the reproductive health section in the Magna Carta of Women as a watered-down version of the reproductive health provisions they were pushing for.⁵⁰

In hindsight, during the 15th Congress, Senator Vicente Sotto III did express that there was no reason to have another law on reproductive health as such had been covered by the MCW and other existing statutes (*Senate Journal Session 11*, 2011). Despite the resistance from legislators, such as Senate President Juan Ponce Enrile and Senator Vicente Sotto III, the RPRHA eventually became a law in December 2012 (Fonbuena, 2015).

CSOs from the Grassroots and the Earliest Versions of the Bill

The state actors interviewed for this study give credit to women's organisations to promote this legislation. Records also show how active the women's organisations were in attending the consultative meetings, committee meetings, and sessions at the Senate and the House of Representatives to show their support for the bill and as resource persons on various gender-based issues.⁵¹ However, it is important to trace the roots of the original MCW bill to see the extent of participation of women's organisations in its crafting and lobbying until it was voted on by the legislature.

The initial plan to have the CEDAW Philippine law translation was through a constitutional amendment (Women's Feature Service Philippines, 2009). When President Gloria Macapagal-Arroyo decided to run for re-election, charter change was part of her agenda (Quimpo, 2009; Rocamora, 2007). The move for charter change required consultations with various sectors. The civil society, including women's organisations, saw this as an opportunity to propose changes to the Constitution (Women's Feature Service Philippines, 2009). However, the Macapagal-Arroyo administration faced

⁵⁰ Personal interview with a current staff of the women's policy agency directly involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019.

⁵¹ Based on minutes of the meetings of the Committee on Women and Gender Equality at the House of Representatives, Quezon City, 27 November 2007; Quezon City, 4 February 2008; Quezon City, 29 April 2008; Committee on Youth, Women, and Family Relations of the Philippine Senate; discussion/deliberation on the Magna Carta of Women, Pasay City, 24 April 2008; consultative meeting with Moro women, Davao City, 31 May 2008.

challenges due to controversies such as the Philippine government's contract with China-based ZTE Corporation for the National Broadband Network (NBN) (*What Went Before: NBN-ZTE Deal*, 2018) and the election fraud scandal (*Hello Garci Scandal*, 2008).

With this scenario, the interest in charter change waned. Rocamora (2007) argues that charter change, referred to as 'Chacha' by the Philippine media, served 'a practical requirement for Arroyo's survival: getting the support of local officials and Congress persons ... In fact, chacha is impossible under current conditions because everyone is preoccupied with the intense struggle between pro- and anti-Arroyo groups' (p. 25). An officer of one of the lead organisations from the women's sector commented that when the women's groups realised that the charter change route to having a CEDAW national law had been practically closed, they had to seek other options. This was when the Magna Carta for Rural Women bill drafted by the National Rural Women's Coalition or *Pambansang Koalisyon ng Kababaihan sa Kanayunan* (PKKK) came into the picture.

As explained in the previous chapter, Congresswoman Josefina Josen first filed this bill in the House. However, no counterpart bill was filed in the Senate. Ma Daryl Leyesa, Rural Women Coordinator of Philippine Center for Rural Development Studies of Centro Saka, narrated the story of their coalition's experience of lobbying for the bill. Centro Saka was one of the conveners of PKKK:

The National Rural Women's Coalition or *Pambansang Koalisyon ng Kababaihan sa Kanayunan* (PKKK) is a coalition composed of 200 organisations from 30 active provinces. Our involvement with the Magna Carta of Women advocacy started since 2002. As mentioned, there had been two magna cartas discussed before. We have been pushing for the legislation of this Magna Carta and I remember we were quite upbeat when women legislators were flown in for the deliberation during the first public hearing of the Magna Carta in Ilocos Sur. Today, we are wondering actually if the 14th Congress will go beyond intent and will this Congress really enact the proposed Magna Carta of Women? (*Meeting of the Committee on Women*, 2007, p. 6).

The UNIFEM CEDAW South East Asia Programme (SEAP), which aimed to encourage the support for CEDAW in all branches of the government, partnered with women's groups for the lobbying initiatives to have a national law translation of the CEDAW. One of the lead persons from this lobby group recounted:

We approached PKKK since we heard about the bill on the Magna Carta for Rural Women that they were championing in Congress. At that time, some legislators were asking why the bill was only for rural women. We did a nationwide consultation with different women's groups to draw a draft bill of the Magna Carta of Women. This draft bill was the one we pushed for in Congress.⁵²

The provisions on rural women were included in the draft bill proposed to Congress. When asked whether having these provisions in a consolidated MCW instead of a separate law for rural women became an advantage, one of the proponents of the original bill replied:

Partly, we had misgivings about it. We really wanted to have our own law because when we started the advocacy, simultaneously, we're also doing the movement building within the rural women coalition, and our major issue was the lack of recognition for rural women, so a law could have been instrumental in really establishing or addressing the gap on lack of recognition. Of course, the provisions that we wanted were included in the Magna Carta of Women. But then there's still a difference between having stand-alone legislation and being part of everything... The CEDAW itself has a specific article on rural women.

However, we also didn't want to miss out on the opportunity to have input to that process because it became clear that the group advocating for the Magna Carta of Women were part of the formal process. They had direct engagement with Congress, both House and Senate. They served as the technical people giving information.⁵³

Women's organisations were instrumental in drafting the MCW bill and lobbying in Congress for its passage, but as findings reveal, it was not a straightforward process. In the case of the advocates of the rural women bill, there was a struggle between moving forward with their advocacy and joining the larger association pushing for a consolidated Magna Carta law. The negotiation helped fast-track the MCW passage. The MCW supporters anticipated opposition from groups associated with the Catholic Church, given their experience in previous legislation. However, the conflict with women's groups wanting to give precedence to the Reproductive Health Bill was a different challenge. It divided

⁵² Personal interview with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City.

⁵³ Personal interview, 7 June 2019, Quezon City.

the women's rights advocates over an issue that was more tactical than ideological. In the end, the MCW and RPRHA⁵⁴ were both ratified into law.

Women's Policy Agency: The Philippine Commission on Women (PCW)

The presence of women's policy agencies facilitates the promotion of women's interest policies by women's organisations but having a policy agency alone is insufficient to gain positive policy outcomes (Weldon, 2002). In her cross-country study of policies addressing violence against women, Weldon found that a strong women's movement is a critical factor in advancing the SRW and that having an established policy agency can bolster the women's movement to make it more effective in pursuing its objectives. Policy agencies offer the resources for research, lobbying, and logistics necessary for policy change efforts (Gains & Lowndes, 2014). The PCW is the Philippine government's policy-making body for the promotion of women's empowerment and gender equality. The National Commission on the Role of Filipino Women (NCRFW), the precursor of PCW, was created by Presidential Decree 633 signed by President Marcos in January 1975 as a show of support to the United Nations' celebration of the International Women's Year. The President appointed first lady Imelda Marcos as Chair of the Commission. While the law was worded in accordance with the UN's advocacy for the 'full integration of women for economic, social, and cultural development at national, regional and international levels and to ensure further equality between men and women' (Presidential Decree No. 633, 1975), critics questioned whether the Commission had actual substantial programmes for gender equality (Honculada & Ofreneo, 2003).

With most members of the Commission being appointees of the President and friends of the First Lady, the Commission was seen as pro-Marcos and pro-Martial law (Honculada & Ofreneo, 2003). It can be argued that the Commission mainly served as a decorative piece to show the UN and the international community that the Philippines adhered to the UN principles of promoting gender equality and had a program of activities aligned with the celebration of the International Women's Year. One of the interviewees for this article claimed that during the Marcos administration, the NCRFW was never really seen by progressive women's organisations as a government body that promoted the rights of Filipino women.⁵⁵ Most of the progressive women's organisations were

⁵⁴ The RPRHA of 2012 was signed by President Benigno Simeon Aquino on 21 December 2012. However, there were petitions questioning the constitutionality of the law filed at the Supreme Court which delayed its implementation.

⁵⁵ Personal interview with a founder of a women's organisation who became part of the women's policy agency, Quezon City, 6 May 2019.

opposed to President Marcos' declaration of martial law (Roces, 2010). A number of these organisations were aligned with nationalist groups critical of the Marcos administration, and it was in this context that the NCRFW was born.

Mass mobilisations followed Senator Benigno 'Ninoy' Aquino's assassination, and in late 1985, President Marcos announced the 7 February 1986 snap elections. The opposition fielded Corazon 'Cory' Aquino, widow of Senator Ninoy Aquino, as its candidate. President Marcos won the election as declared by the Commission on Elections, but there were allegations of fraud. These events paved the way for the EDSA revolution and the Marcos administration's eventual fall. Cory Aquino succeeded President Marcos. Her rise to the presidency heralded the involvement of progressive women's organisations with the government (Sobritchea, 2004b). President Cory Aquino appointed several women affiliated with CSOs who fought the Marcos administration to the NCRFW. Applying Chaney's (2016) framework on how the political environment shapes engagement with civil society, the Aquino presidency paved the way for the close coordination between the women's policy agency and the progressive women's organisations. Based on my interviews, I found a mutually beneficial relationship between the policy agency and the CSOs.⁵⁶ The policy agency has the authority vested by the state and resources to develop policies. The CSOs have the capacity to organise, lobby, and in some instances, even the technical expertise to address policy issues. The following section expounds on the relationship between the CSOs and the WPA.

Applying the RNGS Framework: Civil Society and the WPA in the Philippine Context

According to the RNGS state feminism framework, which examines the role of WPAs in women's representation, it is crucial for WPAs to facilitate the inclusion of feminist actors and ideas in state policies and processes in order 'to produce feminist outcomes' (Mazur & McBride, 2007, p. 508). RNGS created a scale of state feminism to operationalise its definition and came out with the following questions:

⁵⁶ Personal interview with a founder of a women's organisation who became part of the women's policy agency, Quezon City, 6 May 2019; with a former Chairperson of the women's policy agency, Makati City, 7 May 2019; with a former Chairperson of the women's policy agency, Quezon City, 17 May 2019; with a current staff of the women's policy agency directly involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019; with a national coordinator of a women's organisation involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City; with the Secretary General of a women's organisation involved in the lobby work for the Magna Carta of Women, 7 June 2019, Quezon City.

1. Do WPA micro frames (definitions and policy goals) on the debate issue match feminist [Women's Movements] WMA micro frames on the issue or not?
2. Did the WPA gender the policy debate with a feminist micro frame, yes or no?
3. Did the policy content at the end of the debate match WMA feminist micro frames, yes or no?
4. Were feminist WMAs part of the policy subsystem at the end of the debate, yes or no? (Mazur & McBride, 2007, p. 509).

This chapter uses these questions mainly as an analytical lens to examine the relationship between the Philippine WPA and CSOs. The RNGS studied postindustrial democracies and state feminism, and while the whole framework may not apply to this study considering the context and objectives, I see the value of their model in looking at WPA and CSO interaction dynamics. Additionally, Chaney's approach (2016) on the contingent factors shaping CSOs' SRW claims-making, which I discussed earlier, include WPAs as part of the state's governance structures, that is, 'formal institutional structures linking civil society and state designed to facilitate participative policy-making' (p. 210). The RNGS framework breaks down these 'structures', identified by Chaney, as it cannot be assumed that the mere establishment of state structures, like WPAs, benefit women's representation. The RNGS scale evaluates the effectiveness of WPAs in five policy areas: abortion, job training, prostitution, political representation, and a country-specific priority issue.

In the case of the MCW, while CEDAW recommendations on two areas, job training and political representation, were supported by state actors and were generally unproblematic, two of these five policy areas, abortion, and prostitution, were not included in the law. Despite the CEDAW Committee's recommendations for the Philippines to 'consider reviewing the laws relating to abortion with a view to removing punitive provisions imposed on women who have abortions and provide them with access to quality services for the management of complications arising from unsafe abortions' (UN CEDAW Committee, 2006), only the latter, the state provision for the management of complications due to unsafe abortions was included in the MCW. The previous chapter explained why even this almost did not make it to the final version of the law. Some lawmakers argued that it could be read as 'promoting abortion' (*Bicameral Conference Committee on the Disagreeing Provisions of House Bill 4273 and Senate Bill 2396 Re Magna Carta of Women*, 2009, p. 75). Philippine laws continue to penalise

the practice of abortion and prostitution (An Act Revising the Penal Code and Other Penal Laws, 1930).

Opposition and/or inaction of state actors were not the only reasons why these two policy areas were not included in the MCW or any law. There were disagreements and incongruities among women's organisations on their views and positions on these two issues. This conflict had implications for their work in advancing policies. One of the key figures on the lobby work to remove the provision in Article II, Section 12 of the 1987 Philippine Constitution to 'equally protect the life of the mother and the life of the unborn from conception' mentioned that the women's groups were divided over this matter.⁵⁷ As for prostitution, according to Roces (2009):

The transformation of former prostitutes into feminist advocates could be read as evidence of the success of the women's movements in refashioning women. At the same time, the contradictory and ambivalent responses over the representation of women as 'victim' underscore the complex challenges faced by the women's movements who focus on prostitution as a feminist issue. (p. 279)

As for the 'unproblematic' policy areas such as job training and political representation, findings show that the WPA worked closely with women's groups. Even the more traditional organisations expressed their support for provisions in these areas. The UNIFEM SEAP program for the Philippines partnered with the WPA to promote CEDAW in the Executive branch. It tapped the civil society, primarily women's organisations, for the lobby work in the legislative branch (Women's Feature Service Philippines, 2009). Interviewees from the women's organisations said that they worked with NCRFW for the MCW bill. Legislators interviewed for this study likewise mentioned the contribution of both the women's organisations and the WPA towards the passage of the bill.⁵⁸ To answer Questions 1 and 2 in the RNGS framework, both the WPA and the women's organisations used the language and principles of CEDAW and coordinated their efforts in drafting the bill and lobbying with other state actors. The third question, on whether the policy content corresponds to women's organisations' micro frames, was answered in the two previous chapters. It was explained how specific

⁵⁷ Personal interview with a founder of a women's organisation who became part of the women's policy agency, Quezon City, 6 May 2019.

⁵⁸ Responses sent by legislators to email questionnaire (6 August 2019; 30 November 2019).

provisions had to be negotiated, such as those on the definition of gender and those on women's reproductive health.

The answer to the last RNGS question, the inclusion of feminist actors in the policy subsystem, is one of the most significant features of the Philippine WPA. Even when the leaders of women's organisations appointed by President Aquino were no longer part of the WPA, they maintained relationships with the WPA's officers and staff. The PCW staff interviewed for this study expressed that they continue to have close ties with former commissioners and officers, transcending term limits and administration.⁵⁹ The president of the Philippines has the power to appoint the Chair of the policy agency. Thus, a change in administration usually means the appointment of a new Chair. However, the bureaucrats who remained with the agency continued to work with CSOs. Likewise, the PCW staff commented that past officials never ceased giving their inputs, albeit in an informal capacity when they were no longer officially connected with the agency.⁶⁰ With most of these women moving within the same social circles, discussions on pressing issues, particularly on policy matters, continued.

The CSOs' relationships with the WPA also facilitated interactions with other government agencies involved with women's interest policymaking. In the case of the MCW, being the Philippines' women's rights legislation, it was necessary to engage with the Philippines' Commission on Human Rights (CHR), which is the Gender and Development Ombudsman tasked to monitor the compliance of all government agencies with the law. With the provisions on anti-discrimination and protection of women workers, it was also necessary to get the support of the Department of Labour and Employment (DOLE), the Department of Social Welfare and Development (DSWD), and the National Economic and Development Authority (NEDA). The two former Chairpersons of the PCW stressed the critical role of gender champions—key staff of government agencies who advocate for women's interest policies. These champions exert effort to promote the law and ensure that key actors within these agencies are not resistant to the policy proposals.⁶¹

Lastly, there were leaders of women's rights organisations who joined the government. As an example, during the Macapagal-Arroyo administration, two prominent figures in the Philippine women's

⁵⁹ Personal interview with a current staff of the women's policy agency involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019.

⁶⁰ Personal interview with a current staff of the women's policy agency involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019.

⁶¹ Personal interview with a former Chairperson of the women's policy agency, Makati City, 7 May 2019; with a former Chairperson of the women's policy agency, Quezon City, 17 May 2019.

movement, Teresita Quintos-Deles, one of the founders of PILIPINA, considered as the first feminist organisation in the country and Liza Largoza Maza, former Secretary-General of GABRIELA, a national alliance of women's organisations, both held positions in government. President Macapagal-Arroyo appointed Quintos-Deles as the lead convenor of the National Anti-Poverty Commission (NAPC) from 2001 to 2003 and as Presidential Adviser on the Peace Process from 2003 to 2005. Largoza-Maza became part of the House of Representatives under the party-list system from 2001 to 2004 under the party-list group Bayan Muna and from 2004-2010 under Gabriela Women's Party (GWP), a political party separate and distinct from the GABRIELA alliance. As discussed in Chapter 5, to provide representation to marginalised sectors, the Philippine Constitution provides for sectoral or party-list representatives.

The previous chapter shows the critical contribution of women's party-list representatives Liza Maza and Luzviminda Ilagan at the bicameral conference committee meeting. In this meeting, the committee members discussed the recommendations for the final version of the bill transmitted to the President. In the case of the MCW, having former leaders of women's organisations who became part of the policy subsystem by being policy actors themselves both at the legislative, as lawmakers, and the executive, as members of the cabinet proved necessary to shape the debates on women's representation.

The Civil Society and Women's Policy Agency Partnership

It has been established that CSOs are important policy actors, but unlike policymakers, they do not have a direct hand in filing bills and voting for the passage of proposed legislation. Mackay (2008) argues that parliaments remain important sites for SRW while non-parliamentary actors complement the legislative space. To understand this process in the Philippine context, it is necessary to carefully explore the spaces being utilised by CSOs to engage with legislators.

As I have previously explained, the political dynasty system makes it a challenge for civil society in the Philippines to find 'ideological' allies in the legislature. The weak political party system relies on kinship and informal networks rather than ideology and policy agenda (Quimpo, 2007; Teehankee, 2018). In Western democracies, the presence of left-wing parties shows a positive impact on the advancement of women-friendly policies (Beckwith, 2000; Beckwith & Cowell-Meyers, 2007; Mazur, 2005). In the Philippine context, CSOs need to explore ways to engage with legislators who may not share their

views on women's rights. Based on my findings, CSOs employed two main strategies to engage with legislators for the MCW bill. The first was to present it as having broad-based support. The second was to utilise international pressure by reminding the legislators of the Philippines' commitment to the CEDAW.

The interviews revealed that the legislators supported the bill because of the broad support of women's groups. The interviewees from the women's groups and policy agency recalled how they had to bring constituents from the legislators' districts to meet with individual legislators about the bill. One of the interviewees remarked that 'visible constituency was one of the key factors why Congress passed this bill'.⁶² 'To the credit of the women's organisations, they really lobbied for the passage of this bill, not just the Manila-based organisations but even those from the provinces.'⁶³ 'We had women's groups attend the sessions in the Senate and the House, and the legislators saw this.'⁶⁴ Another interviewee pointed out that seeing how women's organisations can be mobilised for a cause made the legislators realise that the same organisations can be called upon in future election campaigns.⁶⁵

The second strategy was to remind the lawmakers that the Philippines must abide by its commitment to the CEDAW. It was also a way to convince lawmakers about the urgency of passing this legislative measure. The policy agency and CSOs ensured that the comments and recommendations of the CEDAW committee for the Philippines to have a national law were presented to the lawmakers. Records of the Magna Carta bills filed by legislators in the 14th Congress referred to the CEDAW as one of the justifications for the legislation. However, when asked if the CEDAW and the CEDAW Committee's recommendations were sufficient to convince lawmakers about the necessity of having a Philippine women's rights law, all interviewees answered negatively. The CSO officials interviewed are of one mind that the UN or any international pressure is not enough to convince lawmakers of the urgency to pass the bill. For them, involving the constituency remains a key factor, although international pressure was also a significant part of the story.

⁶² Personal interview with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City.

⁶³ Personal interview with a current staff of the women's policy agency involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019.

⁶⁴ Personal interview with a former Chairperson of the women's policy agency, Makati City, 7 May 2019.

⁶⁵ Personal interview with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City.

Informal modes of engagement

Even with a carefully crafted message, CSOs needed to find the right avenues to explain the MCW to the lawmakers. Findings reveal that CSOs utilised both formal and informal spaces to interact with lawmakers. The formal modes were discussed in the previous sections. CSOs acted as resource persons in the consultative meetings and committee meetings. The women's groups likewise attended the sessions at the Senate and the House of Representatives as part of their lobbying efforts. This section focuses on the informal modes of engagement: personal relationships, intermediaries, and reciprocity.

Personal relationships. More recently, scholars have been looking at friendship and politics. However, like most of the literature on SRW, these studies primarily look at women in parliament. Studies explore how friendship helps women work within male-dominated institutions. Friendship among women in parliament is a 'resource' that they tap as they perform their responsibilities (Childs, 2013, p. 145). It helps women navigate the gendered political sphere (Devere & Curtin, 2009). In the New Zealand Labour party, the connections between and among women in parliament and cabinet through various networks help promote women's interest policies (Curtin, 2008). Friendship plays a crucial role in the discourse on feminism and gender and collective action to advance women's rights and political representation (Devere & Smith, 2010). Smith (2018) offers the concept of friendship as 'problématique' and encourages scholars to examine the function of friendship in politics, specifically, 'how friendship supports political action and values' (p.90). From this perspective, friendship becomes one of the informal means used by policy actors to advance their agenda.

Personalities within the CSOs have been engaging with many of these legislators for a long time—some from these lawmakers' early careers when they were still starting in politics. These long-standing relationships proved to be a way for CSOs to have conversations about the MCW bill with the legislators. With some civil society personalities becoming legislators themselves through the party-list system, they had the opportunity to interact with district legislators as colleagues. Being colleagues at the House of Representatives facilitated the engagement with fellow lawmakers to win support for the bill. The relationship which has been established long before, developed another 'collegial' dimension as civil society personalities cross borders and become part of the legislature. This finding confirms previous studies on the value of friendships in legislatures as institutions (Childs, 2013; Curtin, 2008; Devere & Curtin, 2009).

In the Philippines, most CSOs with feminist orientations are in the urban capital, Metro Manila. However, there are CSOs with member organisations or affiliate groups in the provinces like PILIPINA and GABRIELA. These umbrella organisations and alliances have contacts in the various legislative districts. According to an interviewee, in many instances, it was not the Manila-based staff who have personal relationships with the legislators but their contacts in the provinces.⁶⁶ It was necessary for the Manila-based CSOs to utilise their networks in the provinces to have conversations with legislators from the different congressional districts. The Manila-based CSOs needed the assistance of their contacts from provincial CSOs as they were those who have personal interactions with district legislators. These provincial CSOs made the necessary connections and helped convince legislators to vote for the measure. The interviewees believe that having groups of women in the provinces actively supporting the MCW took away the impression that only Manila-based women's groups were lobbying for the bill. With the CSOs knowing that voting is a game of numbers at the end of the day, the capacity of provincial groups to facilitate the dialogue with their lawmakers proved to be significant.

Intermediaries. Developing good relationships with the legislators' staff members and staff of the committee on women both in the Senate and the House of Representatives was also necessary to advocate the passage of the MCW. The legislators' staff served as intermediaries, linking CSOs to the lawmakers. They provided information on the best time to meet with the lawmaker and insider tips to help CSOs in their lobbying efforts. Interviewees recalled particular members of lawmakers' staff with whom they have maintained close ties.⁶⁷ As for the committee on women, lawmakers rely on the staff to keep all the records and minutes of the meeting. For the CSOs, the staff provided them with updates about the bill. This finding is consistent with previous studies, which found that women's caucuses and informal networks serve as institutions that provide essential support to women actors as they build strategic alliances to promote policy change (Curtin, 2008; Johnson & Josefsson, 2016; Waylen, 2014a). In the Philippine context, where political parties do not have clear policy directions,

⁶⁶ Personal interview with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City.

⁶⁷ Personal interview with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City; with a former Chairperson of the women's policy agency, Makati City, 7 May 2019; with a current staff of the women's policy agency directly involved in the lobby work for the Magna Carta of Women, Manila, 17 May 2019; with the Secretary General of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 7 June 2019, Quezon City.

the help of intermediaries with direct links to policymakers may even be more important since non-legislative actors have limited formal opportunities of engagement with lawmakers.

Reciprocity. Even before an election period, CSOs are already looking for possible allies in Congress. Some CSOs actively support lawmakers whose legislative agenda aligns with the vision of their organisations. Politicians understand the value of these women's organisations' grassroots work and what they can contribute to their election bid. Hence, engagement with lawmakers starts from the time the candidates are seeking support for their campaign. In a sense, lobbying begins even before lawmakers are elected. One interviewee recalled how she requested a legislator to set up a meeting with the chair for the Committee on Women to discuss the Magna Carta bill. She helped this legislator during the campaign, so it was considered a personal favour. This legislator was not particularly active in promoting the Magna Carta bill, but because the interviewee helped him during the campaign, he was willing to help her have a dialogue with the committee chair. The favour provided the opportunity to present the proposed bill to the committee chair, and in that crucial meeting, the chair agreed to support the bill. The chair became one of the champions of the bill in the legislature until it was finally ratified.⁶⁸

The value of informal modes of engagement

Informal modes of engagement are possible ways of extending relationships beyond the term limit of an elected official. In the Philippines, where political dynasties are prevalent, family members replace each other in elective posts to work around term limit statutes (Cruz et al., 2017; Querubin, 2012, 2016). Hence, it is common for spouses, siblings, and other family members to occupy elective seats one after the other or elective officials to run for another office when they are barred by law to run for the same position. A family member runs for the seat previously occupied by the term-limited relative and usually wins, keeping the position within the family. The members of the Philippine House of Representatives have a three-year term and are not allowed to serve for more than three consecutive terms. It is common for a term-limited lawmaker to run for the same office and win after taking a break. A family member usually occupies the vacated position. Hence, transitions are generally unproblematic.

⁶⁸ Personal interview with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City.

Because of this, relationships established with lawmakers have long-term benefits for the CSOs. Proposed measures that are not passed by the current Congress can be reintroduced in succeeding congresses. Supportive lawmakers who have relatives replacing them may be requested to link the CSO with their replacements, allowing the CSO to explain the bill and establish new relationships with the substitutes who are likely to run again in future elections. Also, supportive lawmakers may be enlisted to endorse the bill to their replacements who can file the same bill, expediting the process. In the MCW's case, the bill was first filed in the 12th Congress (2001-2004) but only passed in the 14th Congress (2007-2010). Aurora representative Bellaflor Angara-Castillo filed one of the earlier versions of this bill in the 12th Congress. In the 14th Congress, Congresswoman Angara-Castillo's nephew, Congressman Juan Edgardo 'Sonny' Angara, who was elected Aurora representative after the Congresswoman completed her term, filed his version of the MCW bill. Transitions like this are prevalent in the Philippine political landscape. While we cannot conclude that these lawmakers discuss which bills to support or not, such scenarios are highly plausible given the kinship politics prevalent in the country. In the minutes of the meeting of the Committee on Women tackling the MCW bill, Congressman Angara remarked in his Committee Sponsorship speech:

But I think this bill is familiar to all of us because it was filed in the last Congress by my aunt now Governor Bellaflor Angara-Castillo. It was filed in the last Congress by Congresswoman Josen, the previous chairman of the Committee on Women... But I don't think I need to give an extended sponsorship speech of this bill. We know the constitutional provisions on women are and this bill just seeks to give flesh and concretise further because the constitutional provisions on women are very brief. The bill also recognises the various stakeholders, various actors in the women sector and tries to recognise their unique needs. I think that's all I can say on this bill. I hope we pass it and it will not be one of those bills that just keep getting re-filed in every Congress. (*Minutes of the Meeting of the Committee on Women, Philippine House of Representatives, 27 November 2007*).

I have also presented how women leaders from civil society and their allies move from one space to another, with some even occupying government positions as appointees or elected officials. Most of these women have developed friendships over the years and move within the same social circles. Hence, the boundaries of the spaces they occupy become blurred. While some of them may not have official roles in the government or their former organisations anymore, they continue to give input that shapes women's rights policies, although in an informal capacity.

Summary

Chaney's (2016) discussion of the CSO 'action repertoires' and how political and socio-economic factors determine the methods employed by CSOs in SRW claims-making provides a starting point for empirical examination of how CSOs work. However, it is unclear where the informal modes of engagement with the government and its instrumentalities fit within the framework. Formal spaces are necessary but inadequate for CSOs to fully engage with policymakers, particularly in the Philippine context where kinship politics is the norm and political parties do not have explicit ideologies. For the legislature, given the different policy sectors and extent of issues that take their attention, CSOs recognise the need to go beyond the formal modes of interaction to promote the women's agenda and persuade lawmakers to prioritise such bills. The same goes for other government agencies that may not necessarily see the significance of gender in conceptualising and implementing their programs.

This chapter illustrates how women's organisations found a way to interact with policymakers on a more sustained basis using formal and informal avenues. Informal spaces provide organisations with the opportunity for long-term engagement. Relationships established through informal spaces can be more substantial than transactional interactions such as formal meetings and consultations. Personal interactions mostly happen away from the public view. This 'privacy' allows both the policymaker and CSOs to discuss issues on a deeper level and may provide more opportunities to ask direct questions without thinking about how the public or the media would react. Public officials are on guard in public discussions or even in committee meetings when all parties are aware that minutes are being taken and form part of the official records. Personal interactions make it possible for actors to know each other as people and not just as organisations' representatives. Interviewees talked about maintaining relationships with actors—even when they were no longer officially connected to their organisations. This finding shows how personal bonds can be more durable than formal connections and can be utilised by CSOs in their SRW claims-making. While informal institutional arrangements may serve as a hurdle for the advancement of gender equality, in some cases, they can also serve as a mechanism used by women to overcome the challenges of male-dominated institutions.

This study focuses on legislative actors, but through process tracing, it became clear that international bodies, such as those discussed in Chapter 4, civil society organisations, and the women's policy agency played crucial roles in the MCW law's enactment. The chapter explains how CSOs needed to cope

with the intricacies of working with legislators in the context of dynastic Philippine politics and negotiated among themselves both the ideological and strategic dimensions of SRW. While there were ‘unproblematic policy areas’ such as jobs and training and women’s political participation, the subject of reproductive health proved more challenging. The next chapter talks about the Executive department’s role, specifically the Office of the President of the Philippines. The chapter also deliberates on the challenges of populist leadership to the SRW, given that the current President of the Philippines, Rodrigo Duterte, has been labelled by scholars as a populist leader (Curato, 2017b; Heydarian, 2018).

Chapter 7

Executive Women, Dynastic Connections, and the Challenge of Populism

Are there women? Are they holding guns? Yes, Sir. Fighters. Amazons.

Shoot them in the vagina so they can't (pause) I'll do that. I'll tell the soldiers. Watch out. Tell your comrades: 'Mayor⁶⁹ said, tell the soldiers, the women. Tell them. Call them and tell them. The Mayor has a new order not to kill you. Just shoot you in the vagina so, no more vagina. You're useless.' – President Rodrigo Duterte in his 7 February 2018 speech at an event with former rebels. (Rappler, 2018)

This chapter begins with an excerpt from President Rodrigo Duterte's speech to highlight the changing aspects of women's rights policymaking in the Philippines. I argue that it is necessary to examine the findings of this study in the context of the current socio-political environment. A substantial part of the chapter investigates the Office of the President's role in women's rights policymaking by looking at President Gloria Macapagal-Arroyo's involvement in the passage of the MCW. The first part provides a background of President Macapagal-Arroyo and her administration. It presents a comparison between her and President Corazon Aquino using the political dynasty system as a gendered institution model presented in the introductory chapter. It then explores the dynamics of the President's relationship with the critical actors: The Legislature, civil society, and the Catholic Church. The next section shifts to the discussion of the leadership style of President Rodrigo Duterte and the future of CEDAW implementation in the Philippines by applying the findings from the case of the MCW. I also draw from the responses of the interviewees who expressed their views about the subject. The last part explains the implications of populist leadership and the political dynasty system to the SRW in the Philippines.

When I started the project, I planned to focus solely on legislative actors. However, in examining the factors that contributed to the passage of the MCW, interviewees mentioned the Executive branch's influence. The interviewees also shared their outlook on women's rights under the Duterte administration. Hence, it became necessary to explore the President of the Philippines' role in the MCW's enactment and evaluate how these findings apply to the present. Chapter 4 partly discussed the executive branch's contribution to pave the way for a CEDAW national law translation. The chapter provided a brief history of the CEDAW, the Philippines' signing and

⁶⁹ President Duterte refers to himself as 'Mayor'. He served as Mayor of Davao City for over two decades before running for the presidency.

ratification, the programs for women, and laws passed from President Ferdinand Marcos until his overthrow. The chapter likewise discussed how President Corazon Aquino involved CSOs, including women's groups, in her newly formed government and the inclusion of the gender equality clause in the 1987 Philippine Constitution. Applying Chaney's (2016) framework, the previous chapter illustrated how political context shapes CSO SRW claims-making. President Corazon Aquino's government encouraged women's groups and their leaders to participate in the policymaking process, especially with the partnership between the women's policy agency and civil society.

As to the actual legislative process, article VI, Section 1 of the 1987 Philippine Constitution provides, 'The legislative power shall be vested in the Congress of the Philippines which shall consist of a Senate and a House of Representatives, except to the extent reserved to the people by the provision on initiative and referendum'. However, in practice, the President could influence the process by certifying priority measures (Panao, 2014). The President also has veto power as stated under Article VI, Section 27, of the 1987 Philippine Constitution.

Women Presidents and the Philippine Political Dynasty System

Gloria Macapagal Arroyo was the 14th President of the Philippines. Before becoming President, she was one of the four women senators in the 9th Congress (1992-1998). She was elected Vice President in 1998—the first woman to hold this position. Macapagal-Arroyo was the second woman to serve as President, the first being Corazon Aquino.

Macapagal-Arroyo's rise to the presidency was the subject of controversy as she replaced her predecessor Joseph Estrada in 2001 after his removal from office. Estrada faced allegations of corruption, which led to an unfinished impeachment proceeding. Macapagal-Arroyo was sworn into office by then Chief Justice Hilario Davide, Jr. after a mass demonstration, popularly called EDSA II or EDSA People Power II. EDSA stands for Epifanio de los Santos Avenue, the same location of the first people power which toppled the Marcos administration in 1986. Scholars have varied views on President Estrada's removal from office. Kasuya (2003) argues that the weakness of institutions in the Philippines, such as the political party system, and the strength of the urban middle-class movement, critical of the Estrada administration, led to Estrada's overthrow.

Reid (2001) contends that the views of Western analysts and commentators on EDSA II, with some referring to it as 'mob rule', were misplaced in the context of Philippine history and politics. He adds that Western elites are concerned that such movements threaten their 'neoliberal

conceptions of development and democratic governance’ (p. 790). It is necessary to understand how the Philippine political elites ‘do politics’ to know what transpired in 2001. ‘We must also look at the nature of coalition politics itself and how it will affect governing in the Philippines in the new century’ (Abinales, 2001, p. 154). This coalition refers to ‘civil society groups, segments of big business, media, and the Catholic Church, and reformers within the military and civilian bureaucracy’ (Hutchcroft & Rocamora, 2003, p. 281).

Even after Estrada left his office, Macapagal-Arroyo continued to face challenges concerning the legitimacy of her presidency. Barely four months after taking her oath, Estrada’s supporters mounted a demonstration asking Macapagal-Arroyo to step down from office and reinstate Estrada, claiming that he was the real President elected by the people. The media called these mass demonstrations EDSA III. In July 2003, a group of soldiers occupied the Oakwood Premier Ayala Center, a hotel in Makati City, Manila’s central business district. Popularly called Oakwood Mutiny, the soldiers alleged rampant corruption in the military and aired their grievances against the government. The government’s fact-finding commission formed through the President’s Administrative Order 78 reported that ‘there was extensive planning and preparations for several months that preceded the events of 27 July’. Contrary to the claims of its leader Antonio Trillanes⁷⁰ that it was a spontaneous meeting, the commission found that the plan was to stage a coup d’etat (pp. 3–5).

Studies suggest that while there is an expectation for women in public office to work for women-friendly policies, the same is not the case for men (Bergqvist et al., 2016; Franceschet & Piscopo, 2008; Swers & Larson, 2005). In saying this, I am not arguing that male presidents do not have the mandate to represent women’s interests nor that there were no significant women-friendly laws passed during the administration of male Presidents who served after Corazon Aquino. However, a comparison between the two women presidents helps in understanding the President’s role in advancing women’s interest in the context of male-dominated and dynastic Philippine politics. This section applies the framework that I have developed on the political dynasty system as a gendered informal institution.

Like Aquino, Macapagal-Arroyo came from a political family. Her father, Diosdado Macapagal, was the ninth President of the Philippines, serving from 1961 to 1965. Unlike Aquino, she had extensive experience both in the private and public sectors before joining politics. She was an

⁷⁰ Antonio Trillanes was later elected to the Philippine Senate becoming the first senator to be elected while serving his sentence. President Benigno Simeon Aquino who succeeded President Macapagal-Arroyo granted amnesty to Trillanes and his colleagues who mounted the Oakwood mutiny.

economist and educator who earned her PhD in Economics from the University of the Philippines. During the term of President Corazon Aquino, she entered government service as Assistant Secretary of the Department of Trade and Industry. There were similarities with how they ascended to the presidency. The ‘people’ removed their predecessors from power following bloodless mass demonstrations. Technically, the ‘people’ did not formally elect both women. In both cases, the Catholic Church played a crucial role in rallying people to protest against the current administration (Abinales, 2001; Reid, 2001; Rodell, 2002). Coup attempts challenged both Corazon Aquino and Macapagal-Arroyo governments.⁷¹

Using a gender lens allows us to see that both women had formal and informal institutional arrangements against their favour. In an environment dominated by men, these women occupied positions previously held by men, navigating within a system created by men. They continued to rely on male-dominated support systems. For instance, the military played a crucial role in bringing both women to power. The military’s withdrawal of support from Marcos and Estrada helped the two women to occupy the presidency. However, the coup attempts indicated that factions within the military attempted to remove both women presidents from office. The report of the fact-finding committee on the Oakwood mutiny pointed to ‘the politicization of the military amid the erosion of civilian political institutions that had oversight powers over the military...[as] a cause of military adventurism’ (*The Report of the Fact Finding Commission Pursuant to Administrative Order No. 78 of the President of the Republic of the Philippines*, 2003, p. 132).

I contend that their dynastic connections became the two women presidents’ saving grace during these challenging times. The political dynasty system’s strong linkages with the political, business, and religious elites facilitated the negotiations with the coup leaders. Montiel (1995) noted that in the case of the Aquino administration, the mediators were not only from the military but included prominent political and religious figures. As for Macapagal-Arroyo, Hutchcroft (2008) called her ‘the great compromiser, given her willingness to accommodate anyone able to help her retain the presidency’ (p. 144). Quimpo (2009) highlighted her propensity to use ‘money’ to keep her political allies loyal. Those who joined the mutiny expressed their dismay over Macapagal-Arroyo and Armed Forces of the Philippines’ (AFP) corrupt practices (Curato, 2011). However, these practices, characteristic of the political dynasty system, could have helped her survive the threats to her presidency.

⁷¹ There had been 10 coup attempts during the administration of President Corazon Aquino.

The leadership style of the two women presidents was starkly different. Comparing the two women, Thompson (2013) argues that Macapagal-Arroyo had resorted to 'abandoning any pretensions of representing a moral alternative to traditional male politics, a role which Aquino had once so convincingly embodied. Female leaders in the Philippines had thus come full circle: from unselfish morality to dynastic venality' (pp. 180-181). While scholars depict Corazon Aquino as a weak leader (Fontaine, 1992), she has been generally considered morally upright despite allegations of how her family members took advantage of her position. Applying our framework, in Corazon Aquino's case, the political dynasty system served as a legacy of her assassinated husband to tear down the institutions established by her husband's political nemesis, Ferdinand Marcos. However, scholars question whether she managed to change the system for the better or merely reintroduced pre-Marcos institutions and practices that undermined democracy and promoted corruption and clientelism (Hutchcroft & Rocamora, 2003; Thompson, 2013; van de Loo, 2004).

On the other hand, Macapagal-Arroyo utilised the political dynasty system as a strategy to stay in power. There were still questions surrounding the corruption allegations against former General Angelo Reyes, the Armed Forces Chief when the military withdrew its support from Estrada. Reyes' resignation helped Macapagal-Arroyo to sit as President. Macapagal-Arroyo appointed Reyes to various cabinet positions and was the Secretary of National Defense when the Oakwood mutiny took place. Reyes committed suicide at the height of investigations on the corruption scandal after Macapagal-Arroyo's term (Gloria, 2016; *Philippine Ex-Army Head Angelo Reyes 'Commits Suicide,'* 2011). Quimpo (2009) argues that Arroyo strategically placed her appointees in key positions to preclude investigations on irregularities under her administration. Among these appointees was Renato Corona, whom she named Chief Justice less than two months before the end of her term. Her predecessor Benigno Simeon Aquino alleged that this move was part of Macapagal-Arroyo's plan to evade legal action following various corruption allegations (Sabillo, 2014). She also carefully nurtured her ties with the Catholic Church by providing funds to multiple projects. 'In a dinner organised by the president's office to discuss such government aid in July 2006, a messenger handed out envelopes with cash purportedly for the poor to the bishops' (Quimpo, 2009, p. 344).

Despite criticisms against Aquino's inadequate leadership skills, scholars acknowledge that her administration fostered a political environment that promoted civil society's active participation in politics and policymaking (Hutchcroft & Rocamora, 2003). With Corazon Aquino's appointment

of leaders from NGOs, civil society became more visible in policy debates, including participation from women's groups and feminist organisations (Honculada & Ofreneo, 2003). Macapagal-Arroyo also appointed CSO leaders to her administration's cabinet. However, because of the corruption issues that had beset her administration, some decided to resign. For instance, in July 2005, a group of ten Macapagal-Arroyo appointees held a press conference at the Hyatt Regency Hotel in Manila to announce their resignation in response to the President's election fraud scandal. The media named this group 'Hyatt 10' (*Hyatt 10 Resignation*, 2007). Three of these officials, Corazon Soliman, Teresita Quintos-Deles, and Imelda Nicolas, were well-known in civil society, and Quintos-Deles and Nicolas are prominent women's rights advocates.

The difference between the political dynasty system as a legacy in Corazon Aquino's case and as a political strategy in Macapagal-Arroyo's case has significant implications on women's rights policymaking. Her late husband's legacy allowed Corazon Aquino to build strong connections with the civil society who rallied against the Marcos administration. This accomplishment was evident in women's groups and feminist organisations that championed women's cause in the 1987 constitution (Honculada & Ofreneo, 2003). As discussed in Chapters 4 and 6, this lobbying led to the inclusion of the gender equality clause in the 1987 constitution. The gender equality clause became the basis of important women's interest legislation and programmes such as the Anti-Violence Against Women and their Children (VAWC) Act of 2004, the MCW, and the 1995-2025 Philippine Plan for Gender-Responsive Development (PPGD).

Macapagal-Arroyo's 'love-hate relationship' with civil society, including women's organisations, perturbed with the corruption allegations, hindered the advancement of pro-women policies. In the previous chapter, it was discussed how women's groups had to abandon the plan to lobby for the inclusion of CEDAW principles in the Constitution through the charter change route when this no longer became feasible. The contentions that Macapagal-Arroyo was merely using charter change to avoid facing legal cases after her term diminished the interest for a constitutional amendment. Women's groups eventually found a way to have a CEDAW translation by lobbying in Congress for a women's rights law through the MCW.

The next section discusses Macapagal-Arroyo's relationship with critical actors lobbying for and against the MCW. It explains how the President influenced the legislative process even if the MCW was primarily a battle won in Congress.

The President's Relationship with Critical Actors and the Magna Carta of Women

The previous chapter discussed civil society's role in lobbying for the MCW and working with women's organisations to convince lawmakers to support the bill. It also explained the importance of the WPA and civil society partnership in these lobby efforts, especially in working with other agencies under the Executive branch. However, critical actors also include those who challenge the advancement of progressive women's policies (Thomson, 2018). In the case of the MCW, interviewees explained how the Catholic Church and lawmakers who identified with the Catholic religion resisted the passage of the law.

One of the bill's authors and a former officer of the women's policy agency believe that President Macapagal-Arroyo's move to certify the bill as priority legislation was one of the key factors that contributed to the passage of the bill in the 14th Congress.⁷² However, interviewees from the women's groups do not share this view. A leader of the women's group who played a vital role in the lobbying for the MCW did not remember President Macapagal-Arroyo certifying the bill as priority legislation.

I don't think she did. I don't remember, or maybe I ignored it. I don't remember her saying it in her State of the Nation Address (SONA). We have not reached out to her since 2007. She has set her mind on charter change [not on a women's rights legislation].⁷³

When asked whether Congress would have passed the bill even without the President's endorsement, she answered that she felt that an endorsement from the President was unnecessary at that time. 'I think the strength of the women's lobby and the interests of the legislators in the MCW bill were instrumental in the process of passing this law.'⁷⁴

To check the statements made by the interviewees, I reviewed the documents from the Executive Department. There was no mention of the MCW in the transcripts of President Macapagal-Arroyo's State of the Nation Address from 2007-2009 or the 14th Congress. The House of Representatives' archives division did not have a copy of the document certifying the MCW bill as priority legislation.⁷⁵

⁷² Response from one of the principal authors of the bill (sent by e-mail, 6 August 2019); Personal interview with a former chairperson of the women's policy agency, Quezon City, 17 May 2019.

⁷³ Personal interview, Quezon City, 21 May 2019.

⁷⁴ Personal interview, Quezon City, 21 May 2019.

⁷⁵ I contacted the Legislative Library and Archives Division of the House of Representatives. The staff from the Client Servicing Department advised that they do not have a copy of the priority legislative measures of the 14th Congress. They reached out to the Presidential Legislative Liaison Office. This Office advised that they also do not have copies of the said documents and that 'their copies were either discarded or lost in transit during their move to

Like Corazon Aquino, the Catholic Church played an essential role in Macapagal-Arroyo's rise to the presidency. A women's rights advocate who worked under her administration opined: 'There was a women's agenda under the Macapagal-Arroyo government, but constituency was important. She also had to be mindful of the political cost.'⁷⁶ Hence, in advancing women's interests, the President had to ensure that she maintained her smooth relationship with the Catholic Church, which helped put her in power. An interviewee who was an official of the women's policy agency narrated:

The President asked me to work with a Catholic Priest to ensure that there was no abortion provision in the Magna Carta of Women, which we did. I then went back to the President to ask her to certify the bill as a priority. I told her that it has been "cleansed of all" words related to abortion.⁷⁷

One word included in the MCW that remains controversial is the word 'ethical' to describe family planning methods under Section 17 on Women's Right to Health. As discussed in the previous chapters, the Catholic Church wanted to add the adjective 'ethical' for the state provision on family planning. The records on the draft bill transmitted by the Legislature to the Executive department clearly show that the legislators agreed to remove this word, which was the subject of debates at the Lower House and the bicameral committee. During the Senate session, approving the bicameral committee's recommendations, Senator Aquilino Pimentel even made a manifestation reiterating his disagreement with the decision to strike out the term 'ethical' (*Senate Journal No. 60*, 2009, pp. 1790–1791). However, when the law ratified by the President came out, the word 'ethical' mysteriously reappeared.⁷⁸

The political dynasty system requires politicians to be mindful of their actions that could have adverse political outcomes. Politicians need to re-examine aspects of women's rights that do not sit well with actors such as the Catholic Church. Despite President Macapagal-Arroyo's ratification of the MCW, women's rights advocates were not satisfied with the reproductive health provisions. In 2012, President Benigno Simeon 'Noynoy' Aquino, President Corazon Aquino's son, signed the reproductive health law in defiance of the Catholic Church (Macaraig, 2012). Noynoy Aquino

another office' (advice by email, 9 September 2020). Finally, the Legislative Library and Archives division of the House of Representatives contacted the Presidential Museum and Library to inquire whether they have a copy of such documents. The Library sent a publication, *The Policy Statements of President Gloria Macapagal-Arroyo* (Volume 16, June 2007). I reviewed this document but found no statement endorsing the Magna Carta of Women or any women's rights legislation in such document.

⁷⁶ Personal interview, Quezon City, 6 May 2019.

⁷⁷ Personal interview, Quezon City, 17 May 2019.

⁷⁸ An interviewee gave a plausible explanation for the reappearance of the word ethical in the version of the law ratified by the President. However, she mentioned that it was only hearsay and could not be substantiated.

made the reproductive health law part of his legislative priority (Tanyag, 2015). It may seem that the younger Aquino had a stronger political will to advance the women's agenda compared to Macapagal-Arroyo. However, Noynoy Aquino, unlike Corazon Aquino and Macapagal-Arroyo, was a duly elected president who won by landslide victory (Tharoor, 2010). He did not have political debts to settle with the Catholic Church. The younger Aquino had a robust political support base with both formal and informal institutions working in his favour—something that his mother and Macapagal-Arroyo did not have.

To recapitulate, the President can influence women's rights policymaking by (1) fostering an environment conducive for civil society to work with other critical actors, particularly legislative actors and executive departments with specific roles in gender and development such as the women's policy agency; (2) certifying bills as a priority; and (3) exercising veto powers. In exercising these powers, the President interacts with critical actors and needs to consider the political costs, mainly when the President is indebted to or reliant on actors whose support is necessary to maintain her or his influence. The next section discusses President Duterte as a critical actor and the prospects of CEDAW under the populist President.

Women's Rights and Populist Leadership: Duterte as a Critical Actor

Populism is 'mostly associated with (powerful) men' (Mudde & Kaltwasser, 2015, p. 16). In Latin America, populist leadership is associated with 'machismo politics, the antithesis of feminism, promoting sexist ideas and policies, hindering rather than advancing women's political and social rights position' (Mudde & Kaltwasser, 2015, pp. 16–17). Moghadam and Kaftan (2019), in their article on right-wing populism, claim that these populist movements are gendered. However, they acknowledge that although these movements often have traditional views that feminists perceive as a threat to women's rights, particular groups of women subscribe to such ideas. Kantola and Lombardo (2019), in their study of feminist politics and left populism in Spain and right populism in Finland, find that gender stereotypes and practices that marginalise women are present in both parties, albeit to a lesser degree in the case of left populism in Spain. In their study of New Zealand Prime Minister Jacinda Ardern's campaign, Curtin and Greaves (2020) found that Ardern's 'rhetoric of optimism and kindness appealed to those whose efficacy and attitudes reflected a pluralist variant of populism, common to a range of voters in New Zealand' (p. 204). The same study also found that voters with authoritarian attitudes were not responsive to her communication style regardless of their left-right position. These studies show that it is crucial to examine populism from a gendered lens and that populism impacts the policy agenda of populist parties and governments and the dynamics of women's representation.

Scholars describe Philippine President Rodrigo Duterte as a populist president (Arguelles, 2019; Casiple, 2016; Curato, 2016, 2017a; Heydarian, 2018; Pernia, 2019; Teehankee, 2016; Teehankee & Thompson, 2016). Borrowing a phrase from Moghadam and Kaftan (2019), like many male populist leaders, he did ‘evince a problematical form of hypermasculinity’ (p. 2). When he was still a presidential candidate, he made the headlines for his rape joke about an Australian missionary (*Rodrigo Duterte: Philippines Presidential Candidate Jokes about Rape and Murder of Australian Missionary*, 2016). Such types of comments and stories persisted when he became President. In one speech, he said that he would give soldiers an order to ‘shoot the vagina’ of female guerrillas of the New People’s Army, adding that ‘If there is no vagina, it would be useless’ (Rauhala, 2018). In another public address, he narrated how he sexually molested their housemaid when he was still a teenager. (*Duterte: Outrage as Philippines Leader Describes Sexually Abusing Maid*, 2018). Despite his controversial statements, he enjoys high trust and satisfaction ratings (de Vera, 2019; Flores, 2020; Mourdoukoutas, 2018; Ranada, 2019).

While feminist groups and women’s rights activists criticise him, he has women legislators and public figures in his inner circle. Among these women is Senator Pia Cayetano, a known women’s rights advocate who lobbied for the MCW under the Macapagal-Arroyo administration and the RPRHA under the Noynoy Aquino administration. Senator Cayetano acknowledged that Duterte’s remarks were inappropriate but preferred to highlight his achievements in indorsing women-friendly policies, particularly in the City of Davao. Davao has progressive policies for women and is one of the pioneers in developing a local gender development code (*Gender and Development Codes*, 2002). Duterte served as Mayor of this City for more than two decades.

Duterte’s spokespersons and allies paint a picture of a strong leader with a peculiar sense of humour—humour which, they admit, can be offensive to some. They say that his remarks, particularly those about women, are meant to amuse his audience and not be taken seriously. When Duterte signed Republic Act 11313 or the ‘Safe Streets and Public Spaces Act’, his spokesperson, Salvador Panelo, remarked that the President believed in the measure; otherwise, he would not have signed it. The punishable acts under this law include misogynistic, transphobic, homophobic, and sexist slurs and catcalling. The law’s proponent, Senator Risa Hontiveros, a member of the opposition, dared the President to abide by the law he signed (*Hontiveros to Duterte: Follow the ‘Bawal Bastos’ Law You Signed*, 2019).

Moffitt (2016) defines political style as the ‘repertoires of embodied, symbolically mediated performance made to audiences that are used to create and navigate the fields of power that comprise the political, stretching from the domain of government through to everyday life’ (pp.

28–29). The last part of this chapter uses this definition and approach to examine President Duterte’s role as a critical actor. I posit that Duterte’s populist political style encourages a political environment that undermines women’s rights. By applying the previous chapters’ findings, I argue that Duterte’s populist-sexist leadership style hinders the formation of linkages necessary to advance the SRW. Under the political dynasty system, the president’s popularity shapes the policy advocacies of legislators who are conscious of the costs of going against the biddings of a popular president. Dressel and Bonoan (2019) refer to this as the system of ‘hyperpresidentialism’, where the president’s power extends to the other branches of the government, undermining the principle of separation of powers. Unlike Western democracies, where ideologies matter in party affiliation and voter support, it is common for Philippine politicians to move from one party to another. The popularity of the standard-bearer usually drives decisions to change political party affiliations. For instance, Duterte’s party had a membership surge when his name began topping pre-election surveys and even more when he was elected President.

In the following section, I focus on two elements of Moffitt’s (2016) approach: appeal to the people and bad manners. I argue that these two elements pose the greatest challenge for the SRW critical actors to work together.

Appeal to the People: The Macho President of the Masses. Much of what has been written about Duterte by the mainstream media and even by scholars describe his performative populist style (Curato & Ong, 2018; Magcamit & Arugay, 2017; Teehankee, 2017). However, Duterte is not necessarily anti-elite (Curato, 2017b). Duterte partnered with established political dynasties, such as the Marcoses, Cayetano, and Floirendo, for his election bid. There was a surge in membership of his political party after winning, with most of these new members coming from political dynasties. Moffitt and Tormey (2014) argue that ‘opposition to the elite is contextually specific’ (p. 391). In the case of the Philippines, most of those in elective government positions come from dynastic elites. Duterte himself is a dynastic patriarch, a former Mayor of Davao City for over two decades with his daughter and sons in various elective positions in Davao City and the Philippine Congress.

However, Duterte is not a typical member of the political elite. He dresses modestly, with his *Barong Tagalog* (Filipino traditional garment for men) sleeves folded, evading formal dressing rules. He speaks in a vulgar manner regardless of the setting. These traits set him apart from his predecessors and fellow contenders in the 2016 elections. For instance, then administration candidate Manuel Roxas II would always use the word ‘decent’ in his campaign to drive the point that Filipinos have good manners, in stark contrast to Duterte’s style of expletive-ridden speeches (Evangelista, 2017). Roxas presented himself as the typically educated elite that he is. His family is

well-known both in politics and business. He attended the Wharton School of the University of Pennsylvania. In 2004, he topped the senatorial race when he branded himself as ‘Mr. Palengke’ (Palengke is the Tagalog word for wet market), vowing to monitor the prices of goods so that each Filipino family would have food on the table. Duterte, however, made sure that the voting public saw Roxas as one of the privileged rich who would not be able to understand the struggles of the poor. He challenged his political rivals who were criticising his campaign promise to solve the country’s drug problem in six months:

They can’t do it because they are afraid to go to jail, afraid to commit mistakes, afraid to kill and be killed. Why? It’s because they’re rich. Rich people are afraid to die because of their money... For us, we can do whatever we wish. We can go anytime. We don’t have money. (Ranada, 2016)

Duterte equates masculinity with strength. He uses the term ‘bayot’ as a pejorative word to describe men he considers weak. The Filipino machismo culture denigrates homosexuality, and it is common to hear people use the word ‘bakla’ or ‘bayot’ as offensive terms. These words mean male homosexuals in Tagalog and Visayan. However, the pejorative slang ‘faggot’ is the more accurate translation in the context of an insult or when used to taunt men to engage in violence. In a speech during the campaign, Duterte called Roxas ‘bayot’, questioning his capability to deal with the Philippines’ drug problem:

Mar is a faggot. He can’t do it. As for me, I am a man, that’s why I can do it. You are not a man. You are afraid to kill. Test me. Hold a shabu (Methamphetamine) in front of me, and I will blow your brains out. (*Mar Hits Duterte on ‘bayot’ Tag: ‘Di Ka Ba Nabihya?*, 2016)

Duterte’s machismo applies to his expressions regarding women. He claims that he likes beautiful women and has not denied having illicit affairs during his marriage. Both his former wife and common-law partner supported him in his presidential campaign. Typical of populist leaders, he is not concerned with ‘political correctness’ (Moffitt & Tormey, 2014). In an event for Outstanding Women in Law Enforcement, he called women ‘bitches’, ‘depriving me of my freedom of expression’ (Gunia, 2019). Filipina feminists, women’s rights advocates, and observers worldwide have criticised Duterte’s remarks, but the President never backed down from his critics. This kind of response may seem objectionable, but it appeals to a large segment of the Filipino population. Machismo is still prevalent in many parts of the country. Some Filipino men believe that having multiple partners is a good measure of masculinity, and some women have accepted this stereotype (Evangelista, 2017).

The Philippines consistently ranks among the top ten nations in the gender equality index. However, the country slid from 13th to 29th in the 2020 Global Gender Gap Report's political empowerment ranking. 'This downgrade is almost entirely attributable to lower female representation in the cabinet, which declined from 25% to 10% between 2017 and 2019' (World Economic Forum, 2020, p. 32). This decline is not surprising under Duterte's macho-style government. The President said that he believes in women's competence 'but not in all aspects' (*Duterte: I Believe in Women's Competence, but Not in All Aspects*, 2018). When asked about the qualities he prefers for the next Chief Justice and Ombudsman,⁷⁹ he replied that he would rather not have women serving in these positions (de Guzman, 2018; Placido, 2018). In response to appeals for his daughter to run for the presidency in 2022, Duterte commented, 'My daughter is not running. I have told her not to run. I don't want her to experience what I'm going through. This [position] is not for women' (*Speech of President Rodrigo Roa Duterte during the Inauguration of the Metro Manila Skyway Stage 3 (MMSS-3) Project*, 2021).

Duterte's Executive Order number one transferred twelve government agencies from the Office of the President to the Office of the Cabinet Secretary. Among these agencies was the women's policy agency, the Philippine Commission on Women (PCW). In 2018, through Executive Order 67, the executive again transferred the agency to the Department of Interior and Local Government (DILG), which is currently under the leadership of the former Chief of Staff of the Philippines' Armed forces, General Eduardo Año. The CHR and PCW work hand in hand to ensure the implementation of the MCW. Section 40 of the law designated the CHR to promote and monitor the law's performance, including the investigation of women's rights violations. With the two agencies effectively weakened, there is a risk that the state's commitment to the protection of women's rights will be reduced to tokenism.

Bad Manners: Feminists Just Don't Get the Joke. Populist leaders disregard the appropriate conduct expected from holders of public office. Some have a distinct manner of dressing, informality in presenting themselves in public, or peculiar language (Moffitt, 2016). Duterte stands out because of his outright offensive behaviour—using sexually suggestive words and gestures, curse words, and derogatory remarks to disparage a political opponent, group or groups of people, and institutions. Duterte's bad behaviour catapulted him to the global stage when his controversial comments captured international media's attention.

⁷⁹ Chief Justice Maria Lourdes Sereno who was appointed by President Noynoy Aquino was removed from her position by the Supreme Court in 2018; Conchita Carpio-Morales who was appointed Ombudsman by President Noynoy Aquino retired in 2018.

Women's groups called out Duterte for his remarks and actions towards women. He wolf-whistled a female member of the media who was asking him a question during a press conference (Tan, 2016); he kissed a woman audience member on the lips onstage during his speech for overseas Filipino workers in Korea (Regencia, 2018). He did not spare women public officials from similar experiences. He called woman senator Leila de Lima 'immoral' and 'adulterer' over her alleged illicit affair (Gita, 2016). He commented about Vice President Leonor Robredo's skirt (*At Yolanda Anniversary, Duterte Teases Robredo about Short Skirt*, 2016). While delivering a speech, he said that he got distracted when he saw the legs of the Secretary of the Department of Tourism (*WATCH: Duterte Jokes about Being 'distracted' by DA Exec's Legs*, 2017). In another public address, he told a woman local government official, Mayor Baja-Gallentes, that he was captivated by her beauty and that he would 'really grab and hold on to [her] panty' (Sabillo, 2019).

For his supporters, Duterte meant no disrespect. When the media asked these women about their experiences, a few answered that the President's actions were improper, but none decided to call him out in public. Mayor Baja-Gallentes remarked that she was not offended by Duterte's 'panty' comment as, for her, it was 'clearly a joke' (Sabillo, 2019). The female reporter said that while she considered the wolf-whistling incident improper, she understood that it was part of the President's 'personality'. Feminists and women's rights advocates, critical of Duterte, argue that the President's 'personality' is not an excuse for disrespecting women. Duterte's spokesperson responded: 'Sometimes these feminists are a bit OA (overacting). That's funny. Come on! Just laugh' (Tan, 2018). A human rights activist, who has been active in the movement since the 1970s, remarked: 'I think that Duterte succeeded, whether you like it or not, in at least bringing about a climate of a mockery of women, belittling women's issues, women's rights, or human rights'⁸⁰ Kantola and Lombardo (2019) refer to such paradoxes as an indication of a 'contradiction between populism and feminism that has less to do with political discourse and more with a political praxis that is imbued with hegemonic masculinity and confrontation.' (p. 1125). The next section explains how this contradiction influences SRW.

Challenges to SRW in the Current Administration: Polarisation, Persecution, and Exclusion

The political style approach fits with how Duterte rationalises his controversial statements. By explaining them out as part of his idiosyncrasies, he tells the audience not to focus on his words as he merely uses them to entertain. Canovan (1984) refers to 'politician's populism' 'as a matter of style rather than substance' (p. 314). Moffitt (2016) refers to it as the separation of style from

⁸⁰ Personal interview with a human rights activist who became part of the Legislature, Quezon City, 28 May 2019.

content. I conceptualised the three ways populist leadership shapes the relationships of critical actors: polarisation, persecution, and exclusion. I expound on these concepts and apply them to the Philippine case in the following section.

Polarisation. The division between ‘the people’⁸¹ and ‘the elite’ is the central idea of populism (Canovan, 1984, 1999; Laclau, 2005; Mudde, 2004; Mudde & Rovira Kaltwasser, 2012; Taggart, 2000). Laclau (2005) explains that ‘the people’ is a ‘construct’ (p. 48). Certain populist leaders create their concept of ‘the people’ and claim that they represent ‘the people’s’ interests. In the same vein, they make their concept of ‘the elite’, the anti-hero in their story (Mudde & Kaltwasser, 2012). The construction of these concepts can shape the discourses and relationships between political actors. This idea of ‘us versus them’ becomes a hindrance for actors to collaborate and has significant implications for SRW. In the Philippines, policy actors have managed to overcome political and ideological barriers in the past. They have worked together to lobby for landmark laws such as the MCW. Such laws are products of the collective effort of feminist groups, civil society, government agencies, and lawmakers from across the political spectrum.

One of the advocates of women’s rights in the Senate, Senator Pia Cayetano, is a Duterte ally. She has been criticised by feminist groups and women’s rights advocates for her silence on Duterte’s controversial remarks on women (Gonzales, 2018). Cayetano, like most women in national positions, came from a political dynasty. In a media interview with Cayetano, she commented:

Why did I become a senator? Is it to critique the President? Is it to critique all the members of the cabinet? ... There’s a lot to critique out there; there’s a lot because we want a better country, we want a better system. So I’ve chosen that my focus is on the legislative work. (Gregorio, 2019)

Senator Cayetano worked with women’s groups and fellow legislators to pass the MCW and the RPRHA, two of the country’s progressive legislation for women. The women’s groups and WPA acknowledge her contribution to the enactment of these laws. However, some feminist groups, including those with whom she has worked before, could not accept that someone very vocal about promoting women’s rights could keep quiet when it comes to Duterte.⁸² One commented

⁸¹ Curtin and Greaves (2020) argue that there is an inclusive form of populism. For example, New Zealand Prime Minister Jacinda Ardern depicts the ‘people’ as a ‘diverse group coming together to make New Zealand ‘better’ for everyone’ (p. 181).

⁸² Based on personal interviews with a founder of a women’s organisation who became part of the women’s policy agency, Quezon City, 6 May 2019; with a former Commissioner and Chairperson of the women’s policy agency, Makati City, 7 May 2019; with a national coordinator of a women’s organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City.

that keeping their political dynasty in power has become more important for her. ‘We also cannot allow women who pretend to be for women and then enable misogynists in positions of power. Hello, Pia Cayetano, and hello, other women’s groups that are in alliance with this President’ (Gutierrez, 2017), a leader of an LGBTQI group, commented in one forum. One of my interviewees, a women’s rights activist, remarked:

To have a president like that [Duterte], it’s the best indicator that we are in the pits. Dutertismo has almost attacked all the institutions, demeaned all the gains of women and other progressive groups, but it’s finite. It will not last. It’s unsustainable.... In the same way, we should look at the gains of the women’s movement; it has its ups and downs... There are always contradictions within. I’m even saying that women are not united. Just look at how many Duterte followers are women. Some don’t mind even if he ‘slut-shames’ all women.⁸³

Working on the MCW bill developed friendships among the lead persons from the NGOs, the policy agency, and the lawmakers. An officer of a women’s organisation involved in lobbying for the MCW narrated:

The party-list⁸⁴ legislators were supportive of the bill because there’s that ideological appreciation of what women’s rights are. But at that time, it was not their priority, so it was the individual legislators who pushed for the passage of the bill. One of the women legislators strongly lobbied for it. It was because of this Magna Carta bill that this woman legislator and I became BFFs (close friends).⁸⁵

The interview with a legislator who was a former leader of a women’s organisation underscored the importance of friendships formed between legislators supportive of women’s rights and NGOs: ‘It’s good to be friendly with everyone. I developed friendships with the women senators as they know me as a women’s advocate. Our organisation had a good relationship with them even before I became a legislator.’⁸⁶

⁸³ Personal interview with a women’s rights activist who also served as an officer of the women’s policy agency, Makati City, 7 May 2019.

⁸⁴ The Philippine Constitution provides for the election of party-list representatives to represent marginalised sectors.

⁸⁵ Personal interview with a national coordinator of a women’s organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City.

⁸⁶ Personal interview with a former legislator involved in the committee work for the Magna Carta of Women, Quezon City, 6 May 2019.

Good relationships among critical actors contribute to SRW (Curtin, 2008; Johnson & Josefsson, 2016). There is a growing literature on the value of friendships in politics, especially for women considering that legislatures remain male-dominated (Childs, 2013; Devere & Curtin, 2009; Devere & Smith, 2010; Smith, 2018). Curtin (2008), in her case study of the New Zealand Labour Women's Council and four Labour women ministers, finds that linkages among the women ministers and their various networks have positive implications for women's policies. She adds that these women '... do not all position themselves similarly as feminists, but there exists a broad commitment from each, to the importance of using their positions of influence to advance the interests of women' (p. 501).

For the MCW, not all critical actors involved were feminists. Most legislators do not espouse feminist ideologies. Even the women's organisations and feminist groups involved admitted that they have ideological differences.⁸⁷ Cayetano is not the only women's rights advocate supportive of Duterte. Luzviminda 'Luz' Calolot-Illagan, a former member of the Congress under GWP, was appointed by Duterte as undersecretary of the Department of Social Welfare and Development. Geraldine Roman, the first openly transgender woman to become a legislator who vowed to promote LGBTQI rights, is another Duterte supporter. These women are in a position of influence to encourage SRW. The question is whether other actors would be able to look past the President's political style and work with his administration and allies.

Persecution. The only women's party with a seat in the 18th Congress, Gabriela Women's Party (GWP), alleges that the administration is persecuting it. The National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) filed a disqualification case against GWP with the Commission on Elections. Duterte created the NTF-ELCAC in December 2018 through Executive Order No. 70 to institutionalise the 'whole-of-nation approach' in ending armed conflict. However, it is not clear under what capacity the NTF-ELCAC was filing the disqualification case because Executive Order No. 70 does not mandate such action. GWP is a separate entity affiliated with GABRIELA, a national alliance composed of various women's groups. The government claims that communist groups use GABRIELA as a front (Arcangel, 2019). GABRIELA is one of Duterte's critics, and the media usually includes its opinions in reports on events and issues affecting women. The organisation has also joined other groups in calling

⁸⁷ Based on personal interviews with a former legislator involved in the committee work for the Magna Carta of Women, Quezon City, 6 May 2019; with a founder of a women's organisation who became part of the women's policy agency, Quezon City, 6 May 2019; with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City; with the Secretary General of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 7 June 2019, Quezon City.

Duterte's war on drugs a war against the poor, citing reports and statistics that most of those killed in drug-related incidents are from the lower class. One of the interviewees who has been active in women's rights advocacies since the late 1990s commented:

Changes in dealing with the government since the late 1990s and early 2000 up to the present have varied depending largely on the democratic space that each government leader allows. In my experience, the most blatantly constrictive and repressive in their approach in dealing with people's movements have been the Arroyo and Duterte governments.⁸⁸

Aside from GABRIELA, other individuals accuse the Duterte government of harassment. Woman senator Leila de Lima, a critic of Duterte's war on drugs, is currently under detention on drug-related charges. Maria Ressa, a journalist, is facing a legal battle. She asserts that her current ordeal results from her news platform's coverage of the war on drugs. Both de Lima and Ressa received international recognition for their work. There seems to be an agreement among the international community that the charges against them are part of the administration's plot to silence its critics (*Maria Ressa: Philippine Journalist Is Arrested Again*, 2019; *Time Magazine Person of the Year 2018 Recognises Journalists*, 2018; Popioco, 2018).

Exclusion. Scholars studying populism and radical right parties in Europe argue that these parties use a 'policy of exclusion' as a tool to promote their ideas of morality (Donà, 2020). Excluding groups, communities, and policy actors had become a strategy to justify populist conceptions of the ideal government that stands for the 'good people.' Duterte's administration pays no attention to the opinions of international organisations and disregards human rights conventions. The Philippines' commitment to the CEDAW has been an essential rationale for the passage of the MCW and the RPRHA. This rationale was stated in the bills filed, minutes of the meetings, and floor speeches in the Legislature. Interviewees mentioned that they believe that the CEDAW committee's recommendation was part of the motivation for the legislators to pass the MCW bill. The exclusion of international bodies as policy actors has significant consequences in advancing human rights and women's rights in the Philippines.

In 2018, the Philippines' House of Representatives voted to give the Commission on Human Rights (CHR) a budget of 1,000 pesos (20 US dollars) (*Philippine Congress Agrees to Restore Rights Commission Budget from \$20*, 2017) after Duterte threatened to abolish the government body. This act shows how the executive's policy priorities can influence the Legislature. Congress restored the

⁸⁸ E-mail response from a women's rights activist who has been active since the 1990s and is now an officer in one of the women's alliances in the country, 23 September 2019.

agency's budget after public backlash, but the administration remains adamant that human rights cannot stand in the way of the war on drugs.

The minutes of the meetings and floor proceedings note the NGOs' presence during deliberations and discussions about the MCW bill. Interviewees from the NGOs narrated how they mobilised various women's groups to ensure that the legislators realise that the bill has the support of women from all sectors and geographical areas.⁸⁹ The NGOs likewise described how they worked with key lawmakers and the policy agency in various stages of the process. Given the features of the political dynasty system and the challenges of 'hyperpresidentialism', critical actors who challenge the Duterte administration's policy agenda are at risk of being excluded in the policy process. The current administration's populist leadership does not tolerate dissension (Pernia, 2019; Simangan & Melvin, 2019; Thompson, 2016). Hence, dynastic politicians who are mindful of the cost of the president's censure to their dynasty's persistence may well avoid associating with Duterte critics.

Summary

While the Legislature makes the laws, in the case of the MCW, findings show that the President influenced the shaping of the legislation. Firstly, the President promotes the environment for policy actors, such as civil society, to engage in the policy process. The creation of this progressive environment was a significant accomplishment of Corazon Aquino's administration, which continued to some extent in the succeeding administrations. Secondly, the President can certify the bill as a priority to convince Congress to act on it. Although it was unclear in the case of the MCW, legislators and the WPA staff recalled that President Macapagal-Arroyo did certify the bill as a priority measure. Thirdly, the President has veto power, and while there were no veto records for the MCW, there remains no explanation of how the word 'ethical' ended up in the ratified version of the law. This insertion happened sometime after the Senate and the House of Representatives approved the bicameral committee's recommendations to delete this term from the section on women's right to reproductive health.

The civil society-friendly environment is missing in the Duterte administration. As explained in the two previous chapters, women's groups' strong lobby efforts prompted legislators to act on the measure. The women's groups are strongly divided, and some were even persecuted under the current administration. The alliances formed in past administrations between women's groups and

⁸⁹ Based on personal interviews with a national coordinator of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 21 May 2019, Quezon City; with the Secretary General of a women's organisation directly involved in the lobby work for the Magna Carta of Women, 7 June 2019, Quezon City.

legislators, regardless of political affiliation, are now fragmented. As observed by the interviewees, Duterte has encouraged an environment that undermines respect for women's issues. While Duterte signed the 'Safe Streets and Public Spaces Act', which was championed by a woman opposition senator, his actions contradict the law's substance. The Philippines has a declining performance in the gender equality index attributable solely to the decrease of women in cabinet positions under his administration. He has downgraded the women's policy agency and the human rights commission by placing them under the Department of Interior and Local Government. The actions mentioned above illustrate that populism-sexism significantly influences his administration's policy agenda for women.

As this study's previous chapters show, women's groups have always been the main drivers of CEDAW in the Philippines. Populism may have taken its hold in the Philippines, but women's rights groups persist despite the divergence of ideologies and political affiliation. For now, some groups and individuals may not be able to work together due to political differences. The political dynasty system may have compelled critical actors such as Senator Pia Cayetano, a staunch women's rights advocate, to tolerate Duterte's antics and actions to protect her family's dynastic interests. Unless the Constitution is changed, the public expects Duterte to complete his term in 2022. Until then, women's groups will have to carry on with or without the support of the current administration and its allies, under a popular president who denigrates women and publicly declares his indifference towards human rights.

Chapter 8

Conclusion

Substantive Representation of Women and the Political Dynasty System

In the article entitled *Benchwarmers or true leaders? Women candidates a puny minority in nat'l, local races* (Philippine Center for Investigative Journalism, 2013), the first paragraph reads:

One out of four senatorial bets in today's elections is a woman, the highest rate of female participation yet in the senatorial race in the country's history. But there is hardly a stir of excitement even among women's rights advocates, who are apparently expecting little from these women, even if they end up winning.

In the succeeding paragraphs, the article explains:

More often than not, they point out, Filipino women are prompted to run for public office only because a husband, father, or brother is unable to do so at that moment or can no longer run altogether... Sometimes, too, female family members are recruited to run for office simply because the clan wants to either widen or consolidate its power and lacks qualified male members that it can put in public positions.

Lauren Greenfield's 2019 documentary *The Kingmaker* offers a different narrative. The documentary focuses on the life and political career of Imelda Marcos. The world remembers Imelda as the first lady with 3,000 pairs of shoes. However, since former president Ferdinand Marcos' death, Imelda Marcos has made a name for herself in Philippine politics. The documentary presents her as the 'Kingmaker', consolidating power for their political dynasty and forming strategic alliances with other dynasties to help her son, former Senator Ferdinand 'Bongbong' Marcos Jr., gain prominence in national politics.

These narratives present women politicians in different ways. The first one regards women politicians as puppets of their male relatives. Their families use them to ensure that elective positions remain within the dynasty. As the article says, there is little expectation from these women to advance women's interests. The second one presents Imelda Marcos as a seasoned politician—not just a former first lady. She works hard to bring her family back to prominence in politics through inventiveness and skilful manoeuvring. These narratives fail to show what happens to the SRW in the context of dynastic Philippine politics. Who acts for women's interests? Instead of focusing on dynastic women, it is crucial to examine the whole system. By analysing the

MCW's case, I present another story. Through this journey, I explain how the political dynasty system as a gendered informal institution shapes SRW.

Summary and Key Findings

Factors contributing to the passage of the MCW in the fourteenth Congress

I use an actor-centred approach in presenting an expanded history of CEDAW in the Philippines. I examine the 28-year gap between the CEDAW ratification and the passage of its local translation and ask why the law was passed in 2009 and not earlier. I find that a 'multipositioned' critical actor, Senator Leticia Ramos-Shahani, played a vital role in the early days of CEDAW at the UN level. Besides being the Chair of the UN Commission on Status of Women in 1974, she was also an official of the Philippines' newly-formed WPA. Her attributes as a critical actor enabled her to navigate both the UN and local politics. Her family has well-established political connections. She served in various capacities under four Philippine presidents, showing how her influence persisted despite government leadership changes. Ramos-Shahani partnered with civil society to advocate for policies based on the principles of CEDAW in the Philippines.

Another key factor in the CEDAW impact translation was the election of women presidents. Both Corazon Aquino and Gloria Macapagal-Arroyo ratified laws integrating CEDAW principles. The inclusion of the gender equality clause in the 1987 Philippine Constitution during Corazon Aquino's term opened the doors for succeeding progressive women's rights laws. Macapagal-Arroyo signed the MCW during her last year in office. As some interviewees of this study expressed, the women Presidents wanted to be remembered for 'doing something for women'.

The UNIFEM CEDAW SEAP programme, which ran from 2005-2008, also played a significant role in the passage of the MCW. One of the program's main objectives is to incorporate CEDAW in the country's national laws and policies. UNIFEM CEDAW SEAP collaborated with women's groups in lobbying for a Philippine version of the CEDAW and provided funding for this undertaking. In Chapter 6, I explained how women's groups used two lobbying strategies in the 14th Congress. The first strategy was to demonstrate that women all over the country support the MCW bill. Women's groups sought the help of their members and affiliates who had direct contact with the legislators. The second strategy was to remind the lawmakers of the Philippines' commitment as a signatory to the CEDAW using the CEDAW committee's concluding remarks to explain why they need to pass the bill in the 14th Congress. However, when asked if the CEDAW Committee's recommendations were sufficient to convince lawmakers of the necessity

of having a Philippine women's rights law, all interviewees answered negatively. The CSO interviewees replied that international pressure could be one reason the legislators considered when they voted for the bill. However, they believe that the constituency's support was the key factor.

Based on my findings, the enactment of the MCW is a culmination of more than 30 years of work by critical actors who are determined to advance their women's rights agenda in the Philippines. It is a product of a process that started way back in 1974 when Leticia Ramos-Shahani became the Chair of the UN Commission on Status of Women. Since then, the Philippines established its women's policy agency, included the gender equality provision in its 1987 Constitution under its first woman president, and passed specific laws which, in the words of the interviewees, 'address specific women's issues' such as Republic Act 7877 or the Anti-Sexual Harassment Act of 1995, Republic Act 8353 or the Anti-Rape Law of 1997, Republic Act 9208 or the Anti-Trafficking in Persons Act of 2003 (amended by Republic Act 110364 or the Anti-Trafficking in Persons Act of 2012), and Republic Act 9262 or the Anti-Violence Against Women and their Children (VAWC) Act of 2004. The combination of the strong lobby of women's groups, supported by the UNIFEM CEDAW SEAP program and the CEDAW Committee's recommendation, to have a CEDAW national law led to the tipping point—when Congress decided to pass the MCW bill in 2009.

The critical actors in the enactment of the MCW and the roles they played in the process

In Chapters 4 to 7, I discussed the critical actors involved in the passage of the MCW. These actors are the diplomats and activists advancing their women's rights advocacy at the international level through the UN and its instrumentalities; the legislators who were involved in the formal process of making the law; the civil society and women's policy agency who were part of the technical working group for the MCW bill and lobbied for its passage; and the President who has the power to influence the political environment for the other actors to effectively interact in promoting women-friendly policies.

I use the concept of 'multipositionality' (Englehart & Miller, 2019; Midtgaard, 2011) to refer to elite women's unique attributes, occupying strategic positions in governments and activist organisations. These women were able to advance their advocacy in gender equality and influence international law. Leticia Ramos-Shahani is an example of these elite women. She worked simultaneously in the UN and in the Philippines to push for women's rights. After serving in the UN, she won the Philippine senatorial race in 1987. As Senator, she continued to advocate for pro-women legislation. Her family relations and experiences in the UN and national politics made

her well-connected with other critical actors. She retained prominence in her field and area of expertise despite changes in the political climate. Using her influence, she managed to convene the women's groups with different ideological and political positions to lobby for the gender equality provision in the 1987 Philippine Constitution.

In Chapter 6, I explored the contribution of civil society and the women's policy agency in the passage of the MCW. CSOs, especially women's organisations, worked in drafting the MCW bill and lobbying in Congress. I found that lobbying for the MCW was not a straightforward process. There were struggles among women's groups in deciding whether to move forward with their own advocacy or join the larger association pushing for a consolidated Magna Carta law. The opposition from groups associated with the Catholic Church was anticipated given past experiences in their advocacy work in previous legislation. However, there were disagreements between and among the more progressive women's groups, with some groups wanting to prioritise the lobbying for the Reproductive Health bill over the MCW. The chapter explained the need for CSOs to adapt to the political dynasty system's practices and informal rules in working with legislators while negotiating among themselves the ideological and tactical dimensions of SRW.

I found that the President can encourage critical actors to become active participants in the policy process. President Corazon Aquino's term marked an increased engagement between civil society and government actors (Hutchcroft & Rocamora, 2003) which continued to some extent in the following administrations. The MCW is an example of collaborative legislation. While women's groups and the WPA lobbied for it, key legislators took the initiative to file bills and promote the MCW among their colleagues. The President can also influence legislative activity by certifying the bill as a priority. Although this was unclear in the case of the MCW, legislators and the WPA officers recalled that President Macapagal-Arroyo did approve the bill as a priority measure.

Having a holistic understanding of the concept of critical actors requires us also to examine those who work against the advancement of pro-women policies (Thomson, 2018). The study found that groups affiliated with the Catholic Church lobbied against the inclusion of progressive reproductive health provisions in the MCW. Educational institutions managed by Catholic organisations also pushed for the insertion of a clause that would have allowed them to dismiss unmarried women who become pregnant from study or employment. However, the bicameral conference committee decided to strike out this clause mainly due to the insistence of women legislators, particularly those from the women's party-list group. As for the current administration of President Rodrigo Duterte, analysis of the interviews and comments available from media sources shows that women's groups consider the current president as a hindrance to the

advancement of women's rights and human rights in the Philippines. The negative attitude towards a former women's rights ally, Senator Pia Cayetano, due to her acquiescence to President Duterte's sexist rhetoric, illustrates how divisive populist leadership can have significant implications to the collaborative work on women's interest policies.

The Difference between Women and Men and the Significance of Dynastic Background of Legislators

I compared how women and men and dynastic and non-dynastic legislators act for women. Similar to previous studies' findings, women surpassed men in their efforts for the Philippine women's rights law. The MCW bill gained support in the 14th Congress from female and male legislators regardless of political affiliation and dynastic background. The vote for the bill was unanimous. However, I found that non-legislative actors, such as women's groups and the WPA, approached women legislators first before the men. In engaging with legislators, non-legislative actors primarily consider the lawmaker's position and influence. Interviewees who look at the dynastic background explain that this aspect matters only for bills that conflict with lawmakers' class and economic interests.

I also found that legislators from the same family supported the bill. A principal author in the 14th Congress has family ties with the bill's author in the 12th Congress. One of the legislators interviewed for this study said that he had discussions about the bill with relatives in the Senate and the House of Representatives who advocated for it.

Finally, my findings suggest that although the MCW bill had multiple authors and gained unanimous support, in terms of advancing the core principles of CEDAW on non-discrimination, some legislators contributed more than others. Legislators who were women's rights and human rights activists lobbied for the inclusion of non-discrimination provisions in the bill and harmonised these provisions with existing statutes.

The Significance of Formal and Informal Structures and Practices

My analysis shows that the Catholic Church continues to influence gender equality policies in the Philippines. The Church opposed the CEDAW Committee's recommendations, particularly those on divorce, abortion, and women's reproductive health. Some lawmakers referred to the Church's opinion during their deliberations. The records of the bicameral conference committee meeting reflected the gendered practices in the legislature. Women legislators had to contend with sexist remarks to advocate for the non-discrimination provisions. It remains a mystery how the word 'ethical' under the heading women's right to health in Sec. 17, which the bicameral conference

committee decided to remove, reappeared in the final version of the law ratified by President Macapagal-Arroyo.

The organisations involved in lobbying for the bill had to find the right avenues to present the message. It is not sufficient to have a carefully crafted message explaining the MCW as a bill with broad support and that it is part of the UN CEDAW committee's recommendations. My analysis shows that CSOs interacted with lawmakers through formal and informal channels. CSOs sent their officials and staff to do presentations for the lawmakers during official meetings. The women's groups likewise attended the Senate and the House of Representatives' sessions as part of their lobbying efforts. These informal modes of engagement reflect the political dynasty system's unique feature as CSOs utilised personal relationships, intermediaries, and reciprocity to engage with legislators.

In the Philippines' highly dynastic political environment, strong relationships established with lawmakers have long-term benefits for the CSOs. Lawmakers can reintroduce measures in succeeding congresses. CSOs may request supportive lawmakers who have relatives replacing them to introduce them to their replacements allowing the CSO to explain the bill and, in the process, establish relationships with the newcomer. Interviewees from the CSOs and WPA talked about maintaining relationships with actors even when they have left their organisations. This finding shows how personal bonds can be more resilient than formal networks and may serve as an important resource for SRW efforts.

The prospects of CEDAW Implementation in the Philippines under the Current Administration

Based on my findings, civil society participation in human rights and women's rights policymaking has weakened during President Rodrigo Duterte's administration. Collaboration between women's groups and government actors has diminished. Feminist groups criticised government officials such as Senator Pia Cayetano for not speaking up against Duterte's anti-women rhetoric. Cayetano has worked with women's groups before on several women's interest legislations, including the MCW. She is part of the Cayetano family, who joined forces with Duterte for his presidential election bid. The political dynasty system may have compelled dynastic actors to tolerate Duterte's sexist acts to protect their family's interests.

As for the key government agencies that promote the MCW, Duterte's restructuring plan resulted in the relegation of the PCW to an office under the DILG from being one of the agencies under the Office of the President. This restructuring shows that women's issues are not part of the

Duterte administration's priority, unlike previous administrations. In previous administrations, the PCW could directly propose policies to the Office of the President. Aside from streamlining, the President did not explain why the PCW was placed under the DILG. It is also unclear how the agency would fulfil its role as women's policy machinery under this current setup. As for human rights, there were threats to abolish the CHR if it continues to stand against the war on drugs. The CHR and PCW work hand in hand to ensure the implementation of the MCW. Section 40 of the law designated the CHR to promote and monitor the law's performance, including investigating women's rights violations. Undermining the functions of these two agencies has implications for the future of CEDAW in the Philippines.

Contribution to Scholarship: Substantive Representation of Women and the Political Dynasty System as Gendered Informal Institution

When I began this research, I wanted to answer a simple question: Do dynastic women legislators substantively represent women? However, this simple question evolved into a complex investigation when I decided to turn the question around. Instead of focusing on what particular actors did, I examined how substantive representation happens in the Philippines' highly dynastic political environment. As I conclude, I refer to the framework that I have presented in Chapter one on how the political dynasty system influences women's representation. My findings show that the Philippines' political actors have a thorough understanding of how the rules of the political dynasty system work.

Firstly, this study finds that the contribution of some critical actors to positive policy change may not always be obvious. Hence, a thick analysis (Mackay, 2008) and an extended time frame approach (Pierson, 2004) are necessary to determine who they are. In this study, the interviewees repetitively mentioned the name of the late Leticia Ramos-Shahani, a former senator and diplomat. Although Ramos-Shahani was not directly involved in the MCW, analysis of pro-women laws passed before the MCW and the historical records of how the Philippines became a state party to the CEDAW show that she played a significant role in bringing CEDAW to the Philippines. The laws that she authored also articulated some of the CEDAW articles. This finding illustrates how dynastic public officials use their legacy—their family name and all its benefits to promote their policy preferences. Leticia Ramos-Shahani, a multi-positioned actor, had a clear women's rights agenda. She took advantage of her positions at the international and national levels and her familial and political connections to incorporate women's rights in national laws.

Presidents have no legislative power, but findings show that they are instrumental in creating an environment that promotes interaction and collaboration among critical actors. A number of women's interest laws were passed in this synergistic environment, which started in President Corazon Aquino's term. The political dynasty system influences the dynamics of substantive representation because dynastic actors need to consider the dynasty's interests and not just their policy agenda. I reiterate what I discussed in chapter 3 that dynastic actors are not solo artists. They are part of the political dynasty orchestra. As mentioned by the interviewees and gender equality activists in their media commentaries, staunch women's rights advocates such as Senator Pia Cayetano, who are members of political dynasties, seemed to have set aside their advocacies when the dynasty's interest was at stake. Deciding not to comment on President Duterte's sexist rants, Senator Pia Cayetano herself commented that she 'has chosen to focus on legislative work' (Gregorio, 2019).

Using the Feminist Institutionalism approach allowed me to examine the dynamics of the political actors involved. I find that there were dynastic lawmakers who discussed the MCW with their relatives, and their family members supported it by filing their versions of the bill. A nephew filed his own version of the MCW bill, which was authored by his aunt in the previous Congress. Dynastic women lawmakers used obsequious language in delivering their speeches and arguments, presumably in an attempt to frame their messages in a way that was more palatable to their male colleagues. In contrast, non-dynastic women lawmakers, particularly the women's party-list legislators, were straightforward in presenting their feminist views and drew on concepts used by international organisations in their arguments. However, public officials also need to keep the dynasty in power. Hence, while they had no problem supporting the bill's uncontroversial provisions, those related to abortion and divorce were generally avoided. It is unsurprising that a women's party-list legislator, Liza Maza, was the one who insisted on removing a discriminatory provision from the bill. Catholic schools were lobbying for it, asserting that it was part of academic freedom. Unlike most of her colleagues, Maza was elected to represent women and had no dynastic interests to protect. She made it clear that she was presenting the issue from a feminist standpoint, and she seemed to have little or nothing to lose by going against the Catholic Church.

Civil society and the women's policy agency used informal arrangements and personal relationships to engage with legislators. They were aware that involving the constituency would help them gain lawmakers' support since these grassroots organisations are valuable for electoral campaigns. Some CSOs expressed apprehension with reaching out to dynastic legislators for bills on economic rights when they knew that a majority of them were from wealthy clans with business interests to protect.

Accordingly, while women's groups continue to be the facilitators of change and leverage treaties such as CEDAW, they adapt their strategies to the political dynasty system's distinctive practices.

The study shows a link between descriptive representation and substantive representation. All interviewees claim that women lawmakers, whether dynastic or non-dynastic contribute more to women's interest policies. The records from both the Senate and House of Representatives revealed that women outperformed men in bill authorship and delivery of speeches. Nevertheless, non-dynastic women, notably the women's party-list representatives, provided more substantial inputs during the debate, which led to the removal of a discriminatory provision in the bill's final version. Interviewees from women's groups and the policy agency likewise commented that non-dynastic women lawmakers have more in-depth knowledge of the issues and drafted their versions of the bill. In contrast, these organisations had to supply resources to most dynastic women for their speeches, and most of these lawmakers adopted the technical working group's version of the MCW.

Finally, the study reveals a nuanced understanding of critical actors in the context of dynastic politics. Childs and Krook (2009) define critical actors as those who 'act individually or collectively to bring about women-friendly policy change' (p. 126-127). The political dynasty system shapes how actors 'act for' women. I find that 'who is critical' varies throughout the stages of the legislative process. Dynastic women help significantly in agenda-setting and lobbying for support. They help bring the numbers for the voting. During these stages, they are critical actors. However, non-dynastic lawmakers, specifically the women's party-list legislators, were more deliberate in arguing against contentious discriminatory provisions that would have been inserted in the law. At the deliberation stage, they were more critical than the other lawmakers. This finding suggests that non-dynastic party-list lawmakers seem to be more reliable in the SRW. However, they are minimal in number. As an example, in the 14th Congress, there were only two women's party-list representatives out of a total of 272 members of the House of Representatives. Therefore, dynastic actors who are at least unopposed to women's interests and gender equality are important allies because dynasties dominate the legislature. A collaborative relationship between women's party-list representatives and dynastic lawmakers is crucial if SRW is to happen.

The main contribution of my study lies in the way it considers the political dynasty as an informal institution with its own set of rules and practices. I refer to this as the political dynasty system. Drawing on the feminist institutionalism approach and the concept of critical actors, I explore the gendered dimensions of this political dynasty system and its implications for the Substantive Representation of Women. Do dynastic women lawmakers represent the interests of women? Yes,

they do. However, my findings demonstrate that the political dynasty system influences how women do this representative work and the extent to which they do it. Dynastic women and men authored bills, delivered speeches, and voted for the Magna Carta's passage. However, non-dynastic women were more active and deliberate in the final debates to remove discriminatory provisions.

In conclusion, the main objective of the political dynasty system is to keep the dynasty in power. Fast-forwarding to the contemporary period of Philippine politics, I find that the support for President Duterte by dynastic women who were known women's rights advocates, despite his misogynistic acts, highlights that the SRW matters for dynastic lawmakers, but dynastic interests matter more.

Implications for Future Research

Allow me to restate North's (1990) illustration of what institutions are and how they are different from organisations:

Institutions are the rules of the game in a society or, more formally, are the humanly devised constraints that shape human interaction... Like institutions, organisations provide a structure to human interaction. Conceptually, what must be clearly differentiated are the rules from the players. The purpose of the rules is to define the way the game is played. (p. 4).

This study differs from previous work as it uses the institutionalism lens in examining political dynasties. I maintain that the political dynasty system is an informal institution with its own 'rules of the game'. Future studies may consider using this approach to examine other underrepresented groups in politics, such as ethnic and cultural minorities. The modalities of legacy and strategy that I have proposed in the analytical framework that I have developed may be useful in studying the influence of the political dynasty system on representation not just of women but also of other groups. The framework may also be applicable in exploring the intersections of race and gender in the study of representation in highly dynastic contexts.

In terms of research design, the study provides a concrete example of how the 'thick' contextual framework proposed by Mackay (2008) works as a methodology in the SRW studies. Combining the use of various analytical models and tools helps in 'thick' analysis. Scholars should not hesitate to use multiple analytical models if such an undertaking would allow a more comprehensive exploration of the case and provide a nuanced perspective of examining the subject. For instance,

Miller (2020) illustrates how using ethnography complements the feminist institutionalism approach in studying gender dynamics in parliament. I argue that quantitative tools and counting policy outputs, such as bill authorship and voting, provide quantifiable information on whether or not political actors act for women. However, this study shows that using Feminist Critical Discourse Analysis allows us to see which actors contribute to the MCW's provisions that have more substantial and long-term benefits for women. In short, 'counting' shows a fragment of the picture. Actors A and B may have both filed bills and voted for the MCW, but actor A's contribution in the deliberation paved the way for a version of the bill that better serves women's strategic interests.

Another example is linking the RNGS framework with the CSO and SRW framework by Chaney (2016). These two frameworks complement each other in examining the dynamics of WPA and CSO interaction. Chaney's work on the contingent factors shaping CSOs' claims-making on the SRW includes WPAs as part of the state's governance structures. On the other hand, the RNGS framework can break down these 'structures' identified by Chaney since we cannot assume that the mere establishment of state structures such as WPAs benefit women's representation.

The study also shows the advantage of using process tracing in SRW studies. Some actors' participation is not visible if we only examine the period when the bill was proposed until its ratification. Using an extended time frame analysis, recommended by Pierson (2004), gives a comprehensive account of the case. It reveals how critical actors' actions more than 30 years ago had significant implications for the passage of the MCW.

Appendix A: Methodology and Research Design

Ethics Approval

Research Office
Post-Award Support Services



The University of Auckland
Private Bag 92019
Auckland, New Zealand

Level 10, 49 Symonds Street
Telephone: 64 9 373 7599
Extension: 83711
Facsimile: 64 9 373 7432
ro-ethics@auckland.ac.nz

UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE (UAHPEC)

12-Oct-2018

MEMORANDUM TO:

Dr Stephen Noakes
Politics & International Relns

Re: Application for Ethics Approval (Our Ref. 021975): Approved

The Committee considered your application for ethics approval for your study entitled **Dynamics of Substantive Representation: Dynastic Relations and the Making of the Philippines' Women's Rights Law**.

We are pleased to inform you that ethics approval has been granted for a period of three years.

The expiry date for this approval is 12-Oct-2021.

If the project changes significantly, you are required to submit a new application to UAHPEC for further consideration.

If you have obtained funding other than from UniServices, send a copy of this approval letter to the Activations team in the Research Office at ro-awards@auckland.ac.nz. For UniServices contracts, send a copy of the approval letter to the Contract Manager, UniServices.

The Chair and the members of UAHPEC would be happy to discuss general matters relating to ethics approvals. If you wish to do so, please contact the UAHPEC Ethics Administrators at ro-ethics@auckland.ac.nz in the first instance.

Please quote Protocol number **021975** on all communication with the UAHPEC regarding this application.

(This is a computer generated letter. No signature required.)

UAHPEC Administrators
University of Auckland Human Participants Ethics Committee

c.c. Head of Department / School, Politics & International Relns
Prof Jennifer Curtin
Ms Gay Marie Francisco

Additional information:

1. Do not forget to fill in the 'approval wording' on the Participant Information Sheets, Consent Forms and/or advertisements, giving the dates of approval and the reference number. This needs to be completed, before you use them or send them out to your participants.
2. At the end of three years, or if the study is completed before the expiry date, please advise the Ethics Administrators of its completion.
3. Should you require an extension or need to make any changes to the project, please complete the online Amendment Request form associated with this approval number giving full details along with revised documentation. If requested before the current approval expires, an extension may be granted for a further three years, after which a new application must be submitted.

Interview Analysis

Table 3

Interview Analysis (Legislators)

Questions/Topics	Themes of Responses
<i>Magna Carta of Women (MCW)</i>	Legislators interviewed/included: 5
Key factors that led to the ratification of the MCW	<p>‘Steadfast lobbying’ of women and sectoral groups; Civil society efforts 4 interviewees (1 dynastic; 3 non-dynastic)</p> <p>The MCW is a ‘harmless’ bill. It does not go against the legislators’ economic and political interests 2 interviewees (non-dynastic)</p> <p>Commitment of the legislators in passing this landmark bill and the urgent need for the bill’s passage 2 interviewees (1 dynastic; 1 non-dynastic)</p> <p>Addresses a gap in legislation 2 interviewees (1 dynastic; 1 non-dynastic)</p> <p>The Philippines is one the countries that gives high regard to women’s rights 1 interviewee (dynastic)</p> <p>Inclusion of the MCW in President Macapagal-Arroyo’s priority bills 1 interviewee (dynastic)</p>
Major challenges encountered by the MCW; How were those challenges resolved	<p>No major challenges; Not controversial 3 interviewees (non-dynastic)</p> <p>Conflict with religious groups particularly on the reproductive health provisions 3 interviewees (1 dynastic; 2 non-dynastic)</p>
Is the environment at Senate/House of Representatives conducive for women lawmakers to perform their responsibilities?	<p>Both Senate and House of Representatives dominated by men; Leadership positions mostly occupied by men 3 interviewees (non-dynastic)</p> <p>Culture which promotes women’s traditional roles 2 interviewees (non-dynastic)</p> <p>Women’s issues are not considered as important as other issues such as economic issues 2 interviewees (non-dynastic)</p>

	Legislators are treated equally regardless of sex 1 interviewee (dynastic male)
Senate/House of Representatives support for the MCW	Both the Senate and House of Representative are generally supportive of the bill All 5 interviewees
Expectation for women legislators to to push for women's interest legislation	There is still an expectation for women to advance women's interest All 4 women interviewees Only the male legislator responded that there is no expectation
Should men push for women's interest legislation?	Yes; Both women and men should advance women's issues All legislators interviewed
Do women legislators have more responsibility to push for women's interest legislation than men?	Yes. The reality is more women advocate for women's issues; Women understand and can relate to women's issues better. All 4 women legislators interviewed No. Both men and women need to work on women's interest laws; There should not be any gender discrimination (male legislator)
Do you feel the pressure to push for women's interest legislation? (for women legislators)	Yes, as representative of women All 4 women legislators interviewed
<i>Political Dynasties</i>	
Impact of being a member of political dynasty on legislative work	Negative Dynasties will always promote the interest of their families 2 interviewees (non-dynastic) Dynastic legislators tend to uphold their family values even if these do not align with constituents 1 interviewee (non-dynastic) Positive Successors can continue what has been started by relatives who held the position/s previously to maintain 'strong hold' among the constituency 1 interviewee (dynastic)

<p>Impact of being a member of political dynasty on legislative particularly on women's rights legislation</p>	<p>Women legislators from dynastic families do not have in-depth knowledge of issues as compared with those having NGO background 1 interviewee (non-dynastic)</p> <p>One of the principal author of the MCW, a dynastic male may have been influenced by his aunt who is an early advocate of the MCW 1 interviewee (non-dynastic)</p>
<p>Views on the Duterte administration</p>	<p>Misogynist President 2 interviewees (non-dynastic women)</p> <p>The President has no regard for women's rights or human rights 1 interviewee (non-dynastic woman)</p>

Table 4

Interview Analysis (Civil Society/Women's Policy Agency/CEDAW experts)

Questions/Topics	Themes of Responses
<i>Magna Carta of Women (MCW)</i>	Civil Society/ CEDAW experts/Women's Policy Agency officers and staff (number: 8)
Key factors that led to the ratification of the MCW	<p>Efforts of the non-government organisations (NGOs) 8 interviewees</p> <p>Involving the grassroots women's organisations: 7 interviewees</p> <p>Explaining the Philippine commitment to the CEDAW to lawmakers 6 interviewees</p> <p>President Macapagal-Arroyo's endorsement of the MCW bill 2 interviewees</p>
Major challenges encountered by the MCW; How were those challenges resolved	<p>Conflict with religious groups particularly on the reproductive health provisions 7 interviewees</p> <p>Some NGOs; women's groups have challenges working together 6 interviewees</p> <p>Some legislators still do not believe in CEDAW; The MCW has been adjusted to become CEDAW with 'Filipino flavour' 1 interviewee</p>
Senate/House of Representatives support for the MCW	Both the Senate and House of Representative are generally supportive of the bill 6 interviewees
Working with women and men in the legislature	<p>Worked with women more than the men; Men should work on women's interest laws but the reality is that women are more involved than men All 8 interviewees</p> <p>Some male legislators do not consider women's rights as an important issue 2 interviewees</p>

<p>Relationship among individuals and organisations in working for the bill</p>	<p>Generally, there was a good relationship among those involved in working for the passage of the MCW All 8 interviewees</p> <p>CEDAW experts; former officials of the women's policy agency consulted; Civil society with various political affiliations consulted All 8 interviewees</p> <p>There were some conflicts with other women's groups on the Reproductive Health (RH) provisions because they claim that the MCW has weak RH provisions 5 interviewees</p>
<p><i>Political Dynasties</i></p>	
<p>Impact of being a member of political dynasty on legislative work</p>	<p>Dynastic lawmakers are more concerned with their family interests. 7 interviewees</p> <p>Women legislators from dynastic families do not have in-depth knowledge of issues as compared with party-list representatives. 4 interviewees</p>
<p>Views on political dynasties</p>	<p>Political dynasties prioritise the interests of their families 7 interviewees</p> <p>Politics and economics are held by the same group of people who never want to change the system because it benefits them 7 interviewees</p> <p>Political dynasties are source of corruption and incompetent public officials 1 interviewee</p>
<p>Views on the current administration</p>	<p>We have backslided on women's rights under the Duterte administration 4 interviewees</p> <p>Disappointment on Pia Cayetano for supporting Duterte; being mum on Duterte's misogyny 3 interviewees</p> <p>Duterte administration is repressive 1 interviewee</p> <p>The President's agenda will prevail 1 interviewee</p>

Interview Guide

Interview Questions for face-to-face and email interviews

- A. Legislators (Senators and Members of the House of Representatives)
 - B. Government other than Legislators
 - C. Non-governmental Organisations
 - D. Private Individuals (Not from the Government or Non-governmental Organisations)
-

- A. Legislators (Senators and Members of the House of Representatives)

Personal Background

Please tell me something about your personal background and your journey to become a legislator.

-Family background

-Education

-Professional Career

-Start of Political Career; Early years in politics

How long have you been active in politics? Discuss the various positions you have been involved in the public sector.

Do you have advisors or mentors in your career as a public servant? If yes, who are they? Can you tell me more about them? In what ways have they helped you?

The Magna Carta of Women

What is your main involvement in the passing of Republic Act 9710 or the 'Magna Carta of Women (MCW) Act of 2009'?

What made you decide to support the bill?

Aside from your main involvement, what other activities have you undertaken to support the passing of this piece of legislation?

Are there people within the legislature you worked with to support the passing of this legislation? Who are they? In what particular area/s have you worked together? How would you describe your working relationship?

Are there public officials aside from the people within the legislature you worked with to support the passing of this legislation? Who are they? In what particular area/s have you worked together? How would you describe your working relationship?

Did you work with non-government organisations for this legislation? If yes, who are these organisations? In what particular area/s have you worked together? How would you describe your working relationship?

Aside from public officials and non-government organisations, are there other institutions, groups, or individuals who worked with you for the passing of this legislation? In what particular area/s have you worked together? How would you describe your working relationship?

In your view, what are the key factors that led to the ratification of this legislation?

In your view, what were the major challenges encountered by this legislation before eventually being ratified? How were those challenges resolved?

Do you consider the environment at the Senate/House of Representatives as conducive for women to perform their responsibilities as a lawmaker? In what ways do you think it is conducive/not conducive?

Specifically for the Magna Carta of Women, in your view, was the Senate/House of Representatives as an institution supportive of this legislation? In what ways do you think it was supportive/not supportive of this legislation?

In Senate/Congress, is there an expectation for the women legislators to be the ones to push for women's interest legislation?

Political Dynasties

Existing academic literature describes political dynasties as: *families or clans with members holding the same elected position in succession or occupying different elected positions at the same time.*

In your view, does it matter that an elective official is a member of a political dynasty? Does being a member of a political dynasty matter in legislative work?

In your view, when legislators are members of the same family, does it have an impact on their legislative work?

In what ways does being members of the same family help/not help in legislative work?

Will they support/not support the same bills?

Given the above definition, do you consider yourself a member of a political dynasty? If yes, in your view, does it matter that an elective official is a member of a political dynasty? Does being a member of a political dynasty matter in legislative work, particularly for women's rights legislation?

If you have other family members who are also legislators, has there been any instance when you disagree on your position on bills/legislation? If yes, what happened? Did you try to convince each other to take the same position? In the instances you mentioned, did anyone change his/her/their positions/stand? If yes, whose position prevailed?

Additional Questions for Legislators

Men

Do you think that men should push for women's interest legislation?

Do you think that women legislators have more responsibility to push for women's interest legislation than men?

Women

Do you feel the pressure to push for women's interest legislation?

Do you think that women legislators have more responsibility to push for women's interest legislation than men?

For women from political families, do you think you need to prove yourself more as a representative of women's interest (compared to women legislators who are not from political families)?

As a woman legislator:

Do you see yourself as a representative of women?

Is it important for you to represent women's interests?

Aside from the Magna Carta of Women, have you supported other bills that promote women's interests? What are these bills/legislation?

Do you consider the environment at the Senate/House of Representatives as conducive for women like you to perform your responsibilities as a lawmaker? In what ways do you think it is conducive/not conducive? Can you tell me about specific instances when you experienced being encouraged/discouraged? Supported/not supported?

Specifically for the Magna Carta of Women, in your view, was the Senate/House of Representatives as an institution supportive of this legislation? In what ways do you think it was supportive/not supportive of this legislation?

Please tell me more about your experiences during the whole process of working for the ratification of the bill.

B. Interviewees from the Government other than Legislators

Personal Background

Please tell me something about your personal background

-Family background

-Education

-Professional Career

The Magna Carta of Women

What is your main involvement in the passing of Republic Act 9710 or the ‘Magna Carta of Women (MCW) Act of 2009’?

How did you become involved with the Magna Carta of Women?

What made you decide to support the bill?

Was advocating for the passing of this law part of your work?

Aside from your main involvement, what other activities have you undertaken to support the passing of this piece of legislation?

Are there people from the legislature (House of Representatives and Senate) you worked with to support the passing of this legislation? Who are they? In what particular area/s have you worked together? How would you describe your working relationship?

Are there people within the government (aside from members of the House of Representatives and Senate) you worked with to support the passing of this legislation? In what particular area/s have you worked together? How would you describe your working relationship?

Did you work with non-government organisations for this legislation? If yes, who are these organisations? In what particular area/s have you worked together? How would you describe your working relationship?

Aside from public officials and non-government organisations, are there other institutions, groups, or individuals who worked with you for the passing of this legislation? In what particular area/s have you worked together? How would you describe your working relationship?

In your view, what are the key factors that led to the ratification of this legislation?

In your view, what were the major challenges encountered by this legislation before eventually being ratified? How were those challenges resolved?

Political Dynasties

Existing academic literature describes political dynasties as *families or clans with members holding the same elected position in succession or occupying different elected positions at the same time.*

In your work for the Magna Carta of Women, have you worked with public officials from political dynasties? If yes, how would you describe your working relationship with them? How would you describe working with them as compared to public officials who are not from political dynasties?

In your view, does it matter that an elective official is a member of a political dynasty? Does being a member of a political dynasty matter in legislative work? Particularly for the Magna Carta of Women, did the dynastic background of the public official you have worked with matter? If yes, did it help in facilitating the passing of the law, or did it hinder the passing of the law?

C. Interviewees from Non-governmental Organisations

Personal Background

Please tell me something about your personal background

-Family background

-Education

-Professional Career

The Magna Carta of Women

What is your main involvement in the passing of Republic Act 9710 or the 'Magna Carta of Women (MCW) Act of 2009'?

How did you become involved with the Magna Carta of Women?

What made you decide to support the bill?

Was advocating for the passing of this law part of your work?

Aside from your main involvement, what other activities have you undertaken to support the passing of this piece of legislation?

Are there people from the legislature (House of Representatives and Senate) you worked with to support the passing of this legislation? Who are they? In what particular area/s have you worked together? How would you describe your working relationship?

Are there people within the government (aside from members of the House of Representatives and Senate) you worked with to support the passing of this legislation? In what particular area/s have you worked together? How would you describe your working relationship?

Did you work with other non-governmental organisations for this legislation? If yes, who are these organisations? In what particular area/s have you worked together? How would you describe your working relationship?

Aside from public officials and non-governmental organisations, are there other institutions, groups, or individuals who worked with you for the passing of this legislation? In what particular area/s have you worked together? How would you describe your working relationship?

In your view, what are the key factors that led to the ratification of this legislation?

In your view, what were the major challenges encountered by this legislation before eventually being ratified? How were those challenges resolved?

Political Dynasties

Existing academic literature describes political dynasties as: *families or clans with members holding the same elected position in succession or occupying different elected positions at the same time.*

In your work for the Magna Carta of Women, have you worked with public officials from political dynasties? If yes, how would you describe your working relationship with them? How would you describe working with them as compared to public officials who are not from political dynasties?

In your view, does it matter that an elective official is a member of a political dynasty? Does being a member of a political dynasty matter in legislative work? Particularly for the Magna Carta of Women, did the dynastic background of the public official you have worked with matter? If yes, did it help in facilitating the passing of the law, or did it hinder the passing of the law?

D. Private Individuals (Not from the Government or Non-governmental Organisations)

Personal Background

Please tell me something about your personal background

-Family background

-Education

-Professional Career

The Magna Carta of Women

What is your main involvement in the passing of Republic Act 9710 or the 'Magna Carta of Women (MCW) Act of 2009'?

How did you become involved with the Magna Carta of Women?

What made you decide to support the bill?

Was advocating for the passing of this law part of your work?

Aside from your main involvement, what other activities have you undertaken to support the passing of this piece of legislation?

Are there people from the legislature (House of Representatives and Senate) you worked with to support the passing of this legislation? Who are they? In what particular area/s have you worked together? How would you describe your working relationship?

Are there people within the government (aside from members of the House of Representatives and Senate) you worked with to support the passing of this legislation? In what particular area/s have you worked together? How would you describe your working relationship?

Did you work with non-government organisations for this legislation? If yes, who are these organisations? In what particular area/s have you worked together? How would you describe your working relationship?

Aside from public officials and non-government organisations, are there other institutions, groups, or individuals you worked with for the passing of this legislation? In what particular area/s have you worked together? How would you describe your working relationship?

In your view, what are the key factors that led to the ratification of this legislation?

In your view, what were the major challenges encountered by this legislation before eventually being ratified? How were those challenges resolved?

Political Dynasties

Existing academic literature describes political dynasties as: *families or clans with members holding the same elected position in succession or occupying different elected positions at the same time.*

In your work for the Magna Carta of Women, have you worked with public officials from political dynasties? If yes, how would you describe your working relationship with them? How would you describe working with them as compared to public officials who are not from political dynasties?

In your view, does it matter that an elective official is a member of a political dynasty? Does being a member of a political dynasty matter in legislative work? Particularly for the Magna Carta of Women, did the dynastic background of the public official you have worked with matter? If yes, did it help in facilitating the passing of the law, or did it hinder the passing of the law?

The Literature on Political Dynasties: Descriptive Analysis and Systematic Search

For a systematic literature search, the study used the databases Scopus and Web of Science. The keywords “political famil*”, “political dynast*”, and “kinship politic*” were used for the search in both databases. For the document type, journal articles, reviews, books, and book chapters were included. For the subject area, those from Social Sciences were included for both databases. The search included all studies up to the year 2020, which used the English language, and excluded all those that are not in English. The main criterium for inclusion is how the literature used the terms political dynasty or political family. The terms should pertain to members of the same family or families by blood or marriage being elected to positions in government successively, simultaneously, or both. The definitions provided by Dal Bó, Dal Bó, & Snyder (2009), Mendoza, Beja, Venida, & Yap (2016), and Chandra (2016) served as the basis for this criteria. Given these criteria, the review first examined the abstracts to determine if the article should be included in the review. If it is not clear in the abstract how the author defined the terms political dynasty, political family, and kinship politics, the introduction part of the literature was reviewed. While works published in 2021 were excluded in the systematic search, I still reviewed those which are relevant to this study. I also noted that some works discussed in relevant literature did not appear in the search. I included these works in the final list of articles for the review.

The review includes a total of 88 works. Figure 5 shows the distribution of works throughout the years. The years 2016 and 2018 recorded the highest number of published studies, mostly focused on Asia. 54 out of the 88 articles or 61%, are about the Asian context. Thirty-eight of these works are about Southeast Asian countries. The Philippines leads the list of countries with the most number of studies about the topic with 22 out of the 88 works.

Figure 5

Distribution of works on the topic of political dynasties published throughout the years

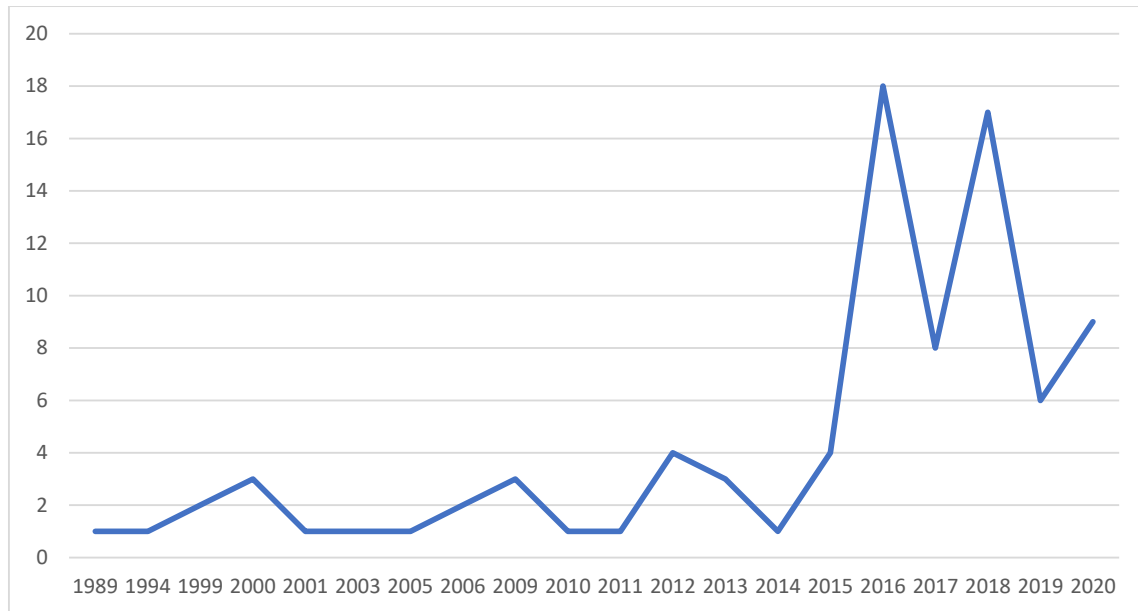


Table 5

Countries with published work on the topic of political dynasties

	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2006	2005	2003	2001	2000	1999	1994	1989	1982	
<i>Southeast Asia</i>																						
Philippines	2	2	3	1	6			2	2			1					2	1				22
Indonesia	1	2			5		1															9
Thailand		1	1		2	1																5
Malaysia				1																		1
Singapore					1																	1
Total Southeast Asia																						38
<i>East Asia</i>																						
Japan			1												1							2
Taiwan			1																			1
Total East Asia																						3
<i>Central Asia</i>																						
Kazakhstan															1							1
Kyrgyzstan						1																1
Total Central Asia																						2
<i>South Asia</i>																						
India			5		1																	6
Bangladesh			1		1																	2
Pakistan	1																					1
Sri Lanka																			1			1
Total South Asia																						10
<i>Middle East Asia</i>																						
Lebanon									1													1
Total Middle East Asia																						1
Total Asia																						54
<i>Latin America</i>																						
Brazil	1	1	1																			3
Argentina				1																		1
Italy																	1					1
Mexico																					1	1
Total Latin America																						6
<i>North America</i>																						
USA			1		1	1				1	1	1								1	1	8
Total North America																						8
<i>Europe</i>																						
Italy				2																		2
Belgium													1									1
France	1																					1
Greece						1																1
Ireland				1																		1
Norway			1																			1
Sweden	1																					1
UK				1																		1
Total Europe																						9
<i>Cross national</i>																						
Cross national	2		2	1	1			1	1				2			1						11
Total Cross national																						11

Using thematic analysis, I examined the articles, identifying patterns, coding, developing themes, and determining if relationships exist between themes. I specifically noted down the works that included gender in the analysis.

Appendix B: Legislative History of the Magna Carta of Women

Philippine Senate

14th Congress Senate Bill No. 2396

MAGNA CARTA OF WOMEN OF 2008

Filed on June 11, 2008 by Cayetano, ‘Companera’ Pia S., Angara, Edgardo J., Lacson, Panfilo M., Revilla Jr., Ramon A., Gordon, Richard ‘Dick’ J., Ejercito-Estrada, Jinggoy P., Zubiri, Juan Miguel F., Villar, Manny, Legarda, Loren B., Defensor Santiago, Miriam, Lapid, Manuel ‘Lito’ M.

Long title

AN ACT PROVIDING FOR THE MAGNA CARTA OF WOMEN

Scope

National

Legislative status

Approved by the President of the Philippines (8/14/2009)

Subject(s)

Magna Carta of Women

Primary committee

Youth, Women and Family Relations

Committee report

No. 76 - Magna Carta of Women (6/11/2008)

Sponsor(s)

Madrigal, M. A.

Document certification

No Certification

Floor activity

Date	Parliamentary status	Senator(s)
8/5/2008	Sponsorship Speech	Madrigal, M. A.
8/5/2008	Co-Sponsorship Speech	Legarda, Loren B.
12/16/2008	Period of Interpellation Closed	
12/16/2008	Period of Amendment Closed	
3/4/2009	Sponsorship Speech on the Conference Committee Report	Madrigal, M. A.

Vote(s)

Type of vote

Third Reading (2/2/2009)

Voted Yes

Voted No

Angara, Edgardo J.

Aquino III, Benigno S.

Arroyo, Joker P.

Biazon, Rodolfo G.

Cayetano, 'Companera' Pia S.

Ejercito-Estrada, Jinggoy P.

Enrile, Juan Ponce

Escudero, Francis 'Chiz' G.

Honasan II, Gregorio B.

Lacson, Panfilo M.

Lapid, Manuel 'Lito' M.

Legarda, Loren B.

Madrigal, M. A.

Pangilinan, Francis N.

Pimentel Jr., Aquilino Q.

Revilla Jr., Ramon A.

Roxas, Mar

Zubiri, Juan Miguel F.

Legislative History

Entitled:

AN ACT PROVIDING FOR THE MAGNA CARTA OF WOMEN

[FIRST REGULAR SESSION, 14TH CONGRESS]

[2008]

6/11/2008 Prepared and submitted by the Committee on YOUTH, WOMEN AND FAMILY RELATIONS with

Senator(s) 'COMPANERA' PIA S. CAYETANO, EDGARDO J. ANGARA, PANFILO M. LACSON, RAMON A. REVILLA JR., RICHARD 'DICK' J. GORDON, JINGGOY P. EJERCITO-ESTRADA, JUAN MIGUEL F. ZUBIRI, MANNY VILLAR, LOREN B. LEGARDA and MIRIAM DEFENSOR SANTIAGO as author(s) per Committee

Report No. 76, recommending its approval in substitution of SBNos. 1701, 1712, 1797, 1865, 1891, 1959, 2048, 2114 and 2240, taking into consideration SBNos. 433, 549, 632, 647, 921, 1287, 1433, 1809 and 1967

6/11/2008 Sponsor: Senator M. A. MADRIGAL;

6/11/2008 Committee Report Calendared for Ordinary Business;

6/11/2008 Transferred from Ordinary Business to Special Order;

8/5/2008 Sponsorship speech of Senator M. A. MADRIGAL;

8/5/2008 Co-sponsorship speech of Senator LOREN B. LEGARDA;

8/11/2008 Senator Lapid was made as co-author;

12/16/2008 Period of interpellation closed;

12/16/2008 Period of amendment closed;

12/16/2008 Approved on Second Reading without Amendment;

[2009]

1/7/2009 Printed copies were distributed to the Senators;

1/19/2009 Reconsideration of the approval on Second Reading;

1/26/2009 Period of committee amendments;

1/26/2009 Period of committee amendments closed;

1/28/2009 Period of individual amendments;

1/28/2009 Period of individual amendments closed;

1/28/2009 Approved on Second Reading with Amendments;

1/29/2009 Printed copies were distributed to the Senators;

2/2/2009 Approved on Third Reading;

2/2/2009 In favor: (16) EDGARDO J. ANGARA, JOKER P. ARROYO, RODOLFO G. BIAZON, 'COMPANERA' PIA S. CAYETANO, JINGGOY P. EJERCITO-ESTRADA, JUAN PONCE ENRILE, FRANCIS 'CHIZ' G. ESCUDERO, GREGORIO B. HONASAN II, PANFILO M. LACSON, MANUEL 'LITO' M. LAPID, LOREN B. LEGARDA, M. A. MADRIGAL, FRANCIS N. PANGILINAN, RAMON A. REVILLA JR., MAR ROXAS and JUAN MIGUEL F. ZUBIRI;

2/2/2009 Against: AQUILINO Q. PIMENTEL, JR.;

2/2/2009 Abstention: None;

2/3/2009 Senate requested the House of Representatives for a conference on the disagreeing provisions of SBN2396 and HBN-4273, and designated Senators Madrigal, Legarda, Lacson, Companera Pia S. Cayetano,

Companero Alan Peter S. Cayetano as its conferees to the Bicameral Conference Committee;

- 2/9/2009 House of Representatives agreed to a conference on the disagreeing provisions of HBN-4273 and SBN-2396, and designated Representatives Castelo Daza (N.), Angara (J.E.), Climaco (M.I.), Silverio (L.), Villarosa (M.A.), Lagman (E.), Del Mar (R.), Zialcita (E.), Defensor Sr. (A.) and Apostol (T.), on the part of the Majority and Representatives Maza (L.), Ilagan (L.), and Hontiveros-Baraquel (A.T), on the part of the Minority as its conferees to the Bicameral Conference Committee;
- 2/16/2009 Senator Pimentel, Jr. was elected member of the Senate panel in the Bicameral Conference Committee in lieu of Senator Cayetano (A.);
- 2/25/2009 House of Representatives elected Representative Garin (J.) as additional conferee to the Bicameral Conference Committee on February 18, 2009;
- 3/4/2009 Conference Committee report submitted to the Senate recommending that SBN-2396, in consolidation with HBN-4273, be approved as reconciled;
- 3/5/2009 Sponsorship speech of Senator M. A. MADRIGAL on the Conference Committee Report;
- 3/5/2009 Conference Committee Report Approved by the Senate;
- 5/13/2009 Reconsideration of the approval of the Conference Committee Report and accordingly approved the reconstitution of the Senate panel and the recall of the Bicameral Conference Committee Report;
- 5/19/2009 Conference Committee Report submitted to the Senate, recommending that SBN-2396 and HBN-4273, be approved in accordance with the attached copy of the bill as reconciled and approved by the conferees;


- 5/19/2009 Motion of Senator Zubiri to approve the Bicameral Conference Committee Report on SBN-2396 and HBN-4273, and request that the joint explanation attached to the reconciled version of the bill be inserted into the Record;
- 5/19/2009 Conference Committee Report approved by the Senate;
- 5/27/2009 Conference Committee Report approved by the House of Representatives on May 20, 2009;
- 6/29/2009 Enrolled copies of the consolidated version of SBN-2396 and HBN-4273, sent to the House of Representatives for the signature of the Speaker and the Secretary General;
- 7/13/2009 Enrolled copies of the consolidated version of SBN-2396 and HBN-4273, received by the Senate already signed by the Speaker and the Secretary General of the House of Representatives;
- 7/15/2009 Enrolled copies of the consolidated version of SBN-2396 and HBN-4273, sent to the Office of the President of the Philippines through PLLO, for the signature and approval of Her Excellency President Gloria Macapagal Arroyo;
- 8/14/2009 Approved and signed into law by the President of the Philippines, Her Excellency President Gloria Macapagal Arroyo and became; (See: O.B. dated August 25, 2009);
- 8/14/2009 REPUBLIC ACT NO. 9710.
-

President's action

Approved by the President

Republic Act

Republic Act No. 9710

An Act Providing for the Magna Carta of
Women .  1.2MB Date received by the
President

7/15/2009

Date signed by the President

8/14/2009

Source:

Senate of the Philippines

www.senate.gov.ph

Philippine House of Representatives

HOUSE BILL/RESOLUTION HISTORY

House Bill/Resolution NO. **HB04273**

REPUBLIC ACT NO. **RA09710**

FULL TITLE : AN ACT PROVIDING FOR THE MAGNA CARTA OF WOMEN

SHORT TITLE : ‘the Magna Carta Of Women’.

ABSTRACT : Bestows on women the following rights, privileges and protection, among others: a) all rights recognised under international instruments ratified by the Philippines; b) right to be protected from violence; c) right to participate and represent in all spheres of society; and d) right to equal treatment before the law.

PRINCIPAL AUTHOR/S : ANGARA, JUAN EDGARDO M.

DATE FILED : 2008-06-05

SIGNIFICANCE: NATIONAL

CO-AUTHORS :

- | | |
|-------------|-------------------|
| 1. Climaco | 2. Silverio |
| 3. Teodoro | 4. Domogan |
| 5. Susano | 6. Prieto-Teodoro |
| 7. Syjuco | 8. Puentevella |
| 9. Del Mar | 10. Villarosa |
| 11. Almario | 12. Hontiveros |
| 13. Maza | 14. Rodriguez |

- | | |
|--------------------|------------------|
| 15. Santiago (N.) | 16. Mendoza (M.) |
| 17. Chavez | 18. Hataman |
| 19. Ilagan | 20. Lazatin |
| 21. Madrona | 22. Estrella |
| 23. Valdez | 24. Codilla |
| 25. Zubiri | 26. Cajayon |
| 27. Talino-Mendoza | 28. Reyes (C.) |
| 29. Roman | 30. Coscolluela |
| 31. Cruz-Gonzales | 32. Soon-Ruiz |
| 33. Arenas | 34. Zialcita |
| 35. Dumarpa | 36. Solis |
| 37. Bonoan-David | 38. Tieng |
| 39. Cayetano | 40. Castelo Daza |

CO-AUTHORS (Journal Entries) :

1. Villar (031)

AUTHORS(Final/Third Reading) :

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AUTHORSHIP WITHDRAWALS:

Tieng(2008-06-11)

COUNTERPART HOUSE BILL/CONCURRENT RESOLUTION: SB02396

ACTIONS TAKEN BY THE COMMITTEE

COMMITTEE HEARINGS/ACTIONS:

1. Committee Report filed on 2008-06-05
2. Bicameral Conference Report filed on 2008-06-10
 - For President Gloria Macapagal Arroyo's signature
3. Committee Report Approved on 2008-08-05
 - Approved on 2nd Reading
4. Committee Report Approved on 2008-12-10
 - Approved on 3rd Reading. Transmitted to Senate 17 December 2008.

Committee Report No. 76 on Senate Bill No. 2396
5. Under Bicameral Conference Committee Deliberation on 2009-02-02
 - 1st Pre-Bicam Meeting of Conferees
6. Under Bicameral Conference Committee Deliberation on 2009-02-11
 - 1st Pre-Bicam Meeting of Technical Staff of Senate and House of Representatives Committee on Women and Gender Equality
7. Under Bicameral Conference Committee Deliberation on 2009-02-24
 - 2nd Pre-Bicam Meeting of Conferees
8. Under Bicameral Conference Committee Deliberation on 2009-03-03
 - Bicameral Meeting
9. Bicameral Conference Report filed on 2009-05-20

-04 March 2009: Senate's ratification 19 May 2009: 2nd time Senate ratification

-HOR ratified Magna Carta of Women

COMMITTEE REPORT NO. 00636

SUBMITTED ON 2008-06-05

SUBMITTED BY: WOMEN AND GENDER EQUALITY

RECOMMENDATIONS: approval

SUBSTITUTED BILLS: HB00164, HB00797, HB02111, HB03515, HB03552, HB00187, HB00968, HB01128, HB02607, HB02749, HB02756, HB02893, HB03415, HB03596, HB04046

ACTIONS TAKEN BY THE COMMITTEE ON RULES

REFERRAL TO THE COMMITTEE ON RULES ON 2008-06-10

DATE INCLUDED IN OB: 2008-06-10

DATE CALENDARED : 2008-06-10

REMARKS: In consideration of four Privilege Speeches delivered on the Floor 03 March 2008

SECOND READING INFORMATION

FINAL LIST OF AUTHORS : Villanueva

DATE APPROVED ON SECOND READING : 2008-08-05

REMARKS : On Aug.04, 2008, the Body considered the Explanatory Notes of all the substituted bills of HB04273 as the sponsorship remarks of the same.

THIRD READING INFORMATION

DATE COPY DISTRIBUTED TO MEMBERS: 2008-08-26

DATE APPROVED BY THE HOUSE ON THIRD READING :2008-12-10

HOUSE VOTES: YEAS:180 NAYS:0 ABSTAIN:0

DATE TRANSMITTED TO THE SENATE: 2008-12-17

ACTIONS TAKEN BY THE SENATE/HOUSE

DATE RECEIVED BY THE SENATE: 2008-12-17

CONFERENCE COMMITTEE INFORMATION

DATE REQUESTED TO FORM A CONFERENCE COMMITTEE : 2009-02-03

CONFERENCE COMMITTEE REQUESTED BY : SENATE

DATE AGREED TO FORM A CONFERENCE COMMITTEE : 2009-02-09

REMARKS : On May 13, 2009, Senate reconsidered the approval of the Conference Ctte. Rpt. and accordingly approved the reconstitution of the Senate panel and the recall of the Bicameral Conference Ctte. Rpt.

CONCOM MEMBERS(HOUSE) : Castelo Daza, Angara, Climaco, Silverio, Villarosa, Lagman, Del Mar, Zialcita, Defensor (A.), Apostol, Maza, Ilagan, Hontiveros, Garin

CONCOM MEMBERS(SENATE) : , Legarda, Lacson, Cayetano (P.), Cayetano (A.)

DATE SENATE AGREED ON CONCOM REPORT : 2009-03-05

DATE SENATE RECONSIDERED CONCOM REPORT : 2009-05-13

DATE HOUSE RATIFIED THE RECONSIDERED CONCOM REPORT : 2009-05-20

DATE SENATE RATIFIED THE RECONSIDERED CONCOM REPORT : 2009-05-19

ACTIONS TAKEN BY THE PRESIDENT

DATE TRANSMITTED TO THE PRESIDENT : 2009-07-15

DATE ACTED UPON BY THE PRESIDENT : 2009-08-14

PRESIDENTIAL ACTION:(A)PPROVED/(V)ETOED/(L)APSED : A

REPUBLIC ACT NO.: RA09710

ORIGIN : SENATE

REPUBLIC ACT TITLE: AN ACT PROVIDING FOR THE MAGNA CARTA OF WOMEN

Source:

Philippine House of Representatives

<http://congress.gov.ph/>

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