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# Learning from women's movements to develop intersectional policy-making and inclusive policies: the Belgian Women's Strike

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## EXECUTIVE SUMMARY

This policy brief aims to explore ways to operationalise the concept of intersectionality in policy-making in Europe.

It takes into consideration the lessons brought by women's movements in the world, and in particular in Belgium. The Belgian Women's Strike drafted a set of policy claims which focuses on the needs and experience of the most vulnerable and marginalised women in Belgium. This recent movement also developed an intersectional approach to organise the strike, with dedicated mechanisms tasked to ensure the operationalisation of intersectionality in all its activities.

While there is an increased attention given by policy-makers to the concept of intersectionality, they still face structural barriers to put it into practice. The scarcity of disaggregated data, insufficient participation of marginalised people in policy-making and the absence of effective mechanisms to operationalise intersectionality are strong obstacles to achieve intersectionality in policy-making.

The recommendation for policy-makers are centered first on increasing the visibility of marginalised people, through data collection and the use of inclusive language. It is also recommended to increase their participation in the policy-making process. Finally, this policy brief recommends to establish mainstreaming processes and to enable existing equality bodies to develop an intersectional approach when monitoring and implementing equality policies.

## INTRODUCTION

The Women's March, which took place on 21 January 2017,[1] was the largest single-day protest in US history: it gathered 4 million people. In 2018, in Argentina, hundreds of thousands of demonstrators rallied for weeks to advocate for the legalisation of abortion. The law did not pass the Senate, by 38 to 31 votes, but the anthropologist Debora Diniz explains that 'what Argentina did was mobilize young women and create the memory that we almost won'.[2] On 8 March 2018, 5.3 million people in Spain joined a 24 hours women's strike, which was supported by ten trade unions and high level politicians.[3] In Ireland, in Poland, in Chile, in India, in Korea, in South Africa and in many other countries, women's movements are on the rise and contribute to shape the policy agenda.

Ilse Lenz define women's movements as:

> Mobilising collective actors who develop in different socio-historical milieus. In these, persons — primarily women — advocate a more substantial change in gender relations and the associated social inequality and devaluation. (...) Women's movements express themselves in and through modernisation processes and contribute to them in various ways — by promoting and influencing them, as well as by hindering and channelling them.[4]

One of the 'modern' influences brought by the women's movements worth exploring in a policy context is *the concrete application of the theoretical concept of intersectionality.*

The American legal scholar Kimberlé Crenshaw coined the term of intersectionality to reflect the complexity of the experience of violence and discrimination of black women.[5] She showed that using a 'single-axis' framework based on race or sex alone would not adequately capture this experience. Instead, as in an actual intersection, racism and sexism factor into black women's lives in ways that are intertwined and can only be examined together.[6] Drawing on her analysis, the intersectional approach has been widely used by academics and activists as a framework which exposes the interconnection between different identities such as gender, race, sexual orientation, class, disability, age etc. in order to account for complex, lived experiences of discrimination.[7] According to Niall Crowley, 'a focus on intersectionality is encouraged' as it enable many actors to increase their 'understanding of and respond effectively to the real life experiences of people experiencing discrimination'.[8]

One of the most successful women's movements which used an intersectional approach to mobilise a massive amount of people suffering from discrimination is the Women's March. The march is based on an 'intersectional platform known as the Unity Principles'.[9] These guiding

1 M Broomfield, 'Women's March against Donald Trump is the largest day of protest in U.S. history, say political scientists' *The Independent* (London, 23 January 2017) <www.independent.co.uk/news/world/americas/womens-march-anti-donald-trump-womens-rights-largest-protest-demonstration-us-history-political-a7541081.html> accessed 9 April 2019.

2 D Politi and E Lodono, 'They Lost Argentina's Abortion Votes, but Advocates Started a Movement' *The New York Times* (New York, 9 August 2018) <https://www.nytimes.com/2018/08/09/world/americas/argentina-abortion-laws-south-america.html> accessed 8 April 2019.

3 BBC News, 'International Women's Day: "Millions" Join Spain Strike' (*BBC*, 8 March 2018) <https://www.bbc.com/news/world-europe-43324406> accessed 7 April 2019.

4 I Lenz, 'Frauenbewegungen. Zu den Anliegen und Verlaufsformen von Frauenbewegungen als soziale Bewegungen' in Ruth Becker and Beate Kortendieck (eds), *Handbuch der Frauen- und Geschlechterforschung. Theorie, Methoden, Empirie* (2010) 867-868.

5 K Crenshaw, 'Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics' [1989] University of Chicago Legal Forum 139.

6 European Network Against Racism (ENAR), 'Intersectionality and Policy-Making on Discrimination in the European Union' (*ENAR*, March 2018) <www.enar-eu.org/IMG/pdf/2018_intersectionality_enar_briefing_for_online_final.pdf> accessed 9 April 2019.

7 AEGEE, 'Position paper on intersectionality and policy-making' (AEGEE 2018) <www.aegee.org/position-paper-on-intersectionality-and-policy-making/> accessed 9 April 2019.

8 N Crowley, *Innovating at the Intersections. Equality Bodies Tackling Intersectional Discrimination* (Equinet 2016) 4.

9 Women's March, 'Global Unity Principles' (2017) <https://womensmarchglobal.org/about/unity-principles> accessed 10 April 2019.

principles recognise the interconnected nature of many social movements and struggles, and thrive to create a global community which enables 'Black women, indigenous women, poor women, immigrant women, disabled women, lesbian, queer, and trans women, and women of every religious, non-religious, and atheist background'[10] to be free. The Global Unity Principles are based on several key issues: ending violence (and in particular racial violence), increasing access to reproductive rights, uplifting LGBTGIA* rights, improving workers' rights, ensuring civil rights, disability rights and immigrant rights and defending environmental justice (and in particular enjoyment and protection of public lands). According to Carmen Perez, one of the co-founders of the march, organisers worked hard to bring the most marginalised women to the core of all discussions, and this intersectional approach was key to the march's success.[11]

In this view, this policy brief aims at exploring the lessons that women's movements can teach policy-makers, in particular on the topic of intersectional policies and policy-making. It is based on a case study of a recent European women's movement: the Belgian Women's Strike. Taking into account the intersectional claims and methods used by the Belgian movement, this analysis explores how policy-makers are still facing obstacles in implementing an intersectional approach to policy-making and formulates a set of policy recommendations.

## CASE STUDY: THE BELGIAN WOMEN'S STRIKE

On 8 March 2019, a movement called 'Collecti.e.f 8 maars' (Collective 8 March) (the Collective) organised the first national women's strike in Belgium. The Collective, composed of dozens of volunteers and only created to organise the strike, called all women of Belgium to go on four types of strike:[12]

1. *A traditional 'employment' strike*: all working women were invited to go on strike on this day. The *Confédération des Syndicats Chrétiens* (CSC) and the *Fédération Générale du Travail en Belgique* (FGTB), two major national trade unions of Belgium, supported the strike and called for action;[13]
2. *A 'care' strike*: all women were invited to stop doing domestic work, in order to highlight the essential yet invisible labour undergone by women in the private sphere;
3. *A consumption strike*: all women were encouraged not to buy or consume any non-essential products, mainly to denounce the 'pink tax' (a gender-based price disparity) and to shed light on the working conditions of female employees in department stores; and/or
4. *A student strike*: all female students were invited to join the strike and to stop their studies on 8 March.

Although the Collective was not connected to any political party, trade union or pre-existing women's rights organisation, in a few months, a national strike was organised with several actions carried out throughout the country. The strike received extensive media coverage and on 8 March, many protests were organised in Belgium, gathering 15,000 participants.[14]

## A MOVEMENT PROMOTING INTERSECTIONAL CLAIMS

To support the strike, the Collective has de-

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10  Ibid.

11  M Genevey, 'How the Women's March Defied Trump's Populism' (*OpenDemocracy*, 28 January 2018) <www.opendemocracy.net/en/5050/how-womens-march-defied-trump-populism/> accessed 9 April 2019.

12  Collecti.e.f 8 maars, 'Women*'s strike, feminist strike, on the eighth of March 2019 in Belgium' (2019) <https://8maars.files.wordpress.com/2019/02/a4-rev_grecc80v-en-1.pdf> accessed 9 April 2019.

13  7sur7, 'Grève pour la journée des droits des femmes: la FGTB et la CSC lancent un appel' (*7sur7*, 2019) <www.7sur7.be/7s7/fr/1502/Belgique/article/detail/3520759/2019/03/01/Greve-pour-la-journee-des-droits-des-femmes-la-FGTB-et-la-CSC-lancent-un-appel.dhtml> accessed 8 April 2019.

14  Le Soir, '15 000 femmes selon l'organisateur, 4.000 selon la police présentes à la manifestation à Bruxelles' (*Le Soir*, 2019) <www.lesoir.be/211129/article/2019-03-08/15000-femmes-selon-lorganisateur-4000-selon-la-police-presentes-la-manifestation> accessed 10 April 2019.

veloped a set of political claims around six major themes: work, frontiers, body and sexuality, education, ecology and violence. Many topics raised by the Collective focus on the achievement of gender equality in general: the Collective asks for equal pay, equal parental leave, access to abortion and an increased recognition of all forms of gender-based violence.

However, throughout the set of claims, it is clear that the Collective also takes into account the specific needs of various groups of women:

1. *Older women*: 'We refuse low pensions and the raise of the legal age to retirement';[15]
2. *Migrant women*: 'We denounce the specific exploitation of precarious and/or migrant women in the care sector';[16]
3. 'We demand to take into account the specific situation of migrant women and girls: we want unconditional access to healthcare, housing and education';[17]
4. *Black women*: 'The expertise of women from the African diaspora involved in the fight against colonisation must be recognized and valued';[18] and
5. *Queer women*: 'Lesbian and bisexual women, trans, intersex and non-binary people should freely express their identity and their sexuality with a full recognition of their sexual and reproductive rights'.[19]

The final claim of the Collective is the following:

> We fight against sexist violence but also racist violence, classist violence and other types of domination which are exposing some women to violence: undocumented women, homeless women, exiled women, disabled women, Muslim women, Jewish women, lesbian and bisexual women, female sex workers, trans/intersex/non-binary people, etc.[20]

It is clear that, throughout its political claims, the Collective ensured to take into account the lived experiences of different groups of women, and in particular the most marginalised women of Belgium.

## A MOVEMENT BASED ON AN INTERSECTIONAL FUNCTIONING

If this set of claims is rather inclusive and takes into account the intersecting identities of various women in Belgium, it can be explained by the functioning of the Collective.

Collecti.e.f 8 maars is organised around monthly general assemblies, where all women of Belgium can take part in the decision-making process to organise the strike. In practice, between 50 and 100 women gathered every month between October 2018 and March 2019. They could all object or amend any important decision, or propose alternative solutions if they believed it was necessary. The general assemblies were open forum for debate and a laboratory for *collective decision-making*. By itself, this type of functioning could tend to favour taking into account the various lived experiences of women.

Moreover, Collecti.e.f 8 maars is also composed of several thematic commissions, which are in charge of carrying out the activities for the strike outside of general assemblies. They handle several strategic and operational aspects of the strike such as communication, outreach to the trade unions or concrete actions. One of these commissions, created during the first general assembly of the Collective, is dedicated to ensuring inclusivity. The first mission of the commission was to create an *internal inclusivity manifesto*, to ensure that all members of the Collective, including trans and non-binary people, were respected and taken into account during the organisation of the strike. Two key recommendations of the manifesto are to:

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15 Collecti.e.f 8 maars, 'Revendications générales de la grève du 8 mars' (2018) 4 <https://drive.google.com/file/d/1Aci-jB_Pez49gXbummEIYi76llRLEgGdL/view> accessed 8 April 2019.
16 Ibid 5.
17 Ibid 6.
18 Ibid.
19 Ibid 7.
20 Ibid 11.

1. *Name 'norms'.* According to the inclusivity commission, this is an essential process since otherwise, the experience of people not fitting the 'norms' are made invisible. For instance:

   when talking about straight couples we need to specify and not assume the heterosexuality. Not doing so implies that all couples are heterosexual. This also applies for questions of race, gender, ability, class, etc. (...) depending on the situation.[21]

This recommendation suggests a careful and deconstructed approach for the language used in public discussions during the organisation of the strike.

2. *Make the less visible visible.* The inclusivity commission recommends to find common claims in order to 'not to limit our claims to the experience of majority groups'. For instance, focusing only on contraception when building claims on healthcare might exclude some women.

This recommendation suggests to actively take into account the needs of all women, and in particular the needs of minority and vulnerable women, when making policy proposals during the strike.

Apart from drafting the manifesto and ensuring it is respected during the organisation of the strike, the inclusivity commission was also tasked to *mainstream inclusivity and intersectionality* in all activities of the Collective. For doing so, the inclusivity commission was closely collaborating with all other commissions of the Collective. Therefore, its members monitored all external communication of the Collective to enable the use of intersectional language. For instance, the term woman was always coupled with an asterisk (woman*) to include 'any person who identifies themselves and/or is identified as a woman', in order to take into account trans and non-binary people. The inclusivity commission also ensured that actions taken for the strike were inclusive: this involved checking accessibility requirements for women with disabilities during the protest of 8 March, for instance.

## PROBLEM DESCRIPTION

There is an increased attention given by European policy actors to the intersectional approach for policy-making, in particular to address discrimination and violence faced by some vulnerable groups.

The European Institute for Gender Equality introduced the term 'intersectionality' in its glossary, as an 'analytical tool for studying, understanding and responding to the ways in which sex and gender intersect with other personal characteristics/identities, and how these intersections contribute to unique experiences of discrimination'.[22] In 2009, the European Commission commissioned a report on multiple discrimination in European Union (EU) law and intersectional gender discrimination, which addresses the 'intersectionality debate'.[23] In 2016, the European Commission published another report specifically on intersectional discrimination, which defines the term as a form of discrimination which does not simply consist in the addition of two sources of discrimination but in which 'the result is qualitatively different, or as Crenshaw terms it "synergistic"'.[24] The European Parliament Committee on Women Rights and Gender Equality (FEMM) has referred to the discrimination experienced by Roma women in Europe as 'multiple and intersectional discrim-

21 Collecti.e.f 8 maars, 'Inclusivity Manifesto of the Collecti.e.f 8 maars' (2019) <https://8maars.files.wordpress.com/2019/02/inclus-manifesto-en_190225logo.pdf> accessed 10 June 2019.

22 European Institute for Gender Equality (EIGE), 'Glossary & Thesaurus, intersectionality' <https://eige.europa.eu/thesaurus/terms/1263>

23 S Burri and D Schiek, *Multiple Discrimination in EU Law: Opportunities for legal responses to intersectional gender discrimination?* (European Network of Legal Experts in the Field of Gender Equality, European Commission 2009).

24 S Fredman, *Intersectional Discrimination in EU Gender Equality and Non-Discrimination Law* (European Network of Legal Experts in Gender Equality and Non-Discrimination, European Commission 2016).

ination'.[25] The European Network of Equality Bodies (Equinet) issued a perspective on how the intersectional approach 'holds a potential to challenge norms and stimulate innovation in the field of equality'.[26]

However, even if the intersectional approach and language has been increasingly used by policy actors, according to the scholar Serena D'Agostino, 'political intersectionality is still in an embryonic stage in European policy making'.[27]

It can be explained by three key factors:

1. *Relevant disaggregated data are lacking to support inclusive policy-making*

The collection of equality data is essential for tackling inequalities. Data collection improves visibility, transparency and the quantifying of violence and discrimination. Reliable and representative data enables to design and implement policies which are adequately taking into account the diversity of lived experiences. The European Commission has been regularly pointing out the scarcity of equality data in Europe, stating that 'many Member States do not collect equality data or collect it in a very limited way, for instance citing requirements of data protection law as a reason for not collecting data'.[28] Disaggregated data in particular is lacking to analyse policy issues, as repeatedly underlined by the EU Fundamental Rights Agency, non-governmental organisations and equality bodies.[29] The European Commission specifical-

ly highlights the lack of ethnic data.[30] Therefore, most surveys and reports used by policy-makers are analysing one social category at a time.[31] Association des États Généraux des Étudiants de l'Europe (AEGEE) explains for instance that the new European Commission's Communication on the EU Youth Strategy post-2018 only takes gender into consideration as an identity intersecting with age.[32]

As a result for this lack of precise and intersecting data, entire social groups – which are often the most marginalised – are made invisible.

2. *The most marginalised people are often excluded from policy-making processes*

If marginalised groups are excluded from data and statistics, they also face structural barriers for taking part in political processes. 'From inaccessible polling stations to information unavailable in minority languages to discriminatory laws to a lack of access to information, significant barriers to entering the political process exist for those at the margins'.[33] In the specific area of policy-making, there has been a growing international interest in enabling a wider participation when designing and implementing policies. The Organisation for Economic Cooperation and Development (OECD) has been gradually supporting a 'strong trend towards renewal and expansion of public consultation in regulatory development'[34] at national level, and the European Commission consistently requests inputs from the public and stakeholders when

25  European Parliament, 'Report on Gender Aspects of the European Framework of National Roma Inclusion Strategies up to 2020' (European Parliament 2013) 4.

26  Crowley (n 8).

27  S D'Agostino, 'Consolidated Criteria for Assessing Intersectionality Operationalization: Policies towards Roma Women in Central and Eastern European Member States as test-cases' (paper presented at the 3rd 'Equal is not Enough' Conference, Antwerp, 2015) 96.

28  European Commission, 'Joint report on the application of Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin ('Racial Equality Directive') and of Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation ('Employment Equality Directive')' COM (2014) 2 final 6.

29  Ibid.

30  Ibid 5.

31  AEGEE (n 7).

32  Ibid.

33  NDI, 'Political Inclusion of Marginalized Groups' <www.ndi.org/political-inclusion-of-marginalized-groups>.

34  OECD, 'Public Consultation and Government Regulation' (1995) Public Management Forum 1(1).

proposing a new law or a new policy. However, these consultative processes have been deemed insufficient by many stakeholders representing groups affected by intersectional discriminations.[35] Policy studies have also pointed out at limited consultation of marginalised groups, including groups affected by racism and xenophobia.[36]

When the voices of the most marginalised groups are not taken into account, policy language and solutions become exclusionary and not reflective of the specific types of needs, discrimination and violence these very groups can encounter. Their experiences and proposals are a valuable source of knowledge for policy-making.

3. *Insufficient policy mechanisms dedicated to address intersectional issues*

According to the European Institute for Gender Equality, 'gender mainstreaming has been embraced internationally as a strategy towards realising gender equality'.[37] Gender mainstreaming involves the integration of a gender perspective into the whole policy-making process as an active tool to achieve gender equality. At national level, the Swedish Secretariat for Gender Research developed some policy analysis to integrate an intersectional perspective on gender mainstreaming.[38] However, intersectional mainstreaming is not systematically put in place when designing, implementing and evaluating policies.

In Europe, equality bodies are set-up at national level to assist victims of discrimination, monitor the implementation of equality legislation and formulate policy recommendations. In the recent years, equality bodies have consistently engaged and demonstrated a high relevance of their work with the intersectional approach.[39]

However, they also underline the existence of substantive obstacles to systematically develop such an approach, in particular the absence of legal provisions on intersectionality, lack of resources, expertise and sometimes inadequate mandates.[40] It shows that existing equality institutions are not yet adequately equipped to fully implement an intersectional approach in policy-making and monitoring.

## CONCLUSION AND POLICY RECOMMENDATIONS

Intersectionality is quite a recent concept that has the potential to shift the way policies, and in particular equality policies, respond to the needs of groups usually left behind by policy-makers. An intersectional approach can help unpack structures of power and address the policy 'blind spots' which are the specific issues faced by people with intersecting identities.

Some of the most recent women's movements, driven by intersectional feminism, are embracing this concept and putting it into practice. In the case of the Belgian Women's Strike, organisers of the strike ensured to develop a set of policy claims taking into account the most marginalised women of Belgian society. The Collect.i.ef 8 maars also adopted an intersectional approach which translated into concrete organisational mechanisms. The Collective set-up a participative decision-making process, an internal inclusion charter and a body in charge of mainstreaming intersectionality in all aspects of the strike.

While it is evident that the organisation of women's movements and policy-making at national and international level cannot be fully compared, the former can still bring insights and good practices to the latter. Women's movements are a tangible proof that intersectional

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35   ENAR, 'Joint statement for a strong Intergroup on anti-racism in the European Parliament' (ENAR 1 July 2014) <www.enar-eu.org/Joint-statement-for-a-strong-Intergroup-on-anti-racism-in-the-European> accessed 9 April 2019; European Commission, European Conference on the Future EU Youth Strategy, Brussels, 3-4 May 2017.

36   FRA, *Policies, legislation and practices against racism, xenophobia and related intolerance* (FRA 2008).

37   EIGE, *What is gender mainstreaming*.

38   Swedish Secretariat for Gender Research, *Gender Mainstreaming with an Intersectional Perspective*.

39   Crowley (n 8).

40   Ibid 42.

policy-making can become a reality, if the right mechanisms and approaches are put in place.

Based on the experience of the Collecti.e.f 8 maars, and in view of the structural obstacles identified to achieve intersectionality, a set of policy recommendations can be developed to enable an intersectional approach to policy-making.

Policy-makers can:

· *Collect disaggregated equality data*, to increase the visibility of issues faced by people experiencing intersectional discrimination. Disaggregated data should not be limited to gender and age, but at least include data on race and ethnicity, as well as socio-economic status;
· *Use inclusive policy language and name the 'norm'*, to adequately reflect on the variety of lived experiences in Europe;
· *Assess if a policy takes into account the needs and problems faced by the most marginalised groups of societie*s. This is a strong indicator to evaluate the intersectional aspect of policies;[41]
· *Set-up inclusive and participatory policy processes, where the people affected by a policy are considered as the main source of knowledge to inform policy-making*. Policy-makers can organise wide consultations with civil society and affected communities, but also directly involve them in the policy-making process;
· *Develop intersectionality mainstreaming*, on the model of gender mainstreaming, where all aspects of a policy (designing, implementation and evaluation) integrate an intersectionality perspective;
· *Enable existing equality bodies to monitor the intersectional aspect of laws and policies*. This includes adding intersectional provisions in equality legislation and granting equality bodies with adequate resources.

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The Observatory is a 'virtual hub' which comprehends a team of seven researches from the regional programmes to produce, publish and publicly present seven different policy analyses in form of policy briefs, with the aim of making of each regional programme a solid focal point for policy expert advisory in human rights issues.

2019

# þÿLearning from women s movem develop intersectional policy-making and inclusive policies: the Belgian þÿwomen s strike

Genevey, Moana

Global Campus of Human Rights