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UNIVERSITY OF CALIFORNIA SAN DIEGO

Punctuated Policy Innovation:
The Transformation of U.S. Gendered Pay Inequity Policy Alternatives, 1945-2019

A dissertation submitted in partial satisfaction of
the requirements for the degree Doctor of Philosophy

in

Sociology

by

Heather Harper

Committee in Charge:

Professor Isaac W. Martin, Chair
Professor Jeffrey Haydu
Professor Lane Kenworthy
Professor Daniel Navon
Professor Rebecca Jo Plant

2022

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The dissertation of Heather Harper is approved, and it is acceptable in quality and form for publication on microfilm and electronically.

University of California San Diego

2022

TABLE OF CONTENTS

Dissertation Approval Page	iii
Table of Contents	iv
List of Figures	v
List of Tables	vii
Acknowledgements.....	ix
Vita.....	x
Abstract.....	xi
INTRODUCTION	1
CHAPTER ONE: Punctuated policy innovation or: When policy ideas become unstuck and new ideas catch fire	8
CHAPTER TWO: The times they were a changing', gradually.....	27
CHAPTER THREE: Policy alignment opportunities: "A chance to do something about it"	56
CHAPTER FOUR: Discursive disruption and the introduction of new ideas.....	86
CHAPTER FIVE: They were neither young, new, nor radical: Policy entrepreneurs and policy idea change.....	111
CONCLUSION.....	149
APPENDIX A: Corpus construction and topics over time analysis.....	159
APPENDIX B: Objective conditions and indicators	170
APPENDIX C: Political opportunities	171
APPENDIX D: Measuring network stability and change.....	173
APPENDIX E: Freshman year for bill authors.....	181
REFERENCES	182

LIST OF FIGURES

Figure 1.1. Bills Sponsored by Male Legislators vs. Female Legislators, 1918-2019	13
Figure 1.2. Bills Sponsored by Republican Legislators vs. Democratic Legislators, 1918-2019	13
Figure 1.3. Heatmap of Over time Prevalence of Policy Options per Congress	18
Figure 1.4. Number of bills by policy target per Congress: Unequal for Who?.....	24
Figure 1.5. Number of bills by policy target per Congress: Unequal What?.....	24
Figure 2.1. Women’s LFPR, 1890-2020, vertical lines indicate four junctures	38
Figure 2.2. Women’s LFPR by youngest age groups, 1948-2020.....	41
Figure 2.3. Women’s LFPR by oldest age groups, 1948-2020.....	41
Figure 2.4. Women’s LFPR by marital status, 1940-2007	42
Figure 2.5. Median Yearly Income of Women and Men, 1939-1951.....	43
Figure 2.6. Median Yearly Income of Women and Men, 1960-2019.....	44
Figure 2.7. Women’s relative wages, 1960-2019	44
Figure 2.8. Women Worker’s education level, 1970-2018, <i>Professional Women and Training and Policy Synthesis</i> junctures indicated with vertical red lines	46
Figure 2.9. Earners within households with married couple, 1967-2017, vertical lines indicate junctures, Married Mothers’ Benefits juncture at beginning of data period.....	46
Figure 2.10. Women’s Social Security filing by type of entitlement, 1960-2010, vertical lines indicate junctures, Married Mothers’ Benefits shown in thicker vertical line.....	47
Figure 2.11. Number of Women’s Bureau Bulletins focused on Pay Equity, 1918-1983, first two junctures indicated in vertical red lines	49
Figure 2.12. Number of Congressional committee hearings focused on Pay Equity, 1918-1983, all four junctures indicated in red vertical lines.....	51
Figure 3.1. Electoral and Governing Majority of the Democratic Party in Congress and the Executive Branch: election outcome plotted, governing majority shown in blue shading; four junctures indicated with vertical red lines and labels	68
Figure 3.2. Number of years current president is in office, 1930-2016.....	69
Figure 3.3. Unemployment rate, 1947-202, three junctures indicated with vertical red lines.....	70

Figure 3.4. Number of months since last economic “trough”, 1938 to 2020	70
Figure 3.5. Support for working women, 1977-2021	73
Figure 3.6. Political attention to issues related to employee benefits and civil employees: percent of all bills and hearings focused on these issues, per year.....	78
Figure 3.7. Political attention to issues related to Social Security and employee training: percent of all bills and hearings focused on these issues, per year.....	79
Figure 3.8. Political attention to issues related to STEM education and Science and Tech R&D: percent of all bills and hearings focused on these issues, per year.....	80
Figure 3.9. Political attention to issues related to the family and fair labor standards: percent of all bills and hearings focused on these issues, per year, junctures indicated with vertical red lines	81
Figure 4.1. Percent First-Term (“Freshman”) Congresspeople, by Chamber, four junctures indicated with vertical red lines and labels.....	94
Figure 4.2. Women’s Representation in the House, by Party.....	96
Figure 4.3. Women’s Representation in the Senate, by Party	96
Figure 4.4. Equal Pay Inception Juncture: Prior, Proximate, and Post periods; centrality depicted by node size, party depicted by node color.....	101
Figure 4.5. Married Mothers’ Benefits Juncture: Prior, Proximate, and Post periods.....	102
Figure 4.6. Professional Women and Training Juncture: Prior, Proximate, and Post periods....	103
Figure 4.7. Policy Synthesis Juncture: Prior, Proximate, and Post periods	104
Figure 4.8. Test Period, 1961: Prior, Proximate, and Post periods.....	105
Figure 5.1. Congressional tenure of bill author at the time of bill introduction, averaged for each month, four junctures indicated with red vertical lines.....	141
Figure 5.2. Policy Synthesis Period: Congressional tenure, daily averages	141
Figure 5.3. Mapping Political Ideology of the U.S. Senate: 79 th Congress (1945-1947) in the upper panel, 105 th Congress (1997-1999) in the lower panel; Key legislators circled.....	144
Figure A.1. Coherence Scores for Models ranging in Topics between 2 and 50	164
Figure A.2. Multidimensional Scaling: The chosen twenty-four-topic model represented as two dimensions using Principal Coordinates Analysis.....	165

Figure A.3. Multidimensional Scaling: Example of model with twenty-two topics, greater overlap of topics and less semantic diversity..... 166

Figure A.4. Example page from H.R. 3526 of the 102nd Congress 169

LIST OF TABLES

Table 1.1. Twenty-four policy options; Interpreted name, top words, and coherence scores (0-1, 1 being the most coherent).....	26
Table 1.2. Four Junctures.....	30
Table 2.1. Policy Innovation Junctures, General Information.....	49
Table 3.1. Proportion Willing to Vote for a Woman President and Proportion Supporting Women’s Employment, by Sex and Year.....	85
Table 4.1. Policy Innovation Juncture Network Descriptives.....	112
Table 5.1. Information on Four Policy Entrepreneurs.....	151
Table A.1 General Social Survey (GSS) questions about support for women’s work.....	184

ACKNOWLEDGEMENTS

To acknowledge every person who has contributed to the completion of this research project, specifically, and my graduate education, more generally, would be nearly impossible. So I attempt the small feat of giving thanks to those who have contributed most directly.

To my family and husband for always providing me with the foundational support necessary to get through nearly eight years of my PhD program. To my father, Clint, the original Dr. Harper, for keeping me humble by continually reminding me that he completed his “real science” PhD in only three and a half years.

To the numerous graduate and undergraduate students—Acsa Gamez-Suarez, Alejandro Ordonez, Amanda Erickson, Celene Fuller, Dalixa Chuquillanqui, Daewoon Yoo, Erin Baker, Isabel Moreno, Meaghan Duffy-Deno, Vanessa Ramirez—who contributed to various parts of the project.

To Cybele Kappos and Stefanie Neumeier, my UK Cats research partners, who helped co-develop the discourse network approach used in Chapter Four.

To my committee members—Dan Navon, Jeff Haydu, Lane Kenworthy, and Rebecca Jo Plant—for their support, feedback, baked goods (Jeff!), and flexibility through all the twists and turns this research project has taken. A big thank you to April Sutton for her assistance on the last stages of this project.

And most of all, to my advisor and committee chair, Isaac Martin. As I enter the final days of the PhD program, I can honestly say that I have loved *nearly* every minute, an experience I have come to discover is quite rare within academia. His support, patience, and intellectual encouragement is entirely responsible and I will be eternally grateful.

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ABSTRACT OF THE DISSERTATION

Punctuated Policy Innovation:
The Transformation of U.S. Gendered Pay Inequity Policy Alternatives, 1945-2019

by

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Doctor of Philosophy in Sociology

University of California San Diego, 2022

Professor Isaac Martin, Chair

The question I address in this project is how, why, and in what way new ideas, and new combinations of ideas, come to be instantiated in policy proposals. Given that a diverse universe of policy ideas exist, this project attempts to understand why legislators chose to incorporate some possibilities, but not others, at particular times. To answer this question, I focus on federal gendered pay inequity policy proposals in the United States beginning in 1945, the year when a sustained legislative effort to remedy gendered pay inequity began in the U.S. Congress. I find that gendered pay inequity policy content is characterized by relatively long periods of ideational stability punctuated

by moments of sudden policy idea change. These moments of sudden change I refer to as policy innovation junctures. Since 1945, there have been four policy innovation junctures: *Equal Pay Inception* of the 79th congress (1945-1946); *Married Mothers' Benefits* of the 90th Congress (1967-1968); *Professional Women & Training Programs* of the 101st Congress (1989-1990); and *Policy Synthesis* of the 105th Congress (1997-1998). The policy ideas generated during these junctures come to dominate policy efforts pursued during the long periods of stability, very often comprising any legislation that is ultimately passed years, if not decades, down the road. I call this model of policy idea change *Punctuated Policy Innovation*. I further find that policy innovation junctures are more likely to occur during periods of (1) political and economic stability, as well as (2) increased activism on the part of important women's organizations; much of the content of these junctures is dependent on the wider policy agenda, which (3) present policy alignment opportunities for (4) motivated legislators to use their experience, leadership positions, and electoral safety to introduce new ideas into gendered pay inequity policy proposals.

INTRODUCTION

It was Saturday the 8th of February, 1964. Furious efforts were still underway to kill or, at the very least, weaken the bill that would eventually become the Civil Rights Act of 1964. Southern Democrats were driving the opposition effort primarily by way of introducing floor amendments to clutter up the bill. Their efforts would ultimately fail, and the bill would be signed into law just a few short months later. But they did not know this at the time, so on they fought that cold Saturday. Congressman Howard W. Smith of Virginia—Judge Smith as some called him—was a staunch supporter of segregation and one of the main leaders of those opposition efforts. He was also the chairman of the House Rules Committee and had made previous failed attempts, in that capacity, to prevent the bill from moving forward (Freeman 1991). This was his last stand, of a sorts. Nineteen floor amendments were offered that day including a one-word amendment offered by Smith (*ibid.*). The “Smith Amendment,” as it would come to be called, proposed adding “sex” to Title VII, the section of the bill that prohibited employment discrimination for a number of protected classes such as race, religion, and national origin.¹ He cynically introduced the amendment in an effort to make the bill so objectionable to some legislators that they would ultimately vote against the bill in its entirety. Or so the story goes. The introduction of the amendment, and Smith’s comments directly afterward, are said to have resulted in an uproar of laughter that rang throughout the chamber, undoubtedly a sign that Smith had no intention of the amendment’s actually making it into the final version. It was surely surprising, then, to all in attendance—perhaps Smith most among them—when the amendment ultimately passed the House by a vote of 168 to 133 (*ibid.*). Of all the amendments voted on that day, the “Smith Amendment” received the most votes (*ibid.*). Surely it was a fluke. For why would so many legislators vote for an amendment that was merely a joke, a calculated attempt to derail the whole

¹ See pg. 2577 of the Congressional Record for February 8th, 1964.

proceeding? A cruel twist of fate, indeed, that this political antic would ultimately lead to one of the most consequential pieces of legislation for women workers ever passed in the United States.

So how did this accident of history occur? How had Smith miscalculated so badly that his attempt to clutter up the bill with something so unpalatable as providing women protections against employment discrimination had completely backfired? The answer is that it was no accident at all. The story of how “sex” was added to Title VII of the Civil Rights bill has become a piece of folklore passed down from one generation of politically-interested people to the next. It is true that Smith wanted to stop the bill. It is also true that when he introduced the amendment some of his comments were delivered in such a way as to provoke laughter from his colleagues in the chamber. But this particular narrative does what a lot of narratives about politics tend to do: it focuses on the intrigue of a particular moment in time; it reduces the actors involved to one-dimensional characters with singular interests and beliefs; and it treats ideas as if they suddenly appear out of thin air. And in doing so, such narratives allow us to ignore everything that came before in return for a good story, an easy-to-understand explanation. It was all just an accident! Isn't history funny that way?

But history is never that simple, least of all the history of the policy process. Policies, and the ideas they contain, must instead be recognized as the end products of long, contested battles among a diverse array of competing interpretations: interpretations of the world and what we should do with it. They are simply the collection of interpretations that won out. Policy ideas have histories. So do the people that carry them. And people often carry around an idea for a while, trying it on for size, seeing what it can do. In the case of “sex” and Title VII, Smith had been carrying around the idea of adding sex to civil rights legislation for quite a while, and in quite a serious manner. In 1956, he had agreed to

introduce an amendment that would add sex discrimination to the proposed Civil Rights Commission, although another congressman ultimately offered the amendment instead (Freeman 1991.). Eight years later, and a month or so before the “accident” occurred, Smith had publicly discussed the idea of specifically adding sex to the civil rights bill on multiple occasions: once during hearings held by the Rules Committee, again during floor debate on January 9th, and again later that month on an appearance of “Meet the Press” (ibid.). These public pronouncements were wholly consistent with the fact that Smith had long been a supporter of women’s rights, and had made it clear that if the civil rights bill were to pass, he preferred that it pass *with* a ban on sex discrimination (Gold 1981).

It is clear that Smith, as a proponent of women’s employment rights, had been carrying around the idea for quite some time. But he was not the only one and most certainly not the first. As I said before, ideas have histories, and this one certainly did. As far back as 1945, the category of sex was included alongside other protected classes including race, religion, and national origin in a bill introduced twice by a Republican Congressman from Pennsylvania called Carl Henry Hoffman.² And less than a year before Smith introduced the “accidental” amendment, the category of sex was again combined with other protected classes in a bill targeting employment and membership discrimination among D.C. labor unions.³ Although none of those efforts were ultimately successful, they demonstrate that this particular policy idea existed and was taken seriously enough to make it into multiple bills and be introduced by multiple legislators. Women’s groups such as the National Women’s Party (NWP) had also been lobbying with gusto to add sex discrimination to civil rights legislation and had been

² In January of 1945, Carl Henry Hoffman, a Republican Congressman from Pennsylvania introduced a bill to “prohibit discrimination in employment because of race, creed, sex, color, lack of color, national origin, or ancestry.” See *HR 1908* of the 79th Congress.

³ See *HR 6618* of the 88th Congress, introduced by Rep. Frederick Schwengel (R) of Iowa and *HR 6619* of the 88th Congress, introduced by Rep. Robert Taft, Jr. (R) from Ohio.

part of discussions to do just that with the Kennedy Administration and the Women’s Bureau, among others (Gold 1981, Freeman 1991). Given the history of this particular idea, then, the real mystery may be why sex discrimination was not included in the civil rights bill from the outset. But that is a story for another time.⁴

The mystery I examine in this project is how, why, and in what way new ideas, and new combinations of ideas, come to be instantiated in policy proposals. Given that a diverse universe of policy ideas exist, this project attempts to understand why legislators chose to incorporate some possibilities, but not others, at particular times. Ultimately, sex discrimination in employment was added at nearly the last second to the bill that would eventually be signed into law. But as I have discussed, this policy idea was not new and already had a history within congressional bills and policy discussions. Although the “Smith amendment” was no accident, it *was* unusual. I find that ideas do not tend to show up at the last-minute, right before a piece of legislation is passed. Instead, new sets of ideas appear suddenly—during moments I call *policy innovation junctures*—and come to dominate and crowd out all other ideas for relatively long periods of time. But how and why do these sudden moments of ideational change occur? And what might this mean for how we should understand the U.S. policy process?

To answer these questions I focus on the case of federal gendered pay inequity policy proposals. I define gendered pay inequity legislation as those policy proposals that address the salary and/or benefits of U.S. women workers in relation to their past, current, or future employment particularly when it is in direct comparison to the salary or benefits of male workers.

⁴ See Gold (1981) for a good answer to this mystery.

Thus, “pay” captures all the ways a worker may be compensated for their employment, including wages, retirement benefits, housing allowances, paid time off, use of facilities, and more.

CHAPTER OUTLINE

Chapter One describes the patterns I observe in gendered pay inequity policy content change, which can be characterized by relatively long periods of ideational stability punctuated by moments of sudden policy idea change. These moments of sudden change I refer to as policy innovation junctures. Since 1944, the year when a sustained legislative effort to remedy gendered pay inequity began in the U.S. Congress, there have been four policy innovation junctures: *Equal Pay Inception* of the 79th congress (1945-1946); *Married Mothers’ Benefits* of the 90th Congress (1967-1968); *Professional Women & Training Programs* of the 101st Congress (1989-1990); and *Policy Synthesis* of the 105th Congress (1997-1998). The policy ideas generated during these junctures come to dominate policy efforts pursued during the long periods of stability, very often comprising any legislation that is ultimately passed years, if not decades, down the road. I call this model of policy idea change Punctuated Policy Innovation. In the next four chapters, I consider a number of possible explanations for the content and timing of policy innovation junctures.

In Chapter Two I examine whether changes to the underlying conditions of gendered pay inequity—for instance, changes in women’s wages and labor force participation—can help explain the patterns observed in the content of bills introduced in Congress outlined in the first chapter. Ultimately, I conclude that underlying conditions are neither sufficient nor necessary to explain the content and timing of the four policy innovation junctures. In many cases, changes to women’s labor force participation and wages were actually inconsistent with the policy ideas generated during that time.

In Chapter Three, I consider political opportunities and “policy windows” arguments central to policy process theories (Kingdon 1984; Baumgartner and Jones 1993). Specifically, I look at the political, economic, and cultural context as well as the larger policy agenda around the time of each policy innovation juncture. Counter to expectations, I find that each of the four policy innovation junctures occurred within contexts of political and economic stability. Additionally, I find that increased activism on the part of important women’s organizations and policy alignment opportunities presented by the wider policy agenda at the time, can help explain the content and timing of policy innovation junctures, particularly for the Equal Pay Inception juncture and Married Mothers’ Benefits juncture.

In Chapter Four, I present an innovative approach to analyzing policy speech change in the U.S. Congress. Specifically, I combine topic modeling and discourse network analysis to consider whether or not changes in how legislators talk about women’s employment issues precedes policy innovation junctures. For the first three junctures, I find a pattern of stability, disruption, and restabilization across different discursive communities. The disruption that occurs in the months leading up to each juncture can be characterized by (1) increased attention to the issue of women’s employment as evidenced by more intense participation by legislators and (2) greater disagreement on how to think about and address women’s employment issues leading to the incorporation of new ideas. I theorize that the “disruptive periods” I observe immediately preceding each policy innovation juncture are simply the manifestation and evidence of those challenges occurring within Congress.

In Chapter Five, I consider whether the legislators who were most central to each juncture share characteristics that can explain why they choose to, and were ultimately successful in, introducing a new approach to the issues of gendered pay inequity. I review the biographies and congressional tenure of the following policy entrepreneurs: Sen. Claude Pepper (D-FL) of the Equal Pay Inception juncture (1945), Rep. Martha Griffiths (D-MI) of the Married Mothers' Benefits juncture (1967), Rep. Pat Schroeder (D-CO) of the Professional Women and Training juncture (1989), and Sen. Tom Daschle (D-ND) of the Policy Synthesis juncture (1997). I find legislators that are more likely to introduce and successfully promote new policy ideas are those with seniority, institutional power, and electoral safety, tend to be ideologically moderate in relation to other legislators in their same party, and often have personal reasons for promoting those new ideas. All four policy entrepreneurs shared these five characteristics. I argue that these characteristics ultimately minimized the risk posed by introducing new and unvetted policy ideas and helped spur other legislators to follow their lead and reintroduce the same new ideas.

And finally, in the Conclusion, I explore the similarities and differences between major models of policy change and my own model of Punctuated Policy Innovation, which attempts to both describe and explain changes in the contents of policy proposals. I also consider the larger implications of these similarities and differences particularly when it comes to when change is likely to occur, what relationship, if any, there is between policy proposals and the contents they include, and what lessons researchers and social movement activists may be able to glean from the major findings of this research. Ultimately, I conclude that my research has demonstrated the need for an increased focus on the contents of policy alternatives, particularly those moments I can identify as policy innovation junctures.

CHAPTER ONE:

Punctuated policy innovation or: When policy ideas become unstuck and new ideas catch fire

At the heart of this project is the question of why policies contain the contents that they do. Why does a policy to address climate change include a tax deduction for solar panels but not a carbon tax on corporate emissions? Why does a healthcare policy cap the price of insulin but doesn't do anything to curb defensive medicine? There is a vast literature explaining the conditions under which policy change is more or less likely to occur, but relatively little on why some policy *ideas* fail and others succeed. By this I mean that we don't have a good grasp on why particular policy ideas get incorporated into policy proposals and why others don't. As I have mentioned before, I conceive of policies as collections of ideas that have won out in a long process of contested meaning-making. Policymaking is simply one of the final stages in the broader *social problems process* (Best 2013), a process through which various individuals, groups and organizations competitively make claims about why some social conditions are troubling and just how we should go about trying to remedy them.

In this approach to social problems and policymaking, interpretation and meaning-making take center stage. Social problems are not "out there" waiting to be discovered (Bacchi 1999). Instead, there are nearly infinite ways to understand and represent a particular social condition. Mindful historical and cultural observers will, of course, note that context does create boundaries around what kinds of representations are plausible at any given time and place. But the point remains. There is no single, inherent, true way to think about and represent a particular social condition. Instead, social problems and social policies are products of continually shifting arguments and interpretations among

individuals and groups competing to convince others that their particular interpretation and argument is correct.

The social problems process is also ultimately a process centered on choices: choices about how to understand a social condition; choices about which troubling conditions most deserve our time and attention. In each stage of the social problems process choices are made that winnow down the possibilities. Individuals must decide which aspects of their lives are most unpleasant and in need of addressing. Organizations and claimsmakers must decide which troubling conditions they should organize around. Members of the media must decide which claims they should amplify. And policymakers must decide which social problems, and what aspects of those social problems, they should take up and work to remedy. And at each stage, the nearly infinite ways to represent and understand those social conditions become more finite.

Bill introductions are an important part of this winnowing process. They represent a key moment when a particular interpretation of how to think about a social condition and what, if anything, should be done about it, is *instantiated*, or given a concrete existence by a group with the power to pass it into law. That interpretation is no longer just one of many possibilities, it is now *the* interpretation chosen by a policymaker and entered into the official record as an alternative to the status quo. The near-infinite possibilities are cast aside and a decision made. Of course, ideas that are incorporated into a bill will not necessarily become law. As we saw with the fight over civil rights legislation, the contents of bills can change during the policy process in the form of floor amendments, committee amendments, and the like. However, there are good reasons to believe that the ideas that make it into bill introductions—the specific interpretations chosen among a range of possibilities— will have a

high likelihood of being included in final versions that are ultimately adopted. For one, the same exact bill is often introduced multiple times by multiple legislators. Why reinvent the wheel when you have a perfectly good bill already written that you can reintroduce? Burstein (2014) tests this proposition directly with a sample of sixty policy proposals—which he defines as sets of policy elements, or options, manifested in identical or nearly identical bills—and finds that on average, each policy proposal is manifested in roughly seven bills. Of the sixty policy proposals he analyzes one-third were eventually enacted into law. This suggests that new policy proposals, and the policy ideas they contain, carry more weight than perhaps previously thought in the sense that they will tend to show up in multiple bills and, as a policy set, have a relatively high likelihood of becoming law. But policy ideas that are incorporated into bills matter beyond their combination within a fixed set. Legislators often borrow policy elements from other legislators, so much so that bills are often a tapestry of many bills “woven together in a single thread” (Cannan 2013; Wilkerson, Smith, and Stramp 2015). As a consequence, a particular policy idea may be enacted into law *via* a policy proposal in which it did not originate. This means that policy ideas, once introduced into a bill, may have a higher chance of enactment than even Burstein was able to observe.

Tracing changes in policy ideas within the set of bills that have been introduced is important for understanding, and possibly being able to predict, what kinds of policies might get passed if, and when, policy change occurs. But such changes can have other important consequences as well. As Baumgartner and Jones (1993:12) note, major shifts in policy ideas can have consequential effects on the overall issue agenda, existing institutional structures, and, ultimately then, policy outcomes. These effects might include more attention to a social problem that has been reinterpreted, the mobilization of new claimant groups and experts, or changes to policy coalitions within Congress itself. Looking at

these potential consequences of changes to policy understandings, Baumgartner and Jones find that U.S. policymaking is characterized by long periods of relative stability followed by moments of rapid disruption and change. Overall, they describe this pattern as punctuated equilibrium. I find that the changes to policy ideas, themselves, occur in much the same way.

Looking specifically at the issue of gendered pay inequity, in the remainder of this chapter I describe the basic trends of legislative efforts geared toward addressing gendered pay inequity in the U.S. I then detail four moments over the last century in which there has been a sudden and noticeable shift in how the issue has been interpreted and represented within these legislative efforts. I finish by outlining how I draw on existing explanations of policy change in the next four chapters to explain these sudden and noticeable shifts.

PUNCTUATED POLICY INNOVATION: THE CASE OF GENDERED PAY INEQUITY

Gendered Pay Inequity Legislation in the U.S.

Perhaps no issue has been more enduring a source of political contention than the issue of gendered pay inequity. Public discussion of the issue began at least 140 years ago, with congressional attention to the issue extending nearly as long. One of the first known public articulations of the issue of gendered pay inequity came in 1887 when Suffragist and reformer Lillie Devereux Blake penned an article entitled, “Are Women Fairly Paid?” (Blake 1887). However, it wasn’t until after WWII that gendered pay inequity become a consistent legislative focus in the U.S. Congress. Starting in 1944, there has been at least one bill introduced in every congress that has sought to remedy the issue, with over 760 bills introduced since that year. As Figures 1 and 2 make clear, legislative attention to the issue continued to grow in the decades after WWII, with attention peaking in the 94th Congress (1975-

1976). Male legislators have sponsored roughly 70% of all gendered pay inequity bills. However, considering that, historically, women have comprised only a small percentage of all members in congress (with a peak of 25% in the most recent congress⁵), women legislators have, unsurprisingly, disproportionately introduced gendered pay inequity bills. Democratic legislators sponsored just shy of 70% of all bills.

This sustained effort to address gendered pay inequity policy over the last century has involved a diversity of policy approaches. Equal pay legislation is perhaps the best-known approach to gendered pay inequity but is one approach—and possible representation of the problem—among many. For our purposes here, gendered pay inequity legislation refers to policy proposals addressing the salary and/or benefits of U.S. women workers in relation to their past, current, or future employment particularly when it is in direct comparison to the salary or benefits of male workers. Thus, “pay” captures all the ways that a worker may be compensated for employment. This can include wages, retirement benefits, housing allowances, paid time off, use of facilities, and more.

Using a topic modeling algorithm, I was able to identify twenty-four unique policy ideas manifested in congressional policy proposals since legislators began their sustained effort in 1944.⁶ These policy options vary in terms of the general type of policy element they represent including how the problem is defined, how the problem will be remedied, who will be in charge of administering and enforcing the policy, and how the efficacy of the policy will be evaluated.

⁵ See Blazina and Desilver (2021)

⁶ From the 760 bill introductions and by splitting each into topical sections, I created a corpus of 7,952 bill sections. These bill sections were used for the remaining analysis in this chapter. See Appendix A for a detailed description of the data collection and analysis approach I employed in this chapter.

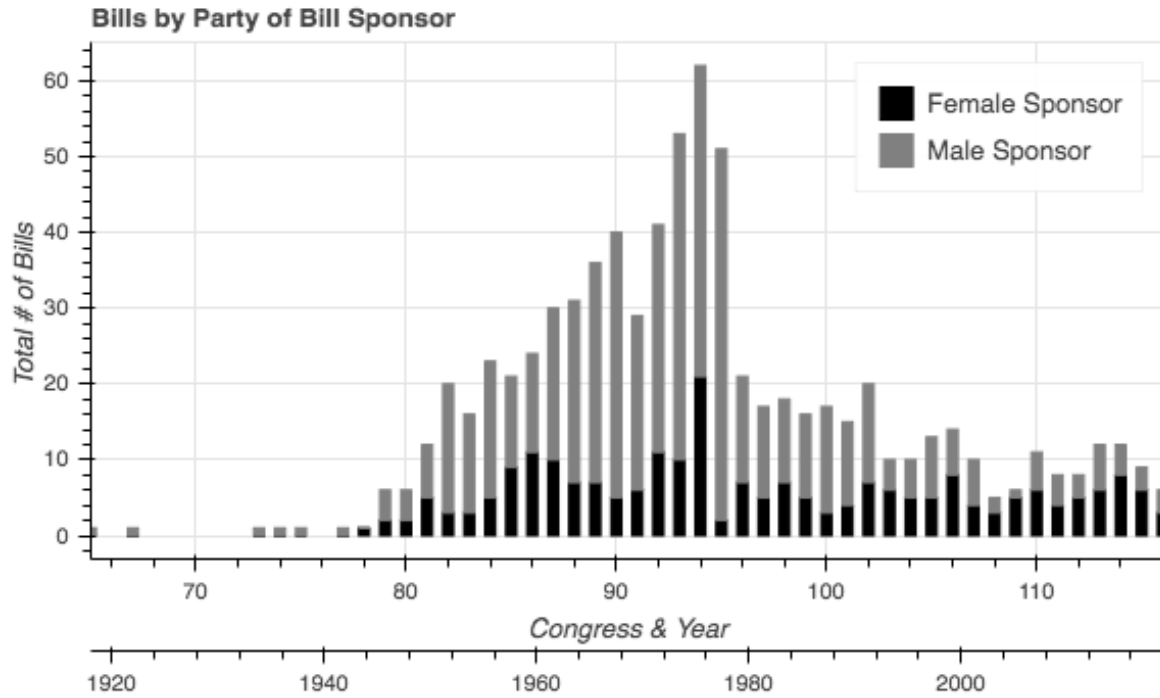


Figure 1.1. Bills Sponsored by Male Legislators vs. Female Legislators, 1918-2019

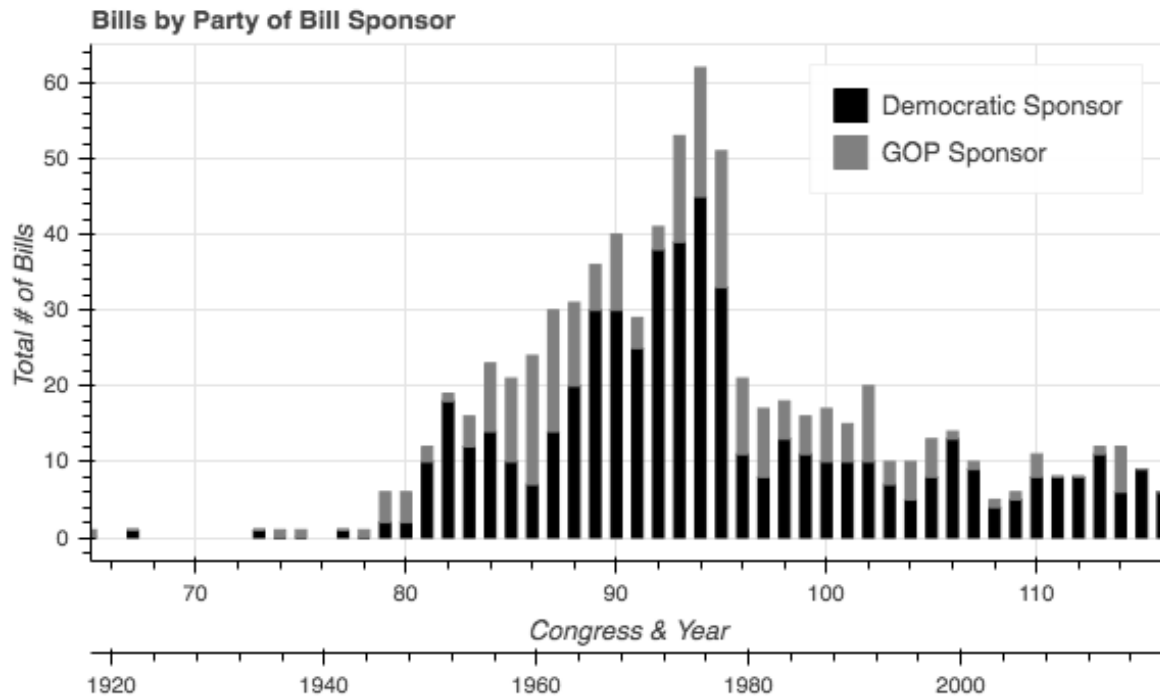


Figure 1.2. Bills Sponsored by Republican Legislators vs. Democratic Legislators, 1918-2019

Table 1.1. Twenty-four policy options; Interpreted name, top words, and coherence scores (0-1, 1 being the most coherent)

Topic Name	Top 10 Words	Coherence Score
Widower Benefits	benefit, entitl, widow, insur, individu, divorce, husband, lieu, surviv, age	0.83
Employment Discrim, Multiple	employ, origin, race, nation, religion, individu, sex, color, discrimin, labor	0.79
Determining Benefit Amounts	insur, amount, individu, determin, benefit, primari, spous, monthli, wage, entitl	0.76
Equal Pay	commerc, wage, labor, equal, standard, women, pay, sex, fair, work	0.76
Wage Discrimination, Sex	employe, wage, employ, work, rate, sex, discrimin, job, pay, compar	0.72
Pay Discrimination Study	employ, pay, inform, labor, elimin, discrimin, studi, commiss, promot, assist	0.71
Labor Administration	labor, organ, industri, servic, agenc, council, nation, affect, engag, mean	0.71
Shared Spousal Income	benefit, individu, incom, employ, self, period, spous, wage, credit, end	0.71
Investigatory Powers	person, evid, investig, court, wit, requir, hear, matter, power, attend	0.68
Civil Action- Judicial Oversight	court, commiss, file, person, practic, find, proceed, employ, evid, modifi	0.68
Employer Violations and Damages	action, court, case, judg, violat, attorney, employe, district, civil, proceed	0.67
Small Business	busi, small, contract, concern, person, own, agenc, women, control, econom	0.66
Tax Rules	amount, taxabl, individu, respect, paid, year, tax, employ, incom, calendar	0.65
Commission Reporting	report, servic, appropri, commiss, health, equal, carri, opportun, studi, submit	0.65
Advancement Programs	women, program, train, grant, assist, educ, provid, employ, fund, work	0.62
Spousal Annuities Plans	annuiti, spous, member, employe, servic, former, retir, provid, survivor, elect	0.60
Defining Stakeholders	employ, employe, mean, commerc, term, labor, person, district, organ, columbia	0.55
Civil Rights Procedures	sex, right, discrimin, sexual, person, civil, law, procedur, purpos, gender	0.55
Gender Inequities in SS	lieu, appear, place, spous, code, surviv, widow, person, stat, parent	0.54
Administrative Enforcement	employ, commiss, provis, regul, labor, agenc, law, requir, inform, record	0.52
Child Support	child, support, parent, payment, provid, children, establish, requir, secur, way	0.49
Award Boards	member, board, appoint, offic, counsel, busi, determin, govern, entiti, code	0.49
EEOC Creation & Oversight	commiss, effect, member, attorney, appoint, gener, employ, offic, civil, take	0.48
Benefit Plans, General	plan, servic, provid, respect, requir, elect, benefit, employe, coverag, appli	0.44

Table 1 provides a list of the twenty-four policy options, the most common words associated with each, and a measure of how often those terms tend to co-occur in the same bill sections.

Policy Innovation Junctures

There are particular moments when policy ideas, manifested in bills as *policy options*, suddenly careen in a new direction. Such instances I refer to as *policy innovation junctures*: moments when new options arise, reappear, or realign with other options. I borrow the term *junctures*—often referred to more fully as *critical junctures*—from comparative historical researchers and historical institutionalists⁷ to capture several features of these moments. First, policy innovation junctures represent moments of greater openness. By this I mean that they represent times when things are less “sticky,” policy options more diverse, and change more possible. Second, they are also moments when something else could have happened, or some other ideas, now in the form of options, could have won out. For example, in 1945, when the bill to prohibit employment discrimination on the basis of sex and other protected classes such as race and national origin was introduced, it could have become the leading policy proposal to address gendered pay inequity. The policy was written, the bill introduced twice by that Congressman from Pennsylvania, and public attention was tuned to employment discrimination. But instead, it was equal pay for women that came to dominate the issue agenda for the next two decades. Thus, these moments also represent turning points in the policy process when previous ideas and efforts are abandoned (or completed) and new ideas, or new combinations of ideas, are embraced and come to dominate.

⁷ For instance, see Hacker (1998), Haydu (1998), Collier and Collier (2002), Gal and Bargal (2002), and Capoccia, Giovanni, and Keleman (2007)

Since 1944, the year when a sustained legislative effort to remedy gendered pay inequity began in the U.S. Congress, there have been four policy innovation junctures: *Equal Pay Inception* of the 79th congress (1945-1946); *Married Mothers' Benefits* of the 90th Congress (1967-1968); *Professional Women & Training Programs* of the 101st Congress (1989-1990); and *Policy Synthesis* of the 105th Congress (1997-1998). Each of these junctures represents a clear turning point in how legislators approached the issue of gendered pay inequity. Figure 3 provides a visual representation of the policy options that came to dominate legislative approaches to the issue of gendered pay inequity following each juncture. Prevalence values, depicted by different shades of white, gray, and black, simply represent how important that policy option was relative to other options included in policy proposals during that same period. Of particular interest when interpreting the trends is the *combination* of policy ideas within a given period and how that set of policy ideas represent a particular understanding of and approach to the issue of gendered pay inequity.

To determine junctures, I first relied on a visual interpretation of the prevalence trends in policy options presented in Figure 3. Moving from left to right, we can see four distinct clusters of highly prevalent policy options. I used the visual interpretation to then manually inspect topical sections that were weighted high in terms of the policy options most prevalent at the beginning of each cluster, as well as the bills which included those topical sections. I also compared those bills that were introduced right before the beginning of each cluster—when the policy innovation juncture occurred—and right at the beginning of each cluster. For instance, the third cluster, which I have interpreted to be the beginning of the Professional Women and Training period, began in 1989, at the beginning of the 101st Congress. Although the cluster is visually only comprised of

three highly prevalent policy options—Advancement Programs (e.g. training programs for women), Child Support (efforts to ensure working women with children receive child support to aid in their economic self-sufficiency as workers), and Award Boards (boards created to select businesses deserving of pay equity awards)—a closer inspection of the bills introduced immediately before and at the beginning of the juncture reveal a sudden shift in focus to multiple policy ideas focused on supporting women workers in professional employment. For instance, several bills at the very start of the juncture focus on supporting existing and potential women business owners, creating new training programs to help women enter non-traditional jobs, and removing barriers preventing women from pursuing careers in science and technology. Thus, my interpretation of policy innovation junctures and the policy periods that followed were based on the topics over time analysis and manual inspection of topical sections and the bills they were a part of. In this way, the computational component of this analysis gave me a global view of changes over time—particularly those moments where a substantial shift in bills content occurred—allowing me to focus my manual interpretation of bill content on specific time slices.

I coded a bill as *juncture focused* if that bill’s contents were indicative of the dominant policy ideas of the period. For instance, in 1971, during the Married Mothers’ Benefits period, Rep. Donald Fraser introduced H.R. 4955, which sought to equalize work insuring compensation and other benefits for “married women Federal employees.” This bill was coded as juncture focused since it clearly sought to equalize benefits for married women. In 1983, during that same period, Rep. Pat Schroeder introduced H.R. 3117, which sought to require a review of sex-based distinctions in federal agencies, including those used in hiring practices. This bill was coded as not

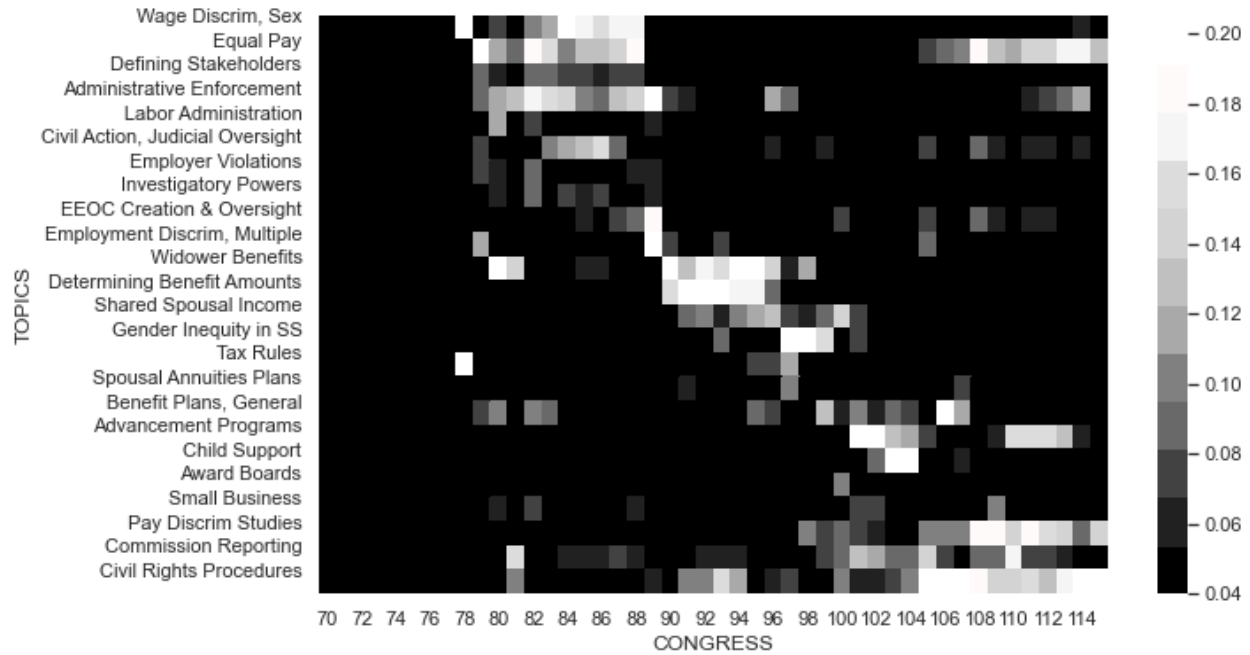


Figure 1.3. Heatmap of Over time Prevalence of Policy Options per Congress

Table 1.2. Four Junctures

Juncture	Start	Duration (years)	All Bills		Juncture Focused		Percent Focused	
			Bills	Legislators	Bills	Legislators	Bills	Legislators
Equal Pay Inception	<i>79th Congress</i> (1945)	22	188	88	132	63	70%	72%
Married Mothers' Benefits	<i>90th Congress</i> (1967)	22	365	131	262	95	72%	73%
Professional Women & Training	<i>101st Congress</i> (1989)	8	55	27	29	14	53%	52%
Policy Synthesis	<i>105th Congress</i> (1997)	22*	114	38	86	24	75%	63%

*This period lasts *at least* 21 years; data only extend to 2019

juncture focused since it deals with general sex discrimination in employment rather than inequities in benefits for either married women workers and/or working mothers.

While the contents of legislative efforts change from one policy period—the time slice beginning with a policy juncture and ending immediately before the start of the next juncture—to the next, all periods share several important features that help define the punctuated policy innovation pattern that I have uncovered (see Table 2 for specific information relating to these characteristics). First, each period is *dominated by a set of policy ideas* that represent a coherent approach to gendered pay inequity. We see that the dominant ideas are the focus of the lion’s share of gendered pay inequity bills introduced during that period. At least seventy percent of all bills introduced in three of the four periods are focused on the new approach: more than half in the fourth. Second, this new approach comes to dominate for a relatively *long period of time*: more than 18 years on average. Third, the new approach is taken up by a *large and diverse set of legislators*. This is not a story of a couple rogue legislators monopolizing the policy field with their ideas and bill introductions. On the contrary. During each period, more than two-thirds of all involved legislators adopted the new approach in at least one of their gendered pay inequity bills. Policy innovation junctures, then, represent moments of sudden, coherent, long-lasting, and widely adopted policy idea change. Below, I describe in more detail the particular ideational change precipitated by each juncture.

The *Equal Pay Inception* juncture of the 79th Congress, marks the start of a nearly two-decade effort to “ban sex discrimination in the payment of wages” for public and private employees

alike. Policy proposals during this period included policy ideas focusing on equal pay, wage discrimination, administrative enforcement, and civil action and judicial oversight, among others. Between 1945 and 1963 more than 70% of gendered pay inequity bills (132 out of 188) introduced in Congress focused specifically on this effort to enact equal pay legislation, and included policy instruments that laid out how and by whom the ban on sex discrimination in employment would be enforced.

It is not just the overall approach—to conceive of gendered pay inequity as a problem of equal pay—which remains stable during this period. Within early bills of the period, legislators began incorporating specific policy ideas that would be hallmarks of the equal pay bills introduced over the next eighteen years and would ultimately comprise the Equal Pay Act (EPA) of 1963. For instance, early bills included provisions that spelled out exceptions to pay disparities among male and female employees within a firm, such as seniority, merit, and productivity. Such exceptions were included in the EPA and Title VII of the Civil Rights Act, passed the next year.

Following the passage of the EPA, policy efforts shifted away from wage disparities and toward benefit disparities. The *Married Mothers Benefits* juncture of the 90th Congress (1967-1968) marked the beginning of a more than two-decade period in which legislators focused primarily on equalizing benefits specifically for women workers who are either married or have children. For instance, many bills during this period sought to remedy inequities in social security benefits and spousal annuities as well as find more equitable ways to calculate the shared income of spouses. Most policy ideas pursued in this period focused explicitly or implicitly on challenging the male breadwinner model. For instance, the working spouse's benefits policy option was

eventually passed as part of the Social Security Amendments Act of 1983 and was viewed by many as helping to expand the vision of a breadwinner to women by ensuring that male widows received their working wife's social security benefits. There were quite a few bills introduced prior to this juncture that concentrated on equalizing benefits for working women in relation to working men. However, most focused solely on federal employees. Beginning with the Married Mothers Benefits juncture, the target population widened to all married women workers and the more general issue of whether men and children could, and should, be dependents of women workers. A vast majority of bills focused specifically on public benefits, although private, employer-based benefits plans were also targeted.

The *Professional Women & Training Programs* juncture of the 101st Congress (1989-1990) marked the beginning of an emphasis on the types of jobs women held, rather than the wages or benefits they received. Most bills introduced during this period concentrated on helping women obtain professional, non-traditional, and high-paying jobs such as those in science and engineering, management, and business. And part of what seems to have changed in this period is the acknowledgement of the role of job segregation and the “glass ceiling” played in what some have called the “feminization of poverty”—or the tendency for women to comprise the majority of the poor in the country. Relatedly, there seems to be an increasing acknowledgement of women's economic independence and the need to promote women's employment in jobs that allowed for that independence. For instance, in a bill characteristic of the period, it is argued that

“(1) over 7,000,000 families in the United States live in poverty, and over half of those families are single parent households headed by women; (2) women stand to improve their economic security and independence through the training and other services offered under the Job Training Partnership Act... (5) employment in traditionally male occupations leads to higher wages, improved job security, and better long-range opportunities than employment in traditionally female-dominated

fields; (6) the long-term economic security of women is served by increasing nontraditional employment opportunities for women” (S. 975, 1989).

And so this is perhaps why we see particular policy instruments like training programs (topic, grants, and business loans, along-side efforts to improve the enforcement of child support to address single mothers’ economic security and ability to pursue and maintain full-time, professional employment. And finally, the *Policy Synthesis* juncture of the 105th Congress (1997-1998) marked the beginning of a more synthesized approach that incorporated new and old ideas. For instance, we see the reemergence of abandoned or thought to be settled ideas such as equal pay, a continuing focus on advancement programs from the previous period, and a new concentration on studying pay inequity and discrimination. The recombination of old ideas and incorporation of new ideas is indicative of the synthesis approach and is best characterized by a 1997 bill proposing to enact the “Paycheck Fairness Act.” The bill seeks to provide better remedies for direct wage discrimination, reinforce the equal pay for equal work principle, stipulate civil liabilities for employers who violate pay discrimination statutes, provide training programs to be administered by the EEOC, commission studies regarding the elimination of pay disparities, and establish a national award for pay equity in the workplace.

Overall, the junctures represent departures from approaches to the issue of gendered pay inequity with respect to a number of policy elements. We can conceive of policies as sets of options that address how the problem is understood and described—what Bacchi (1999) and others refer to as *problem representations*—the instruments to be used to solve the problem, the proposed administration of the policy instruments, enforcement, measures to evaluate efficacy, and even the values and moral principles used to justify action. While the policy ideas I identified cover a range of different option types, it is clear that the most significant way that policy ideas changed

following these critical moments is in how the problem of gendered pay inequity itself was represented. Of the twenty-four policy options identified, roughly half address either the type of inequity occurring—e.g. wage discrimination—who is being affected by the inequity—e.g. married women—or some combination of both—e.g. widower benefits. Figures 1.4 and 1.5 present this point even more clearly. I coded each of the 760 bills introduced between 1944 and 2019 according to the subset of women being considered (Figure 1.4) and the aspect of employment seen as contributing to pay inequity for women (Figure 1.5). Pay/wages refers to the direct income or salary workers receive for their employment. Hiring/promotions refers to the process by which workers are hired for employment or chosen for promotion. The category of employment opportunities captures programs that might provide workers with more equal opportunities for employment, such as training programs, as well as more general issues related to the employment opportunities available to them that is not specifically targeted at pay/wages or hiring/promotions. Benefits refers to compensation that is not direct pay/wages. And the category of multiple captures bills that target more than one of the above. Figure 1.4 demonstrates how policy efforts shifted from considering all women employees, to combining women with other disadvantaged groups, to focusing specifically on married women and mothers, and finally, in the last two periods, to identifying the targets of pay inequity in all three ways. These shifts also align with similarly timed changes in what aspect of employment was seen as most inequitable. Figure 1.5 demonstrates that a focus on wages and hiring/promotion gave way to the focus on benefits, and eventually a mixed target approach.

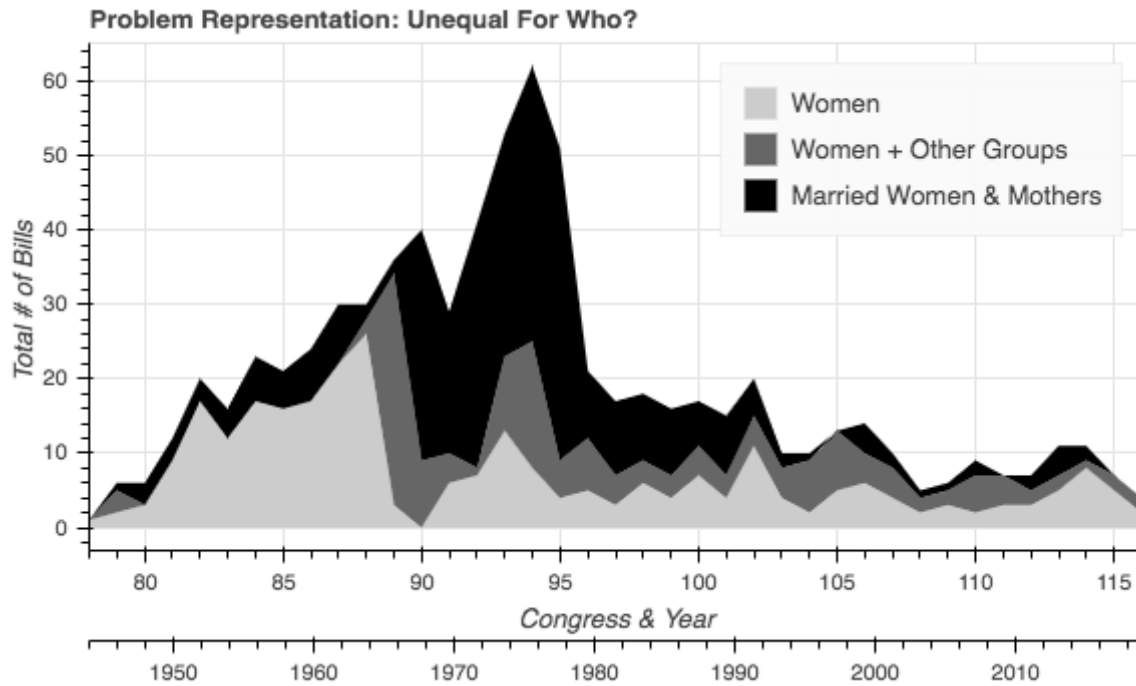


Figure 1.4. Number of bills by policy target per Congress: Unequal for Who?

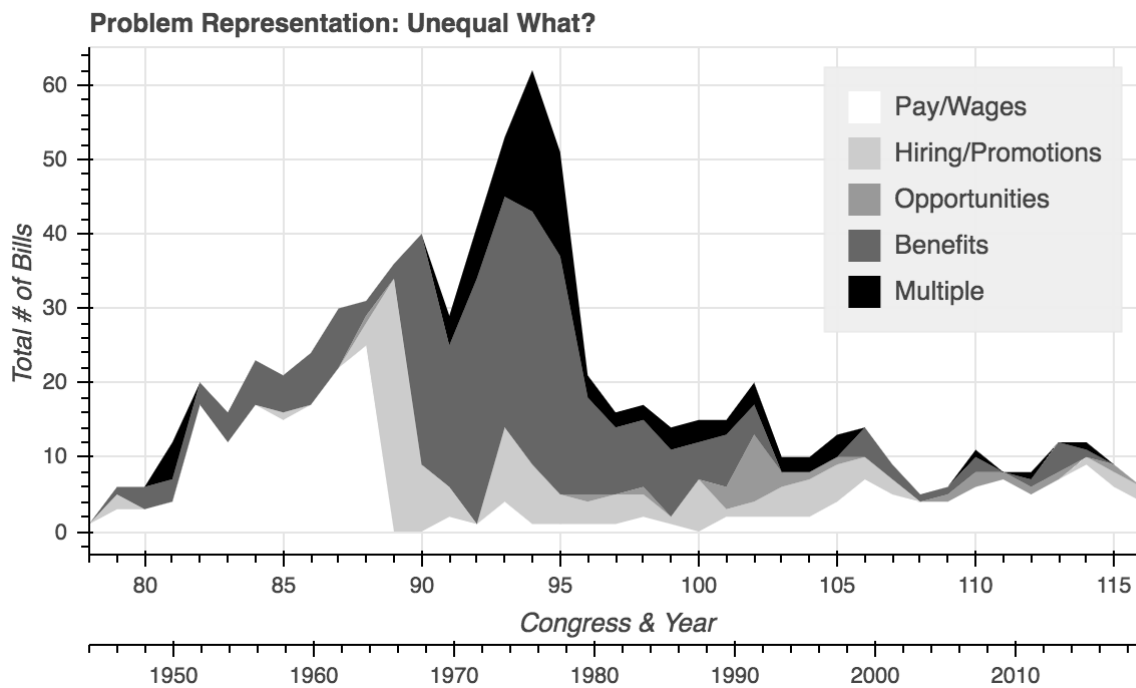


Figure 1.5. Number of bills by policy target per Congress: Unequal What?

To summarize: the punctuated policy innovation pattern identified in gendered pay inequity proposals is characterized by relatively long periods of ideational stability in which a large and diverse group of legislators pursue a similar approach to a particular policy problem. These periods of stability are punctuated by moments of sudden policy idea change, particularly as it concerns how the problem is understood and represented. The policy ideas generated during these junctures come to dominate policy efforts pursued during the long periods of stability, very often comprising any legislation that is ultimately passed years, if not decades, down the road. And a major implication of this ideational domination is that when legislators *are* able to successfully pass new legislation, the ideas incorporated into that legislation are likely to be ideas developed within and reflective of past rather than present conditions. Given how consequential these junctures are, it is critical that we understand the causes of these junctures both in terms of their timing and content. This is a particularly important question considering that actual policy change is just as infrequent as change in the dominant policy ideas and follows much the same pattern I find in the contents of bills that are introduced. Baumgartner and Jones (1993), in their seminal work nearly three decades ago, observed this pattern and named their model “Punctuated Equilibrium,” a name I draw on to characterize my own findings. Given that policy change is infrequent, and that new policies are likely to contain existing ideas, it is essential to understand the conditions under which new policy ideas emerge—that is, the conditions under which policy innovation junctures occur.

EXPLAINING POLICY INNOVATION JUNCTURES

The remainder of this project focuses on that very question. Following social movement, public policy, and political sociology literature, I focus on four main possible explanations. First, I consider the role of changes to the nature of the problem—e.g. the conditions and circumstances of

women's employment—as well as whether or not legislators were aware of such changes, this awareness referred to by Kingdon (1984) as problem “indicators.” Second, I consider political opportunities such as changes in party power in the executive and legislative branches, changes in public opinion and support for different policy ideas, and increased attention from focusing events. Third, following the work of Sabatier (1987), Leifeld (2013) and others, I consider advocacy coalitions of legislators—groups of legislative actors within a policy subsystem that share similar policy beliefs—and changes in the composition of competing discursive communities formed by articulated policy positions. And lastly, I consider the role of legislators as policy entrepreneurs and the way they creatively make use of political opportunities and their own positions of institutional power to incorporate new policy ideas into proposed legislation.

CHAPTER TWO:

The times they were a changin', gradually

World War II was a lot of things. A horror. A lesson for future generations. A triumph for democracy and freedom, perhaps. One thing it definitely was: a boom for women workers. I'm sure you've heard the story. As men in the U.S. marched off to war, leaving their jobs in manufacturing, management, sales, and the like, women of all stripes stepped up to support the national economy during its time of need. It was the patriotic thing to do, of course. First Lady Eleanor Roosevelt captured this urgent national call for women to join the war effort when she said she hoped "every woman will feel that she has a job to do and will do that job until the peace has been won" (Special 1942). And do those jobs they did. During the early years of WWII, women in the U.S. were employed to a degree never seen before in the U.S., both in numbers and diversity of industries. As the war marched on abroad, women marched to their new workplaces, day after day, and kept the nation's economy churning.

But things are rarely ever straightforward and uncomplicated, perhaps least of all during a time of chaos, uncertainty, and unease. As more and more women emerged from their traditional lives of domesticity and stepped into the working world, replacing those men who had marched off to war, long-standing inequities came sharply into focus. They were doing the same jobs as the men that had left but were being paid much, much less. Perhaps it was inevitable, then, that equal pay for women would rise to the surface and demand national legislative attention. More women than ever were working, after all, in all different kinds of jobs. Many of those jobs were of the sort that used to be dominated by men.

Perhaps this was what Senator Claude Pepper (D-FL) was thinking about on June 21st of 1945, as he introduced, for himself and Senator Wayne Morse (D-OR), Senate bill 1178, which sought to provide “equal pay for equal work for women.” This was the second-ever federal equal pay bill introduced, and the first to include key policy ideas and contents that would become hallmarks of the Equal Pay Act passed nearly two decades later. The first equal pay bill was introduced a year earlier, by freshman Congresswoman Winifred Stanley (R-NY). By the time she introduced the bill, she knew her days in Congress were numbered. At the urging of party leaders, she had run for a congressional seat that would be eliminated due to reapportionment by the time the next cycle came around.⁸ Being a one-term congresswoman was baked into the cake, as they say. But she introduced her one-page bill anyway. Nothing much came of it. She was already on her way out when Senator Pepper introduced his much more extensive, and ultimately much more consequential, bill the following year. This was the bill that *really* began the nearly two-decade effort to pass equal pay for women, an effort started amidst suddenly and substantially changing realities for women workers throughout the U.S.

Is this the entirety of the story? That more women than ever were in the workforce, indicating important changing conditions of the labor market; key legislators were aware of these changes, and so introduced new policy ideas to deal with a growing and changing social problem? This would be a tidy story, if it were true. There are a couple of facts that complicate this narrative. First, the effect the war had on women’s labor—particularly on the number and percentage of women in the labor force—has been greatly exaggerated over time. There *had* been a substantial increase in women’s labor force participation at the height of the war. In 1944, roughly 37% of working age women were working, up from 29% in 1941 (Long 1958). However, between 1944 and 1945, the year Sen. Pepper introduced

⁸ The Office of History and Preservation, Office of the Clerk, U.S. House of Representatives. 2006. “Women in Congress, 1917-2006.” *U.S. Government Printing Office*, Washington, D.C.

his bill, women’s labor force participation was already dropping and would continue to drop even more dramatically over the next year.⁹ And this drop was very much expected. Section 8 of the Selective Training and Service Act of 1940 enshrined in law men’s right to their former positions once they returned from war.¹⁰ And the war was now coming to an end. A couple of months before the introduction of S. 1178, Hitler had swallowed a cyanide pill and then shot himself. Sen. Pepper must have been aware of this. It was big news. Just a few days later, in all caps and big bold letters, the front page of the *New York Times* read: “The War in Europe is Ended!” That piece of news was hard to miss. And Pepper would have been particularly attuned to wartime events, having served on the Foreign Relations Committee for several years and appointed chairman of the Senate Subcommittee on Wartime Health and Education, which among other things, had begun in 1944 to start planning for the post-war economy (Special 1944; Ortiz 2014). Women were beginning to voluntarily, and involuntarily, leave their newly gained positions, as war production was ramping down and the men who had left to go off to war were coming home to retake their rightful place in the workforce (Kessler-Harris 1990/2003). And so the *timing* doesn’t quite make sense given what we know, and what Senator Pepper surely knew, about how the war had changed—or really, how it had *not* really changed in a substantial way—conditions for working women. Had the huge influx of women into the labor force been sustained, we might surely have expected legislators to take note of and start working towards addressing women’s employment needs. But that isn’t what happened: the influx wasn’t sustained, and a wave of legislators didn’t start fixing their attention on women’s employment needs. Just Claude Pepper and a few others.

⁹ By 1946, the year the war officially ended, only 31% of women were working, only a two-percent increase since the war had begun. When all was said and done, women’s labor force participation was only slightly higher than it would have been if the war had not happened at all. Citing the Census Bureau, Kessler-Harris (1990/2003) notes this number to be around one million extra women workers of the eighteen million working in 1950, a difference of about 5.6%.

¹⁰ See Public Law 76-783 [S. 4164]

The second complicating fact involves the contents of the bill. Why equal pay and not something else? Equal pay had certainly become a hot button issue during the war, but it was not the only issue that the war had brought bubbling to the surface. Questions about childcare, racial discrimination, job segregation, employment opportunities, and work training all intensified during the war as well (Kessler-Harris 1990/2003). The last three are of particular interest given what we do know about how the war changed the nature of work for women. Although the war effort had not significantly changed the long-term trends in female labor force participation, it did have a major effect on one key demographic: older, married women. Married women thirty-five years and older were most likely to head the call of Mrs. Roosevelt and others and enter the workforce to help with the war effort. They were also the also most likely to stay working after the war effort ramped down (*ibid.*). Given that they were already married, most likely had children old enough to be of school age—if they had them at all—and had no upcoming life events that would cause them to need to leave the labor force, the availability of better job opportunities that might have been created by less segregated job sectors and training, along with equal pay, should have been pretty important. But equal pay won out as the war effort was winding down in 1945.

When we look at the real story of women workers during and after WWII, and what we can reasonably expect key legislators to have known at the time, changes to underlying conditions can't help us explain the content or timing of the Equal Pay Inception juncture. And the same could be said for all four of the gendered pay inequity junctures. In the rest of the chapter, I lay out how the best data available fail to provide any evidence of a link between underlying conditions and the content and timing of policy innovation junctures.

PUBLIC POLICY AS A RESPONSE TO SOCIAL PROBLEMS

In its most basic form, we can think of the public policy process as the steps policy actors take to identify, address, and solve collective problems that cannot be resolved by citizen groups or individuals alone. This view of policymaking as a rational problem-solving process is a foundational perspective in the policy sciences and remains common among public policy researchers and analysts (Bèland and Howlett 2016). Policy solutions, in this view, are directly derived from the troubling social conditions they are proposed to fix. This suggests that changes in underlying objective social conditions—say unemployment, violent crime, or women’s employment—should trigger a policy response. If we think about social problems as troubling social conditions that affect a substantial number of people (Senn and Senn 1993), such changes in underlying conditions might include the emergence of a troubling new condition (e.g. misinformation spread through social media), an increase in the scope of an existing problem (e.g. environmental degradation), or a change in the nature and or cause(s) of the problem (e.g. suicide). Changes that trigger policy attention and new alternatives are often those that are sudden, substantial, and/or are counter to expectations, i.e. changes that make the problem seem more pressing and in need of a rapid response (Kingdon 1993).

This objectivist, rational view of policymaking also aligns with common rhetorical arguments used in the social problems process (Best 2013). Claimsmakers and policymakers often employ *diagnostic frames* whereby they describe the nature of the problem using examples or statistics to make the case that the problem is extensive enough to deserve attention (ibid.). Again, pressing problems, are likely to receive the most attention. Thus, claims that a troubling condition has substantially expanded or suddenly changed are more likely to receive attention. I’m sure we

can all think of claims that employ this rhetorical technique: “climate change is reaching a critical level!”; “continuing housing price increases are making homeownership unobtainable for most people”; “The pandemic shutdown has left suddenly left millions unemployed.” Most of us would probably be swayed by such arguments and agree that a policy response is needed.

Evidence of the Effect of Changing Conditions on Policy Responsiveness

So do changes in underlying objective conditions actually trigger policy responses? Evidence is mixed. Jones and Baumgartner (2005) find that economic downturns throughout the 20th century were followed by greater policy attention via increased congressional hearings and the passage of new laws. Similarly, Liu, Lingquist, and Vedlitz (2011) find that congressional attention to the issue of climate change increased following increased net changes in the level of CO₂. Policy responsiveness to changing conditions has also been found in first-hand accounts from legislators and policy directors. Explaining the thinking behind whether to introduce a bill to extend expiring unemployment compensation, one legislative director explained that following a decrease in unemployment, he, and the senator he worked for, decided not to introduce the bill (Schiller 1995). So it seems that when economic conditions worsen, policymakers respond with greater attention and new laws; when economic conditions improve, they turn their attention to other issues. What about other policy areas? When looking at the problem of crime, Jones and Baumgartner find an occasional correspondence. When crime goes up, sometimes legislative attention follows. Other times, such as the period between 1976 and 1978, when crime went down, legislative attention actually *increased*.¹¹ They find a similar inverse relationship when looking at poverty and social welfare policy: “major welfare initiatives” they argue, “came about as the poverty

¹¹ See Figure 8.5 of Jones and Baumgartner (2005) for additional examples

problem was declining in intensity, and interest by government officials declined when the problem stopped getting better and actually worsened” (pg. 224).

Problem Indicators

The mixed results suggest that changing conditions *can* provoke policy responsiveness but only in certain circumstances. Baumgartner and Jones (2005) suggest that the mixed results can be attributed to the quantity and quality of information available to legislators as well as the mediating role of public attention. I address the latter possibility in the next chapter. The question of quantity and quality of information speaks to the existence, and use, of what Kingdon (1984; 1993) calls “problem indicators.” The idea here is simple. Changing underlying conditions can only have some causal effect on the decisions legislators make if there is some mechanism through which legislators become aware of these changes. Indicators can come in all sorts of forms: research done by government entities, social scientific research by academics, news stories, opinion polls, and the like. Any type of information that gives legislators some snapshot of conditions that they deem important can be used by legislators in their assessment of which problems to pay attention to and how to think about them.¹²

Keying in on the importance of problem indicators can help us explain why policy responses may lag or be out of sync with objective conditions. We can imagine a scenario where crime, say, is on the rise, but all the information available to legislators is based on old or incomplete data showing crime rates falling. Months, or years perhaps, go by, before new data are collected and made available to legislators and the public. Suddenly, the crime problem may seem

¹² Chapters 3 and 5 go into detail about legislator decision making.

very dire, and legislators jump into action. By this time, crime may actually be coming back down, unbeknownst to those engaged in policy efforts. This is, in part, what Jones and Baumgartner (2005) find occurring in the United States in the 1960's and 1970's, where crime indicators and the salience of the crime issue are inadequate when compared to economic indicators and salience. Something similar might occur in situations where there is a gradual linear trend in some condition—like employment measured by labor force participation—and it is coupled with the abrupt appearance of a policy response despite some preceding sudden change. If newly available information becomes available and makes it clear to legislators that the problem is much worse than they thought, the problem now *seems* more pressing even if conditions have not dramatically changed. In this way, it is critical to know how underlying conditions are changing, or not, and what indications, if any, are available to legislators.

Changing Conditions, Indicators, and Policy Ideas

So far, I have mainly discussed policy responses that might be the result of changes in objective conditions—and indicators of those objective conditions—in terms of legislative attention and policy output. While important to understand why legislators might focus their policy attention to a problem like gendered pay inequity, can changing conditions and the availability of information lead to sudden shifts in the policy ideas legislators pursue as well? There is good reason to believe the answer is 'yes'. First, in a general sense, new information can affect how we think about the social world and our place within it. For instance, Igo's (2007) research on the introduction and popularity of modern survey methods and their products—such as Gallup polls, the Middletown study, and the Kinsey Report—in the mid-20th century demonstrates the causal power of new knowledge and information. As she argues, the new knowledge gained by

government actors and the general public caused people to act in different ways, imagine their relationships in new lights, and reevaluate their beliefs” (pg. 262). This reevaluation of existing ideas and beliefs when encountering new information also occurs within political and policy debates as well. For instance, Fiss and Hirsch (2005) argue that moments when new information becomes available—e.g. a sudden, unexpected event—can serve to disrupt existing assumptions and beliefs and lead to ideational change. Sudden changes in underlying conditions—like female labor force participation—or the new availability of information that contradicts existing assumptions, then, has the potential to lead to reassessments of existing ideas about a social condition and produce new policy ideas (Goldstein and Keohane 2013).

To summarize: there is evidence that changes in objective conditions can trigger a policy response but only under certain circumstances. Particularly when changes are sudden, unexpected, and there are indicators of those changes available to legislators are we likely to see a response. This response can take the form both of increased attention to the problem and policy idea change, as new information challenges existing ideas and assumptions about the nature of the problem and appropriate solutions.

EVALUATING THE EVIDENCE

In the sections that follow, I evaluate the best the evidence available for key objective conditions associated with gendered pay inequity and the availability of indicators of those conditions to legislators. Following previous research (Hagen and Jenson 1988; Elison 1997) I focus primarily on female labor force participation (FLFP) rates and wages as key measures of structural changes occurring to women’s employment. FLFP rates are important in that they tell us

about the scope of the problem—how many women were working and thus how many people were experiencing problems related to women’s employment—and about the nature of the problem—what types of women were working and thus what type of problems, e.g. lack of childcare, they might be experiencing. Wages, particularly when comparing the wages of men and women, are obviously important when considering the Equal Pay Period. In combination, FLFP rates and wages give us the best window into how women’s employment was changing, and how those changes might indicate to legislators that gendered pay inequity was a problem requiring their attention and legislative effort.

I employ several comparative historical techniques when analyzing available data including systematic cross-case comparison, sequencing, and counterfactual imagining (Moore 1966; Skocpol and Somers 1980; Mahoney 2003; Pierson 2003). In particular, I pay particular attention to whether or not sudden changes—or the appearance of sudden changes via indicators—in key conditions occurred before all or most of the four critical junctures. Threshold effects (McAdam 1982; Goldstone 1991; Pierson 2003) are possible but unlikely in the absence of empirical or theoretical evidence that some threshold would necessarily trigger legislative attention. Threshold effects are more common when there are institutional rules associated with some threshold of importance, e.g. voting in a system of majority rule. Table 2.1 provides basic information about each juncture, which can be used to refer to as each piece of evidence is evaluated, and the timing of each juncture is discussed.

Table 2.1. Policy Innovation Junctures, General Information

Cong.	Year	Juncture Name	Key Policy Ideas
79th	1945	<i>Equal Pay Inception (EPI)</i>	equal pay for equal work, wage discrimination, civil action, judicial oversight
90th	1967	<i>Married Mothers' Benefits (MMB)</i>	widower benefits, shared spousal income, gender equity in social security, spousal annuities
101st	1989	<i>Professional Women & Training (PWT)</i>	training, education, advancement programs, child support, small businesses
105th	1997	<i>Policy Synthesis (PS)</i>	equal pay for equal work, benefits, advancement programs, pay discrimination studies, civil rights

A Story of Growth

The long and short of the story is that there is no evidence to suggest that changes to, or indicators of, women's employment played a role in any of the four policy innovation junctures. I measure underlying conditions by looking at how overall female labor force participation rates, the composition of the female labor force, and women's wages align with the timing and specific juncture content. In all cases, each juncture was preceded by steady growth or decline rather than sudden changes that might precipitate policy action. I also do not find any evidence that legislators were suddenly made aware of indicators of female employment conditions which might explain their sudden change in policy effort.

Objective Conditions

As the dawn of the 20th century broke, roughly 20% of females 14 and over were engaged in employed work. One hundred years later, that number had tripled. In between, women's

employment grew steadily at a rate of about 4% every decade. A sudden change in women’s labor force participation may have resulted in greater attention being paid to the issue—as the scope of the problem was increasing—and a change in policy effort. But growth was steady and consistent. Figure 2.1 provides female labor force participation (FLFP) rates starting in 1890 and extending to 2020. The four policy innovation junctures are shown in vertical red lines in the figure: *Equal Pay Inception (EPI)* in 1945, *Married Mothers’ Benefits (MMP)* in 1967, *Professional Women and Training (PWT)* in 1989, and *Policy Synthesis (PS)* in 1997. As mentioned before, the second world war did precipitate a sudden increase in women’s employment, but it did not last long.

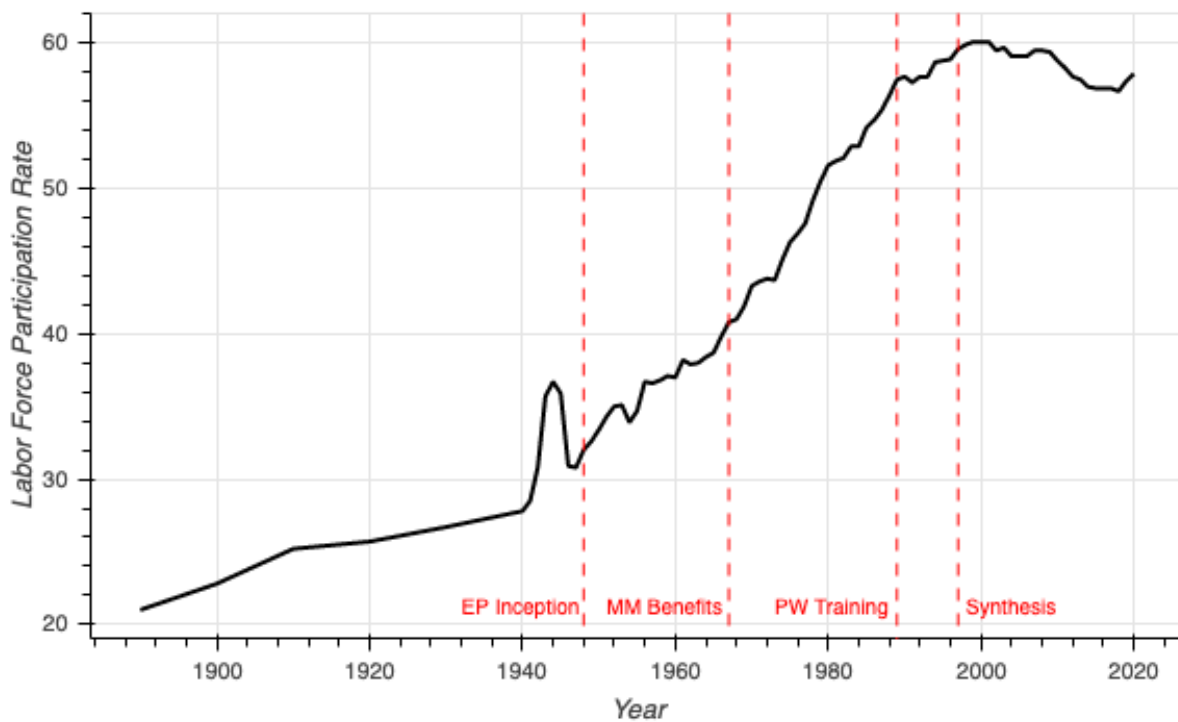


Figure 2.1. Women’s LFPR, 1890-2020, vertical lines indicate four junctures¹³

¹³ Sources: Current Population Survey’s (CPS) Household Survey for the years 1948-2020; Long (1958) Table A2, A-2, and B-2 for the years 1890-1947, adjusted; See Appendix B for more information

By the end of the war, the number of women working was only slightly higher than what would have been expected given preceding trends and forces. Immediately preceding the first juncture in 1945, labor force participation was already falling. Although it seems that the growth in women's labor participation did accelerate after the war, this was unknown to be the case at the time of the first juncture and there was steady growth throughout the other three junctures.

Taking a closer look at changes in the composition of the female labor force might reveal sudden changes for specific types of women, particularly those that were targets of the specific policy ideas characteristics of each juncture. For instance, we might imagine that a sudden surge of older married women into the labor force leading up to 1967 might help explain why legislators suddenly began to focus on the benefits of married women and mothers around that time. Similarly, we might expect a sudden increase in highly educated women workers to prompt legislators to focus more on job opportunities in professional settings or the opposite, that a sudden decrease in educated women in the labor force precipitated a need for more training programs and professional development. Figures 2.2 to 2.5 focus on specific demographics that might trigger such policy idea developments. The first two figures provide the age breakdown of women in the labor force during and after the second, third, and fourth junctures.¹⁴ Except for those sixty-five and older, every group grew consistently in the years leading up to the MMB juncture in 1967. There are no sudden turns—either up or down—for any age groups between 25 and 64, those most likely to be married mothers concerned with equal benefits. The policy ideas characteristic of the PWT juncture in 1989 and carried over into the PS juncture of 1997 were targeted toward and most beneficial to younger women just starting their careers and looking for

¹⁴ Unfortunately, detailed labor force data did not become available until 1948, when the Bureau of Labor Statistics' Current Population Survey began collecting consistent, detailed, and seasonally adjusted employment data.

advancement. Yet, leading up to 1989, the labor force growth of the youngest age group stagnated and slightly declined just prior to 1997.

What about married women specifically? Figure 2.4 provides the marital status of women in the labor force between 1940 and 2020. Data are not consistently available throughout the period so exact data points are provided throughout to show gaps in available data. For instance, between 1940 and 1960 data are available each decade; between 1960 and 1980 every five years. Non-yearly data makes it a bit more difficult to assess sudden changes in earlier periods but the consistency in slope between 1940 and 1970 gives some indication that if there were sudden rises or falls, they leveled off by the end of each decade. While marital status could be relevant for each of juncture, the growth in married women workers is particularly relevant for the MMB juncture. Leading up to 1967 there was little change in the long-term growth in married women in the labor force, the precise time we would expect to see a sudden increase if objective conditions were linked to changes in policy efforts.

Interestingly, even though the marital status of women workers is not available for systematic data presented here, we do know, from historical evidence of World War II employment patterns (Long 1958; Kessler-Harris 1990/2003) that it was married women workers who benefitted most from the war effort and maintained their gains after the war ramped down. Thus, we might expect, if only considering underlying conditions, that policy ideas related to married women workers would have been introduced and become dominant in the years after WWII rather than two decades later.

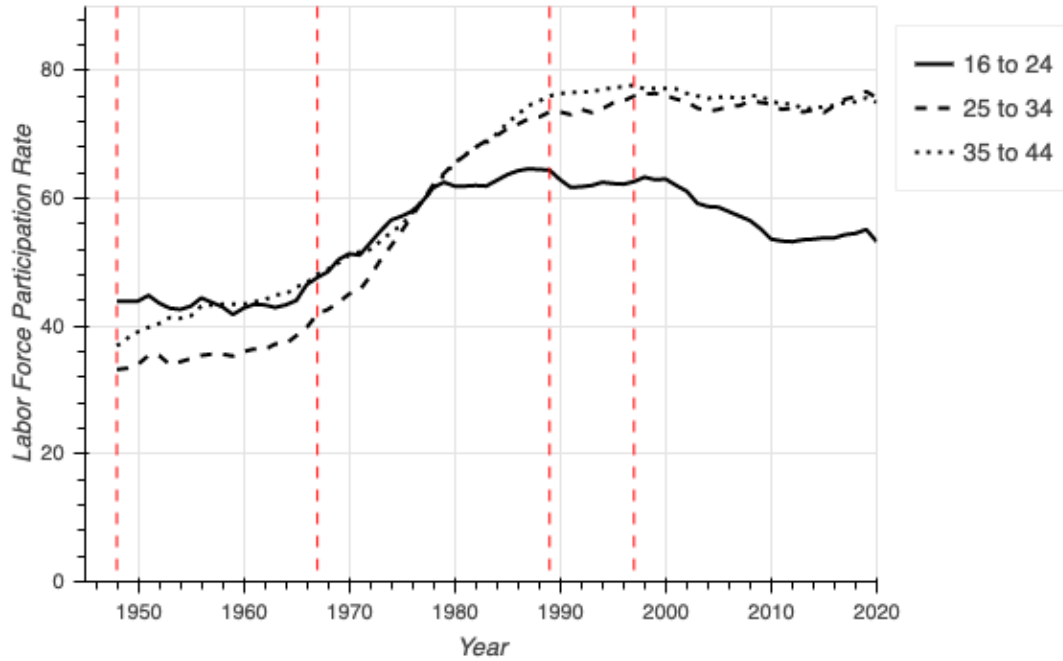


Figure 2.2. Women's LFPR by youngest age groups, 1948-2020¹⁵

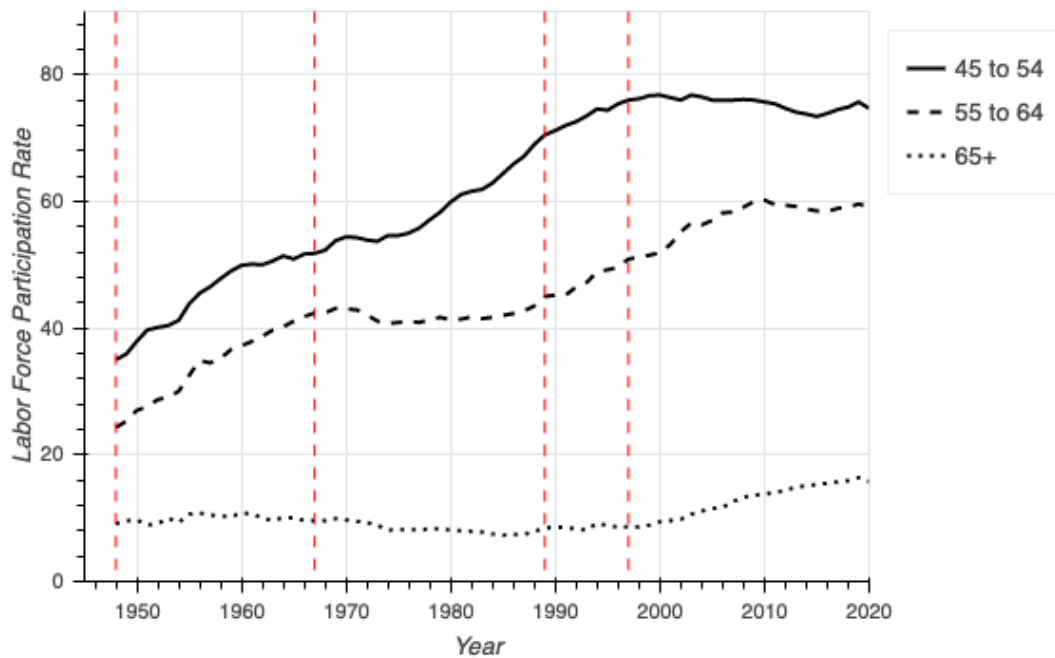


Figure 2.3. Women's LFPR by oldest age groups, 1948-2020

¹⁵ Source: U.S. Bureau of Labor Statistics, Current Population Survey, annual averages; compiled by the Women's Bureau <https://www.dol.gov/agencies/wb/data/lfp/women-by-age>

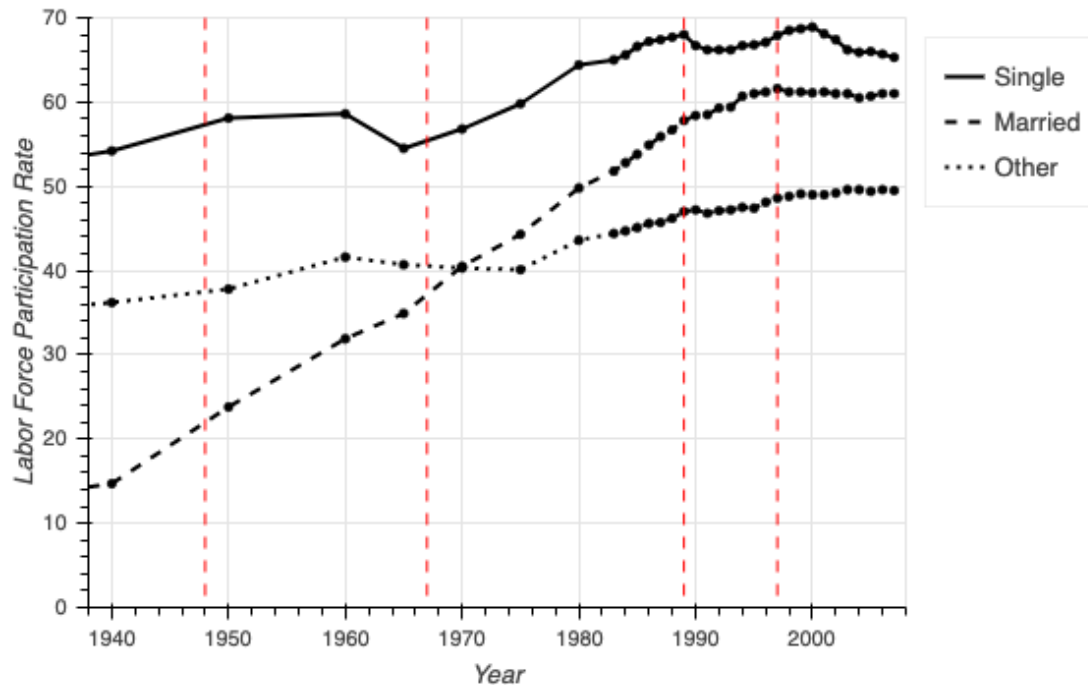


Figure 2.4. Women’s LFPR by marital status, 1940-2007¹⁶

Looking at wage data before, during, and after WWII, we see a similar pattern of gradual change and a similar inconsistency between underlying conditions and the content of junctures. Figure 2.5 provides the median wages of men and women from 1939 to 1951. Between 1939 and 1951, women’s wages gradually increased, dipping slightly in 1951 but rebounding the year later. Men’s wages also gradually increased but at a much quicker pace. Thus, the wage gap increased during and after the war, suggesting that equal pay was objectively becoming a bigger issue than it had been before the war. However, as the 1953 U.S. Census Bureau bulletin (from which these data were collected) makes clear the drop in relative wages of women was not due to the type of

¹⁶ Source: U.S.Census Bureau, “Statistical Abstracts of the United States, 2009,” Table 577, for 1960 and 2007, <https://www.census.gov/library/publications/2008/compendia/statab/128ed/labor-force-employment-earnings.html>; Long (1958) Table 12 for 1940 and 1950; “Other” category refers to widowed or divorced women

overt, within firm, wage discrimination that equal pay legislation would seek to ban. Rather, the “war and defense periods drew many younger men from lower-paying jobs into military service and provided men in civilian employment with significantly better job opportunities than women,” (U.S. Census Bureau 1953:82) Ultimately, men were able to keep these better paying jobs while the women who stayed in the labor force after the war continued to fill the lower-paying positions. Growth of the gender pay gap during the 1940’s, then, was primarily driven by greater job sector segregation and an increase unequal opportunity. If changing policy ideas *were* the result of changing underlying conditions, then we would expect new policy ideas during this time to be more aligned with those of the Professional Women and Training, which sought to address unequal opportunity and job segregation.

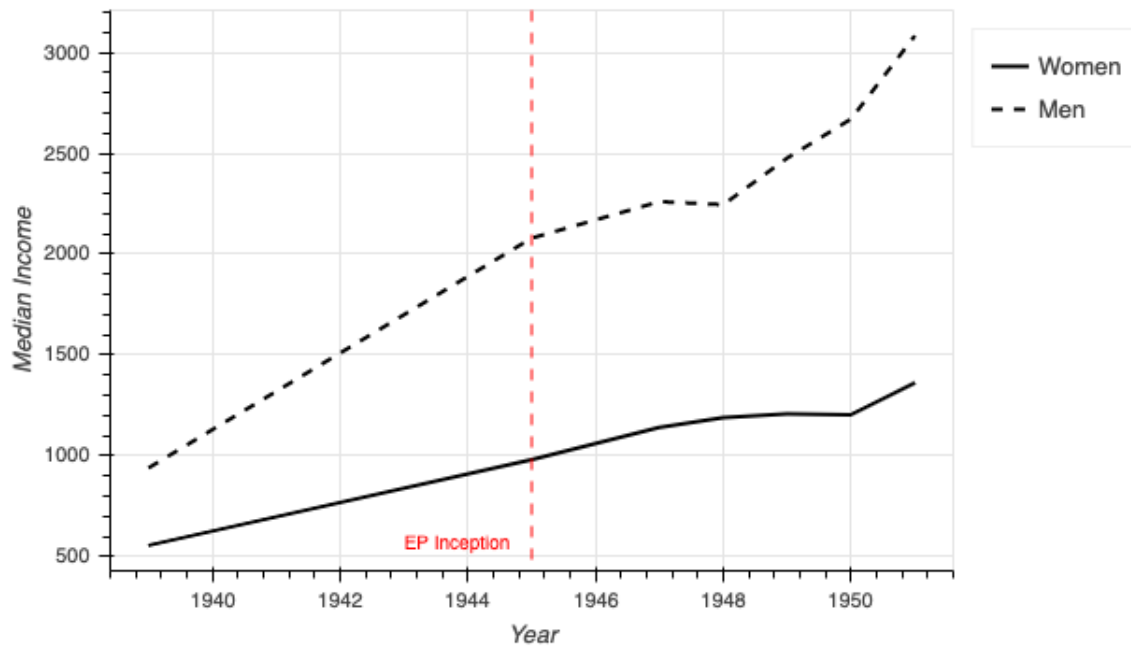


Figure 2.5. Median Yearly Income of Women and Men, 1939-1951¹⁷

¹⁷ Adapted from Chart XXI, page 86, from the U.S. Bureau of the Census (1953)

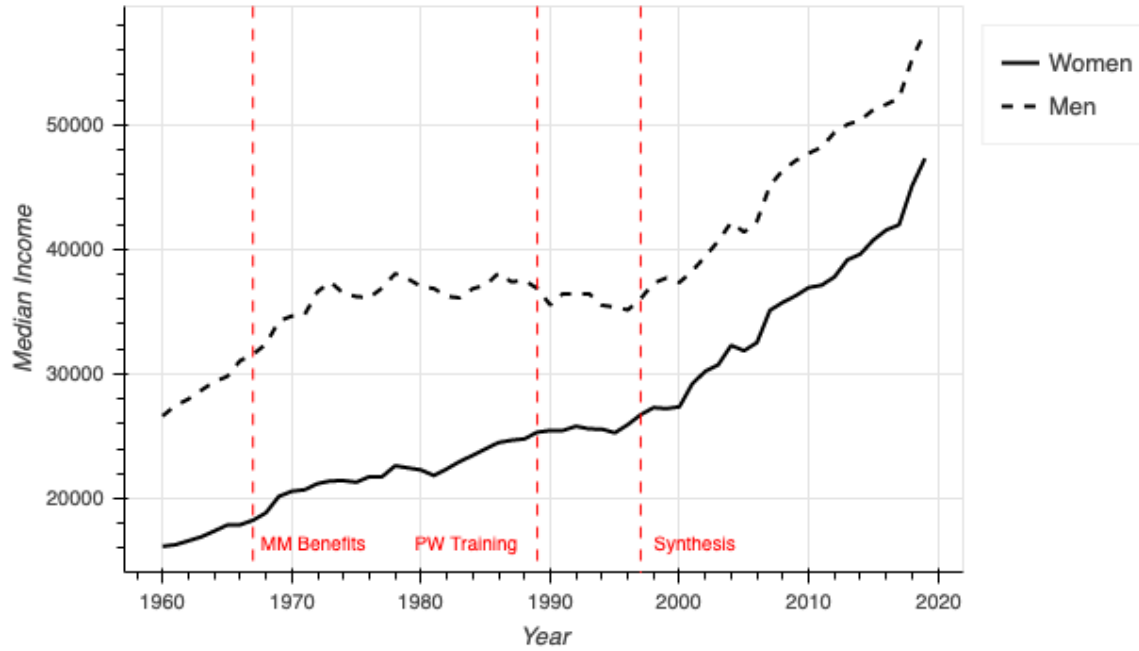


Figure 2.6. Median Yearly Income of Women and Men, 1960-2019¹⁸

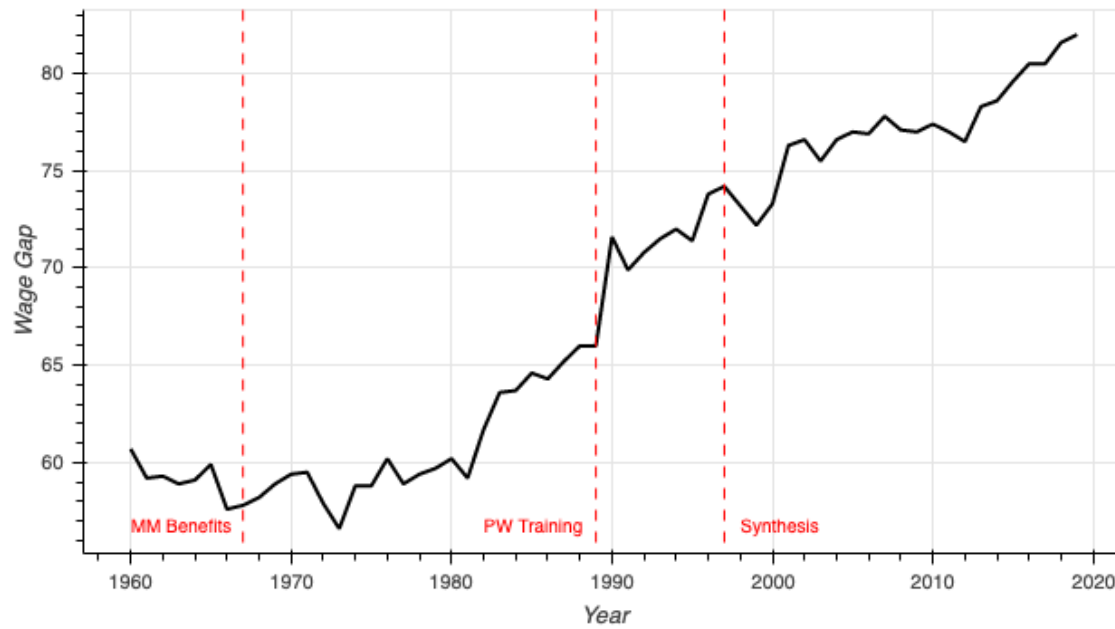


Figure 2.7. Women's relative wages, 1960-2019¹⁹

¹⁸ Source: National Committee on Pay Equity, U.S. Census Data (<https://www.pay-equity.org/info-time.html>)

¹⁹ *ibid.*

Figures 2.6 through 2.10 provide even more evidence that objective conditions cannot explain the timing or the content of the four policy innovation junctures. The first two figures provide additional wage data covering the years 1960 through 2019 and show no abrupt changes immediately preceding junctures. Furthermore, women's relative wages were increasing prior to the Professional Women and Training juncture and the Policy Synthesis Juncture, suggesting that the problem was actually getting better. Additionally, the PWT juncture turned policy attention toward providing opportunities to women workers to support their economic independence and career advancement. Yet, key demographic trends—households in which only the wife was working or where both spouses were working—are consistent with no abrupt shifts. Social security filings for women tell a similar story. Along with other types of benefits, the *Married Mothers' Benefits* juncture initiated a heavy focus on equalizing social security benefits for women workers and their beneficiaries. This was of particular concern for women who were the primary or sole earner or a dual earner.

Throughout the 20th century, more and more women were entering the labor force every year. Across nearly every key demographic—age, education level, and education level—there was steady growth. Women's wages were also steadily increasing, although their wages relative to men's did decline during the 1940's and 1950's. However, the drivers of this decline were inconsistent with the policy ideas pushed by legislators during these years. Additionally, in the years leading up to each policy innovation juncture, the growth in women's labor force participation and wages, on the whole, remained consistent. There were no sudden increases in the types of women workers that were the targets or beneficiaries of the policy ideas characteristic of any juncture. In certain cases, such as increased labor sector segregation during the 1940's and young women workers leading up to 1989, there was a change contrary to what would be expected, given the policy ideas pursued at the time.

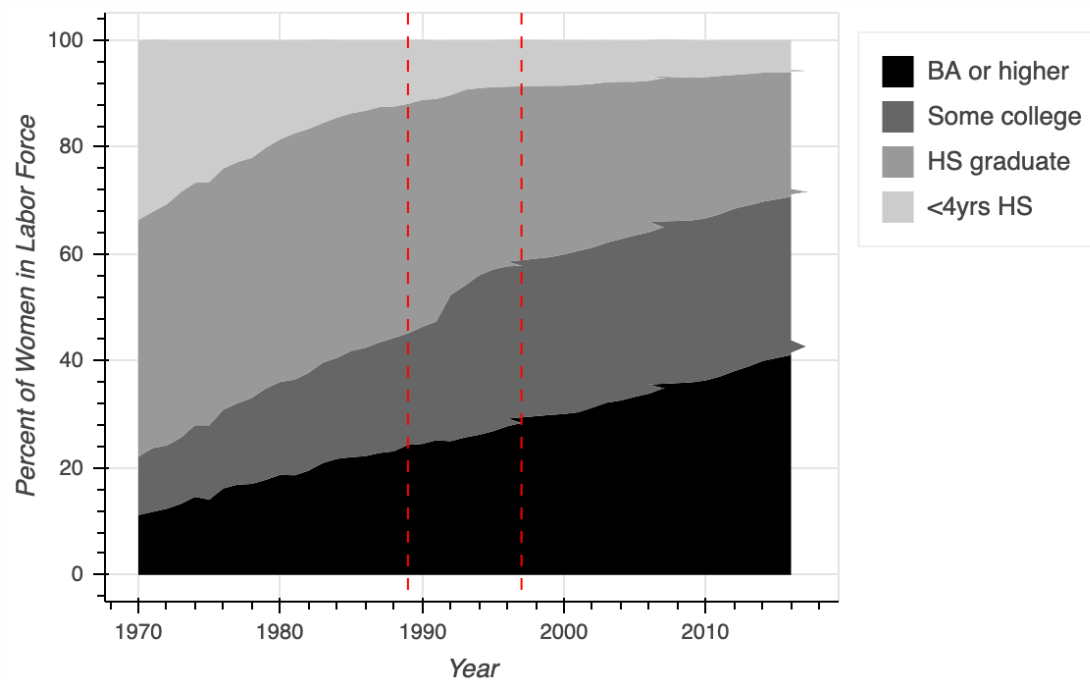


Figure 2.8. Women Worker’s education level, 1970-2018, *Professional Women and Training and Policy Synthesis* junctures indicated with vertical red lines²⁰

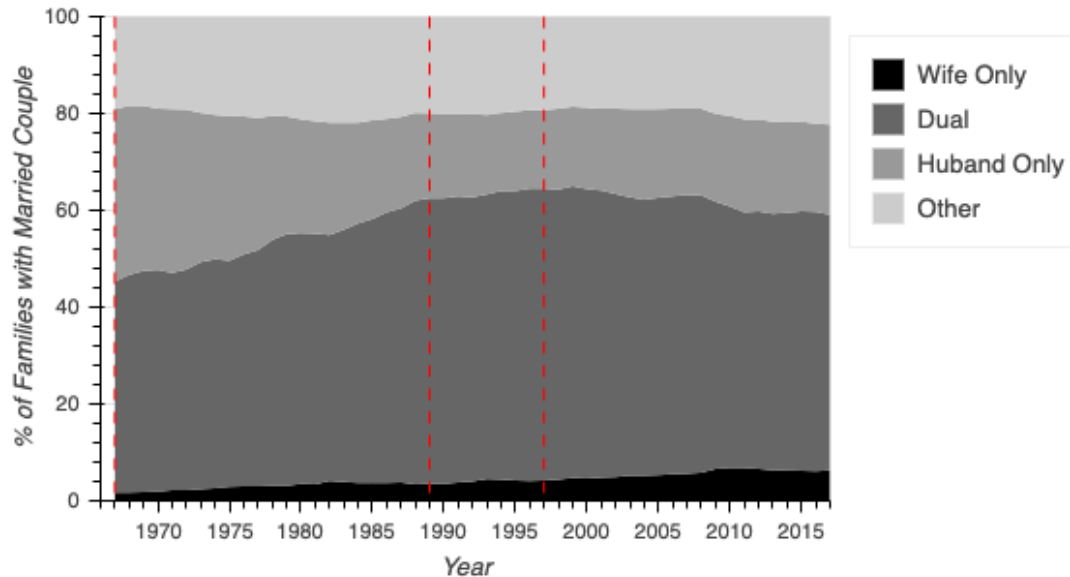


Figure 2.9. Earners within households with married couple, 1967-2017, vertical lines indicate junctures, Married Mothers’ Benefits juncture at beginning of data period²¹

²⁰ Source: Table 9A and 9B of “Women in the labor force: a databook,” BLS Reports, December 2019, <https://www.bls.gov/opub/reports/womens-databook/2019/home.htm>

²¹ Source: Bureau of Labor Statistics Report 1084, December 2019, Table24A, <https://www.bls.gov/opub/reports/womens-databook/2019/home.htm>

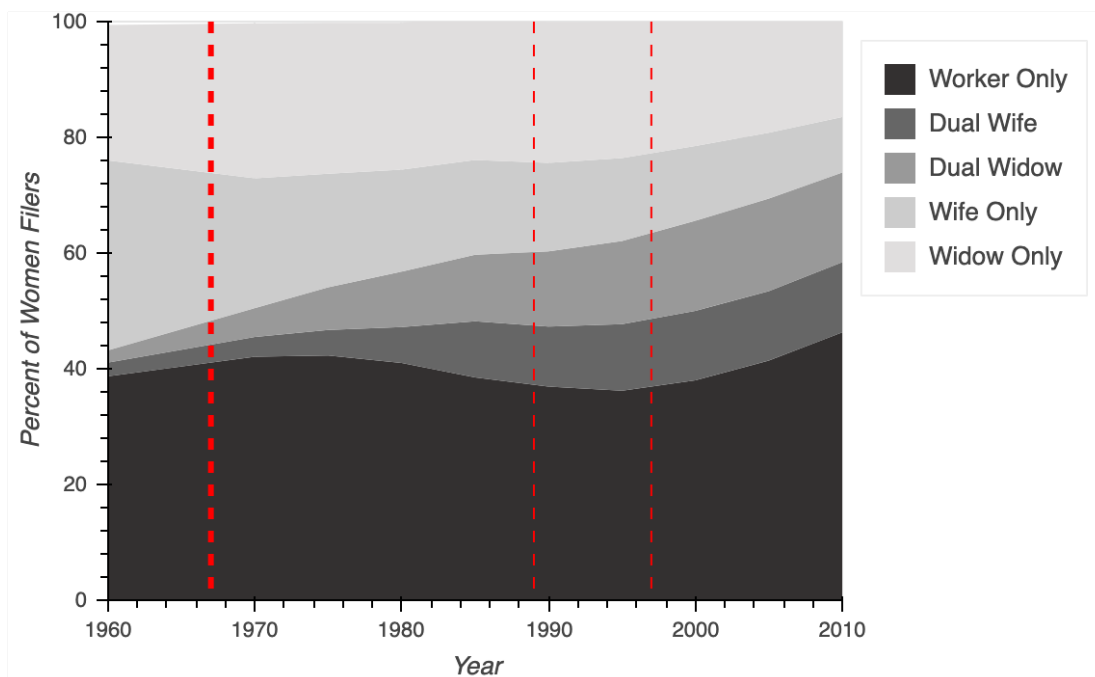


Figure 2.10. Women’s Social Security filing by type of entitlement, 1960-2010, vertical lines indicate junctures, Married Mothers’ Benefits shown in thicker vertical line²²

Indicators: What did Key Legislators Know?

It is clear that changes in underlying conditions cannot explain the timing or content of gendered pay inequity policy junctures. If legislators had perfect and full access to the data presented here, they would have no reason to believe that the problem was suddenly becoming more pressing or changing in any considerable way. But legislators, like all of us, have access to and pay attention to limited amounts of information. So where do legislators and their staffs tend to get their information about key indicators? Two of the key places are bulletins and reports produced by information

²² Source: Social Security Administration’s (SSA) Annual Statistical Supplement, 2007, Table 5.A14, <https://www.ssa.gov/policy/docs/statcomps/supplement/2007/5a.pdf>

gathering and producing government agencies and congressional committees, particularly committee hearings (Arnold 1990; Baumgartner and Jones 1993; Jones and Baumgartner 2005; Burstein 2014).

In this section, I survey evidence that could provide insight into whether key legislators²³—particularly those who introduced pay equity bills at the beginning of each juncture—were aware of changing conditions of women’s work and pay. I consider three sources of possible evidence: Women’s Bureau Bulletins, information provided in relevant congressional hearings, and floor speeches made by key legislators. Women’s Bureau bulletins are meant to measure information provided by key government agencies; congressional hearings are targeted at reviewing information provided by additional government agencies, interest groups, and business organizations; and floor speeches are meant to capture any mentions of key information they may have personally learned of or used in their policy proposal decisions. I find no evidence that any information that we can reasonably assume legislators had available can help explain the content or timing of the four policy innovation junctures.

Women’s Bureau Bulletins. For the first half of the twentieth century, the Department of Labor’s Women’s Bureau was the primary source of information about women’s employment (Laughlin 2000). One of the key ways they disseminated information and indicated key policy concerns were through published bulletins. Each bulletin focused on a specific aspect of women’s employment—sometimes focusing on a particular sector or geographic areas as well—and often provided newly collected data and findings not available previously. Between 1918 and 1983, the year of their last published official bulletin, they published 379 bulletins ranging in topic from reports of women college graduates entering the workforce (1956), progress towards equal pay in the meat-

²³ See Chapters 4 and 5 for a full discussion of the key legislators for each juncture.

packing industry (1953), and employment conditions in beauty shops (1935). Thus, not all bulletins were focused specifically on pay equity issues. Figure 2.11 provides an overview of the number of pay equity-focused bulletins published each year along with vertical lines indicating the timing of the two earliest policy innovation junctures. We do see an uptick in relevant bulletins preceding the Equal Pay Inception juncture, but only two bulletins were published in the three years leading up to the Married Mothers’ Benefits juncture. What about the content? In the three years leading up to 1945, only one focused on equal pay, and did so exclusively within the context of the war. The majority concentrated on different aspects of office work including education and experience qualifications, labor market demand, hiring practices, and training opportunities. Perhaps coincidentally, the one bulletin published in the years prior to 1967, the second juncture, concentrated on “clerical occupations for women.”²⁴ The contents were much the same as those just described.

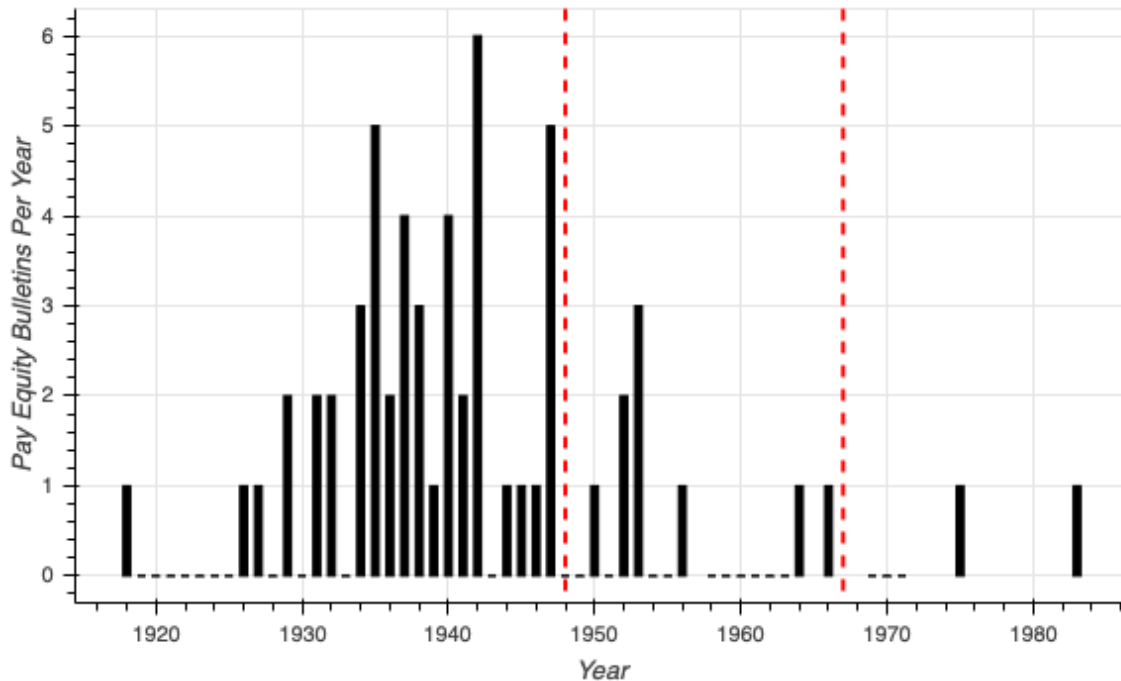


Figure 2.11. Number of Women’s Bureau Bulletins focused on Pay Equity, 1918-1983, first two junctures indicated in vertical red lines

²⁴ See Women’s Bureau Bulletin 289, “Clerical Occupations for Women: Today and Tomorrow.”

What can we say about the information provided by Women’s Bureau bulletins? The height of output of information was between 1934 and 1942, the year prior to the beginning of the legislative push to address gendered pay inequity in 1945. Although there was an increase in pay equity relevant bulletins leading up to the first juncture, the focus was not on equal pay beyond the wartime period. The bulletins during this time were instead concentrated on aspects of women’s employment—such as job opportunities, professional work, and training—that would come to dominate later junctures.

Congressional Hearings. Committee hearings offer a unique opportunity to bring diverse sources of information together to talk about one specific problem—often a specific bill that is up for consideration. Witnesses who might provide information include heads of government agencies, academic researchers, interest groups, business owners, and members of the public who provide evidence of their own experiences. We can reasonably assume that new information discussed and presented at such hearings would be available to key legislators. When looking at the committee hearings, I paid attention to the number of pay equity -relevant hearings held before each juncture—as an indication that pay equity as an issue was gaining in legislative attention—and the content of those hearings, including underlying condition specific information provided by members and witnesses.

Figure 2.12 provides the number of pay equity relevant hearings held each as well as vertical lines indicating the onset of each juncture. At first glance, it appears as if legislative attention to the issue increased immediately prior to each juncture. For instance, particularly before 1967 and 1989, there does seem to be an uptick in attention. Despite a small increase immediately preceding 1989, the period overall follows a pattern of high attention. Between 1970 and 1988, when policy ideas focused on married mothers’ benefits dominated, legislative output and attention were equally high. During

this period, the highest number of bills were introduced: 365 bills out of 760 total were introduced during this one period alone. Considering congressional committee hearings are most likely held in order to consider a specific bill or group of bills, the high level of attention indicated by hearings is expected. But what type of attention was being paid? Does it coincide with the policy idea change the following year? No. When looking at the specific content of these hearings, overwhelming focus was on policy proposals and ideas geared toward married mothers' benefits. Thus, congressional committee hearings are often a lagging indicator and direct response to the introduction of new policy ideas into the policy domain.

Was there new information presented during the hearings that might provide important indicators to key legislators that the underlying conditions were changing? Not that I can see. Almost

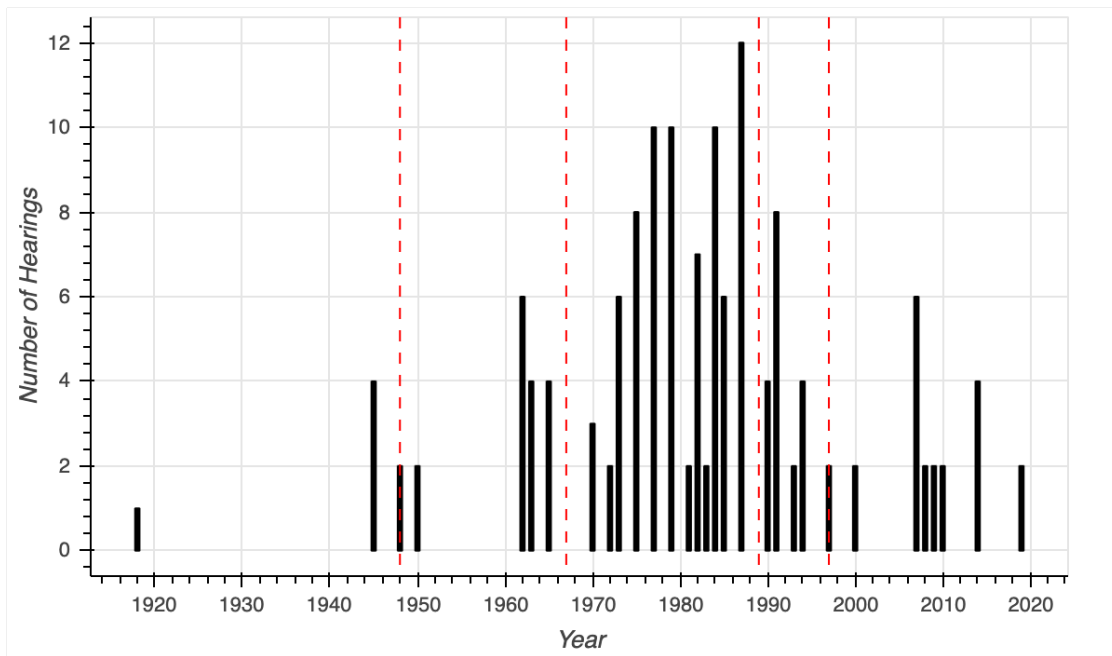


Figure 2.12. Number of Congressional committee hearings focused on Pay Equity, 1918-1983, all four junctures indicated in red vertical lines

all information presented was about social security benefit levels, potential effects of parental leave policy, and the like. However, there was one relevant hearing held in the years leading up to 1989, the year of the Professional Women and Training juncture. In 1987, a hearing was held before the Subcommittee on Labor of the Committee on Labor and Human Resources titled, “Women in the Nontraditional Workforce.” Although much of the focus was on jobs in construction there was discussion of problems facing women who sought positions in “high technology areas.” Some of the same policy ideas and arguments incorporated in bills following the 1989 juncture were made by witnesses in this hearing. For instance, in her prepared statement, Brigid O’Farrell, study director of the National Academy of Sciences, argued that “integrating jobs in industries such as construction and high technology is critical for achieving equal employment opportunity and economic independence for women.”²⁵ However, this was a prepared statement, meaning she was not invited to present testimony or answer questions in person. Therefore, the majority of attention given during the hearing was specifically paid to job opportunities in construction. Furthermore, she didn’t provide any specific or new information that we might reasonably assume might create the ideational shift we would expect necessary to bring about a sudden change in policy ideas.

Hearings preceding the other junctures followed similar patterns: the content focused on policy ideas dominant of that period but not indicative of the sudden ideational change that would occur with the policy juncture. A key question I will return to in Chapter 5 is whether or not key legislators were involved as members or witnesses in any of these hearings. Their participation could indicate important information about their position as legislators, connections to key interest groups, and changing positions and attention given to the problem of gendered pay inequity. But as a measure of problem

²⁵ See page 189 of the hearing on “Women in the Nontraditional Workforce,” before the Subcommittee on Labor of the Committee on Labor and Human Resources,” held on November 17, 1987.

indicators, the congressional hearings do not reveal any evidence that legislators were suddenly made aware of important changes in the underlying conditions of women's employment.

Floor Speeches. While Women's Bureau bulletins and congressional hearings on pay equity legislation do not suggest that new indicators became available to key legislators immediately preceding the junctures, it is possible that some new information that could have impacted their decisions to introduce new policy alternatives is revealed in the speeches they gave on the floor of Congress. Of particular interest are any speeches key legislators gave when first introducing the bills that began each juncture. Here I focus on four legislators specifically: Sen. Claude Pepper (D, FL), Rep. Martha Griffiths (D-MI), Rep. Patricia Schroeder (D-CO), and Sen. Thomas Daschle (D-SD). These four members of Congress played the largest role in each of the four junctures (listed in order of juncture) in terms of being the first to introduce bills that contained policy ideas that would come to dominate the period and/or as the most prolific sponsors of the period.

On the day Sen. Pepper introduced S. 1178 he gave two speeches. Both were about a GI bill he had also introduced that day. He made no public mention on the floor of the senate of his soon to be very consequential equal pay bill or give any indication of information that he had used when deciding to introduce the bill. In the months leading up to that day and the entire year preceding he only gave one speech in which he talked about women and wages. However, it was again about a possible GI bill and focused on the compensation a wife of a veteran might receive, not about the wages women make as workers.

What about Martha Griffiths who spearheaded married mothers' benefits policies at the very inception of and throughout the period? Surely if she had become aware of critical information about changing conditions that persuaded her and might persuade others, she would have shared it with her colleagues on the record. On January 10, 1967, the very beginning of the Married Mothers' Benefits juncture and the day she introduced two bills—one to equalize benefits for married women employees of the federal government and another to equalize benefits for widowers of female employees who die in service—she said nothing on the floor of the House. In 1966, she gave 51 speeches: many focused on women and women's issues. However, none provided any information about indicators she might just have been learning about that would change her mind about the nature of the pay equity problem.²⁶ The story is much the same with Rep. Schroeder and Sen. Daschle on the day they introduced legislation and in the months and year prior. If they were being made aware of key indicators that might lag objective conditions, or significantly impact their thinking about and efforts geared toward gender pay inequity legislation, they didn't say.

CONCLUSION

Objective conditions and problem indicators available to key legislators cannot help us explain the content nor the timing of the four gendered pay inequity junctures. Along all key measures of women's employment, the story is much the same: gradual and consistent growth. When there was a

²⁶ Some topics she discusses are unfair jury trials for women (July 26, 1966), problems with the Equal Employment Opportunity Commission (May 20, 1966), and an announcement of a symposium on the "Implications of the Space Age" sponsored by the Michigan Federation of Professional Women's Club (April 4, 1966). Of interest: on June 21, 1966, she did make a speech recalling how she was visited by a female marine complaining of the lack of benefits she and her husband received as a female in the marines, arguing "fringe benefits should be the same whether the employee is a man or a woman." These same ideas would be directly incorporated into one of the bills she introduced on Jan 10, 1966, mentioned above. This type of information from the public and constituents will be explored further in the preceding chapters. For our purposes here, it does not provide information about changing underlying conditions but rather feedback about political opportunities and policy costs.

sudden change—such as the sudden decline of women’s labor force participation leading up to the Equal Pay Inception juncture or the stagnation of younger women’s labor force participation preceding the Professional Women and Training juncture—it was contrary to what we would expect, given the policy ideas that were introduced and came to dominate each period.

It could have been the case that the information key legislators had access to leading up to each juncture made it *appear* as if the problem was more pressing. Perhaps they didn’t know how extensive women’s labor force participation was or suddenly found out that married women made up a considerable and growing amount of the female workforce prompting them to reconsider the types of policy responses they might require. But I could not find any evidence that this was the case. Specific details about women’s employment was rarely mentioned, and when they were, that information closely aligns with what we know now about the underlying conditions of women’s employment situation, and we have seen that those trends cannot help us either.

But this doesn’t mean that information plays no role at all in legislators policymaking decisions. Sudden, new information that prompts greater political attention and forces a reevaluation of existing assumptions and ideas can also come from what Birkland (1998) focusing events and from public perceptions and opinions. In the next chapter I consider whether new policy ideas were the product of these types of sudden occurrences and information flows along with other types of political opportunities.

CHAPTER THREE

Policy alignment opportunities: “A chance to do something about it”

The first half of the 1960’s were quite a time for women. At the urging of Former First Lady Eleanor Roosevelt—who had so passionately made the call for women to join the war effort nearly two decades prior—President John F. Kennedy established the President’s Commission on the Status of Women (PCSW) in 1961. The commission, headed by Mrs. Roosevelt, was charged with investigating a wide range of issues preventing the “full partnership of women in [U.S.] democracy.” (Shuster 1961) Historian Cynthia Harrison (1988) would later credit the commission with helping to bring about the broad-based feminist movement that arose later that decade. Less than two years after the commission was established, and nearly two decades after Claude Pepper and Wayne Morse had introduced that first major equal pay bill, the Equal Pay Act of 1963 was finally passed and signed into law in June of that year. And the accident that was no accident—the addition of sex to Title VII of the Civil Rights bill—was codified into law a year later with the passage of the Civil Right Act of 1964. Yes, the 1960’s were shaping up to be quite a decade for women.

With equal pay passed, greater employment protections secured through Title VII, and the continuation of an administration supportive of and actively working to understand and remedy women’s issues, the real question was, “what was next?” The end of the decades-long push to pass equal pay left a hole in the gendered pay inequity policy space. For legislators who cared about pay equity and women’s employment—or at least wanted to signal to their constituents that they cared—there was no obvious route to take. It is true that a battle had already begun to ensure the Equal Employment Opportunity Commission (EEOC), the commission that had been established to enforce Title VII, would follow through on its mandate to investigate and settle claims of sex discrimination

in employment (Laughlin 2000). Throughout 1965 and into 1966, legislators introduced several bills focused on strengthening and broadening enforcement powers of the EEOC.²⁷ But that battle would mainly be fought through the courts and in the committee itself. So, what were legislators to do? Introducing bills, after all, was and still is one of the key ways legislators are able to take a public position on an issue and demonstrate to their constituents and colleagues what sorts of issues they care about and are actively working to address (Schiller 1995; Lazarus 2013).

This must have been a question on the mind of Martha Griffiths (D-MI), by then a ten-year veteran of Congress who had just been reappointed to the powerful Ways and Means Committee in the House of Representatives (Special to the NYT 1962). In 1964 she had been instrumental in getting sex added to Title VII, working strategically behind the scenes with Judge Smith, Alice Paul of the National Women's Party (NWP), and others to figure out the course of action that would most likely lead to the amendment's adoption. And their strategy had worked. She, and all those who worked on women's employment issues must have been feeling pretty good given all the victories they had achieved in a few short years. But what to do next?

There were a whole host of options available. The PCSW and its various topically focused committees had completed its work and submitted their report, with recommendations, to President Kennedy on October 11, 1963 (Harrison 1988). Those recommendations included eliminating sex discrimination in employment and merit systems of the Armed Forces, equalizing the Government's health benefit contributions for married women workers, and increasing educational

²⁷ For examples, see HR 10087 introduced by James Roosevelt (D-CA) on July 26th 1965 and HR 9225 introduced by Edith Green on June 21, 1965. Roughly thirty such bills were introduced between 1965 and 1969, nearly 80% introduced in 1965 alone.

and employment training for women, particularly older women (U.S. President's Commission on the Status of Women 1963; U.S. Interdepartmental Committee on the Status of Women. 1967). The National Federation of Business and Professional Women's Clubs (BPW), one of the most important and active women's organizations in the country, had been presenting legislators with their recommendations for decades. For instance, as early 1949 the California BPW had been pushing for maternity leave and addressing inequities for women in Social Security (Wilson 1949). And several bills had been introduced in the past several decades seeking to equalize benefits for married women workers in the civil service but had never been acted on.

With a hole in the policy space now open following the passage of equal pay, a host of options to choose from, and wind at their back from several victories, you would think legislators concerned with gendered pay inequity would have pounced. Not to mention that the U.S. was experiencing a strong economy with near record levels of employment and growth. Instead, there was a lull in bill introductions throughout 1965 and 1966. Were legislators weighing their options? Perhaps taking a break and focusing on other issues? Perhaps both? Following President Johnson's State of the Union Address, where he outlined his vision of *The Great Society*, much of 1965 was focused on poverty programs and Social Security reform. As a member of the House Ways and Means Committee, Griffiths herself was deep in the policy trenches of the Social Security debate. The policy agenda had also turned towards employee benefits and civil service employees. Between 1965 and 1966, there were more than fifty congressional hearings conducted on issues relating to federal employees, and twenty on employee benefits, in general.²⁸ Could this be an opening for new policy ideas related to gendered pay inequity? Griffiths seemed to experiment

²⁸ Based on author's calculations using Comparative Agenda Project's issue coding of congressional hearings.

with this idea, introducing one bill in early September of 1965 that sought to equalize benefits for the spouses of federal employees who had died in service. Rep. Edna Kelly (D-NY) followed suit the next year by introducing a similar bill to equalize survivor benefits for spouses of federal employees.²⁹ Except for these few instances, gendered pay inequity seemed to be put on the back burner.

As the 90th Congress began in 1967, Democrats were again in control of the Presidency and both chambers of Congress. They had lost some seats during the midterm elections but managed to hold on to strong majorities in both Chambers, continuing their legislative reign of more than a decade. The women's movement also arrived in 1967 with wind at its back: the first national feminist organization, the National Organization for Women (NOW), had held its inaugural conference towards the end of 1966 (Harrison 1988). Named and headed by feminist author Betty Friedan, NOW was established in order to bring outside pressure down on the EEOC to enforce Title VII. Women's issues, particularly married workers and mothers who were the focus of Friedan's highly influential book, the *Feminine Mystique*, seemed to be back in the national spotlight. Would gendered pay inequity be back in the legislative spotlight as well?

The answer is a resounding yes. After a lull in gendered pay inequity bills, the issue came roaring back in 1967. After some contemplation and experimentation, legislators, particularly Martha Griffiths, seemed to have made up their minds as to what the new focus of gendered pay inequity legislation would be: to equalize employee benefits for women, particularly for those who were married and had children. The push began on January 10th with the introduction of three bills:

²⁹ See HR 10802 introduced September 1, 1965 and HR 15328 introduced May 26 1966.

two introduced by Griffiths and one by Rep. Edna Kelly (D-NY), all to equalize benefits for married women workers of the Federal Government. After the hearings of 1965, amendments to Social Security had been successfully passed but were again put on the agenda when President Johnson sent a message to Congress on January 23, 1967, urging legislators to “provide further aid” to older Americans through additional Social Security amendments (Johnson 1967). Less than a week later, the Hartford Courant reported of Griffiths: “The only woman member of the House Ways and Means Committee contends the Social Security System is unfair to the fairer sex—and she says President Johnson’s call for changes has given her a chance to do something about it.” In May of that year, she introduced H.R. 9965, the first gendered pay inequity bill to focus on equalizing social security benefits for married women workers and mothers. Eighteen legislators followed suit that same month and the next, introducing similar or identical bills of their own. Legislative efforts to address gendered pay inequity were back with a vengeance and they had a dramatically new look. Over the next two decades, legislative attention to the issue of gendered pay inequity would be squarely focused on married mothers’ benefits, constituting over 70% of the nearly 360 bills introduced during this period.

What can account for this sudden increase in activity and change in direction? In the last chapter, I discussed how neither changes in objective conditions nor indicators of those conditions were plausible explanations for the content and timing of policy innovation junctures. Instead, it seems that what *can* provide part of the explanation for us is what many have called *political opportunities*, or contextual factors of the political and economic environment (McAdam 1982; Kingdon 1984, 1993; Baumgartner and Jones 1993; Koopmans and Statham 1999). In the case of the Married Mothers’ Benefits juncture of 1967, political opportunities in the form of 1) political

and economic stability, 2) a policy opening, 3) a rise in attention to women's issues and activism by women's organizations, and 4) the broader legislative agenda can explain both the timing and content of why married mothers' benefits suddenly become the dominant focus of legislator's efforts beginning in 1967. Of particular interest is the broader policy agenda within Congress and expressed by the president at the time, a factor often overlooked in the literature. In all four cases, it seems that key legislators took cues from the increased attention paid to particular employment issues and hitched their wagon, so to speak, to those employment issues. In the sections below I detail the evidence for all four junctures and find the political opportunities available to legislators at the time of each juncture were much the same.

POLITICAL OPPORTUNITIES

Political context has long been considered important in studies of policy change as both a constraint and source of opportunity. The concept of political opportunities was first popularized by political process theorists (PPT) (McAdam 1982; Tilly 1984; Tarrow 1996) in the early 1980's and 1990's. According to PPT researchers, social movements should be understood as contests for power geared toward fixing oppressive conditions. Extending resource mobilization theory (McCarthy and Zald 1997), they argue that in addition to resources and tactics, social movement success is contingent on the opening of windows of opportunity—times in which political conditions are more favorable to challenges to the status quo, generally, and the movement's goals, more specifically. These favorable conditions, or “political opportunities,” can include party composition of decision-making bodies, the dominance of politically powerful economic sectors (e.g. cotton in the southern economy), electoral composition and realignment, international relations, and shifts in cultural attitudes (McAdam 1982; Amenta, Caren, and Olasky 2005; Mettler 2011). For

instance, in his analysis of black insurgency from 1930 to 1970, McAdam argues that between 1930 and 1954 several key social changes occurred which undermined the politico-economic conditions that supported the racial status quo: the decline of cotton as the main constituent of the southern economy, the migration of large segments of the black population to electorally important Northern states, electoral realignments of the New Deal era (which weakened the northern-southern ‘arrangement’ on racial matters), the end of isolationism with America’s entrance into WWII (which opened the U.S. to international ideological pressures), and increasingly favorable government action (or at least inaction on racial matters). These developments led to “a restructuring of political alignments more favorable to blacks, the rapid institutional development of the southern black community, and a process of ‘cognitive liberation’ which left large numbers of blacks feeling optimistic and efficacious regarding the prospects for successful collective action” (pg. 112). McAdam’s analysis and the political process approach, more generally, insists that group creation, mobilization, and success is largely dependent upon not only group factors (organizational capacity, resources, etc.) but also the larger political, economic, and cultural context within which they mobilize.

While PPT focuses on how social movement actors are able take advantage of political opportunities, researchers working within the agenda-setting and political attention literature (Kingdon 1984, 1993; Baumgartner and Jones 1993; Schiller 1995) instead highlight the important role played by policy entrepreneurs—policy specialists or legislators themselves—who strategically make use of windows of opportunity. For instance, in Kingdon’s (1984, 1993) revision of the garbage can model of organization choice (Cohen, March, and Olsen 1972) he argues that three separate “streams” exist and develop independently of one another. The problem

stream consists of certain problems identified by actors in and around the government; the proposal stream consists of solutions that are not necessarily connected to any specific problem; and the political stream consists of political factors such as electoral outcomes, interest group pressure, and public attitudes. At certain times, a “policy window” opens whereby “a problem is recognized, a solution is available, and the political conditions are right. Advocates of proposals seize on those times of opportunity... to hook their solutions to problems that seem pressing or to take advantage of propitious political happenings” (1993:41). For Kingdon, windows can open in ways both predictable (e.g. a law must be renewed) and unpredictable (by chance). Thus, for Kingdon, proposals are the major drivers, taking precedence; problems and politics create opportunities for extant proposals to find life on the agenda. In this way, policy entrepreneurs³⁰, as he calls them, “play a major part in joining the previously separate streams [during critical points in time], by hooking their solutions to problems, or by seeing that proposals from the policy stream are considered when the political conditions are right” (ibid.: 44).

POLITICAL OPPORTUNITIES AND POLICY *IDEA* CHANGE

Given the literature on political opportunities we might expect that windows of opportunity are more likely to occur during moments of political, economic, and cultural change: For instance, when a new party comes to power, voter preferences shift, or economic conditions improve. In essence, something must *change* for the political context to be more or less favorable. The focus on shifts in political context, economic conditions, and demographics is also a key component of explanations of cultural and ideational change. For instance, Geertz (1973) Swidler (1986),

³⁰ Schiller (1995) extends the concept of policy entrepreneur by arguing that legislators themselves can serve as policy entrepreneurs. The role of legislators as policy entrepreneurs is the focus of Chapter 5.

Fairclough (1992), Fiss and Hirsch (2005) and Bourdieu (1991) all point to times of uncertainty, ambiguity, or dealignment as moments in which crystallizations become unstuck, so to speak, and open to transformation or replacement. For instance, in their discussion of the conceptual emergence of globalization, Fiss and Hirsch argue that, as events that cannot be adequately explained by existing discourses prompt the creation of ideas, as actors attempt to make sense of changing conditions. While structural changes and events can account for when and where new meaning creation occurs, “the discursive contests that subsequently emerge... result from the active, interested meaning creation by different actors vying for support for their respective positions” (Fiss and Hirsch 2005: 46). Thus, changing contexts and conditions can serve as opportunities for change, but it is the strategic action of actors that bring about ideational change. Similarly, Birkland (1998), points to the importance of *focusing events*—sudden and relatively rare events that grab the attention of the public and policy makers—as sources for both ideational and policy change. Focusing events bring attention to dormant issues but also challenge assumptions of existing ideas and policies. They can serve as openings in which problems are redefined, disadvantaged groups can strategically gain more attention and make political inroads, and legislators are more open to policy alternatives.

Political opportunities, including focusing events, then can serve as sources for policy idea change. Combining the literatures on political process theory, agenda-setting, political attention, and cultural sociology, we might expect policy idea change to occur during moments of economic, cultural, and political change in which social movement actors and legislators seek to strategically take advantage of windows of opportunity and pursue new policy alternatives. In the following sections, I review the evidence on many of the specific types of political opportunities identified in the literature including changes in party power, economic conditions, cultural attitudes,

movement pressure, and political attention. I find that the latter three explanations can best explain the four policy innovation junctures: Equal Pay Inception (1945), Married Mothers' Benefits (1967), Professional Women and Training (1987), and Policy Synthesis (1997).

POLITICAL AND ECONOMIC STABILITY

Counter to expectations, all four junctures appeared within a context of political and economic stability as measured by party power, unemployment, and years since an economic downturn. A theory of change would suggest that disruptions in governing power and economic conditions could lead to challenges to existing policy ideas and serve as opportunities for movement actors and legislators to introduce new policy alternatives. Instead, I find that substantial shifts in the policy ideas proposed to address gendered pay inequity occurred at times of political stability and economic growth. Given that legislators use bill introductions as signals to constituents on their policy positions and legislative efforts (Schiller 1995; Lazarus 2013), I interpret this finding to suggest that legislators are more willing to take a chance on an “untested” policy idea—meaning policy ideas for which they may have little information about voter preferences for that policy idea—when party power is less contested and economic issues less salient.

Figure 3.1 provides historical data on party power and election outcomes in the House of Representatives (bottom panel), the Senate (middle panel) and the Executive Branch (top panel). Data points represent the percentage of seats held by the Democratic Party following each election (thus data points fall on election years and precede the actual Congress in which the Democratic Party will hold those seats). I have included seats held by Independent congresspeople who caucus with the Democratic Party (e.g. Senator Bernie Sanders of Vermont) to accurately reflect the governing power

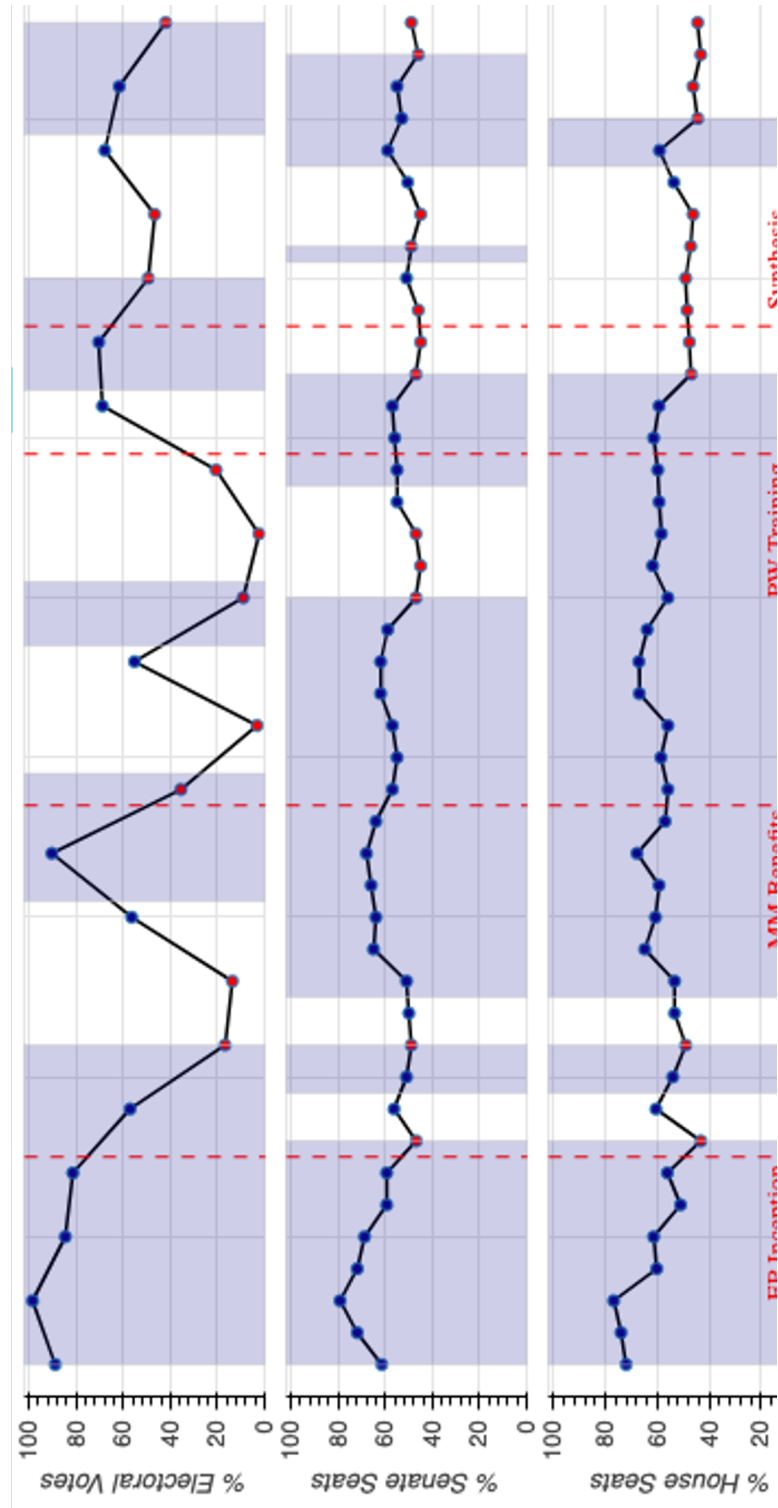
of the party given institutional rules for determining the majority party in each chamber. Data points in blue indicate majority control of the Democratic Party; data points in red indicate majority control of the Republican Party. I have also included blue shading to indicate when the Democratic Party actually held governing power. So for instance, in the 2006 midterm elections, the Democratic Party gained several House seats, resulting in a shift in majority control (indicated by the blue data point). At the time of the election, Republicans actually held a majority of seats and control of the House (the background is white). In 2007, when the new Congress was sworn in, Democrats officially took control of the House (the background is now shaded in blue). Providing both visualizations allows for the untangling of possible causal effects of anticipated shifts in party power (election outcomes) versus actual changes in governing control (start of the new Congress). Using both measures of political change, we see that policy junctures occurred at times of political stability.

The top panel provides the same type of information but for Executive Branch. Data points reflect the percentage of electoral votes won by the Democratic candidate for President and the blue shading indicates that the President in office that year was a member of the Democratic Party. Figure 2 provides a more focused view on presidential stability and change. The y-axis represents the number of years the current President in office has been in power. For instance, we can see that in 1944, the President, Franklin D. Roosevelt had been in power for 12 years. He died in April of the following year and his Vice President, Harry Truman, was sworn in as President (his 1st year). A change in the presidency may be particularly relevant for understanding changes in legislative efforts and ideas. As women's movement historian Cynthia Harrison (1988:211) notes, a new presidential "administration, particularly when a new party takes over, bring bursts of energy to the

political process.” Part of this new burst of energy might come in the form of Presidential Commissions, which focus time, attention, and resources on a particular policy issue. Counter to what many might think, Harrison finds that “presidential commissions have often resulted in worthwhile outcomes” by building up “support for controversial courses of action, [helping] to provide data to back up proposals for mainstream legislation, [dramatizing] the existence of a problem, and [breaking up] policy deadlocks” (pg. 215). However, I do not find evidence to suggest that policy junctures are the result of shifts in presidential power. It is true that two of the four junctures did occur the same year a new president took office—EP Inception in 1945, the year FDR died and Harry Truman took over and the Professional Women and Training juncture in 1989 following the election of George H. W. Bush—but in both instances, the new president was the formerly serving Vice President and largely served as a policy extension of his predecessor and former boss.

As we saw with the case of the Married Mothers Benefits juncture and President Johnson, I do find that actions by the President at the time of each juncture can have an effect on the content and timing of policy innovation junctures, but these effects do not stem from changes in party affiliation, nor does it seem to stem from changes in the President themselves, even when party power remains the same. I discuss the role of the President in more detail in the final section of this chapter.

Figure 3.1. Electoral and Governing Majority of the Democratic Party in Congress and the Executive Branch: election outcome plotted, governing majority shown in blue shading; four junctures indicated with vertical red lines and labels³¹



³¹ Sources: UCSD Presidency Project; United States House of representatives <https://history.house.gov/Institution/Party-Divisions/Party-Divisions/>; United States Senate Party Division Statistics <https://www.senate.gov/history/partydiv.htm>; Percentage of senate seats include full caucus

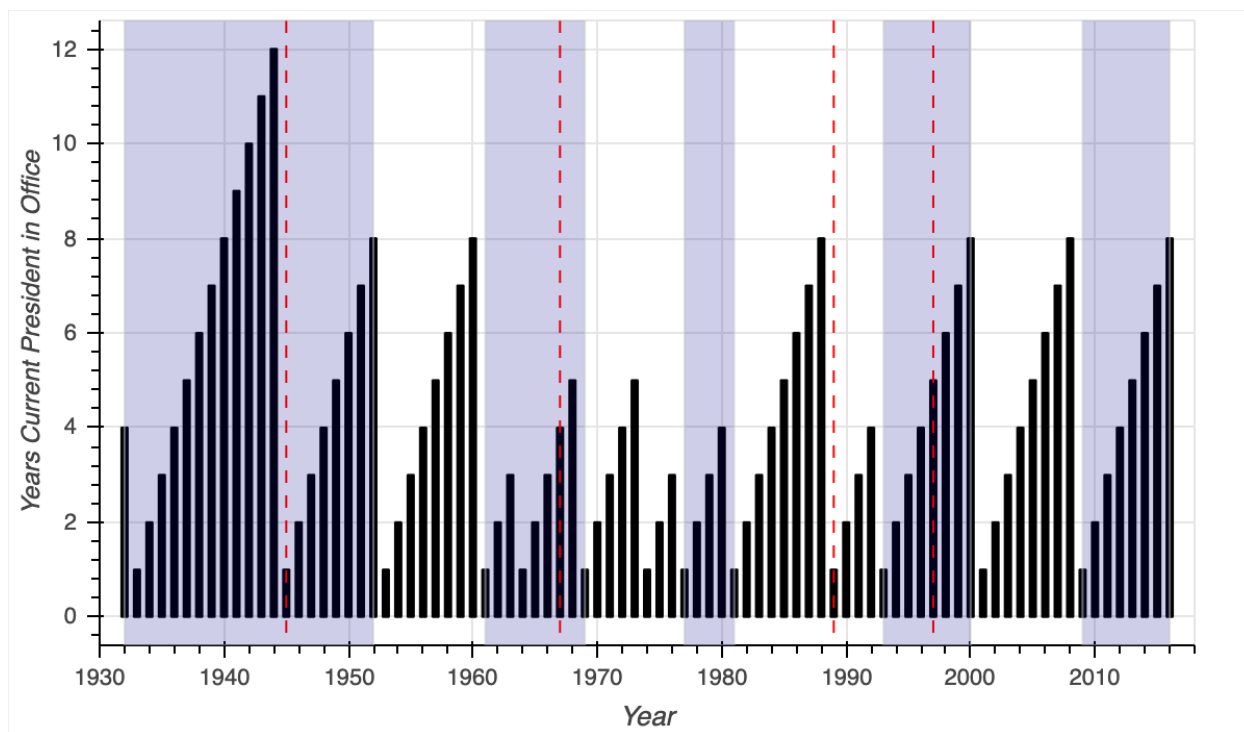


Figure 3.2. Number of years current president is in office, 1930-2016

Like political power, economic stability characterizes the context in which policy innovation junctures occur. **Figure 3.3** provides the unemployment rate for the United States beginning in 1947 and ending in 2021. Although consistent data are not available prior to 1947—when the Equal Pay Inception juncture occurred—unemployment was around 1% in 1944 and less than 3% by 1945, the year that as demobilization began and Sen. Pepper introduced the first major equal pay bill.³² **Figure 3.4** provides another view of the economic situation. The y-axis represents months since the most recent “trough,” indicating the length of time that had elapsed since each economic recession. In both instances, we see that policy innovation junctures occurred during times when macroeconomic performance was strong, with unemployment at historically low levels and economic downturns years in the past.

³² See Bureau of Labor Statistics, *Historical Statistics of the United States Colonial Times to 1970, Part I*

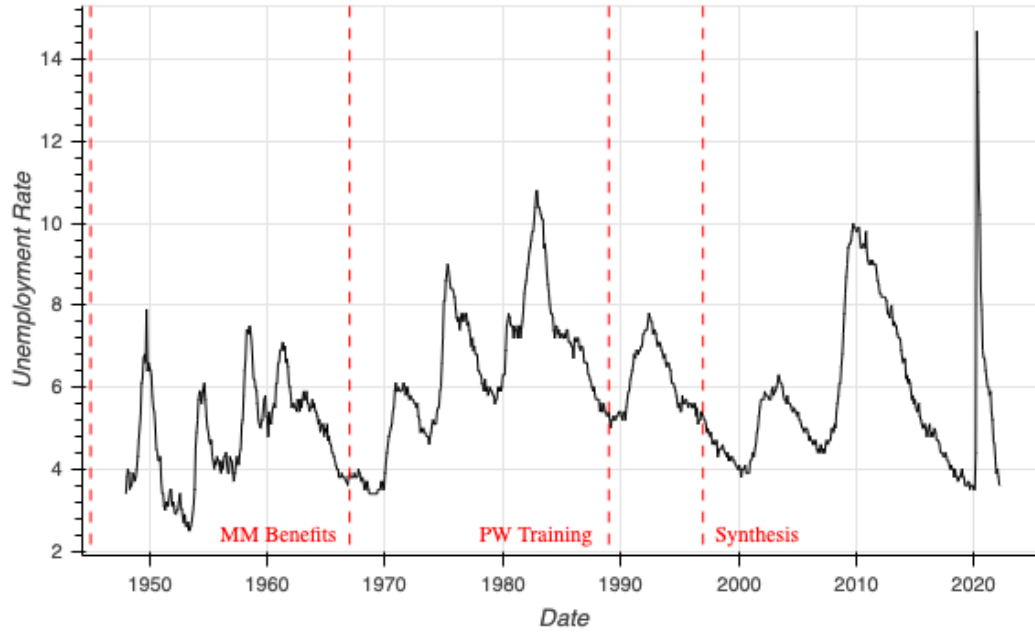


Figure 3.3. Unemployment rate, 1947-202, three junctures indicated with vertical red lines³³

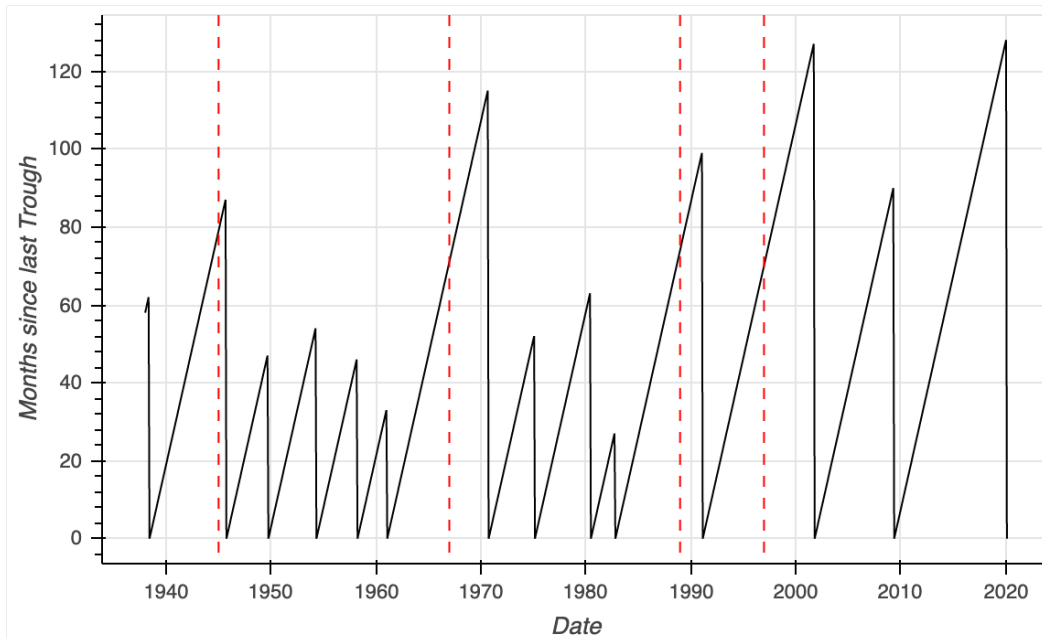


Figure 3.4. Number of months since last economic “trough”, 1938 to 2020³⁴

³³ Data are from U.S. Bureau of Labor Statistics, Unemployment Rate [UNRATE], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/UNRATE>, April 25, 2022.

³⁴ Adapted from NBER <https://www.nber.org/research/data/us-business-cycle-expansions-and-contractions>

STEADY LIBERALIZATION AND CONSTRAINING EFFECTS OF CULTURAL ATTITUDES

Recent cultural approaches to social movements and policymaking point to the enabling effect of ideas, cultural attitudes, and policy preferences. For instance, frame theory (Benford and Snow 1988: 613) emphasizes the creative and active meaning-making work that movements organizations engage in as they struggle over “the production of mobilizing and countermobilizing ideas.” Similarly, legislators can actively make use of public opinion data, stated policy preferences, and cultural symbols to further their political goals (Edelman 1985). But cultural attitudes and beliefs can also be constraining. For instance, Steensland (2006) argues that “cultural categories of worth constitute part of the ideological foundation of the American welfare state.... [They] exert schematic influence in welfare policy development by shaping the range of cognitive perceptions and normative evaluations that actors find comprehensible or plausible” (pg. 1314, 1282). Looking specifically at the case of guaranteed annual income (GAI) proposals in the 1960s and 1970s, Steensland demonstrates how cultural categories of worth prevented the passage of the such proposals despite the fact that Nixon’s own Family Assistance Plan (FAP) in 1969 would have provided an additional 13 million people with government benefits, including the working poor. Thus, the policy process is not simply about gaining or exercising power or ameliorating extant problems. Instead, policymaking and political struggle “is carried out through a fight about ideas, beliefs and values” (Fischer 2003: 46).

In the case of gendered pay inequity policy innovation junctures, I consider both the enabling and constraining effects of cultural attitudes and beliefs. Movement actors and legislators might work creatively and strategically to use *and* shape preferences and ideas in order to meet their goals. For instance, a sudden change in how the public views women and work might serve as a resource for a women’s organization or prompt a legislator to respond by introducing legislation that contains new policy ideas. It might also be the case that existing cultural attitudes constrain the salience of and

support for some policy ideas either via public opinion or the beliefs and attitudes of the legislators. Like objective conditions in the previous chapter, I find no evidence of sudden changes in attitudes towards women, work, or the family that might explain the timing of policy innovation junctures. However, there's good evidence to suggest that extant cultural attitudes constrained some policy ideas that were adopted and pursued during later periods when cultural attitudes had become more liberal and open to women, particularly mothers, working outside of the home.

Unfortunately, systematic data on the attitudes and opinions of the U.S. population are not available prior to the 1970s. Table 1. provides the best data available during the 1930's to 1960's that measure cultural attitudes toward women and work. While the question asking respondents whether or not they would vote for a woman president does not directly measure attitudes towards women's employment (as the other question does) it gives us a sense for changes in how both men and women thought about women in a context outside of traditional family roles and in a position of power. Given the large and sporadic jumps in aggregate attitudes—for instance, a 2% increase or 3% decrease between the years 1937 and 1947, yet an 18-20% increase between 1947 and 1949—we can't rely very much on the data to give us much indication of short-term changes in attitudes. The double or triple increase in support for both questions between the late 1930's and late 1970's does demonstrate a massive change in opinions towards women and work during the 20th Century, which is consistent with historical research (Harrison 1988; Kessler-Harris 1990, 2003; Laughlin 2000). There is also a lack of evidence of whether or not men and women supported equal pay. A 1942 Gallup poll taken during the ramp up of the war effort, found that 78% of respondents "believed that if women replace men in industry they should be paid the same wages (Gallup 1973). Thus while there may have been

Table 3.1. Proportion Willing to Vote for a Woman President and Proportion Supporting Women’s Employment, by Sex and Year³⁵

Year	Males		Females	
	PREZ	EMPLOY	PREZ	EMPLOY
1937	27%		40%	
1938		20%		27%
1947	29%		37%	
1949	49%		55%	
1955	49%		58%	
1959	63%		58%	
1963	60%		53%	
1969	61%		54%	
1972	72%	63%	73%	68%
1977	81%	68%	76%	65%
1978	81%	76%	81%	78%

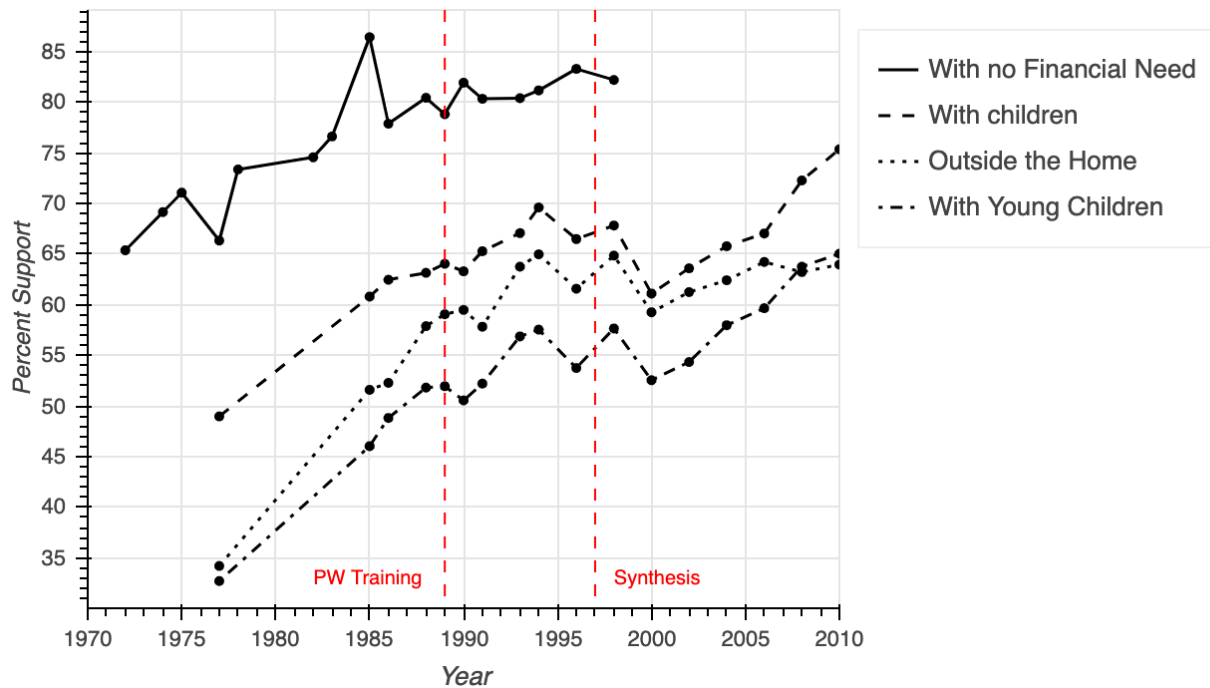


Figure 3.5. Support for working women, 1977-2021³⁶

³⁵ Reproduced from Spitze and Huber 1980, Table 1

³⁶ Data are from the General Social Survey. See Appendix C for more information.

high support for equal pay during the war, we don't know whether this support carried over to the post-war and peacetime context.

There are systematic and consistent data starting in the early 1970's, covering the periods before and after the Professional Women and Training juncture (1989) and the Policy Synthesis juncture (1997). Figure 3.5 provides evidence on the level of support for working women given a variety of situations and family compositions. In all cases, we see that support for women's employment grew steadily throughout the late 20th century, with occasional dips in 1991, 1996, and 2000. In the case of both junctures, opinions about women's employment, including the employment of mothers, liberalized in the period following each juncture but no more than other periods. Thus, cultural attitudes can't help us explain the timing of the junctures. However, looking at the levels of support in the earliest collection year, less than half, and in some cases only one-third, of respondents supported women working outside of the home, particularly those with children. We can assume from trends, that this number was even lower in 1967 and even lower still in 1945. Thus, particularly concerning policy ideas that would encourage, i.e. make it easier, for mothers to work—e.g. child care, child support, maternity leave, and pregnancy discrimination prohibitions—would come up against substantial opposition.

Cynthia Harrison's (1988) research of the history of equal pay legislation seems to support this hypothesis. The first substantial equal pay bill, introduced by Sen. Pepper and Sen. Morse in 1945, was written by affiliates of the Women's Bureau who were opponents of the Equal Rights Amendment (ERA) and members of the National Committee to Defeat the UnEqual Rights Amendment (NCDURA). They wrote and proposed a national equal pay bill to take "advantage of the wartime

impulse to recognize the contribution of women in jobs traditionally done by men” while also diverting attention and effort away from the ERA (Harrison 1988: 39). As Harrison notes, they had also considered writing a bill to provide childcare for women workers—another highly salient policy issue during the war—but decided against it because it would encourage the employment of mothers. Equal pay for women, on the other hand was seen as protecting the wages of men rather than encouraging the employment of women. Given the low level of support for working mothers in 1972, it is likely that the same type of policy idea would once again come up against substantial resistance during the 1960’s prior to the Married Mothers Benefits juncture. Because many of the benefits targeted by married mothers’ benefits policy proposals dealt with benefits made available after retirement or in the case of injury or death (e.g. survivors benefits) they were unlikely to entice mothers not already in the labor force to seek employment.

It is clear that throughout the 20th century attitudes towards women, work, and family were substantially liberalized, with more than two-thirds of Americans supporting women’s work by 2000. However, this change in cultural attitudes cannot explain the timing of any of the policy innovation junctures. The specific case of equal pay along with reasonable inferences regarding married mothers benefits help substantiate the argument that lack of support for women’s employment and the persistence of Conservative views towards women’s role in the family most likely played a role in the content of policy innovation junctures. Cultural attitudes constrained particular policy ideas and led actors to incorporate more culturally salient and political defensible options.

POLICY ALIGNMENT OPPORTUNITIES

Thus far, we have looked at the evidence concerning commonly cited types of political opportunities: changes in political and governing power, economic conditions, and shifts in cultural attitudes. These typical explanations have done little to help explain the timing and content of gendered pay inequity policy innovation junctures. In line with more content-focused policy research, e.g. Steensland 2006, I do find evidence to support the argument that extant cultural attitudes and beliefs, particularly those concerning women's roles in the family, acted as constraints upon the content of policy innovation junctures. In this section I propose expanding the conceptualization of political opportunities to include two additional types: pressure from movement organizations and what I refer to as policy alignment opportunities. The role of movement organizations in policy change is not novel, to say the least. However, as discussed above, movement organizations and actors are often considered the employers of political opportunities rather than a source of political opportunities. In the agenda-setting and political attention literature (Hilgartner and Bosk 1988; Baumgartner and Jones 1993, Jones and Baumgartner 2005; King, Cornwall, and Dahlin) social movements are approached as important sources of political attention, most effective at mobilizing support and attention to a particular issue. But most accounts end their influence there, explaining the process that takes place after an issue has made it to the agenda—such as formulating the specific content of policy proposals—to explanations of economic elite influence, lobbying efforts by business organizations, institutional rules and debates. I find evidence that women's organizations and agencies played a role in both the timing and content of at least two policy innovation junctures. Of greater importance though, are policy alignment opportunities, in which legislators took cues from the broader legislative agenda, including that put forth by the President of the United States, in order to select from a range of available options that had been previously proposed by women's organizations and other legislators.

Figures 3.6 to 3.9 show the prevalence of juncture relevant issue areas beginning 1947 and extending to 2016. All data are from the Comparative Agendas Project’s Congressional Hearing and Bill Introductions databases, which include information on every congressional hearing and held in the U.S. Congress between 1946 and 2021 and every bill introduced between 1947 and 2016 (only years 1947 to 2016 are shown for comparability). Within each database, each hearing and bill has been manually coded according to a broad issues area, e.g. Labor, and a more specified issue area, e.g. Worker Safety (a subcategory of Labor). For each graph, I used subcategories to identify hearings and bills related to a general issue area relevant for each policy innovation juncture. For instance, “Benefits,” which is clearly related to content of the Married Mothers’ Benefits juncture, refers to the subcategory of “Employee Benefits,” and includes “issues related to all employee benefits, pensions, and retirement accounts, including government-provided unemployment insurance.”³⁷ The y-axis of each graph represents the percentage of all hearings held tor bills introduced hat year that were focused on the specific policy issue. For instance, looking at the upper-left panel of Figure 3.6, in 1966, one year prior to the Married Mothers’ Benefits juncture, nearly 2.5% of all bills introduced were focused on the general issue of employee benefits, a five-fold increase from the year before. Considering there are over 200 subcategories used in the database, 2.5% for a single-issue area represents a substantial proportion of the overall agenda. Policy innovation junctures are indicated with red vertical lines and are labeled in each graph in the bottom-left corner. Bolded vertical red lines provide easy visualization of the most relevant juncture for each general issue area. Unfortunately, data do not cover the Equal Pay Inception juncture.

³⁷ Comparative Agendas Project Congressional Hearings Codebook.

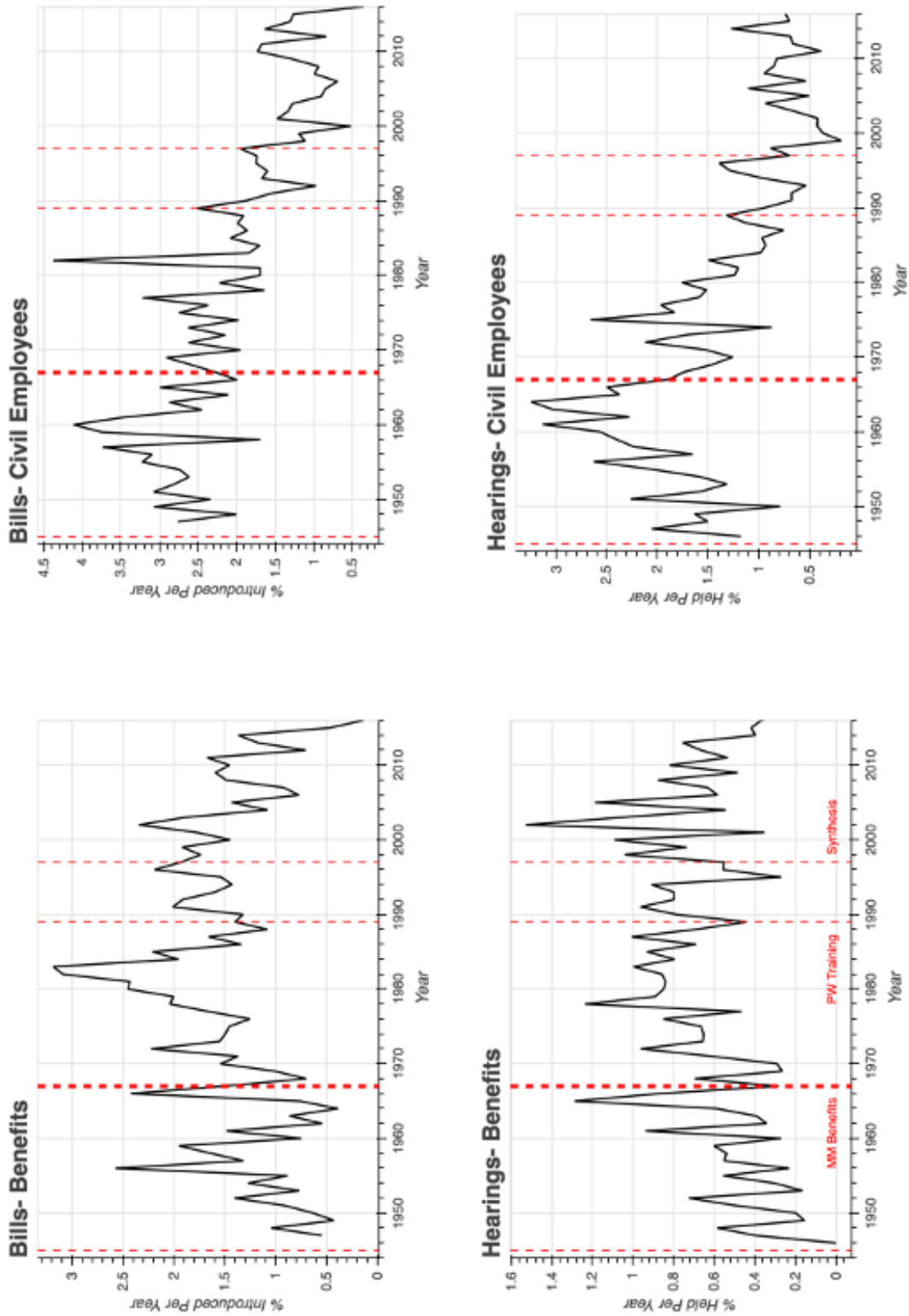


Figure 3.6. Political attention to issues related to employee benefits and civil employees: percent of all bills and hearings focused on these issues, per year

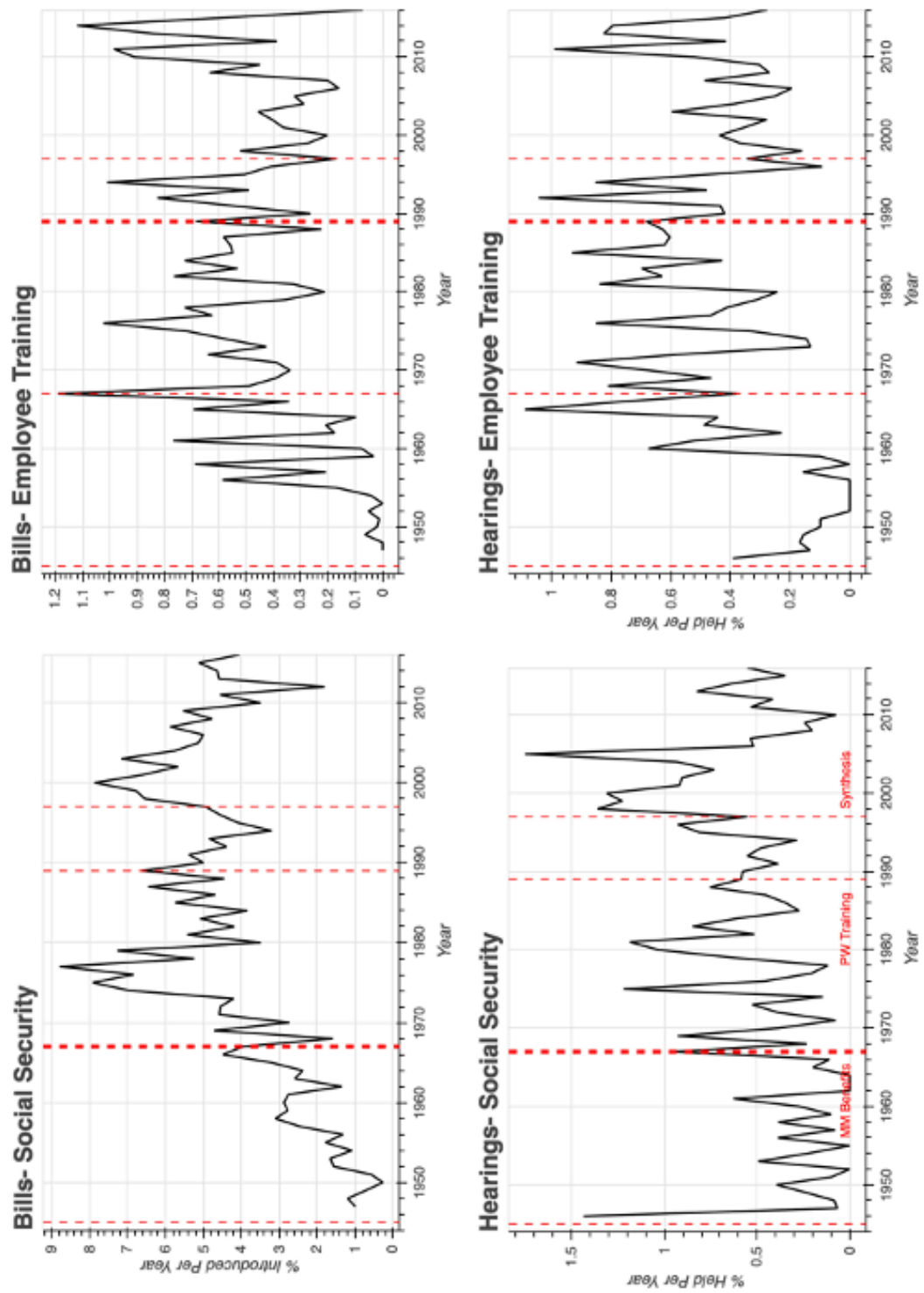


Figure 3.7. Political attention to issues related to Social Security and employee training: percent of all bills and hearings focused on these issues, per year

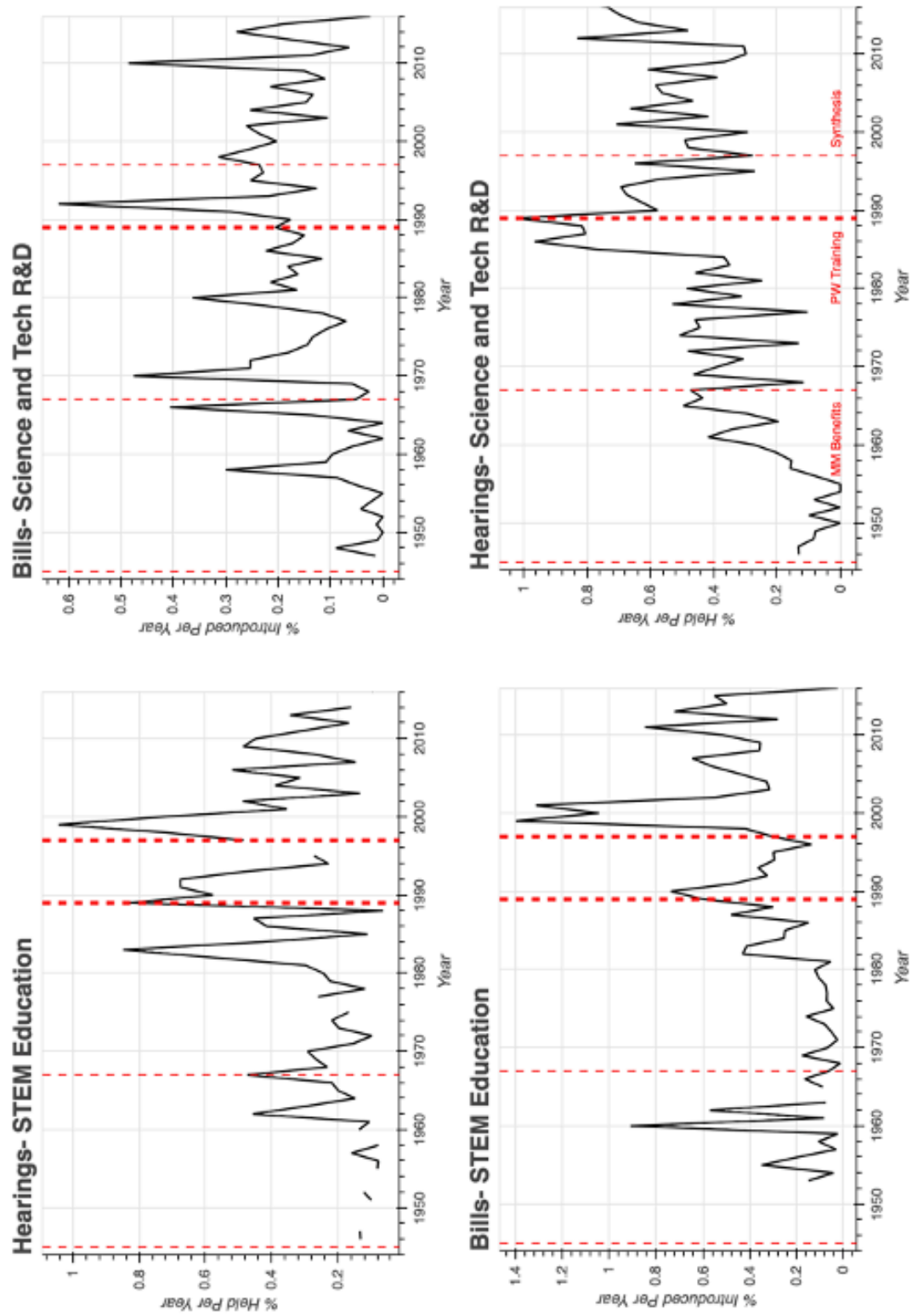


Figure 3.8. Political attention to issues related to STEM education and Science and Tech R&D: percent of all bills and hearings focused on these issues, per year

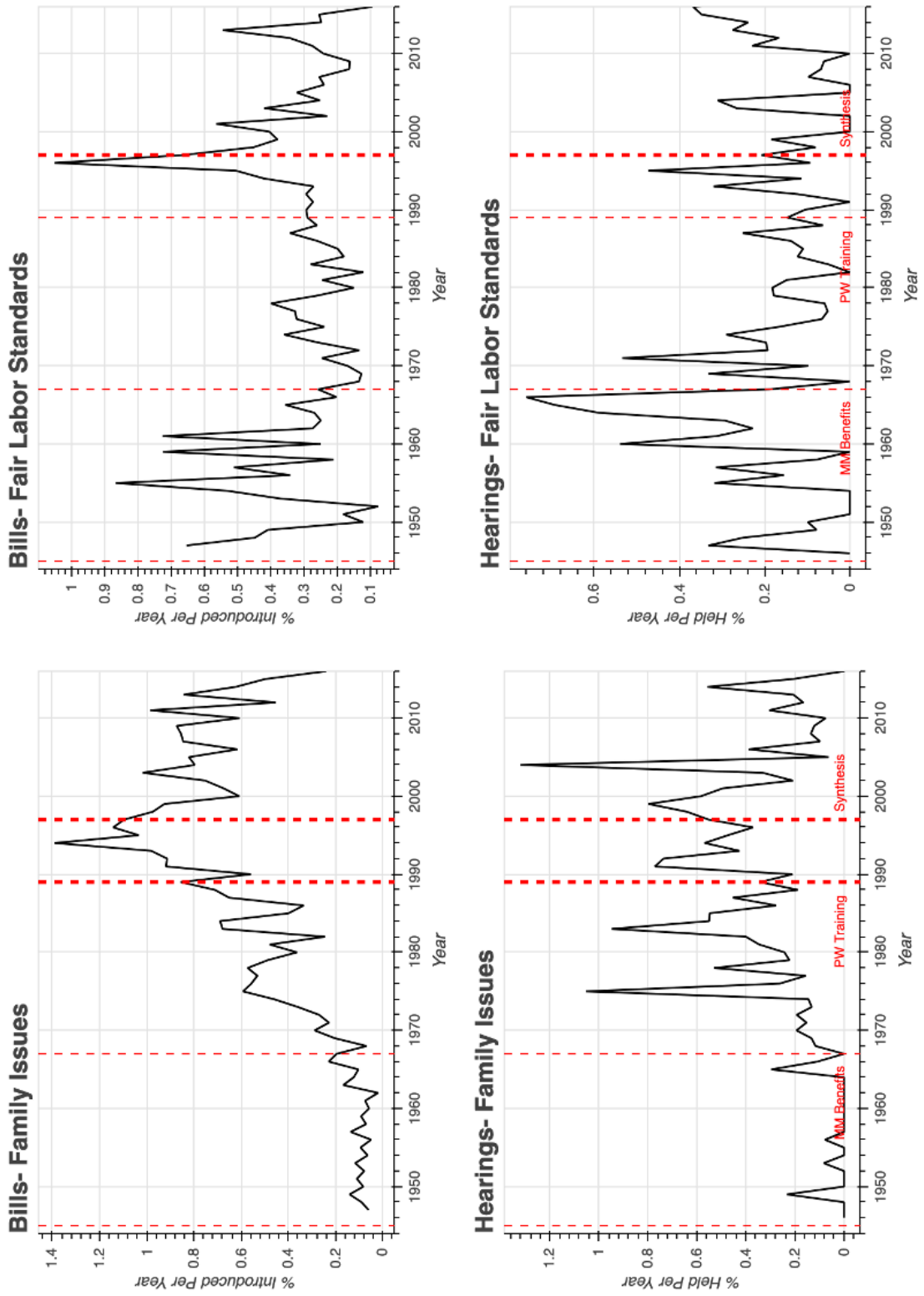


Figure 3.9. Political attention to issues related to the family and fair labor standards: percent of all bills and hearings focused on these issues, per year, junctures indicated with vertical red lines

In nearly all cases, the policy innovation junctures immediately follow rises in legislative attention to related issue areas in terms of a greater number of bill introduction, more legislative hearings, or both. For instance, in the year or two leading up to 1967, bill introductions and congressional hearings become increasingly focused on employee benefits, civil service employees/federal workers, and social security, the precise policy ideas pursued for by Martha Griffiths and others in relation to gendered pay inequity. In some cases, there seems to be a lag between a rise in bill introductions and a rise of hearings. For example, prior to the Professional Women and Training juncture of 1989, hearings focused on science and technology spiked, while bill introductions only increased immediately after the juncture. In the case of STEM education, the trend is reversed. Regardless, junctures occurred immediately after rises in political attention to related general policy issues, be that attention in the form of more legislative proposals, bill introductions, or both.

The case of Martha Griffiths, President Johnson, and the Married Mothers' Benefits juncture, described in detail in the opening, gives us a sense for the mechanism through which the broader issue agenda influences the content of policy innovation junctures. Although I depict measures of congressional attention, the agenda of the President can play an important role as well. As we say with President Johnson, renewed call for amendments to Social Security in the beginning of 1967, directly affected Rep. Griffith's decision to expand her benefits focused bill efforts to include equalizing Social Security benefits for married women workers and mothers. She said as much herself.

But the President's agenda, on its own, can't explain the content of the MMB juncture. Before sending his special message to Congress concerning older Americans and the need for additional Social Security reforms, he was advocating for professional training, a policy idea that would make its appearance in the following period. In 1966, he made the case for more employment training and opportunities for women workers, saying "Unless we begin now to open more and more professions to our women and unless we begin to train our women to enter those professions, then the needs of our Nation just are not going to be met" (as quoted in the U.S. Interdepartmental Committee on the Status of Women 1967). If legislators like Martha Griffiths were simply waiting for a signal from President Johnson as to where to go next on pay equity legislation, she could have found it in 1966 and begun introducing bills focusing on professional women workers and their training needs.

Instead, the content and timing of the juncture can only be explained by a combination of factors: the broader congressional agenda, the President's agenda, and the influence of outside organizational pressure, particularly the creation of the National Organization of Women (NOW). The emergence of NOW as a political force in late 1966, rejuvenating and restarting the women's movement, is hard to overlook as an important factor. As mentioned previously, Martha Griffiths had tested the waters in 1965 with a bill to equalize benefits for married federal women workers. Yet it wasn't until early 1967, only a couple months after the organization's inaugural conference, that Griffiths began her efforts in earnest, quickly followed by more than a dozen other legislators. She also had a very close working relationship with Betty Friedan, one of the central organizers and first president of NOW and had served on NOW's advisory council after being asked to serve as honorary president (George 1982). And both Griffiths and Friedan were part of what Friedan

would later call the “feminist underground”: a group of women legislators, authors, and attorneys working collectively in the late 1960’s and early 1970’s towards policy solutions to women’s issues (Harrison 1988:193).

In the cases of the Equal Pay Inception juncture, women’s organizations and agencies played an even more central role. As discussed in the previous section, affiliates of the Women’s Bureau were the main drivers and authors of the first substantial equal pay bill in 1945. The timing of their efforts was a combination of a desire to eliminate a prevalent and serious problem that was made more visible by mobilization of women into employment during the war—and had been a topic of national discussion for several years—as well as a strategic attempt to divert attention away from the ERA (Harrison 1988). In this way, the larger policy agenda was influential in two senses: as an affirmative case of policy alignment and as backlash to an oppositional and growing policy issue. The content of the juncture can best be explained by the availability of existing options and constraints of cultural attitudes at the time. While the Women’s Bureau is not a non-governmental women’s organization, they were, at the time, the most active and influential group focused on, and advocating for, women’s issues. They were able to successfully convince Claude Pepper and Wayne Morse to introduce the bill, just as other outside organizations might try to do if given the chance. Both Senators had a sincere desire to do something about serious problems afflicting women workers, but it is unlikely that they would have written an equal pay bill themselves, and certainly not in the same way at the same time.

CONCLUSION

The cases of Equal Pay Inception and Married Mothers' benefits provide strong qualitative evidence for the combined role that women's organizations and policy alignment opportunities play in bringing about policy innovation junctures. Policy alignment opportunities, particularly when there are many options available—as was the case in 1967—can help focus the attention of legislators by presenting a clear and strategic path forward. With attention already focused on a general issue area, legislators can ride the coattails, so to speak, of other policy efforts. Bill introductions are one of the main vehicles through which legislators demonstrate policy positions so it is in their best interest to continue to introduce bills focused on policy problems their constituents and other colleagues may care about. I'm sure many of them do care about those policy problems, too.

It is clear that to explain policy innovation junctures we need to draw on tools that are not in the typical toolbox of social movement and policy researchers. I argue here that policy alignment opportunities are a key component to explain policy idea change and that common explanations of policy change are not enough. In the next chapter, I consider another atypical policy change explanation, one that has reemerged in the last several years and is gaining steam in the public policy literature. Specifically, I test whether changes to discursive communities within Congress—groups of legislators with similar policy idea concerns—can further help explain the timing and content of the four policy innovation junctures.

CHAPTER FOUR:

Discursive disruption and the introduction of new ideas

“Being a woman in Congress,” Rep. Martha Griffiths once said, “is like being a fragile goldfish among the barracuda.”³⁸ By the early 1970’s, Griffiths had proven to be well adept at swimming among the barracuda. She had secured employment protections for women in the Civil Rights bill the previous decade; she continued to serve as the first woman, and formidable member, of the powerful House Ways and Means Committee; she continued to spearhead the push for married mothers’ benefits legislation, an effort that would dominate the gendered pay inequity agenda for more than two decades; and in 1970, she almost single-handedly secured a full vote in the House of Representatives for the Equal Rights Amendment (ERA), something never accomplished before then (George 1982). Perhaps it is no surprise, then, that throughout the 1960’s and early 1970’s she served as de facto “den mother” to young Congresswomen, as they tried to survive the murky, barracuda infested waters of a male-dominated Congress (Lowy 2003). A year before her retirement from Congress in 1974, she played the role of den mother one last time, to a group of five incoming feminist lawyers, who had successfully run for Congress on their reputations as professional working women (Rowley 2020). They were entering Congress at a pivotal time for women. Less than a year prior, and thanks in large part to Griffiths, Congress had finally passed the ERA in both the House and the Senate and a few weeks into their first term, abortion rights were secured following the Supreme Court’s landmark decision in *Roe v. Wade*. So perhaps it was kismet that this final group of congresswomen seemed the embodiment of the married working woman—equal at work *and* equal at home—Griffiths had been championing for nearly two decades in Congress. Among the group of five, Rep. Patricia “Pat” Schroeder (D-CO) most embodied this vision of the equal working woman. She was a Harvard-educated lawyer whose

³⁸ As quoted in *Women Transforming Congress*, edited by Cindy Simon Rosenthal.

husband, Jim, had given up his local law practice in order to move to Washington to support his wife's political career and spend more time with his family (Rowley 2020). Together, they arrived in Washington, D.C. as pioneers of “a two-career household based on gender equality and a modern approach to domestic life” (ibid.: 282).

After starting her first term, Schroeder quickly followed in her mother's footsteps of breaking barriers for women in Congress when she became the first woman to serve on the House Armed Services Committee (Lowy 2003). She would also help take up the married mothers' benefits mantle nearly a decade later with a series of bill introductions aimed at, among other things, equalizing retirement benefits for women workers. On June 2nd, 1987, almost exactly two decades after Griffiths had begun the twenty-year push to equalize benefits for married women workers and mothers, Rep. Schroeder and Senator Alan Cranston (D-CA) introduced nearly identical bills—her in the House and he in the Senate—that would be the last two married mothers' benefits bills of the 100th Congress. After that final push in early Summer of 1987, Schroeder, Cranston, and everyone else who had been involved in introducing gendered pay inequity legislation, seemed to turn their legislative attention elsewhere for the rest of the congressional period.

Of course, many legislators continued to speak about women's employment issues throughout that year and into the next, giving speeches on the floor of the House and the Senate. One group of such legislators debated minimum wages, another the need for childcare (Cranston among them), and yet another about employment opportunities and education. By the end of the 100th Congress and into the early months of the 101st, a counterbalance, or sorts, seemed to have been achieved, between and within the three discursive communities, each debating a particular aspect of women's employment—

wages, child care, and employment opportunities—and little to no movement in terms of new ideas or new policy proposals. The first few months of the 101st Congress could have been a good time for some new ideas to get incorporated, or new debates to sprout up, as a whole class of new freshman congresspeople had arrived to enter the fray. But the 101st Congress was actually quite unusual in the low number of first-time senators and representatives. In the ten congresses prior, nearly sixteen percent of all House members and thirteen percent of all Senators were, on average, freshman.³⁹ In the 101st Congress? Less than ten percent and eleven percent, respectively. There wasn't a sudden influx of congresswomen, either. The percentage of women members crept up only one percent that year, from nearly five percent to six. As the 100th Congress became the 101st, the composition of Congress remained relatively stable, the contours of debate around women's employment along with it.

Around April of 1989, something seemed to change. A disruption, you could say. The number of legislators talking about women's employment doubled, as did the diversity of what they were talking about. The three siloed communities, each talking about women's employment in a single, particular way, ruptured, giving way to multiple, smaller communities. Senator Cranston, continued to discuss the need for child care for women workers. Rep. Pat Schroeder, who hadn't spoken about women's employment on the House floor in more than half a year, gave several speeches that Spring in which she discussed women's increasing role as sole providers and their increasing employment precarity. She also talked about the need to provide monetary assistance for adoption to federal employees. Like Schroeder, rather than focusing on one aspect of women's employment, many of the legislators who joined the debate that Spring discussed various problems associated with women's employment including the need for child care, the lack of employment opportunities, the importance

³⁹ Based on the author's own calculations

of education, the need for financial assistance for women small business owners, and the persistence of low wages. A few also began discussing the ties between employment and abortion. In comparison to how legislators had been talking about women's employment just months earlier, a dam seemed to have broken open, letting in new ideas, new combinations of ideas, and different voices.

The two-fold increase in legislators speaking about women's employment came in part from these new voices. Many who had never been involved with pay inequity legislation despite having been in Congress for several years, suddenly joined the debate. One such legislator, Rep. Silvio Conte (R-MA) advocated for federal financial assistance for women small business owners and introduced a bill that Spring to do just that. Around the same time, two other legislators who had never introduced a gendered pay inequity bill, Rep. Howard Metzenbaum (D-OH) and Senator George Miller (D-CA), introduced nearly identical bills, one day apart. The two-chamber duo's "Nontraditional Employment for Women Act" bills sought to improve the economic security of women, particularly single parents and heads of household, by increasing job training and education grants. Rep. Schroeder and Senator Cranston, the original two-chamber duo, who had together introduced the last two married mothers' benefits bills of the prior congress, joined forces again to introduce nearly identical "Economic Equity Act" bills on the very same day, with important changes to their earlier version. While the two nearly identical bills in 1987 had focused primarily on equalizing benefits, characteristic for the married mothers' benefits period, the new versions in 1989 expanded the focus on assistance to women business owners, vocational education, child and dependent care, and flexible work arrangements.

By the mid- Summer 1989, it was clear that married mothers' benefit bills were in the rear-view mirror; bills focused on providing opportunities for, and removing obstacles to, women's

employment in professional, higher-paying jobs were taking over. And along with this new legislative direction, came some return to discursive stability. The multiple, smaller communities, rearranged once more into only a few large communities of legislators. Schroeder, Cranston, and Conte, seemingly talking about women's employment from completely different vantage points that Spring, were, by late Summer, all focused on the same sorts of issues around women's employment: child care, reproductive health, education, small business owners, and women's needs as sole providers.

This story of discursive stability, disruption, and re-stabilization is not unique to the Professional Women and Training juncture. Sudden transitions to new policy ideas within gendered pay inequity legislation—what I call *policy innovation junctures*—immediately follow ruptures in stable discursive communities within Congress, more generally. The policy innovation juncture itself, seems to bring about a re-stabilization in those communities as legislators react to, and cohere around a new set of policy ideas. The discursive communities I identify before and after policy innovation junctures are not necessarily composed of legislators who all share the same policy beliefs about women's employment, e.g. *that* abortion rights are fundamental to ensuring the economic security of women workers. Rather, they are groups of legislators who are engaged in the same debates about women's employment, e.g. *whether or not* abortion rights are fundamental to ensuring the economic security of women workers. I refer to such groups as discursive communities rather than *coalitions*, for this very reason. In the case of the Professional Women and Training (PWT) juncture, discursive communities restabilized around policy ideas related to opportunities for—education and training—and obstacles to—lack of child care and control over reproductive choices and safety—women securing economic equity through professional, high-paying employment. While the content varies for

each four junctures, this pattern of discursive stability and disruption among networks of legislators who are all involved in the debate about women's employment issues is very similar.

U.S. CONGRESS AS A POLICY NETWORK

In the previous two chapters, I considered whether changes to underlying objective conditions and political opportunities can explain why legislators suddenly decide to incorporate new sets of policy ideas into gendered pay inequity legislation. However, both explanations largely ignore the dialogical, relational nature of the policymaking process, more generally, and U.S. Congress, more specifically. In the last decade, a diverse range of political scientists, political sociologists, and public policy researchers have begun to employ social network techniques to better understand policymaking within the U.S. Congress. For instance, a large literature on cosponsorship networks (Kirkland and Gross 2014; Tam Cho and Fowler 2011; Fowler 2006), which measures the extent to which members of Congress cosponsor bills with one another, has found that networks among members are patterned, change over time, and can help predict policy change. For instance, Tam Cho and Fowler (2011) find that as cosponsorship networks become smaller and more tightly knit—as measured by the number of bills cosponsored by members within a cosponsorship cluster—important pieces of legislation are more likely to be enacted. They argue that this rise in legislative productivity is precipitated by a breakdown in network barriers, an increase in the transfer of ideas, and an enhancement in content creativity. However, they do not directly measure these precipitating processes and so can only theorize that changes in network structure reflect ideational transfer and change. And as Kirkland and Gross (2014) point out, the decision of legislators to cosponsor a bill may be entirely unrelated to the ideas expressed in that bill and so cosponsorship cannot adequately capture the ideational relationship among members.

Alternatively, more recent work on policy networks (Wang 2020; Leifeld 2013; Fisher, Leifeld, and Iwaki 2013) explicitly conceptualizes and measures policy beliefs as constituting links between network actors. Grounded in the Advocacy Coalition Framework (ACF) (Sabatier 1988; Sabatier and Weible 2007) *discourse network analysis* (DNA) views policy subsystems as comprised of competing coalitions of policy actors who share policy beliefs and preferences. Stability among coalition membership and structure is punctuated by disruption as members refine or adopt new beliefs, often as a consequence of external perturbations. Specifically, Leifeld (2013) finds that policy change is preceded by disruption to the hegemony of a single coalition, the bipolarization of two oppositional coalitions, and then finally the emergence of a new dominant advocacy coalition constituted by new members and new beliefs. The tendency for policy subsystems to be dominated by a single coalition or small set of coalitions, and for coalition disruptions to precede policy change, is consistent with the punctuated equilibrium model (Baumgartner and Jones 1993) as well. Here, policy stability is viewed as the consequence of a set, or sets of policy actors, that are able to gain a “policy monopoly” within a particular policy subsystem.

But what about policy idea change? The cosponsorship network and the discourse network literature come to similar conclusions: disruptions in the existing structure of a policy network are likely to precipitate important policy change. It is reasonable to assume that such disruptions will also precipitate important policy *idea* change. That is, as new members enter policy networks and existing interpretations are challenged, policymakers will be more likely to introduce proposals that contain new policy ideas, reintroduce policy ideas previously used but abandoned, and configure existing policy ideas in new combinations. And this is precisely what I find. However, while policy change is predicated on re-stabilization, policy innovation junctures often bring about rather than follow re-

stabilization. In the section below, I detail changes to the composition of Congress—one possible source of new policy actors, and thus one possible source of network disruption—and to the composition of discursive communities. *Discursive communities*, as I use the term here, are constituted by unique sets of policy actors who are engaged in a debate about a particular issue using a shared set of policy ideas. They may not agree on those policy ideas—whether they are the right way to think about a problem or the right way to address a problem—but they agree that those ideas are the most important to address and speak about publicly at the time.

THE STABLE COMPOSITION OF CONGRESS

As mentioned above, one possible reason why disruption to existing policy networks may occur is the entrance of new policy actors. New policy actors may challenge existing ideas or bring new ideas, thus disrupting the stability of current discursive communities. In Congress, this may occur in one of two ways: (1) currently serving legislators who had not previously participated within a policy subsystem—like tax policy, environmental policy, or women’s employment policy—may decide to get involved⁴⁰; and (2) first-term legislators may decide to get involved once elected. Figure 4.1 provides time series data of the latter. Overall, the percent of freshman congresspeople—those who are serving their first term in Congress—has declined over the last century. However, there were certain years when the number of new members spiked. For example, the 73rd Congress experienced the largest influx of freshman representatives in the House of Representatives. When the new congress was sworn in, a whopping 37.5% were first-term representatives. A turn-over of more than one-third of all legislators could certainly lead to the challenging of existing ideas or the introduction of new ideas. Surprisingly, however, all four

⁴⁰ This is discussed further in Chapter 5; see figures 5.1 through 5.5 for trends in the tenure of legislators who introduce gendered pay inequity bills

policy innovation junctures occurred during congresses in which the percentage of freshman congresspeople was low, relative to previous and subsequent congresses. Take the Equal Pay Inception (EPI) juncture of the 79th Congress (1945) for instance. The percentage of freshman representatives was more than six points lower that it was during the prior congress (78th) and the subsequent congress (80th). Notably, the Professional Women and Training (PWT) juncture of the

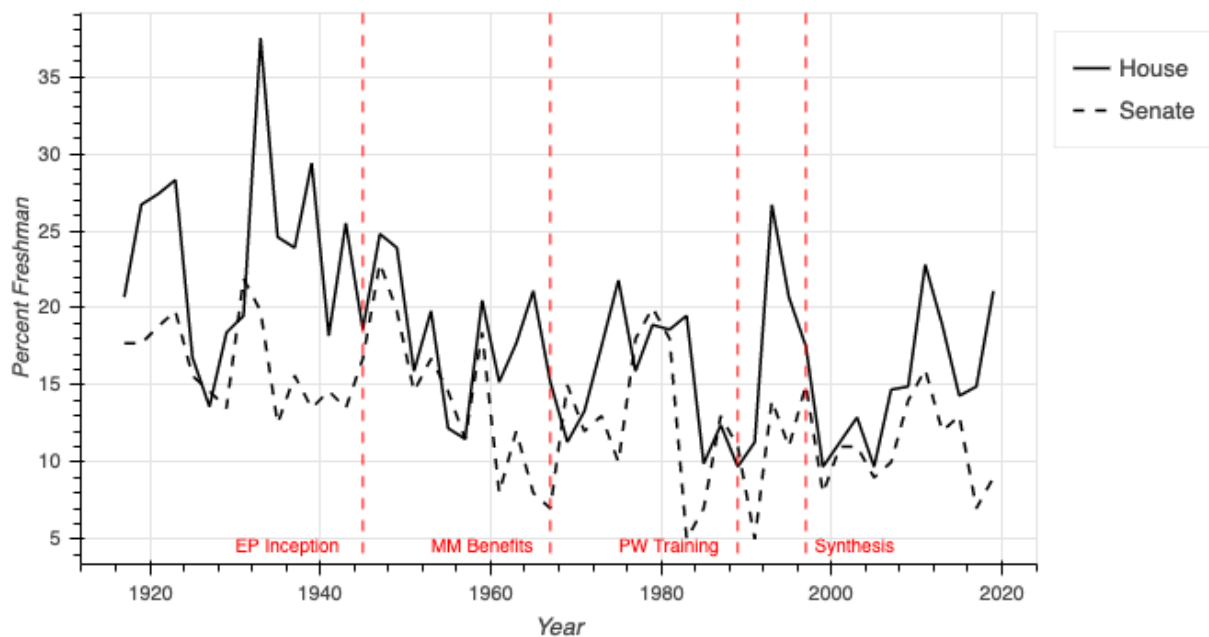


Figure 4.1. Percent First-Term (“Freshman”) Congresspeople, by Chamber, four junctures indicated with vertical red lines and labels⁴¹

⁴¹ Sources: “First-Term Members of the House of Representatives,” retrieved May 14, 2022 ([https://history.house.gov/Institution/First-Term/First-Term-Numbers/#:~:text=A%20%E2%80%9Cpre%2Dconvening%E2%80%9D%20freshman,meeting%20of%20a%20new%20Congress.](https://history.house.gov/Institution/First-Term/First-Term-Numbers/#:~:text=A%20%E2%80%9Cpre%2Dconvening%E2%80%9D%20freshman,meeting%20of%20a%20new%20Congress.;)); “Senate Freshman Since Direct Election (1914),” retrieved May 14, 2022 (<https://www.senate.gov/senators/SenateFreshmanSinceDirectElection.htm#asterisk3>)

101st Congress and the Policy Synthesis (PS) juncture of the 105th Congress occurred right before and right after one of the biggest spikes in first-term representatives.

Perhaps the number or proportion of new congresspeople doesn't matter as much as the *composition* of new congresspeople. When it comes to women's issues, the number and proportion of female legislators is important to consider. Women legislators' direct experience as women workers, wives, and mothers is likely to give them new perspectives and better understanding of issues facing women employees. Thus, the introduction of new female legislators into Congress—an increase in “descriptive representation”—could lead to better representation of women's issues and experiences—an increase in “substantive representation”—and ultimately lead to the introduction of new policy ideas about women's employment. And research has shown that women legislators think about policy in more sociological ways and talk about women's issues more often during policy speeches than their male counterparts (Lyn 1995; Pearson and Dancey 2011). Figures 4.2 and 4.3 show data on women's representation in the House and Senate, broken down by party affiliation. Comparing the timing of the four junctures with trends in women's representation, changes in women's representation in Congress don't appear to be related to policy innovation. Neither of the four junctures were preceded by sudden jumps in the number of women serving in Congress. The Policy Synthesis (PS) Juncture did occur during a steep increase in women's representation, particularly in the House, but it occurred during a sharp but stable linear rise rather than after a sudden change. Looking at women's representation alone, there is nothing to suggest why a juncture occurred in 1997 rather than 1995 or 1999 or any other year during the sharp increase.

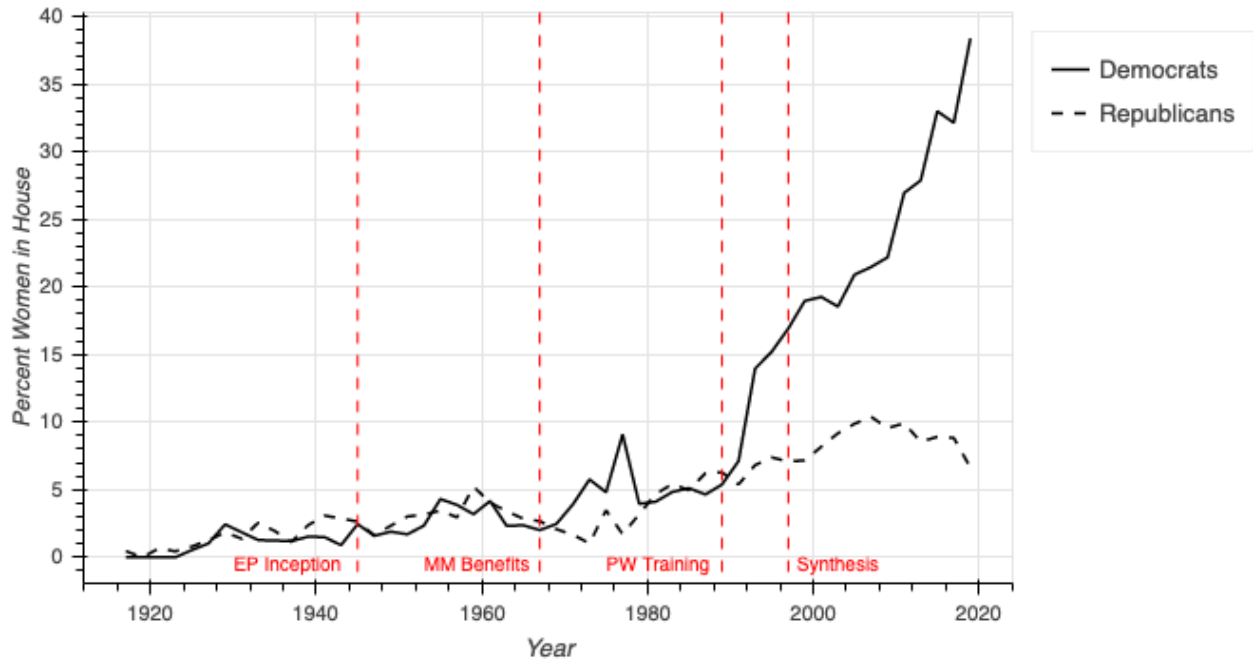


Figure 4.2. Women’s Representation in the House, by Party⁴²

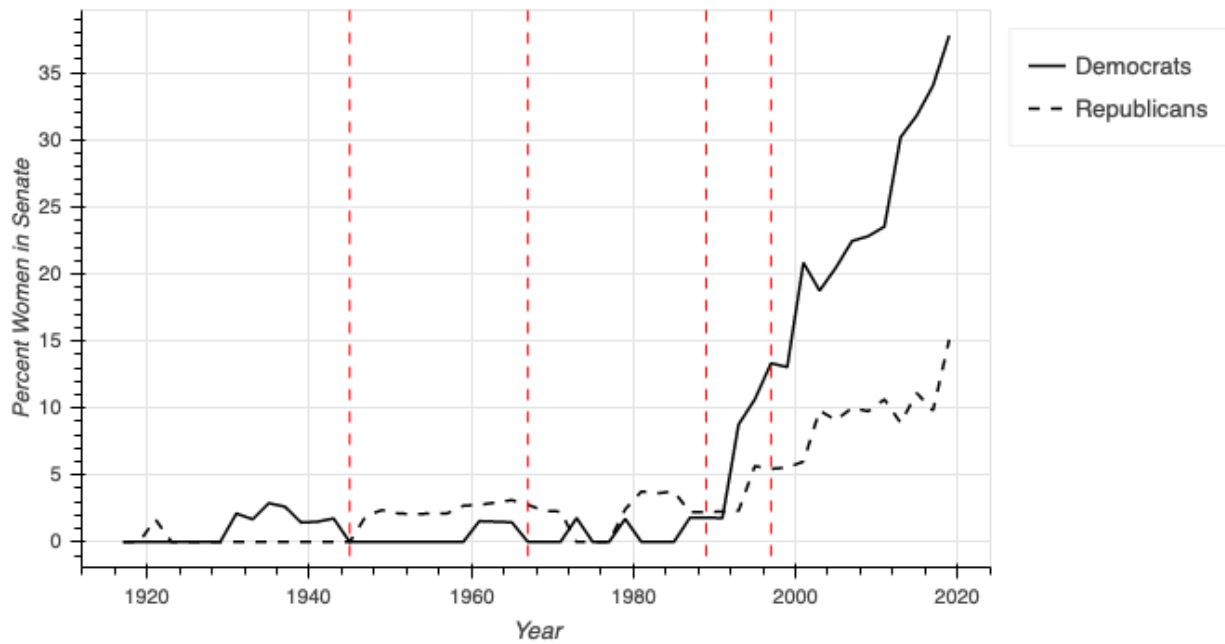


Figure 4.3. Women’s Representation in the Senate, by Party

⁴² Source: Brookings Institute, “Vital Statistics on Congress: Data on the U.S. Congress, Updated February 2021”

Considering the number of first term congresspeople and women's representation in Congress over time, it doesn't appear that changes to the composition of Congress can explain policy idea change. Counter to expectations, and as I found in the previous chapter, policy innovation junctures largely occur within a context of economic, political, and representational stability. In the section below, I detail one way in which policy innovation junctures are the result not of stability but of disruption.

DISCURSIVE DISRUPTION AND POLICY IDEA CHANGE

Policymaking is more than the somewhat mundane actions taken by legislators as they introduce and vote on policy alternatives. In the words of Frank Fischer (2003:60), "policy making is a constant discursive struggle over the definitions of problems, the boundaries of categories used to describe them, the criteria for their classification and assessment, and the meanings of ideals that guide particular action." Policy actors of all sorts engage in this war of ideas in an attempt to convince others, rally support, and stake a position within the debate. Legislators play an important role in this discursive struggle as they try to shape and resonate with the perceptions and attitudes of constituents and colleagues as well as respond to opposing ideas from competitors. There are many ways for legislators to engage in this dialogical debate of ideas: media interviews, town hall meetings with constituents, press releases, etc. Within Congress, committee hearings and floor speeches are the main venues in which policy debate occurs. And while the discursive struggle that takes place within these venues is important in and of itself, what legislators say in committee hearings and in their floor speeches strongly correlate with what they actually *do* in terms of introducing and voting on proposed legislation (Wang 2020; Burstein 2014; Fisher, Leifeld, and Iwaki 2013). In this way, legislative debate in hearings and floor speeches are doubly important in both

capturing the contours of the discursive struggle taking place on key issues *and* signaling what policy actions legislators are likely to take in the near future.

Floor speeches are better able to capture the full range of debate taking place among legislators, for two main reasons. First, unlike congressional hearings, floor speeches are not necessarily bound by specific issue areas or pieces of legislation. For instance, House rules allow representatives to give one-minute speeches on a subject of their choice before and after legislative business each congressional day (Slaughter 2020). Additionally, while speeches in committee hearings are confined to the members of the committee and those individuals invited to provide testimony, any legislator can opt to give a floor speech. For both these reasons, in order to capture the discursive debate surrounding gendered pay inequity, I analyzed the floor speeches of legislators in both the House and Senate in the months prior to and after each policy innovation junctures. Specifically, I consider floor speeches that address the issue of women’s employment, more generally, to measure the broader debate concerning women, work, and family.⁴³ To capture discursive change over time, I look at one year of speeches for each policy innovation juncture and divide each year into three four-month intervals. The “prior” interval starts eight months before the juncture and is meant to capture legislative debate during a relatively distant time prior to each juncture. The “proximate” interval starts four months before each juncture and captures debate immediately preceding each juncture. The “post” interval consists of the four months immediately after each juncture when new policy ideas are catching hold and becoming dominant.

⁴³ See Appendix E for a full discussion of the collection and analysis of the floor speech data.

Adapting discourse network analysis and the insights of the Advocacy Coalition Framework, I use floor speeches to measure changes to policy debate by looking at changes in the communities of legislators who express the same sets of policy ideas in their floor speeches. Specifically, I combine topic modeling with network analysis to construct discourse networks for each four-month interval. Table 4.1 provides network descriptive statistics for each interval including the number of speeches about women’s employment given on the floor of either the House or Senate during each four-month interval, the number of legislators who gave at least one speech, the number of “core” discursive communities⁴⁴ within each network, the degree of shared policy ideas across the entire network as measured by degree centrality (Proctor and Loomis 1951), the cohesion of the network as measured by edge density (normalized by number of core communities) and mean connections (normalized by the number of vertices), and the importance of key legislators in each period as measured by betweenness centrality (Freeman 1977). I determined the date of each juncture by considering when key bills—those that incorporated the policy ideas that would become dominant in that period and would serve as templates for dozens of bills that would be introduced throughout the period—were introduced. For instance, August 2nd, 1989, is the day that Representative Pat Schroeder and Senator Alan Cranston introduced their nearly identical “Economic Equity Act” bills that highlighted job training and education for women sole providers and single working mothers. Looking at trends within each period and across the three intervals, we can see that policy innovation junctures tend to be immediately preceded by increased participation (number of speeches and speakers) and intensity (number of speeches per speaker) as well as greater discursive disagreement (number of core discursive communities). This is followed by dwindling participation and intensity as well as increased consensus immediately after each juncture. This suggests that gendered pay inequity policy innovation junctures

⁴⁴ The notion of a core-periphery structure of social networks is well established in the network literature (Hammer 1983; Rombach et al. 2014; Sekara, Stopczynski, and Lehmann 2016).

[Table 4.1. Policy Innovation Juncture Network Descriptives](#)

	EP Inception <i>June 1, 1945</i>			MM Benefits <i>May 8, 1967</i>			PW & Training <i>August 2, 1989</i>			Policy Synthesis <i>January 7, 1997</i>		
	Prior	Proximate	Post	Prior	Proximate	Post	Prior	Proximate	Post	Prior	Proximate	Post
# Speeches	91	198	89	112	236	180	183	421	359	742	232	371
# Speakers	63	122	60	78	155	131	114	202	192	276	117	194
Ave Speeches per Speaker	1.44	1.62	1.48	1.44	1.52	1.37	1.61	2.08	1.87	2.69	1.98	1.91
# Core Communities	2	6	3	3	6	5	3	8	5	3	3	5
Ave Shared Policy Ideas	1.22	1.16	1.17	1.16	1.20	1.19	1.15	1.34	1.24	1.43	1.26	1.21
Edge Density	0.28	0.08	0.20	0.16	0.08	0.10	0.12	0.05	0.08	0.18	0.16	0.08
Mean Connections	0.56	0.50	0.60	0.48	0.46	0.51	0.35	0.44	0.40	0.55	0.48	0.40
Key Legislator Centrality												
<i>Claude Pepper</i>	0	0.8	0.14									
<i>Wayne Morse</i>	0	0.68	0.79									
<i>Martha Griffiths</i>				0	1	0.23						
<i>Thomas Morris</i>				0	0.53	0						
<i>Pat Schroeder</i>							0	0.54	0.8			
<i>Alan Cranston</i>							0.77	0.13	0.85			
<i>Silvio Conte</i>							0	0.03	0.89			
<i>Tom Daschle</i>										0.8	0.41	0.99
<i>Russell Feingold</i>										0.29	0.33	0.38

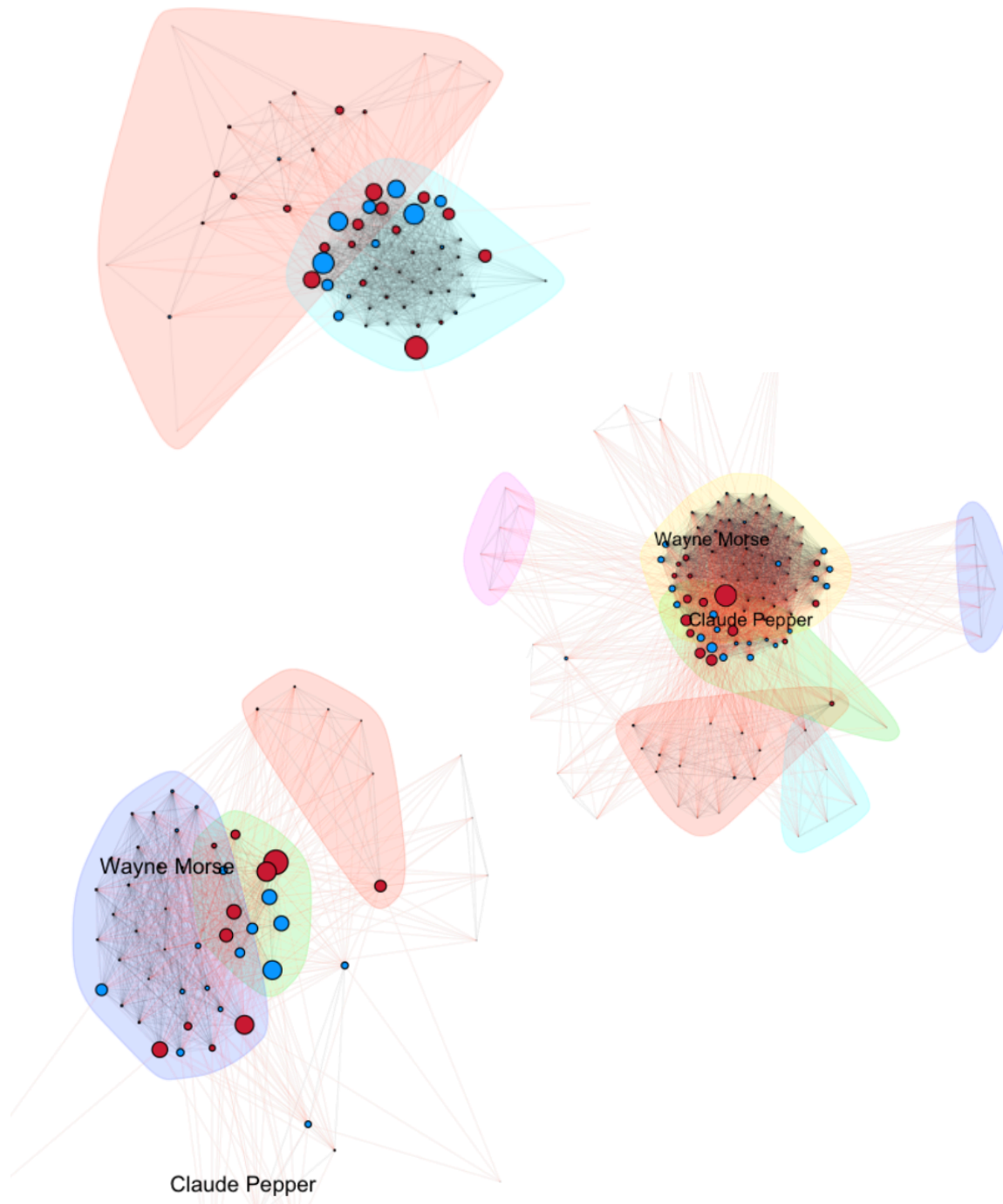


Figure 4.4. Equal Pay Inception Juncture: Prior, Proximate, and Post periods; centrality depicted by node size, party depicted by node color

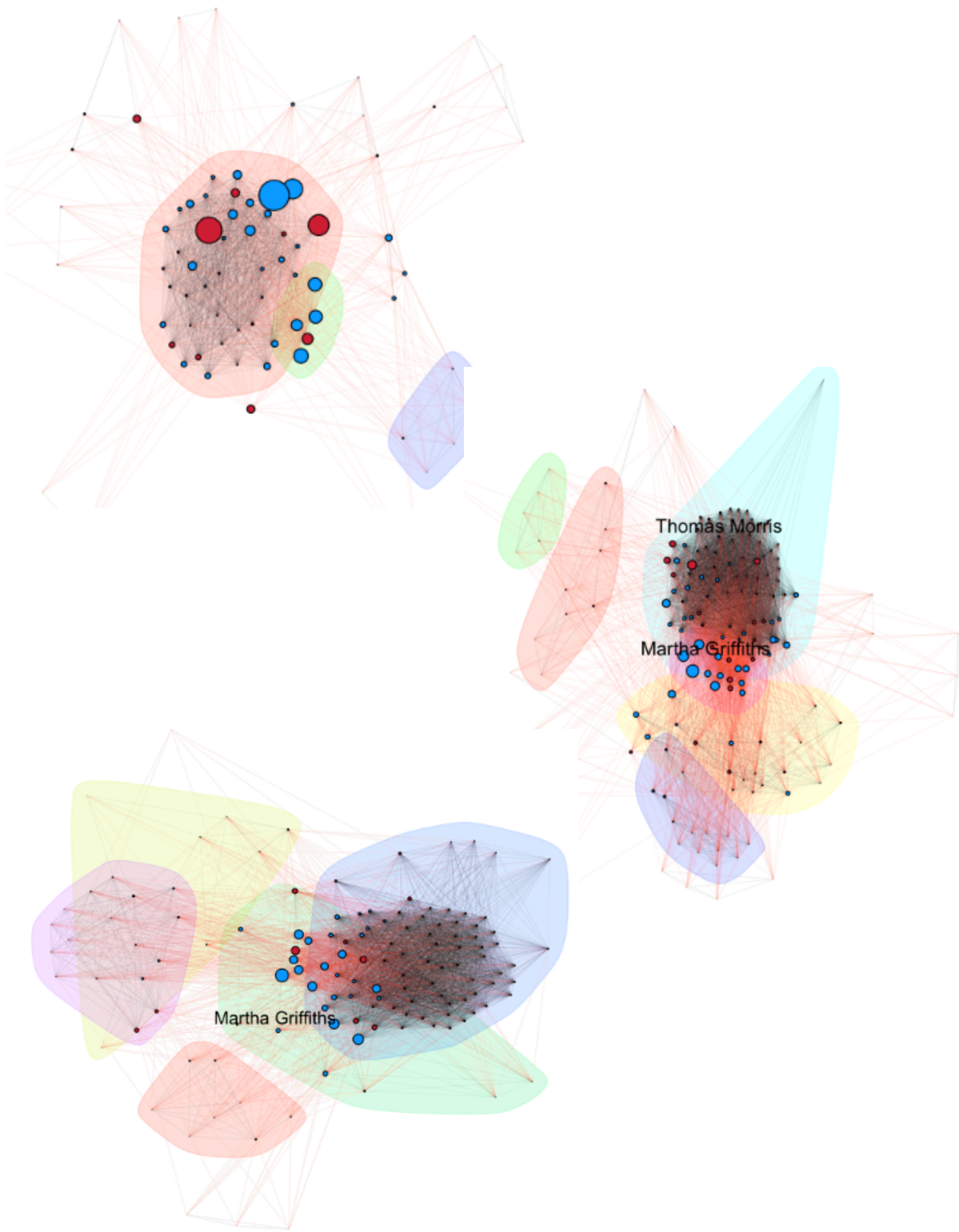


Figure 4.5. Married Mothers' Benefits Juncture: Prior, Proximate, and Post periods

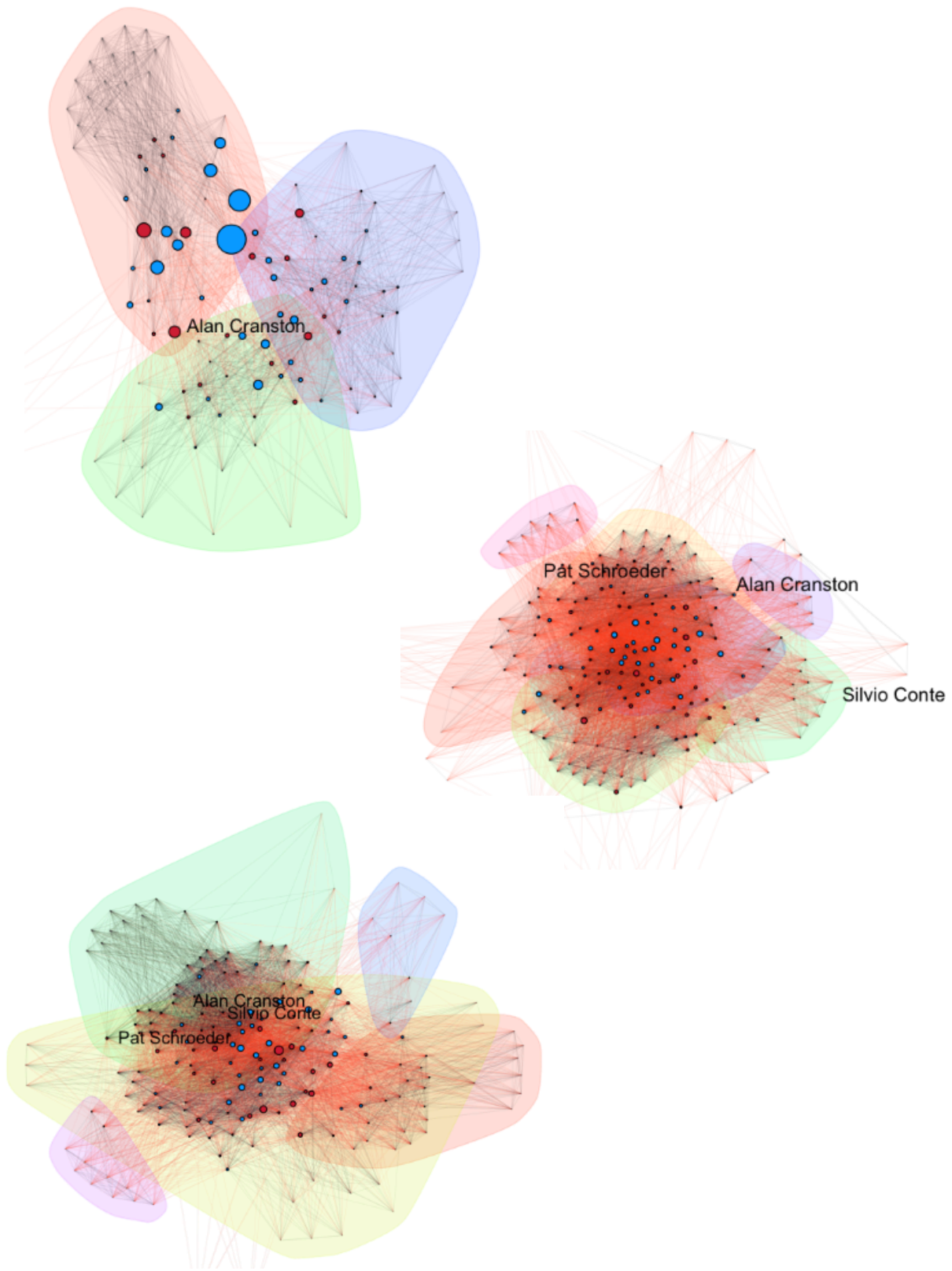


Figure 4.6. Professional Women and Training Juncture: Prior, Proximate, and Post periods

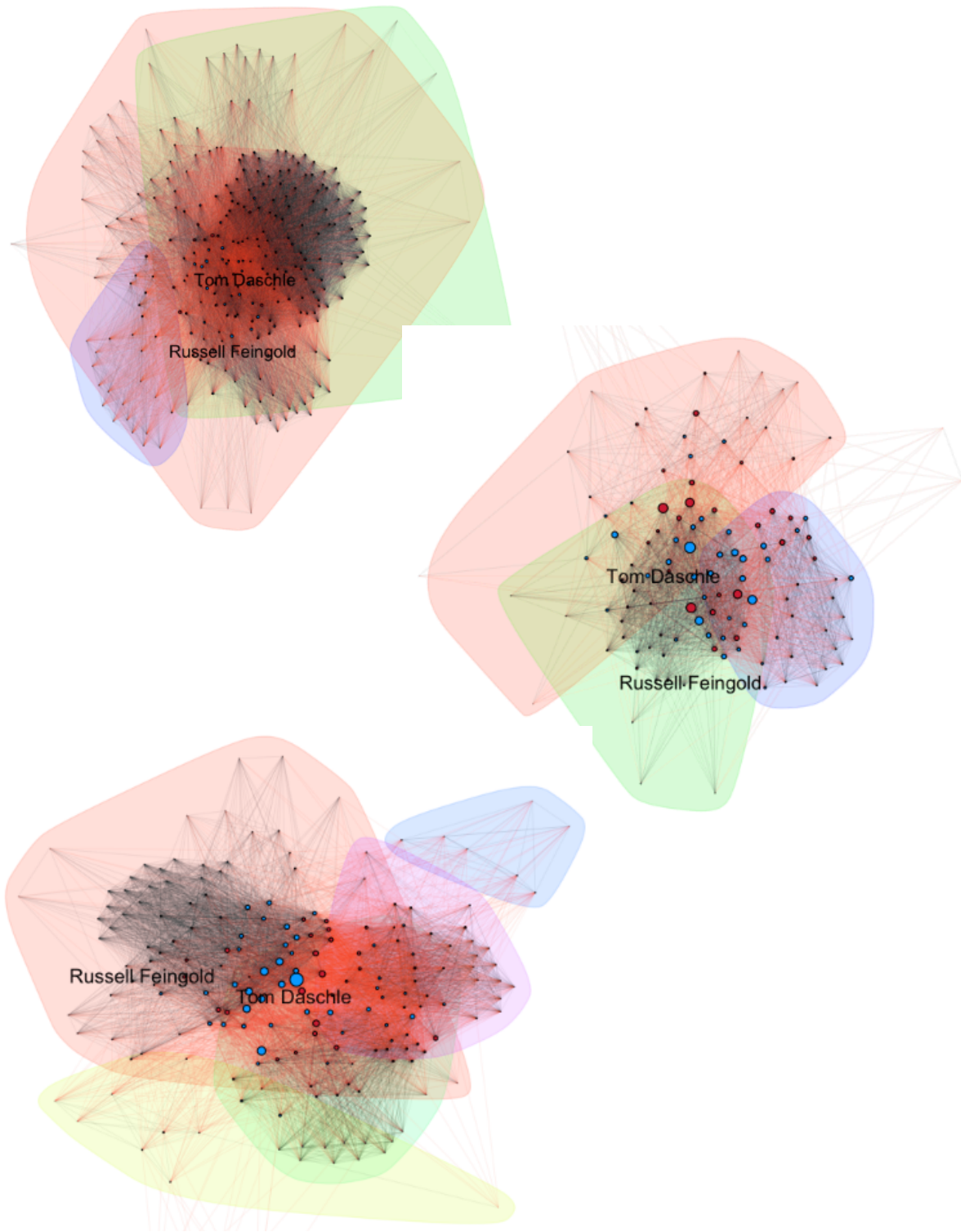


Figure 4.7. Policy Synthesis Juncture: Prior, Proximate, and Post periods

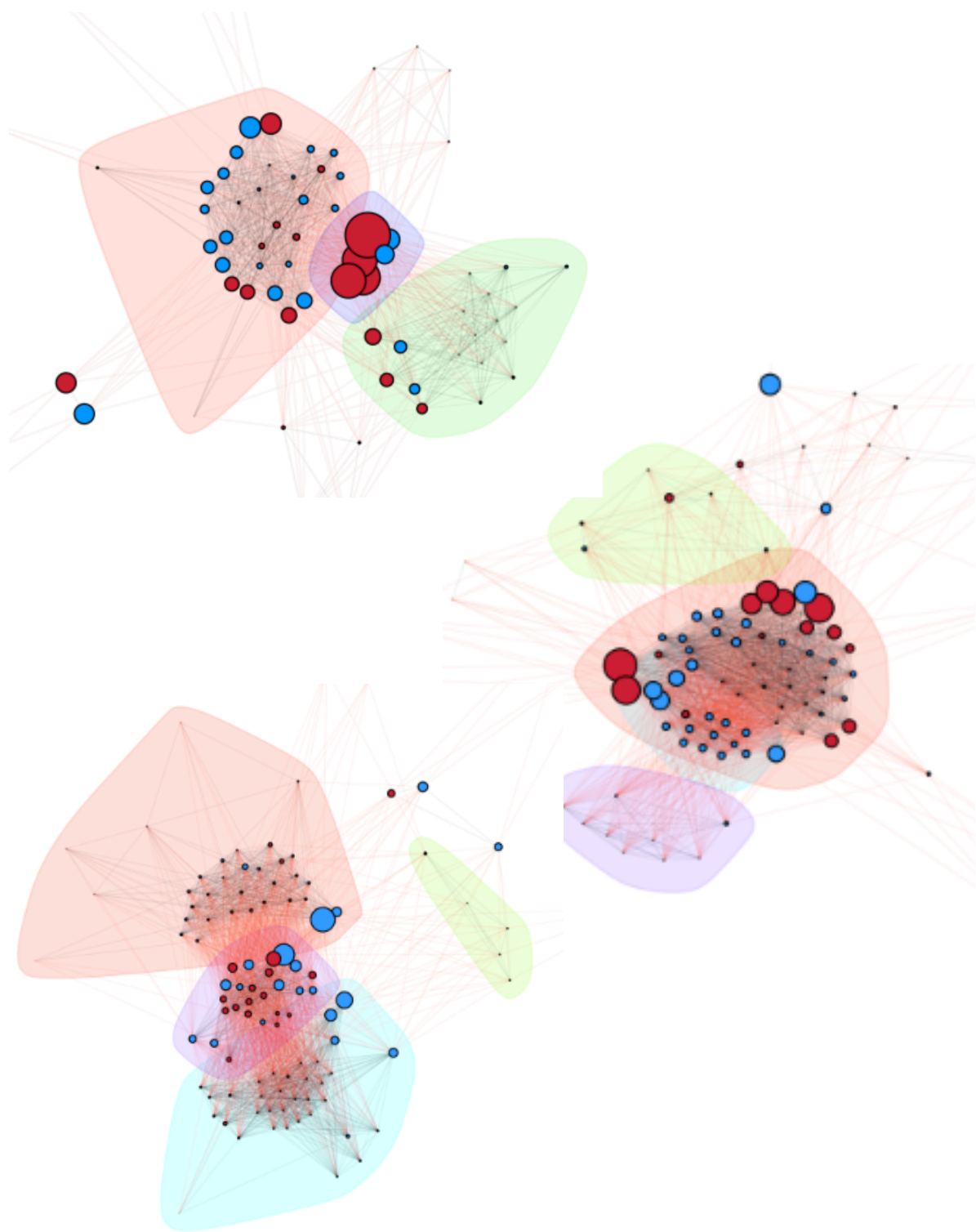


Figure 4.8. Test Period, 1961: Prior, Proximate, and Post periods

are the result of greater attention to women’s employment and less agreement among legislators in terms of how to think about and address issues related to women’s employment.

This pattern of stabilization, disruption, and restabilization is further depicted in Figures 4.4 to 4.7. Each figure presents the prior, proximate, and post interval networks for each juncture. Core discursive communities—those with at least five legislators—are highlighted by color shading. The prior network is in the upper left of each figure; the proximate network is in the middle right; and the post network is in the bottom left. Each “node” in the network is an individual legislator and the size of the node is determined by the structural importance of that legislator within the network, such that larger nodes indicate greater importance. Unsurprisingly, the most important legislators are those most centrally located, spatially speaking, since they act as bridges between different discursive communities of legislators. Blue nodes indicate that the legislator is a Democrat, while red nodes indicate the legislator is a Republican. Interestingly, of those legislators that are most important, Republicans tend to act as bridges between large core communities and smaller peripheral communities, suggesting that even when they are engaged in debate about the most dominant policy ideas (those that most legislators are talking about), they continue to also discuss less prominent policy ideas, whereas important Democrats tend to bridge the gap between core communities debating dominant policy ideas. Connections between each legislator, “edges” as they are referred to in network terminology, are determined by whether two legislators talked about women’s employment using the same policy idea. For instance, two legislators might be connected to one another if they both talked about the importance of employment training for women workers. Key legislators for each period are labeled in each network. When their name does not appear in the network, they did not give any floor speeches about women’s employment during that four-month period. Notably, in most cases, key

legislators were not debating women's employment in the eight to four months prior to each juncture. However, in the months directly before they introduced new policy ideas into gendered pay inequity legislation, they become significantly involved in the debate. Thus, during the period of disruption they were central figures in the new discursive communities that had recently formed.

Looking at Figure 4. We can see the clear pattern of stability, disruption, and restabilization. In the months prior to the Equal Pay Inception Juncture (79th Congress), there were two core discursive communities. In the months immediately before the juncture, in the proximate interval, those two core communities broke off into six smaller, more diverse, and more discursively distant communities. The spatial distance of the pink and purple communities further suggests that smaller groups of legislators began debating women's employment in very different ways (i.e. little to no shared policy ideas) from those at the center of the network. In the months following the juncture, in the post interval, we see the number of core communities drop and the spatial distance close, particularly between the two overlapping communities. The pattern is much the same for the Married Mothers' Benefits Juncture (90th Congress) and the Professional Women and Training Juncture (101st Congress). In all four junctures, there is a clear pattern of cohesion and stability more than a half a year out from the start of each juncture. The Policy Synthesis Juncture (104th Congress) does diverge from the other three junctures when it comes to the months right before and right after the juncture, what I term the proximate and post intervals. We see that the number of core discursive communities remains the same in the eight months leading up to the juncture, covering the prior and proximate intervals; however, there is less overlap in the three communities in the proximate interval, suggesting a slight increase in disagreement about the most important aspects of women's employment. Immediately after the juncture, disagreement increases even more, indicated by the larger number and smaller size of core

communities. The divergent pattern is most likely related to the synthesizing character of the juncture—that some ideas from the previous period were carried over and synthesized with new ideas—which is indicative of less change overall in the policy ideas being debated and thus incorporated into gendered pay inequity legislation.

It should be noted that the Policy Synthesis Juncture was the only juncture to occur at the very beginning of a new congress. The first three junctures occurred in either the Spring or Summer of the first session of the new congress. It is possible, then, that this pattern of stability, disruption, and restabilization that I have uncovered is simply a consequence of the timing of the majority of junctures and the predictable patterns of attention to issues, more generally, determined by the patterns of institutional attention. In other words, it is conceivable that this pattern would always be present if the prior interval fell at the end of a congress (when legislative activity has wound down), the proximate interval fell at the very beginning of a new congress (when legislative activity is greatest), and the post period fell in the middle of the first session of a new congress (when Congress takes summer recess). This *could* explain why the Policy Synthesis juncture follows a somewhat different pattern than the other three junctures. To test this possibility, I reran the analysis on a test period using the exact day of the Professional Women and Training Juncture (August 2nd) but for 1961, the first session of the 87th Congress. If the pattern I have observed is simply a consequence of the normal institutional rhythms of Congress, then we would expect to see the same pattern of stability, disruption, and restabilization observed in the first three junctures occur during the test period. Looking at Figure 4.8, we see that this is not the case. Instead, we observe the pattern that would be expected given my theory of discursive disruption—that policy innovation junctures are, in part, caused by disruptions to the larger policy idea debate space. We see stability throughout the year period as characterized by a stable, small set of

discursive communities. Given that the test period was 1961, the first year of President John F. Kennedy's presidency, this stability is even more surprising. As a presidential candidate and later as President-Elect, Kennedy had garnered much support from women voters and made the issues of working women a prominent part of his platform, even calling for financial support for day-care centers to support working mothers (Furman 1960). If there was ever a time for new ideas to disrupt the stability of women's employment debates, the beginning of the 87th, with Kennedy as President, seemed as good a time as any. But we don't see disruption, only stable consensus throughout the entire year period.

CONCLUSION

It is clear that debate surrounding women's employment is typically characterized by a small set of discursive communities, each off debating the issue using shared policy ideas. Much like the policy change literature suggests, this stability can help explain why we observe stability in the contents of gendered pay inequity legislation over long periods of time. The larger debate surrounding women's employment remains stable in the set of policy ideas articulated and the set of discursive communities engaged in that debate. In this chapter I have proposed a new theory of policy idea change: that abrupt changes in the contents of gendered pay inequity legislation are, in part, the consequence of disruptions in normally stable discursive communities. This disruption can be characterized by (1) increased attention to the issue of women's employment as evidenced by more intense participation by legislators and (2) greater disagreement on how to think about and address women's employment issues leading to the incorporation of new ideas. The challenging of dominant ideas and emergence of new coalitions is central to theories of policy change, more generally, and can be connected back to notions of political opportunities discussed in the last chapter. In other words, "policy windows," as Kingdon (1984) refers

to them, provide opportunities for new policy actors and opponents to challenge existing ideas and policies. I theorize that the “disruptive periods” I observe immediately preceding each policy innovation juncture are simply the manifestation and evidence of those challenges occurring within Congress.

The pattern of stability, disruption, and restabilization that characterizes policy innovation junctures is similar to but distinct from the patterns observed by policy change researchers. In the latter case, restabilization occurs prior to, rather than after, substantial change. Restabilization, for policy change researchers, signifies the creation of a new dominant policy monopoly (Baumgartner and Jones 1993) or a new dominant advocacy coalition (Sabatier 1988; Leifeld 2013) and itself signifies the reemergence of consensus. Greater consensus and the emergence of a new powerful group of policy actors who support and can push for the policy alternative results in successful policy change. A key to this explanation, then, is the ability to get voters, legislators, and other key actors on board with the policy alternative in order to successfully pass the new policy. It makes sense, then, that restabilization is a prerequisite for policy change. However, policy *idea* change does not require the same degree of consensus and mobilization of support. Key legislators can, nearly on their own, introduce new ideas into policy alternatives. The key question, then, is what characteristics must legislators possess to make them more or less likely to galvanize other legislators to also incorporate those new ideas into their own bill introductions. In other words, what types of legislators might be most successful in ushering in a new set of dominant policy ideas? In the next chapter, I address this very question by considering the role of key legislators as policy entrepreneurs.

CHAPTER FIVE:

They were neither young, new, nor radical: Policy entrepreneurs and policy idea change

The “third wave” of feminism was reportedly kicking off in the early 1990’s as the daughters of second-wave feminists were coming into their own. The hard-fought battles of second wave feminists like Martha Griffiths and Pat Schroeder—Griffiths, the tireless crusader of equality for working mothers and wives and Schroeder the living embodiment of that equality—were now in the rearview mirror. The new face of feminism had arrived, these daughters declared, and it was less rigid and judgmental, more intersectional and inclusive (Synder 2008). Self-proclaimed third wave feminists said they embraced the multiple identities of lived experience, were more open to a diverse range of sexual identities, and had a political agenda encompassing more than just so-called “women’s issues” (ibid.). So what might this mean for gendered pay inequity? Were some radical new ideas about to spring forth and upend the way that their mothers and grandmothers had understood and represented the problem? Was there a young radical just entering Congress ready to heed their calls and shake up the current focus on professional training, education, childcare, and other banal concerns that preoccupied feminists of the previous generation?

Well, not so much. But there *was* Tom Daschle. Was he young? Not really. By the early 1990’s he was nearly fifty. He was younger than a lot of his colleagues in the Senate⁴⁵, for sure, but well settled into what we might call mid-life. He was certainly no whippersnapper who might shake up Congress with his youth and vigor. Was he new to Congress? Also, no. Daschle began his congressional career in 1978 when he ran for the U.S. House of Representatives and won by 14 votes (Lauck 2007). After nearly a decade in the House, he successfully made the move to the Senate, and

⁴⁵ According to the Library of Congress, the average age of Senators in the 116th Congress was 62.9 years.

thereafter he quickly obtained a seat on the Senate Finance Committee. In 1994, after winning a second term in the Senate, he was elected Minority Leader, securing his position as a tried-and-true leader of Democrats in the Senate, with nearly two-decades of legislative experience behind him. So not young, and most certainly not new. Was he at *least* radical? Again, no. In his younger years, Daschle could certainly have been described as liberal, maybe even radical. In the late 1960's and early 1970's he had worked on several of George McGovern's campaigns, including his ill-fated Presidential campaign in 1972, during which the *New York Times* referred to him as the "candidate of the radical and militantly liberal Democrats" (Shannon 1972). A few years later, Daschle worked for the first Lebanese-American elected to the U.S. Senate, James Abourezk, a vocal critic of Israel and the Vietnam War (ibid.). So a young Daschle had made his political bones, so to speak, working with some of the most liberal politicians of the time. But by the late 1970's, with the Conservative tide drawing close, and his first congressional campaign in full-swing, Daschle moved decidedly to the right. He sent letters to constituents calling abortion an "abhorrent practice," vowed to help pass a balanced budget amendment to the constitution, and never used the word "Democrat" to describe himself in any of his political ads (ibid.). When running for the Senate in 1986, he took a similar tack, sending another letter to voters expressing his opposition to abortion and coming out strongly against gun control. Howard Dean, liberal firebrand and former Governor of Vermont, would later argue that Daschle had run in 1986 as a member of the Republican wing of the Democratic Party (Lauck 2007). Perhaps a bit of an exaggeration. But only a little.

Daschle's 1986 campaign strategy has been described as the precursor to the "shriveled New Democratic centrism" that Bill Clinton's "third way" approach to politics and policy embraced (Lauck 2007). Perhaps it comes as no surprise then, that Daschle was a close ally of both Bill and Hillary

Clinton and continued to be so once the Clintons were in the White House and Daschle was minority leader. Political ambition and a shared approach to politics can certainly help sustain a close alliance. But this close relationship nearly cost Daschle his first election as minority leader, as many Democrats blamed the Clintons for their loss of congressional power in the 1994 midterm elections (Wines 1994). Luckily for Daschle, he squeaked out a 24-23 victory in his first election as minority leader and was subsequently re-elected as minority leader, without opposition, two years later (Wines 1994; Gray 1996).

Senate leadership seemed to have softened Daschle's "right-leaning" ideas a bit. By the time of his re-election as minority leader in 1996, he had moved slightly away from the "Republican wing" of his party, becoming more of a middle-of-the-road Senate Democrat. His positions had evolved. After making gun rights a centerpiece of his 1986 Senate campaign, nine years later, during his first year as Minority Leader, he vowed to lead the charge to block a repeal of the 1994 assault weapons ban (Gray 1995).⁴⁶ He also no longer considered abortion "abhorrent," as he had claimed so passionately to voters in his 1979 and 1986 campaigns. By 1997, he was considered an abortion rights supporter (Seelye 1997). His evolving positions seemed to reflect his increasing institutional power, perhaps a reflection of an attempt to appeal to more members of his party and find issues that could unify his out-of-power caucus. And personally, he was sitting quite comfortably, as the 105th Congress was gaveled in in early January of 1997. On top of winning reelection to party leadership without opposition, he had also won reelection to the U.S. Senate by 30-points in 1992 and would go on to win

⁴⁶ In 2004, he also voted to extend the 1994 assault weapons ban and require background checks at gun shows (Stolberg 2004).

reelection again in 1998 by a 24-point margin.⁴⁷ So would Tom Daschle, the *now* Democratic centrist and Senate Democratic party leader be the new champion for women, helping incorporate a new feminist approach now well underway in the mid- to late- 1990's? He wasn't young, new, or radical, but he certainly had the institutional power to bring some influence and backing to new ideas.

His record on women's issues up until that point suggested that he probably wasn't going to be the next, great visionary and pioneer when it came to gendered pay inequity. In the early years of his Senate career, most of the bills he sponsored focusing on women all sought to deal with problems relating to pregnant women's alcoholism and drug dependence.⁴⁸ He championed this cause for several years, arguing on the Senate floor in 1995 that federal funds to support alcohol and substance abuse treatment programs would be "an investment that yields substantial long-term dividends... as welfare dependence by substance abusers and their children is reduced...."⁴⁹ But in late January of 1997, the same day he introduced another bill focusing on alcoholic and drug abusing pregnant women, he introduced a bill of a different sort. The proposed "Paycheck Fairness" bill incorporated many of the policy ideas that had come to dominate the prior period, such as professional employment for women, education, and training. But the bill also brought back the idea of equal pay for equal work, more than half a century after Claude Pepper had helped ignite the twenty-year legislative push. Some new, though not so radical, ideas were also included. For instance, the bill called for the establishment of a "National Award for Pay Equity in the Workplace" to reward businesses that had made a "substantial effort to eliminate pay disparities between men and women" with a medal presented in a ceremony

⁴⁷ Author's own calculations from election results provided by Clerk of the House of Representatives (1993; 1999)

⁴⁸ Analysis of key legislators' bill introduction history is based on the Comparative Agenda Projects' database of all bills introduced in the U.S. Congress since 1947. See Appendix D for more information.

⁴⁹ See the Congressional Record, U.S. Senate, January 5th, 1995.

that “the President or designated representative of the President may determine to be appropriate.”⁵⁰ Not exactly the type of new ideas third wave feminists might have had in mind. But this new synthesized approach to gendered pay inequity was well matched to the centrist “third-way” of Daschle and his allies in the White House, and something one might expect of a party leader trying to help unify caucus. And trying he definitely had been. In the previous Congress, Daschle had been one of the most prolific cosponsors of legislation in the entire U.S. Senate (Fowler 2006).

Daschle’s synthesized approach to the problem of gendered pay inequity quickly took hold in Congress and became the dominant approach. The majority of gendered pay inequity bills that have been introduced in Congress since 1997 are either exclusively focused on equal pay—for instance, providing “more effective remedies”—or are nearly identical versions of Daschle’s first “Paycheck Fairness” bill. And it seems that it was something about Daschle’s ideological centrism, electoral safety, experience in Congress, and institutional position of power that can explain both the specific amalgamation of policy ideas encapsulated in that first bill and why so many other congresspeople seemed to follow his lead and introduce bills that incorporated those same policy ideas. And it turns out that all the key legislators most responsible for bringing about gendered pay inequity policy innovation junctures—Sen. Claude Pepper in 1945, Rep. Martha Griffiths in 1967, Rep. Pat Schroeder in 1989, and Sen. Tom Daschle in 1997—share these same characteristics. In this chapter, I detail five key characteristics of these policy entrepreneurs—legislators who were able to seize on the opportunity that political and economic stability provided to take a risk and introduce a new approach to a long-standing problem.

⁵⁰ See bill language of S. 71, introduced January 21, 1997.

AGENTS OF CHANGE: POLICY ENTREPRENEURS

In many models of policy change—be it Kingdon’s (1984) Multiple Streams Theory, Sabatier’s (1988) Advocacy Coalition Framework, or Baumgartner and Jones’ Punctuated Equilibrium (1993), all of which we have discussed in previous chapters—much of the explanatory focus is on how changing contexts and greater attention to a particular issue create “windows of opportunity” to challenge existing communities of policy specialists (Kingdon), dominant coalitions (Sabatier), and policy monopolies (Baumgartner and Jones). But these windows of opportunity do not magically manifest policy change on their own. Instead, they require motivated and shrewd policy agents to make use of opportune conditions and successfully propose alternatives. In his original formulation, Kingdon (1984: 179) referred to such policy agents as *policy entrepreneurs*, to highlight the similarities shared with business entrepreneurs, both of which are “willing to invest their resources—time, energy, reputation, and money—to promote a position in return for anticipated future gain.” Policy entrepreneurs, he argued, come from all different policy sectors and so might include elected legislators, lobbyists, career bureaucrats, or academics. For Kingdon, the main function of the policy entrepreneur is their ability to seize on the political opportunities provided by changing contexts and increased attention and “couple” the problem stream (attention to, and definitions of, specific issues) with the policy stream (proposed alternatives to existing policies) to produce change. Baumgartner and Jones (1993: 85-86) similarly point to the role of policy entrepreneurs in taking advantage of moments of “favorable public attention” in order to mobilize support for a policy alternative.

But what makes some policy entrepreneurs more successful than others? Looking at common arguments from theoretical and empirical work (Kingdon 1984; Schiller 1995; Mintom

and Norman 2009; Kaunert 2010; Gunn 2017) there are four main qualities that tend to characterize successful policy entrepreneurs. First, successful policy entrepreneurs tend to hold expertise on the issue at hand and/or are in a position of institutional authority, lending credence to their claims and proposals. Second, they need to be well connected to other influential policy actors and thus able to create a “bandwagon effect,” motivating other policy actors to follow their lead and support the policy alternative. Third, successful policy entrepreneurs have good communication and negotiating skill, enabling them to navigate complicated policy issues and policy networks. And finally, successful policy entrepreneurs are in a position to take risks and invest resources in their favored alternative. In combination these qualities point to the importance of the relational aspects of policy entrepreneurs—who they know and interact with, what other policy actors think of them, and consequently, how persuasive their ideas and efforts might be. These qualities also, then, point to the importance of the institutional positions of policy entrepreneurs and how secure they are in those positions.

LEGISLATORS AS POLICY ENTREPRENEURS & POLICY IDEA CHANGE

In most accounts, as in Kingdon’s original formulation, policy entrepreneurs can come from various locations in the policy system, including both inside and outside of government. Legislators represent a particular type of policy entrepreneur, given that they formally introduce policy alternatives into legislative bodies, like the U.S. Congress, and ultimately vote on those alternatives. In this way, their risk and benefit calculations are distinct from those of other policy entrepreneurs. As discussed in Chapter 3, bill introductions are the main way legislators in Congress are able to signal to their constituents, colleagues, and interest groups what issues they care about and just what they are doing to address those issues (Schiller 1995). Thus, one of the

main benefits to introducing bills is the ability to provide evidence of concrete actions they have taken to address issues their constituents and influential interest groups may care about. This evidence could translate into more votes, more donations, and/or more volunteer time from supporters. The possible risks, on the other hand, involve introducing legislation that constituents and interest groups oppose, resulting in fewer votes, less donations, and less volunteer time. All policy entrepreneurs must weigh whether the possible benefits outweigh potential risks, particularly given the costs associated with bill introductions. As Schiller (1995) notes, costs can come in three forms: resource costs, opportunity costs, and political costs. Resource costs include those Kingdon addressed, including time, money, and effort spent. When it comes to bill introductions, they specifically relate to the resources necessary to research potential legislation, consult with stakeholders, draft the actual language of the bill, have that language reviewed by staff lawyers, etc. If the policy ideas incorporated in the bill are new and untested, resource costs may be particularly high. Opportunity costs refer to the lost opportunities to address and spend resources on other issues. Considering that legislators have a limited amount of time, effort, and attention (Hilgartner and Bosk 1988; Schiller 1995), every issue they spend resources on is another issue that they don't. This opportunity cost can directly affect how risky the action is, given that *not* addressing an issue can also upset constituents, interest groups, and colleagues. Relatedly, political costs speak more generally to the risks associated with introducing a bill, particularly a new bill. As Schiller (1995:189) notes, "a campaign opponent or an interest group can point to a [legislator's] bill as easily as they can point to a roll-call vote," in an effort to dissuade voters.

Every legislator that introduces a bill should not be considered a policy entrepreneur, however. As this research has made abundantly clear, most bill introductions are reintroductions

of exact or nearly exact copies of previous bills. Reintroducing bills is of little risk to legislators in terms of time, energy, reputation, and money. It is the legislators who introduce new ideas, and get other to reintroduce those ideas over and over again, who bear the most risk, particularly when the contents of bills addressing a specific issue dramatically shift over a short period of time. These moments of abrupt and substantial change in the contents of bills are what I have termed *policy innovation junctures*. They represent important changes to how legislators think about and address ongoing social problems, and consequently, what policy content we can expect to be included when policy change does occur. So how might we use the concept of policy entrepreneurs to understand policy innovation junctures? I conceptualize policy entrepreneurs as key legislators at the forefront of incorporating the new policy ideas that would come to dominate the period, e.g. the Equal Pay Period of 1945-1963. In the section below I discuss the principal policy entrepreneur of each juncture and explain why each was decisive in bringing about the new approach to gendered pay inequity legislation.

GENDERED PAY INEQUITY POLICY ENTREPRENEURS

In Chapter 4, I focused on several key legislators for each juncture (see table 4.1 for a full list), documenting their participation in changing debates concerning women's employment and their specific roles in gendered pay inequity bills at the beginning of each juncture. While all nine legislators played an important role in the junctures, here I focus on the most important legislator of each juncture, those I have identified as policy entrepreneurs: Sen. Claude Pepper (D-FL) of the Equal Pay Inception juncture (1945), Rep. Martha Griffiths (D-MI) of the Married Mothers' Benefits juncture (1967), Rep. Pat Schroeder (D-CO) of the Professional Women and Training juncture (1989), and Sen. Tom Daschle (D-ND) of the Policy Synthesis juncture (1997). In many

cases, they were not the first legislators to incorporate the policy ideas that would come to dominate the period. However, they successfully “coupled” the streams, in Kingdon’s words, and influenced other legislators to follow their policy lead and reintroduce, over and over again, those same ideas.

Claude Pepper

Claude Denson Pepper (1990-1989), spent his early years growing up in small-town Alabama. He was the fourth child of rural farmers; the first child to live beyond infancy. It is unclear whether his parents received much formal education. Given their social class and geographic location, it would have been uncommon for the time. His father certainly received very little and is thought to have been illiterate. His mother’s use of complex sentence structures and near flawless grammar and spelling in her early letters to family and friends suggests she must have had some (Danese 2000). Regardless, both of his parents made Pepper’s education a priority, moving the family to Camp Hill, Alabama to give their son better educational opportunities. While there, it is said that a young Pepper, already developing impressive oratory skills and an affable personality, carved the following into a tree: “Claude Pepper, U.S. Senator.”

He would eventually make his boyhood, tree-inscribed ambition a reality, but not before making a few pitstops. An undergraduate degree in Alabama, a law degree at Harvard, and a brief teaching gig at the University of Arkansas (UA) law school were his first three stops, all by the age of 24 (Kabat 1993). His next stop was a position at a law firm in Perry, Florida, handling land developments. It was here that Pepper began to develop his political career. Just three years after moving to Florida, Pepper defeated a three-term incumbent to be elected to the Florida House of

Representatives. This was another short stop, as he failed to win reelection two years later, in large part due to a controversial vote not to censure President Herbert Hoover, whose wife had had the audacity to invite the spouse of a black congressman to tea at the White House (Denese 2000). This was late 1920's Florida, remember, still brimming with out-and-proud Southern racism. His defeat, his biographers argue, would cause Pepper to temper his liberal positions on racial equality and civil rights throughout the next several decades of his political career. Perhaps the only case of him doing so, given he would become well-known for clashes with his conservative constituents in the midst of his unrelenting pursuit of liberal politics and policies (ibid.).

Claude Pepper finally reached the U.S. Senate in 1936, again representing a Florida constituency, although Pepper did little “representing” of his Florida constituency throughout his fourteen years in the Senate. It is said that he saw the conservative views of Florida voters as a barrier to overcome as he pursued his dogged ideological commitments to liberalism and the expansion of New Deal policies. Reflecting on his constituents' complaints of his positions, Sen. Pepper once remarked that no matter what he did, they “are going to complain always when I don't devote my whole time to their petty, personal matters” (as quoted in Clark 1995:6). Despite his ambivalence towards his constituents back home, by the mid-1940's, Sen. Pepper had become an institutional bulwark of the U.S. Senate. After spending several years on the important Foreign Affairs Committee, beginning in 1944 he secured several leadership positions: chairman of the Subcommittee on War-time Health and Education (Special 1944), chairman of the Small Business Committee (Crider 1945), and chairman of the Committee on Patents (U.S. House of Representatives 2022b). As part of his work in these varied leadership positions, he was able to pursue a diverse range of government interventionist policies including “protection of labor

unions, increases in the minimum wage, a federally sponsored health care system, an end to the poll tax, and other liberal measures” (Kabat 1993:154). It was also during this time that Pepper began to make a name for himself as a supporter of women’s rights and equality. In early 1944, as debate on the Equal Rights Amendment (ERA) gained steam, he joined a rag tag team of congresspeople in supporting the amendment. Among that rag tag team: Judge Howard W. Smith, southern segregationist, who, almost exactly two decades later would work with Rep. Martha Griffiths to get “sex” added to Title VII of the Civil Rights Act of 1964 (Kessler-Harris 1990/2003). That same year, as chairman of the Subcommittee on Wartime Health and Education, he advocated for an greater equality in the medical education for women in order to increase the number of women doctors (Special 1944).

His leadership in the Senate and on women’s issues is no doubt why when members of the Women’s Bureau and the Women’s Trade Union League (WTUL) began to lobby congress to introduce equal pay legislation, they found a willing partner in Claude Pepper (Kessler-Harris 1990/2003). It is said that he introduced the equal pay bill to “provoke debate on civil rights and gender equality,” and continued to push his ideas of gender equality in the years after (Ortiz 2014: 109). Equal pay was a progressive idea at the time, no doubt, and one well suited for a liberal reformer like Pepper to take hold of and promote. More radical feminists at the time rejected equal pay as the most important policy idea and instead pushed for full employment, arguing that only full employment would allow women the opportunity of deciding for themselves whether they wanted to work or not (Kessler-Harris 1990/2003). But equal pay was more in line with the policy positions of those in the Women’s Bureau who had drafted the bill—remember, they rejected child care as a potential legislative goal because they didn’t want to encourage more women with

children to enter the labor force; there were plenty already, in their eyes. And equal pay was also well suited to Pepper's longstanding ideological belief in the role of government in securing economic equity.

And so, on June 21, 1945 Sen. Claude Pepper introduced Senate Bill 1178 for himself and Sen. Wayne Morse, kicking off nearly two decades of near consistent legislative effort to pass equal pay. Over the course of the next 18 years, more than 130 equal pay bills would be introduced in Congress, all modeled from that first major equal pay bill. Pepper himself would continue to introduce his equal pay bill every Congress until he lost his seat in the Senate in 1950 (Clark 1955). He worked as a lawyer in Florida for over a decade after that. But the political life—and those conservative Floridian constituents with their petty, personal problems--seemed to not be done with him just yet. In some sort of twist of fate, Pepper returned to Congress, this time as a U.S. representative for a district in Northern Florida, just in time to vote “Yea” for the bill that would ultimately become the Equal Pay Act of 1963. He held his seat in the House until his death in 1989, becoming one of the longest serving members of Congress in history.

Martha W. Griffiths

Just as Claude Pepper was making his serendipitous return to Congress, Martha W. Griffiths (1912-2003) was beginning to hit her stride, so to speak. She was coming into her own as a political powerhouse and crusader for women's rights; not very unexpected, though, given what is known about the women in her family. Griffiths, then just Martha Wright, grew up in small town Pierce City, Missouri amidst the backdrop of the Great Depression. Her paternal grandmother, Jeannette Hinds Wright, had been a trailblazer for her time. After her husband

unexpectedly died, Jeannettie became a single parent and sole provider for herself and three young sons. Quite unique for the 19th century. As the sole provider, she worked various jobs as a seamstress, clerk, and hotel manager to ensure all her sons graduated high school. Jeannettie was also a fervent suffragist, making sure to be the first in line to vote when it was legal and pushing for the idea of a female U.S. president (George 1982).

Griffiths' father, a letter carrier, adopted his mother's liberal ideology which he would also pass on to his own children. Griffiths' mother, Nelle was said to be "liberated for her times" believing a woman "had to be prepared for the future" (ibid.). During World War I, Nelle worked as a substitute postal carrier while the men were off fighting the war abroad. She was also an ardent believer that her daughter should have a full education, just as her son surely would, and so took in boarders for extra money in order to ensure that her daughter could go to college. And so off young Martha went, to the University of Missouri to study literature, with her mother and grandmothers' legacy of feminist grit and independence propelling her onward.

She devoured every book she could find and joined the debate team. It was on the debate team that she met Hicks George Griffiths. After a brief courtship, they were married and Martha Wright became Martha Wright Griffiths. Would Hicks insist that Griffiths temper her passion for knowledge and her inherited feminist independence, something that might be expected for a newly married woman in the 1930's? Not at all. To the contrary, he encouraged her to establish her own career and even ran her early political campaigns. When they both pursued law degrees, Hicks gave up a chance to attend Harvard Law and followed Griffiths to the University of Michigan Law School at Ann Arbor, where women were allowed to attend (George 1983). After brief stints as

lawyers working for the Michigan State government, Griffiths opened her own law practice in 1946, which Hicks joined a few months later. Their marriage was truly one of equals, something she would strive to make a reality for all women during her legislative career. Griffiths would later say, of Hicks, that “if every man were like her husband, there would be no need for an equal rights amendment, and she would not have to work so hard on behalf of women”, adding that she hoped he would get a monument one day “bearing the inscription: ‘He always thought women were human’” (George 1983:4).

Griffiths political career started in 1946 with a failed run for the Michigan State Legislature. Over the next several years, Griffiths, Hicks, and close friends and colleagues built up a state-wide grassroots movement aimed at getting as many new Democrats elected as they could hoping new representatives in the state would give a voice to workers, poor whites and blacks in Michigan cities, and young people who needed better educational resources (George 1983). Against the odds, they were ultimately successful. In 1948, their law partner Menned Williams was elected Governor, Griffiths was elected to the State House, and Hicks was elected State Chairman of the Democratic Party. After two terms in Lansing, Griffiths set her sights on Washington, D.C. Like her bid for the state house, she lost her first election for the U.S. House in 1952 but was successful the second time around. In 1954, she became the second woman from Michigan to be elected to the House of Representatives (U.S. House of Representatives 2022a).

The first few years in Congress were a trying time for Griffiths, as she came up against the dual barriers of misogyny from her male colleagues and an expectation that new members “be seen but not heard” (George 1983:36). Her early committee work on the Committee on Banking and

Currency, headed by an octogenarian physically unable to hold committee meetings, was equally disappointing. Hicks had stayed behind in Detroit to continue his own career, which also meant nearly weekly trips back to Michigan. Despite a rough first year, colleagues had taken note of her work, with one insisting that she was the most talked about new member of that congress (ibid.). Over the next several years, Griffiths found her footing, enjoying work as a member of the Military Operations Subcommittee on Government Operations and focusing her attention on policies that would help her constituents back home in Detroit. During her first two terms, unemployment in Detroit rose to eighteen percent, worsening conditions in the urban city. As a consequence, Griffiths focused her legislative attention on unemployment, public assistance for the poor, better resources for schools, water supply issues, and more expansive low-income housing. While Claude Pepper pursued his liberal agenda despite his constituents, Griffiths pursued her liberal agenda with her constituents always in mind.

Despite her tireless work, by the end of the 1950's, with three terms behind her, Griffiths felt dejected. Most of her proposals went nowhere. Republican President Eisenhower and Congressional Republicans had blocked some of her most sought-after liberal proposals. Her only legislative achievement had been passing a bill to make cattle slaughter in the meat industry more humane, a lauded accomplishment for vegetarians and those cows destined for the slaughterhouse, but not enough for Griffiths. Feeling all her congressional work was for naught, she ran for a judicial position on the Detroit Recorder's Court, longing to get back to Hicks and her home. She lost that election, and begrudgingly returned to Congress. It was lucky that she did. The arrival of John F. Kennedy in the White House in 1961 gave her renewed optimism, as did her appointment later that year as the first woman member of the powerful House Ways and Means Committee, an

appointment she had been seeking since her first term in Congress. It was on this committee that Griffiths developed a reputation as a sought-after and formidable colleague—one colleague is quoted to have said that to “tangle with her was, in [his estimation], to have ‘walked into a buzz saw’” (George 1983:85)—and as a champion of women’s rights, particularly those for married women, whom she described as the “least protected [people] in the law in this country” (ibid:91). During heated committee debates on taxes and Social Security reform, she held fast to her passionate, yet unpopular, proposals to address gender discrimination in benefits and tax law.

Griffiths’ reputation as the working woman’s champion was bolstered when she played a key role in getting “sex” added to Title VII of the Civil Rights Act of 1964.⁵¹ Not only did she help the amendment pass in the House—giving a rousing speech after it seemed like it might fail—but she also continued to monitor the amendment as bill made its way through the Senate. She followed up this victory by working in concert with others, particularly the leadership of the newly formed National Organization for Women (NOW)—to ensure the Equal Employment Opportunity Commission—which was tasked with enforcing and overseeing employment discrimination—would follow through on its mandate. As 1967 began, Griffiths, more emboldened and influential than ever, turned her attention back to the issues of working wives and mothers, issues that had failed to gain traction years earlier during tax and Social Security reform debates. In particular, she focused her attention on benefits such as survivors annuities, pensions, housing allowances,

⁵¹ In a letter to a friend in 1968, she explained her role and strategy as such: “...I prepared an amendment that added ‘sex’ to the bill. Then I learned that a woman newspaper reporter had asked Howard Smith of Virginia to offer such an amendment and he had agreed. Judge Smith was the Chairman of the Rules Committee and the leader of the conservative bloc, who would, if they could, have killed the bill. I realized that Mr. Smith would get more than a hundred votes just because he offered the amendment... Without saying anything to anyone, I decided to let him offer it, and use my powers of persuasion to get the rest of the votes...I used Smith” (as quoted in George 1983:149-150).

and social security benefits, seeing such fringe benefits as belonging to the more general category of “compensation.” In this way, Griffiths argued that correcting benefit inequities for working wives and mothers was simply an extension of the principle of equal pay for equal work (George 1983). In the first few months of 1967, she introduced three bills focusing on equalizing married mothers’ benefits. Each of her bills was quickly followed by nearly identical bill introductions by her colleagues. As 1967 came to a close, twenty-four such bills would be introduced in the House and the Senate by twenty-two separate legislators. Griffiths, mother and granddaughter of feminist groundbreakers, had seemingly ignited a sort of feminist policy idea revolution of her own in the U.S. Congress. For the next twenty-years, and long after Griffiths had left Congress, married mothers’ benefits bills dominated the gendered pay inequity policy proposal landscape.

Pat Schroeder

While Griffiths settled into life after national politics, eventually retiring with Hicks to a farm in rural Michigan, Pat Schroeder, born Patricia Nell Scott (1940-), was embarking on her second term in the House. Unlike Claude Pepper and Martha Griffiths, who had spent their formative years in small town America, Schroeder was born and grew up in the bustling metropolis of Portland, Oregon, already several thousand people deep by the time of her birth. Yet like her predecessors, she was raised in a devoutly Democratic household that stressed the importance of education and independence. Her father was a pilot, her mother a teacher (Lowy 2003). Both instilled in Schroeder and her two younger brothers a take-charge optimism, the type of “roll up your sleeves” and “seize the day” type of outlook on life. Reflecting on her upbringing later in life, Schroeder explained that growing up in the West gave her an independent streak and made her a

fighter, explaining that “Maybe that’s part of the West, too. People in the West still think change is possible. They still believe government can be ethical and pure” (as quoted in Lowry 2003:21).

Schroeder was said to be a gifted student from the start—though hardly a surprise given her mothers’ career. Her fathers’ career also afforded her other benefits such as family vacations in their private small plane to destinations around the country. She also grew up free from an expectation of a limited life other girls of her generation may have assumed they would lead (Lowry 2003). After all, Schroeder’s mother had had her own career, and her Aunt Myrna was on the national board of Girls Scouts of America, inspiring a young Schroeder to also get involved in scouting and outdoor activities. She attended the University of Minnesota for her undergraduate education and helped pay her way through college by using her father’s connections and her knowledge from her own flying lessons to work as an air crash site loss assessor (*ibid.*). During college, she also became politically active, serving on the student senate and supporting racial and economic justice. After completing a degree in history, with a minor in philosophy and political science, she set her sights on law school at Harvard. While that had not been an option for Griffiths, because Harvard Law did not admit women in the 1930’s, Schroeder *was* admitted in a class where men outnumbered women nearly 30 to 1.

Her time at Harvard was Schroeder’s first real experience with blatant sexism. On her first day of class a male classmate told her that she should be ashamed of taking a man’s place in the law school and refused to sit next to her (Lowry 2003). She experienced similar misogyny from her professors, with one making Schroeder and her female classmates, one by one, justify their legal education, and lamenting that they all knew women wouldn’t use their law degrees.

Schroeder would later recall that even her progressive parents worried that her law degree would prevent her from obtaining a husband. That limitless vision Pat Schroeder had seen for herself growing up was suddenly seemingly very limited indeed. However, she persevered, and despite her parents' worries, met Jim Schroeder, also a Harvard Law student, in the fall of 1961 and married him less than a year later. Jim's father was a dentist and his mother, a teacher until she had children, had a graduate degree and spoke Latin. His mothers' education and early career no doubt instilled in him more progressive views of gender equality than most men held at the time.

After both graduating from law school, they settled down in Denver, Colorado. Jim found it easy to find a job as a lawyer, while Pat struggled, with one firm telling her they thought hiring her was a waste of time given that she would undoubtedly just quit when she started having babies. She finally found a job with the federal National Labor Relations Board. Four years later, she gave birth to a boy, and quit her full-time job. However, Schroeder refused to settle in as a housewife and found she didn't care for housework (Lowry 2003). So, she began doing pro bono legal work for Planned Parenthood and a fair housing group, later working part-time as a hearing officer for the Colorado State Personnel Board and then as a lecturer in politics and constitutional law (Lowry 2003). Even when another baby came, Schroeder refused to settle for a life of domesticity as an economically dependent wife. Instead, she and Jim forged a marital partnership, seeing each other as an "organic whole as opposed to competitors," as she would later explain (ibid:29).

Throughout those early years of their marriage, the Schroeders were active in the local Democratic Party. In 1970, Jim ran for a seat in the Colorado State House and lost by only forty-two votes (Lowry 2003). In 1972, with a U.S. House seat available and most potential candidates

refusing to run, believing it would be an impossible bid for any Democratic candidate, the Schroeders decided Pat should make a go of it. Why not? With little to lose and a long-shot chance of winning, she built a campaign platform around supporting education, child care, and health services and opposing the Vietnam War (ibid.). She leaned into her opposition's caricatures of her as liberal nut-bag feminist, starting off many a speech with the following line: "Hi! I'm that nut you've been hearing about, the one who doesn't shave under her arms, the one who leaps over barricades uttering obscenities, the one who keeps her kids in the freezer" (as quoted in Lowry 2003:34). Her energetic and humorous campaign style seemed to work with voters. Against all odds, Pat Schroeder, 32 years old at the time, won the election with 51.6 percent of the vote, becoming the first woman elected to Congress from Colorado.

Never in their wildest dreams did the Schroeders think Pat would win. So it was a scramble to figure out how to navigate her new career across the country with two small children at home. The decision was made that Jim, kids in tow, would follow his wife to Washington, D.C. that next year, giving up his law practice to support his wife's unexpected political career. Most congresswomen up until that point had moved to D.C. on their own, leaving their husbands behind to continue their own careers. It was then the wife's assumed responsibility to fly home most weekends to visit family and meet with constituents. This was Martha and Hicks Griffiths' arrangement for two decades. Perhaps it made more sense for them given they had no children and Michigan was a quick skip and a hop from the nation's capital. The Schroeders, on the other hand, had two small children, the youngest still in diapers, and lived straight across the country. And so they arrived in D.C. in late 1972 to much media fanfare, the epitome of the new modern family.

Martha Griffiths was there during Schroder's first term in Congress to act as a den mother of sorts, welcoming the new class of congresswomen and providing advice. Would Schroder follow Griffiths example those first couple of years, reluctantly keeping her head down and biting her tongue, waiting for her moment to pounce when she had some experience under her belt? Hell no. Schroeder swept into Capital Hill like the chaotic tornado in Wizard of Oz, giving her new colleagues little warning. Of her arrival in Congress, she would later say: "My view, when I came here, was that I was to be the burr under the saddle of the status quo... I thought that's what it was all about. I thought we were here to try to correct courses to make things better and keep moving forward" (as quoted in Lowry 2003:46). And question the status quo she did, upsetting colleagues left and right: she provided inside information to the media about the extravagances afforded members of Congress, she fought tooth and nail against pay raises for legislators, and had a biting quip ready for anyone she thought deserved public scorn. Her often humorous yet searing one-liners were once compared to a "bonbon with a razor inside" (ibid:48).

But along the way, she also became an essential asset to many Democratic lawmakers and party leaders. During her first few terms, Schroeder had quickly developed a loyal base of supporters, particularly among women, who saw her as their fierce champion and public role model. In her work on the Post Office and Civil Service Committee Schroeder fought for better pay and childcare for military families. Employment equality for federal women workers became a particular policy goal of hers as well. She also played a key role in completely reshaping the Congressional Women's Caucus, first formed in 1977. Once little more than a polite tea party for a few congresswomen, Schroeder, who became co-chair in 1981 along with Republican moderate Olympia Snowe, completely overhauled the caucus turning it into a formidable clearing house, of

sorts, for all legislation related to women's issues (Lowry 2003). Reflecting on their success in expanding the size and power of the caucus, Schroeder said: "We have moved beyond the toddler stage and now we hope we are terrors" (quoted in Lowry 2003:48).

Her role in the new, more powerful Women's Caucus also meant that Schroeder had her hand in nearly all legislation relating to women. This allowed her to make connections across various policy networks and work with a diverse array of legislators. Her connections and clout in Congress also expanded due to her relentless generosity when it came to campaigning for her current and future colleagues. If you needed a fierce campaign stop headliner who would show up around the country at nearly a drop of the hat and energize the women's vote, it was said, Pat Schroeder would be there. She may have ruffled a lot of feathers among Congressional Democrats but she also put in the time and effort where and when it was needed. As a former aide once joked about the Democratic Leadership's relationship to Schroeder: "can't live with her, can't live without her..." (as quoted in Lowry 2003:53).

Legislatively, throughout the late 1970's and early 1980's, Schroeder focused on policy proposals in line with the policy ideas dominant during the Married Mothers' Benefits period that Martha Griffiths, her old den mother, had initiated. For instance, in 1977 she introduced a pension sharing bill for military spouses. In the early 1980's, she began to set her sights on issues related to maternity leave, after a 1984 U.S. District Court ruling against a mother who had been fired after taking two months off after the birth of her daughter (Lowry 2003). Importantly, the U.S. district court ruling argued that providing maternity leave to women and not men violated the Civil Rights Act of 1964. In response, Schroeder began crafting a parental and medical leave bill in 1984

and introduced the first of such bills in 1985 (Elison 1997; Lowry 2003).⁵² At the same time, she began introducing the Economic Equity Act bills, which we discussed last chapter. Those, like the rest of the legislation she was crafting and pushing, squarely focused on married mothers' benefits. By 1987, she had secured her place as champion for women and children and tenacious legislator. Perhaps feeling like the wind was at her back, she seriously considered running for President of the United States the following year but ultimately decided voters were not ready for a woman president (Bright 2021). So instead, she returned to Congress and got back to work.

Of course, you've already heard this next part. In the summer of 1989, Schroeder and Sen. Alan Cranston introduced two nearly identical, new versions of the Economic Equity Act, shifting the focus away from married mothers benefits and towards investments in education, training, child care, child support, and small business loans in order to support women obtaining higher paying and less precarious professional work. Although the Professional Women and Training period, as I call it, would last only eight years, the shortest of the four periods, the policy ideas encapsulated in Schroeder's 1989 House bill would be taken up by dozens of other legislators and get incorporated into a new synthesized approach in the next period. Those ideas, then, would far outlive her own tenure in Congress. Schroeder retired from Congress in 1996, later saying that she had enough of the partisanship that was creeping into Congress under Newt Gingrich's leadership as Speaker of the House (Bright 2021). After more than a decade heading the Association of American Publishers, she and Jim retired to Florida, "America's insane asylum for politics," as she calls it (*ibid.*).

⁵² Schroeder would continue working on the paternal and medical leave legislation for the next eight years, which was finally passed as the Family and Medical Leave Act of 1993.

Tom Daschle

While Pat Schroeder saw Newt Gingrich's election to Speaker of the House as a clear signal that it was high time she leave national politics, Tom Daschle (1947-) clearly thrived under the new reality of a Gingrich-led House. Like Pepper and Griffiths, Daschle had grown up in a rural, small-town America. Born in Aberdeen, South Dakota, Daschle's family were also strong supporters of the Democratic Party. His father was a teacher who later owned an automotive electronic store; his mother was a homemaker and occasional Avon lady, selling lipsticks and various beauty products to other women in her social network (Lauck 2007). Daschle came from a long line of Midwest Catholics, which he later touted in in his 1978 campaign for the House saying, "... as a lifelong member of the Catholic faith I will do everything in my power to persuade others that abortion is wrong" (as quoted in *ibid.*: 24). Oh yes, his turn toward the right in his early days in Congress. Remember that? But of course, as he rose in power among the Democratic Leadership once he was in the Senate, he moved decidedly toward the ideological middle of his party.

The synthesized approach to gendered pay inequity policies that he initiated during his second term as Senate minority leader, was, as I have said, well suited to Daschle's biography and leadership position at the time. Unlike Pepper, Griffiths, and Schroeder, he did not come from a family of female trailblazers, which might have instilled early in him a progressive view of gender equality that the other three clearly carried with them to Congress. And he is the only one of the four to divorce. We haven't talked much about Pepper's wife. Very little is known about her own biography. Wives of congressmen were of little concern back in the 1930s. What is known? Well Irene Mildred Webster, from St. Petersburg, Florida, married Claude Pepper in early 1937, just as he was beginning his first term in Congress (Pepper to Wed 1936). A bit of a groundbreaker herself for the time, she attended Florida

State College for Women and “studied dramatics” in New York. She was married to Pepper for more than four decades until her death in 1979. The Peppers don’t appear to have had any children—very rare for that day and age. Daschle’s first marriage to Laurie Klinkel, on the other hand, lasted only fourteen years during which time they had three children together (Lauck 2007). It seems that she was primarily a homemaker during their years together. They divorced in 1983, while he was still serving as a U.S. Representative. After their divorce, Laurie, now Laurie S. Fulton, went to and graduated from Georgetown Law, then worked on the board of directors for a peace foundation. From 2009 to 2013, she served as Ambassador of the U.S. to Denmark (Embassy of the United States 2022). A real professional glow-up after Daschle, no? Daschle and his second wife, Linda, were married in a year after his divorce from Laurie. Linda Hall Daschle has had quite an impressive career, working as a lobbyist for airlines during Daschle’s early years in the Senate; in 1993, she was nominated by newly elected President Bill Clinton—Daschle’s longtime ally—to be deputy administrator of the Federal Aviation Administration (National Air and Space Museum 2022). In 1996, the year before Daschle kicked off the Policy Synthesis period, she became the first female acting administrator of the FAA.

This is all to say that the biographies of these four legislators aligns well with the policy idea innovations each spearheaded. Claude Pepper, the unapologetic liberal firebrand and New Deal die hard, who had, the year before, begun to strongly support gender equality policies, was just the right kind of legislator to kickstart the very first policy innovation juncture with his equal pay bill. Martha Griffiths, warrior for working wives and co-equal in her marriage with Hicks, used her clout and tenacity to launch the Married Mothers’ Benefits juncture, which would last nearly two decades. Pat Schroeder, who took Griffiths’ equal partnership one step further, becoming the head of household and role model to women across the country, kickstarted the focus on Professional Women and Training,

policies that could make her own existence a reality for other working mothers and wives. And finally, Tom Daschle, liberal turned Democratic conservative turned moderate, who entered the gendered pay inequity policy space for the first time in order to unite his out-of-power caucus and integrate past, ongoing, and new (but very “third-way-esque”) policy ideas, inaugurated the Policy Synthesis period which continues to this day.

This alignment of biographical experiences and the contents of policy innovation suggests that policy entrepreneurs are not simply calculating, benefit maximizing policy actors, as much of the literature suggests. Their motivations for advancing particular policy ideas are oftentimes grounded in genuine, deep-rooted beliefs about what is right and what is fair, and what role government should play in making the world more in line with that vision of justice and fairness. This was certainly the case for the first three policy entrepreneurs; we should assume this was also the case, at least in part, for Daschle as well. But the concept of the policy entrepreneur also reminds us that policy actors, particularly legislators, are constantly engaged in an assessment of risk and reward, particularly when it comes to considerations of their electoral futures. In the final section below, I consider the four main characteristics of the policy entrepreneurs in light of what we know about Pepper, Griffiths, Schroeder, and Daschle. In particular, I discuss the ways in which their institutional, relational, and ideological positions within Congress helped both reduce the risk and maximize the influence of their entrepreneurial policy idea activities.

SENIOR, POWERFUL, SAFE, AND WELL-CONNECTED: CHARACTERISTICS OF THE FOUR POLICY ENTREPRENEURS

Overall, the four policy entrepreneurs share four main characteristics that align with the characteristics identified in the literature: (1) they had served in Congress for at least a decade prior to their respective juncture; (2) they held powerful leadership roles in their caucus; (3) they had no serious electoral challenges and so were secure in their positions; and (4) they were well-connected to other policy actors across multiple policy issue areas. The combination of these characteristics ensured that the risks of their entrepreneurial policy activities were minimized and the influence they had on other legislators maximized, leading to a convergence around the policy ideas they introduced.

Table 5.1 provides information on these key characteristics as well as other general information about each of the four policy entrepreneurs. Notably, each legislator had been in Congress for at least ten years before initiating their policy innovation juncture. We might expect new ideas to be embraced and pushed by new congresspeople, rather than those more senior. But this was the case for gendered pay inequity policy ideas. Some of the policy ideas that became dominant during each period had been first introduced into bills prior to the start of the juncture. but they were not embraced by other legislators and reintroduced until more senior policy entrepreneurs repackaged them. For instance, starting in 1947, a couple legislators periodically introduced bills to equalize social security benefits for women. But the idea never really caught on and the majority of legislators were squarely focused on equal pay legislation throughout the 1940's and 1950's. It wasn't until Martha Griffiths, with her seniority, position of authority, and

Table 5.1. Information on Four Policy Entrepreneurs

General Information					
	Chamber	Party	State	Yrs in Congress	GPI Bills Introduced
<i>Claude Pepper</i>	Senate	Dem	FL	41	6
<i>Martha Griffiths</i>	House	Dem	MI	20	22
<i>Pat Schroeder</i>	House	Dem	CO	24	11
<i>Tom Daschle</i>	Senate	Dem	SD	26	4

Juncture Related Information					
	Bills Before Juncture	Tenure Before Juncture	Tenure After Juncture	Re-election Margin of Victory	Yrs Until Next Election
<i>Claude Pepper</i>	0	10	5**	41%	5
<i>Martha Griffiths</i>	8	12	7	38%	1
<i>Pat Schroeder</i>	6	16	7	40%	1
<i>Tom Daschle</i>	0	18*	7	30%	1

Leadership/ Committee Assignments of Note	
<i>Claude Pepper</i>	Chairman, Committee on Patents; Chairman, Subcommittee on Wartime Health and Education; Chairman, Small Business Committee
<i>Martha Griffiths</i>	First female member, Ways and Means Committee; member, Joint Economic Committee
<i>Pat Schroeder</i>	Democratic Co-chair of Congressional Caucus for Women's Issues; first female member, Veterans Affairs Committee; Chair, Select Committee on Children, Youth and Families, (appointed 2 years <i>after</i> juncture)
<i>Tom Daschle</i>	Minority Leader, uncontested reelection year before juncture

*Tom Daschle spent a total of 18 years in Congress prior to the Policy Synthesis juncture; however, only 10 years of those were in the Senate, the chamber in which he held a seat at the time of the juncture

** Claude Pepper spent only five more years in the Senate after the juncture; he would return in 1963, as a representative in the House, where he would serve another 26 years.

reputation as women's crusader began pushing for married mothers' benefits, including Social Security benefits, that other legislators followed her lead and began pushing the same policy ideas.

Thus, the success of legislators in building consensus around new policy ideas—i.e. success in their policy-entrepreneurial activities—seems to be contingent on seniority. However, interestingly, the tenure of legislators who introduce bills focused on the dominant policy ideas of the time increased over the course of the period. Figure 5.1 provides the congressional tenure, averaged for each month, of each legislator who introduced a gendered pay inequity bill that incorporated the dominant ideas of that period. Looking across time, the tenure tended to increase within each period and across all four periods. While most legislators introducing equal pay bills tended to have spent less than ten years in Congress, the Policy Synthesis period is dominated by legislators who had been in Congress for two decades or more (see Figure 5.2 which provides a closer look at the Policy Synthesis period). And this is not just a consequence of the general increase in seniority of Congress over time. In the mid-1940's, the average tenure of members of Congress was seven years (Congressional Research Service 2021). By the mid-1990's it was around ten years. Thus, the increase in seniority of gendered pay inequity bill sponsors has far outpaced the increase in seniority of members of Congress, more generally. Given that the policy ideas embraced during this period are the least radical of all the periods, it makes sense that legislators who embrace and advance those ideas would be more senior members of Congress than prior periods.

The electoral safety and institutional influence of the four policy entrepreneurs is also clear when looking at Table 5.1. In their most recent reelection bids, they had all won by a margin of

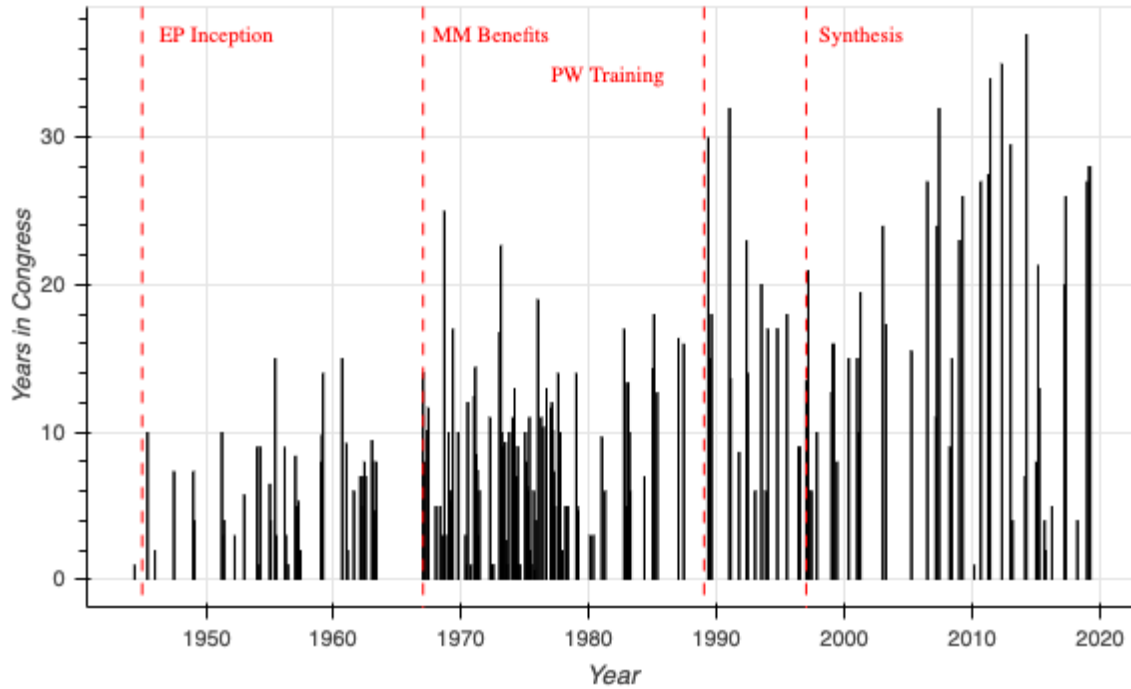


Figure 5.1. Congressional tenure of bill author at the time of bill introduction, averaged for each month, four junctures indicated with red vertical lines

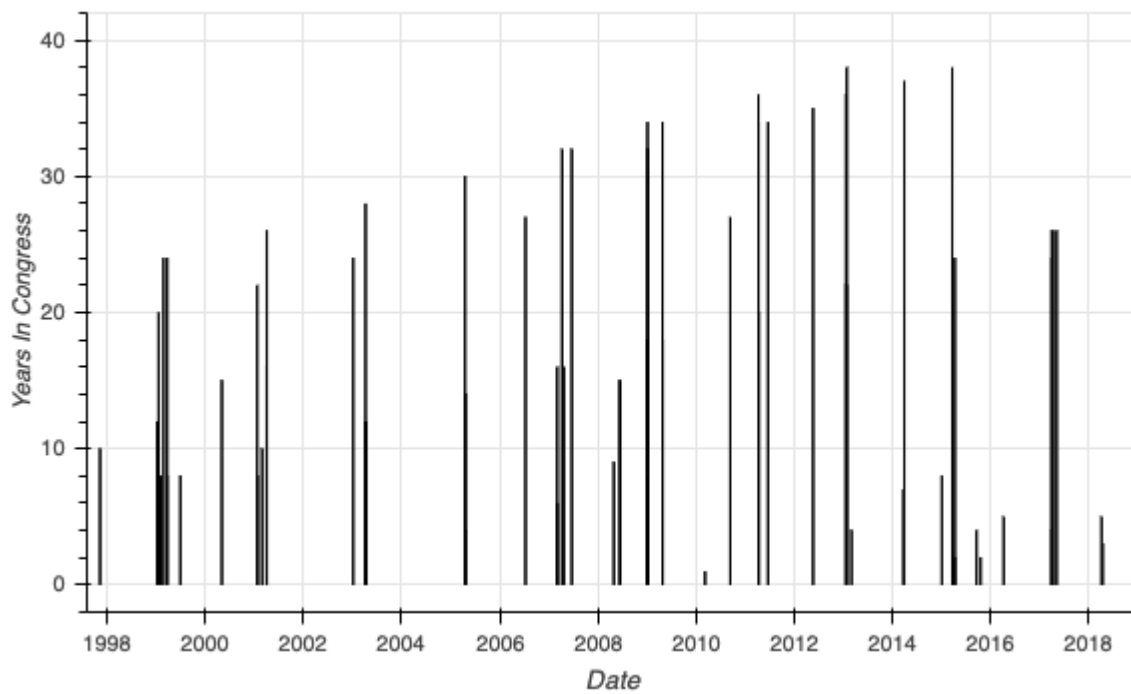


Figure 5.2. Policy Synthesis Period: Congressional tenure, daily averages

thirty points or more, a clear indication that none of them faced real electoral challenges around the time that they decided to introduce their innovative bills. This would have been key evaluating the risk involved when introducing the policy ideas. We can imagine, for example, a legislator who narrowly won his or her reelection bid the previous year being more cautious when considering whether to introduce the first major equal pay bill in 1945. Remember, bill introductions are a major way for legislators to signal to constituents, colleagues, and potential supporters what issues they care about and what work they are doing to address those issues. In this way, there are potential benefits for introducing bills that include policy ideas that align with the attitudes and positions of those groups. But bill introductions can also be used by opponents and may anger or upset potential voters or interest groups who disagree with the policy ideas included. For Pepper, Griffiths, Schroeder, and Daschle, their electoral safety lessened that risk considerably.

Their institutional positions within Congress are also important to note. As I detailed in their mini biographies, each of the four policy entrepreneurs had recently ascended to higher positions of authority, leadership, and influence. This is certainly not a coincidence. As the policy entrepreneur literature suggests, successful entrepreneurs either hold expertise in the issue at hand or hold positions of institutional authority, such that other policy actors will be more willing to believe their claims and support their proposals. Pepper, Griffiths, and Schroeder, through their committee work and prior policy efforts, had provided clear evidence their expertise in relevant issues. For instance, Pepper was heavily involved as Chairman of the Subcommittee on Wartime Health and Education in policy planning for a post-war economy, particularly leading the charge on suggesting that more women doctors would be needed. Griffiths had been deeply involved in

the Social Security debates occurring the Ways and Means Committee during the first half of the 1960's. Schroeder's position as co-chair of the Caucus on Women's Issues meant that she had her hands in women's employment policies of all kinds. While there is no specific evidence that Daschle had any similar experience in his prior committee work, as Minority Leader he, no doubt, had been involved in legislative debates and efforts of all kinds at least as early as 1994. And so their positions of authority and expertise likely helped bolster their efforts, in the eyes of their colleagues, and encouraged them to follow their lead. We can imagine a legislator, who cares about gender equality and wants to signal that to their constituents, contemplating which existing bill to introduce: on the one hand, a new bill authored by their new freshman colleague that incorporated policy ideas x; on the other hand, a new standalone bill to equalize Social Security benefits for married women authored by Martha Griffiths, who nearly single-handedly got "sex" added to Title VII three years earlier, who intimidated the more senior male members of the Ways and Means Committee, and who had put up a good fight the year before to add language to the Social Security reform bill that would equalize benefits for married women. Pretty obvious choice. And so must have been the choice for all the legislators who followed the policy lead of the four policy entrepreneurs.

And in the fictional situation presented above, the legislator making the risk calculation need not really know either their freshman colleague or Griffiths. Pepper, Griffiths, Schroeder, and Daschle's seniority in Congress, their diverse committee work, and their positions of authority meant that they were well-connected to many, if not most, of their colleagues, making it even more likely that those colleagues would follow their lead on gendered pay inequity legislation. Figures 5.3 and 5.4 provide even more evidence that they were well-connected to and aligned with the

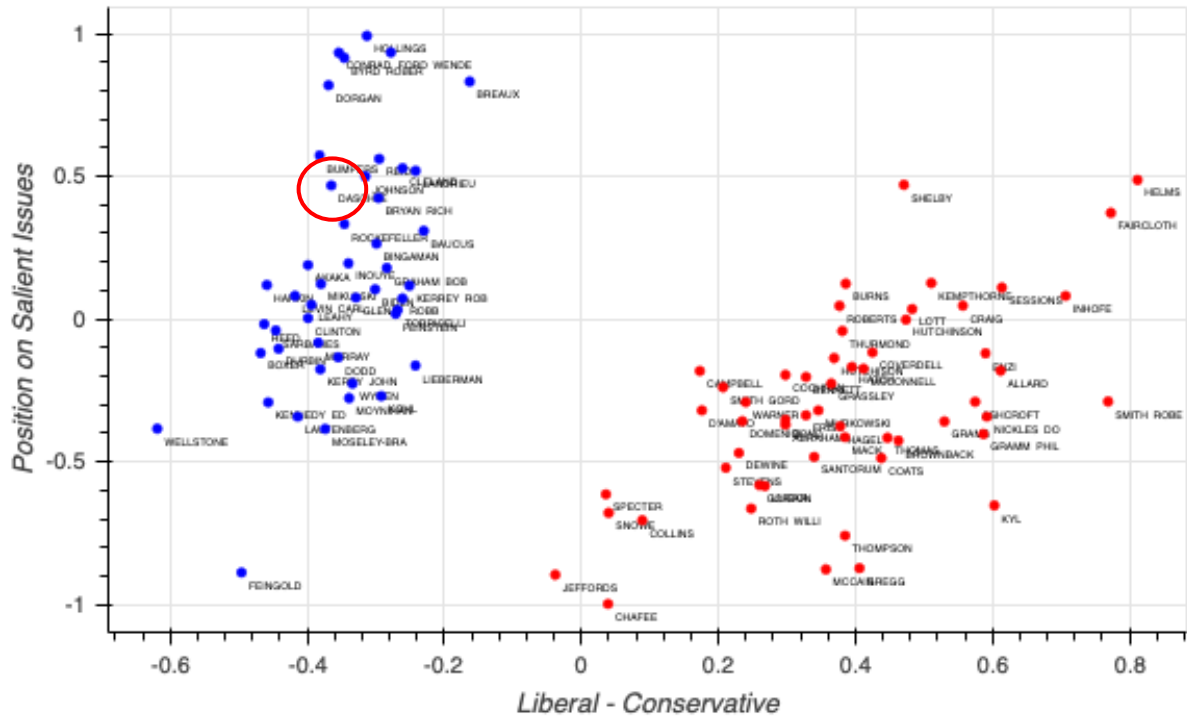
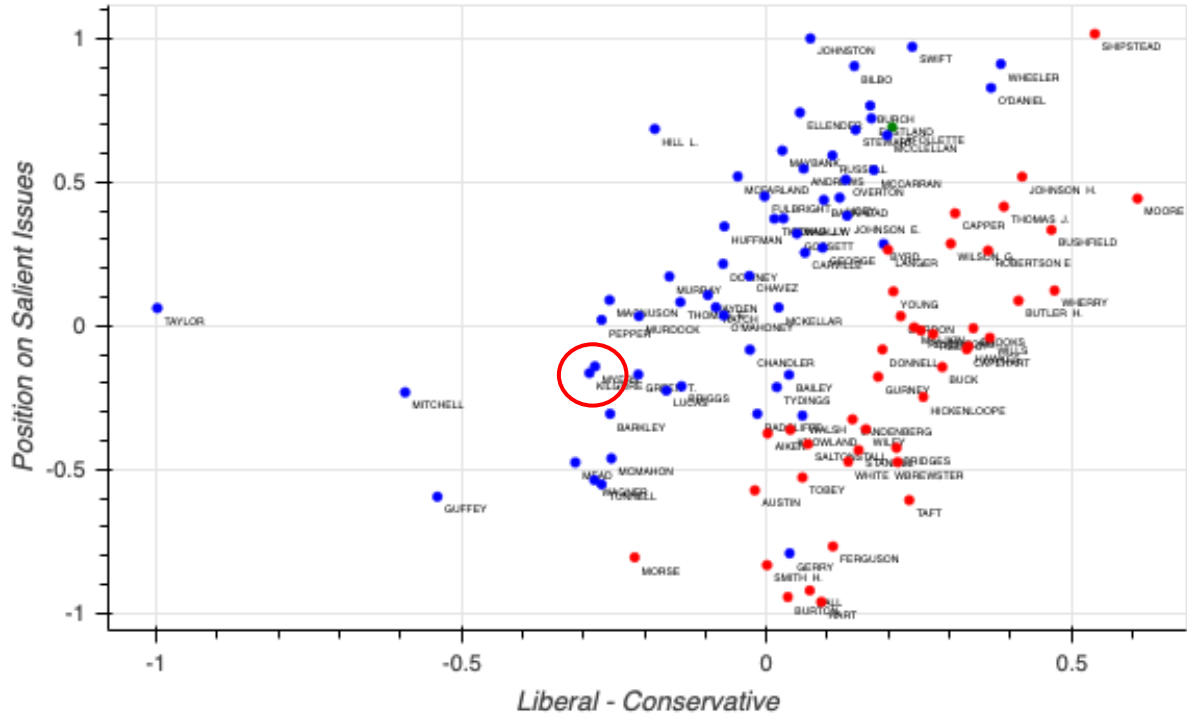


Figure 5.3. Mapping Political Ideology of the U.S. Senate: 79th Congress (1945-1947) in the upper panel, 105th Congress (1997-1999) in the lower panel; Key legislators circled

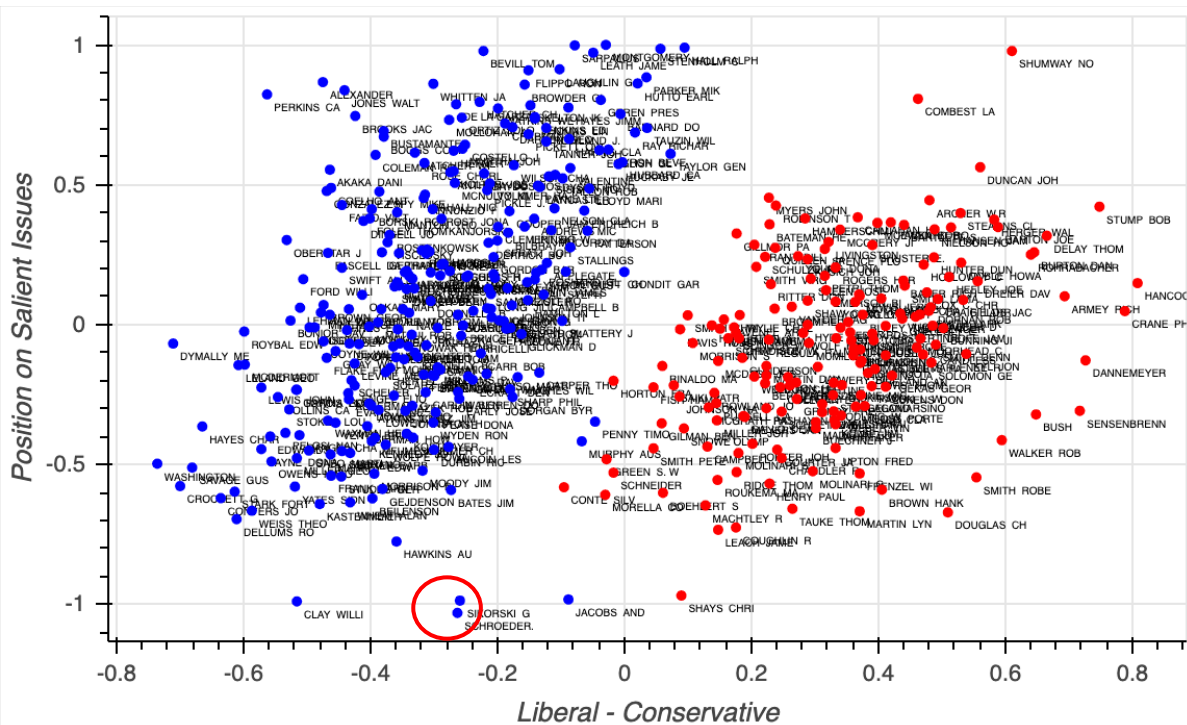
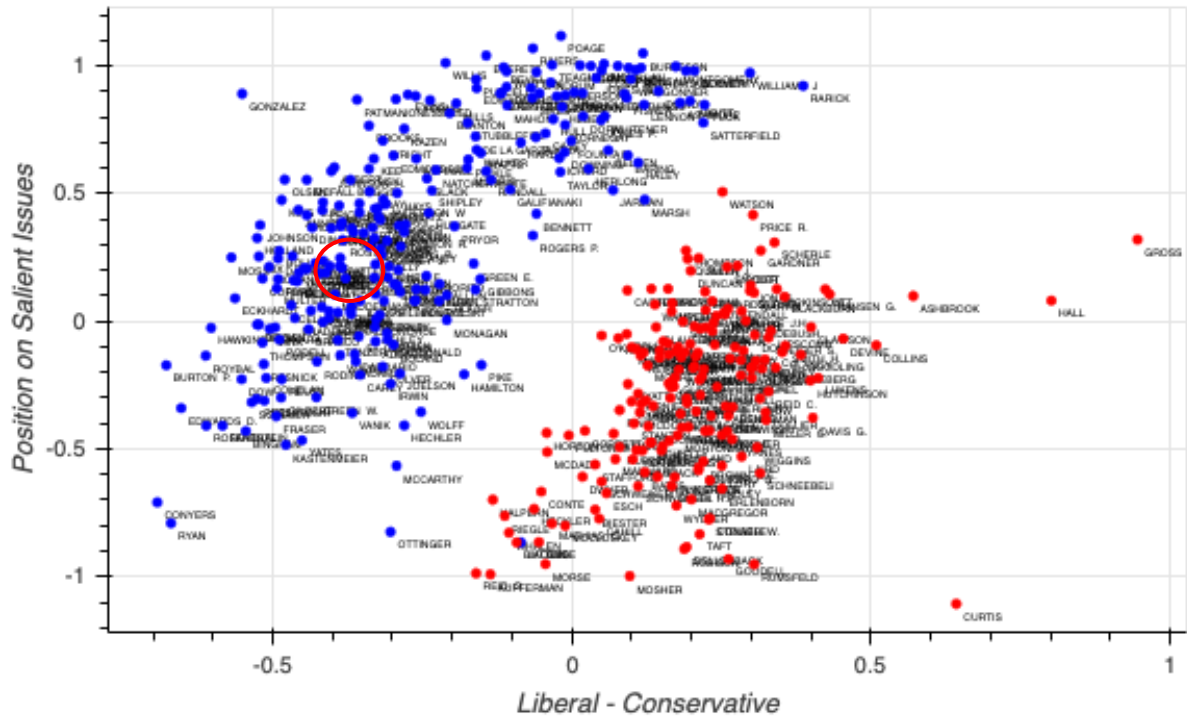


Figure 5.4. Mapping Political Ideology of the U.S. House of Representatives: 90th Congress (1967-1969) in the upper panel, 101st Congress (1989-1991) in the lower panel; Key legislators circled

majority of their Democratic colleagues. The four graphs in Figures 5.3 and 5.4 are based on Poole and Rosenthal's (1991; 2007) DW-Nominate measure of political ideology.⁵³ The two graphs in Figure 5.3 provide the ideological mapping of the U.S. Senate at the time of the Equal Pay Inception juncture (79th Congress) and the Policy Synthesis juncture (105th Congress)⁵⁴. The two graphs in Figure 5.4 provide the ideological mapping of the U.S. House at the time of the Married Mothers' Benefits juncture (90th Congress) and the Professional Women and Training juncture (101st Congress). The y-axis provides the first dimension, which measure of how Liberal or how Conservative each member of Congress is. A higher number indicates more Conservative, a lower number more Liberal. The y-axis provides the second dimension, which measure ideological positions on salient issues of the day, such as race. And as Poole and Rosenthal (2007) explain, the second dimension is meaningful primarily during two periods only: 1829-1851 and 1937-1970 when issues relating to race were highly salient. After the mid-1960s, they argue, that the second dimension is almost totally absent and therefore inconsequential for understanding the relative ideological positions of legislators.

Looking just at the first dimension, then, we can see our policy entrepreneurs, who are circled in red in each graph, tend to be middle-of-the-road in relation to other members of their caucuses. They are neither among the most Conservative in their caucuses nor among the most Liberal. Claude Pepper stands out as the most liberal policy entrepreneur, in relative terms. However, this is to be expected, given that equal pay was seen as much more radical in 1945 than, say, training for women employees was in 1989.

⁵³ See Lewis et al. (2022) to access data.

CONCLUSION

A consideration of the key legislators of the gendered pay inequity policy innovation junctures as policy entrepreneurs helps to explain both the timing and content of each juncture. The policy ideas that comprised each juncture closely align with each entrepreneur's own biography and policy history, suggesting that policy entrepreneurs do not simply make detached, rational calculations about which policies would be best for them politically. We saw that most, if not all, of the policy entrepreneurs had personal reasons to care about the policy issues they were addressing and seemed to exemplify the policy ideas they promoted. In this way, their sincere beliefs in the policy ideas they were promoting most likely counteracted some of the risk they may have perceived in their innovative policy efforts. Many of the characteristics they shared—experience in Congress, lack of electoral threat, and leadership roles—also likely reduced any perceived risks. Some of these same characteristics also meant that other legislators were more likely to see them as gendered pay inequity policy leaders and chose themselves to take the calculated risk of reintroducing the same policy ideas.

The concept of policy entrepreneurs also helps make sense of the political context in which policy innovation junctures take place. As we saw in Chapter 2, policy idea change occurs under conditions of political and economic stability, times when the risk of innovation might be at a minimum. As a member of a party that is on the brink of losing power, a legislator might not want to risk introducing new, untested ideas, or reintroducing new ideas—definitionally necessary for policy idea change as I've conceptualized it here—and thereby upsetting colleagues and party leaders. On the other hand, a member of a party that recently regained power might similarly see new policy ideas as a risky endeavor. Legislators that are more likely to introduce and successfully

promote new policy ideas are those with seniority, institutional power, and electoral safety and often have personal reasons for promoting those new ideas. Overall, a view of legislators as policy entrepreneurs allows us to explain how certain legislators are able to capitalize on opportune conditions, use their experience and institutional position in order to address problems they care about, and propel policy solutions they believe in to a new, dominant status.

CONCLUSION

In the years since Tom Daschle spearhead a new synthesized approach, little has changed in terms of the policy ideas that comprise gendered pay inequity bill introductions. Like all policy innovation junctures, the policy ideas he successfully repackaged have far outlived his own tenure in Congress. After his initial introduction of the Paycheck Fairness bill in 1997 in the Senate, Daschle introduced the same bill in the next three congresses. In 2004, he lost reelection, a surprise to many, particularly Daschle himself. But the Paycheck Fairness bill would live on. Hillary Clinton, four years into her first term as Senator from New York would take up the mantle for her longtime ally and introduce the bill in the next three congresses. However, in 2009, she was appointed Secretary of State by newly elected President Barack Obama and so left the Senate. Where would the Paycheck Fairness bill go next? To Barbara Mikulski, Democrat from Maryland, who was, by 2011, the first year she introduced the bill, already thirty-four years into her congressional career. Up until that point, she had not been very active in the gendered pay inequity policy space. She had introduced one bill in 1997 that sought to provide better employment opportunities for women scientists at the National Institutes of Health; she introduced another in 2009, which would come to be signed into law as the Lilly Ledbetter Fair Pay Act of 2009, a bill that refocused attention on greater protections for equal pay discrimination, a key policy idea of the entire Policy Synthesis period. Then in 2011, she took up the Paycheck Fairness bill and introduced it every year until her retirement in 2017. Patty Murray of Washington, twenty-four years into her tenure in Congress by then, took it up next and has introduced it in every Congress since. Patty Murray is still in the Senate, introducing that same bill every congressional period. And so is Rosa DeLauro, Democratic Representative from Connecticut, who began introducing the Paycheck Fairness bill in the House of Representatives just five months after Daschle and has

continued to do so every Congress since. And I have little doubt that if Murray or DeLauro leave Congress, either voluntarily or otherwise, there will be another congressperson waiting in the wings, ready to take it up, and march those same ideas forward once again. Or perhaps a new policy entrepreneur will arise and spearhead a new policy innovation juncture.

At the time of this writing, in June of 2022, the Policy Synthesis period has lasted a total of 25 years, longer than any other policy idea period. Knowing what we know about the previous four junctures, when might we expect a new policy innovation juncture to occur, and what shape might it take? As we learned in Chapter 2, it is unlikely that changes to the nature of women's employment, or to the number of women working, is likely to precipitate a new juncture, were those changes to occur at all. In many cases—such as with World War Two (WWII) and the influx of married mothers to the workforce, who turned out to be those mostly likely to stay in the workforce after the drawdown of the war effort—policy ideas that more closely aligned with changes to women's labor force participations—e.g. the need for childcare—were not the policy ideas taken up at the time by influential women's groups and legislators. I in no way argue here that underlying conditions don't matter, only that they cannot, for our purposes, help explain the timing or content of gendered pay inequity policy junctures. At best, we can say that the sudden, temporary, increase in women's labor force participation precipitated by WWII was not sufficient to bring about the first policy juncture. We know this if we look at World War One (WWI) as a counterfactual, an instance when, like during WWII, women's employment soared. By the end of the First World War, the proportion of women working in key industries had increased by double digits in many instances, such as manufacturing (Welner 1942). Women also made key gains in other non-traditional sectors such as finance and chemicals (Kessler-Harris 2003). But like with

WWII, “jobs returned to male control when the conflict ended” (ibid.:224). Although the issues of women’s wages and employment gained greater attention during WWI following the entrance of so many new women into paid employment, the first policy innovation juncture did not occur until more than two decades later.

So what might explain the first juncture occurring at the end of WWII rather than WWI, given very similar changes to underlying conditions? As we saw in Chapter 3, political opportunities play an important role in explaining policy innovation junctures. Opportune contexts for policy idea change are characterized by political and economic stability, policy alignment opportunities, and moments of greater activism on the part of advocacy groups. On the first point: unlike the post-war economic expansion of the 1940’s, 1919 was characterized by unsteady booms and busts, with stock prices collapsing by the end of 1919 and prices taking a huge fall six months later (Woytinsky 1945). Nineteen nineteen was also characterized by political instability: after several years of Democratic control in the House, Republicans narrowly (by one seat!) regained control in 1917 and expanded that control in 1919, while at the same time also retaking control of the Senate in 1919.⁵⁵ Policy change researchers argue that this type of changing political environment, particularly when a party has newfound control of the levers of power, is a ripe context for policy change. But as we have seen, it is not so for policy *idea* change. Key legislators are more likely to introduce new ideas within contexts of political *stability*. This was a very similar to the political context Claude Pepper encountered in 1945, when his party continued to hold power

⁵⁵ Sources: U.S. House of Representatives 2022, “Presidents, Vice Presidents, & Coinciding Sessions of Congress,” (<https://history.house.gov/Institution/Presidents-Coinciding/Presidents-Coinciding/>), “Party Divisions of the House of Representatives, 1789 to Present,” (<https://history.house.gov/Institution/Party-Divisions/Party-Divisions/>), and U.S. Senate “Party Division” (<https://www.senate.gov/history/partydiv.htm>)

in the legislative and executive branches of government and the economy expanded. Within this context of political and economic stability, he was also confronted with the Women's Bureau pressure campaign, waged during a period of increased activism under the leadership of Frieda Miller; previously, in 1919, the Women's Bureau did not yet exist and so was waging no pressure campaign (Laughlin 2000). So despite very similar changes in the underlying conditions of women's employment, the two periods were vastly different in terms of the political opportunities available to would-be policy entrepreneurs, had those policy entrepreneurs been inclined to introduce new policy ideas into the policy agenda.

So what might this mean for when we might expect a new gendered pay inequity juncture? Next year, 2023 could be a very opportune time if (1) Democrats can maintain control over Congress following the 2022 mid-term elections and ensure political stability for the next congressional period; (2) unemployment remains low and inflation eases; and (3) there is renewed activism on the part of women's groups for new employment legislation. These opportune conditions would also likely lead to an increase in legislators—both those who have been immersed in the women's employment policy field and those who are new entrants—paying attention to and discussing women's employment in existing and new ways, as we saw in Chapter 4. The disruption in extant discursive communities is the observable manifestation of this increased attention and the entrance of new ideas into the policy field, which we saw in the months leading up to a policy innovation juncture.

And these disruptions in the existing ways of talking about women's employment and the inclusion of new policy actors into the policy field provide further opportunities for advocacy

groups and the legislators they pressure, to challenge existing policy ideas and shake up gendered pay inequity legislation. But as we saw in Chapter 5, a special kind of legislator is required to make use of these opportune conditions, new attention, and disrupted discourse: a highly motivated, well-connected, long-tenured legislator lacking any serious electoral challenger. For example, someone like Senator Amy Klobuchar (D-MN), who would, by 2023, be 17 years into her congressional tenure, and now serves on 18 Senate committees and subcommittees, chairing three, including the Committee on Rules and Administration, which she became chair of in 2021. Not up for reelection until 2025, she won reelection in 2018 with more than sixty percent of the vote, lacking any serious challenger. Or it could be someone else, who is similarly tenured, well-connected, and electorally secure. Whoever it is, their personal motivations for addressing the issue of gendered pay inequity are likely to overlap with the new, or renewed, policy ideas they promote.

CONTEXTS AND CALCULATIONS: POLICY CHANGE VS. POLICY IDEA CHANGE

Throughout this research, I have relied on three policy process theories—the Multiple Streams approach, the Punctuated Equilibrium model, and the Advocacy Coalition Framework—to provide possible explanatory factors for policy *idea* change. Although differing in emphasis, all three agree that substantial policy change—the type of big, sudden changes in existing policies that go beyond small, incremental changes—is infrequent primarily because of the dominance of a policy community (Kingdon 1984), policy monopoly (Baumgartner and Jones 1993), or an advocacy coalition (Sabatier 1988; Leifeld 2013), in the words of each. To effectively challenge this institutional and ideational dominance, a whole lot of hearts and minds need to be changed, or at least incentivized to sign on to the alternative. For this reason, big changes in political power, economic performance, voter perceptions, and the like are necessary to bring about major policy change. At least

with legislative policy change, a majority—and increasingly more often, a supermajority—of legislators need to support the change and be willing to vote for the alternative. That is hundreds of risk/benefit assessments going on at the same time. And moments of big political, cultural, and economic change are also proving grounds for parties, as they try to demonstrate why they should remain in power. For individual legislators, we saw that bill introductions are a key way to communicate to voters what they are up to and what exactly they are getting done. But for parties, bill introductions are not enough; parties, and their leaders, need the policy change receipts, so to speak. And like we have said, the bar for policy change is much higher. You often need every member of your party, plus some from the other, to agree to the alternative. And for policy change, this is why, as Sabatier (1987) and Leifeld (2013) posit, we are likely to see the restabilization of coalitions, including the emergence of a new dominant advocacy coalition, prior to policy change, as agreement on the alternative is indicative of majority support for the new policy. But such restabilization is not necessary for the menu of available policy *ideas* to change, as policy idea change only requires a relatively small number of legislators to pursue new policy ideas: the policy entrepreneur to kick things off, and other legislators to follow their lead and also start introducing those new ideas.

Does this suggest that policy idea change leads to policy change? Not necessarily. But together with the different contexts which characterize “opportune conditions,” it does suggest why policy idea change is likely *not* to be quickly followed by policy change. That is, policy idea change and policy change are most likely to occur under nearly opposite conditions: political and economic stability for the former, political and economic instability and change for the latter. Those “windows of opportunity” that Kingdon talks about are similar in form—they alter the risk and benefit calculations

of potential policy entrepreneurs and those who follow their lead—but very different in content, suggesting that when one occurs the other is unlikely to follow.

LESSONS FOR RESEARCHERS, THE PUBLIC, AND ADVOCATES?

I began this manuscript by posing a question: what gets through when a policy window opens? Much of the policy process literature has been focused on explaining *when* we are likely to see policy change rather than *what* exactly that policy change will look like. Kingdon (1984) asserts, and I also find, that what gets through, i.e. what gets enacted into law, are those ideas that are already existing, have been vetted, and which policy entrepreneurs have already worked to get members of dominant policy communities and larger publics used to. In this way, he argues, “when a short-run opportunity... comes, the way has been paved” (pg. 128). This is precisely what recurring bill introductions do: vet new policy ideas, “soften up” members of policy communities, and get constituents used to these new ideas—after all, legislators can’t use bill introductions as signals to fellow colleagues, advocacy groups, or constituents if they are publicizing their efforts.

And if we look at the policy change record for gendered pay inequity, it is precisely these vetted, recurring ideas—those which came to dominate bill introductions for each period—that were incorporated into successful policy alternatives when a window of opportunity presented itself. In 1963, with an increased mandate following the 1962 midterm elections and unemployment rising President Kennedy set his sights on multiple employment bills. In his first two years, he had formed the President’s Commission on the Status of Women (PCSW) which had concluded with several employment proposals including equalizing the Government’s health benefit contributions for married women workers, increasing educational and employment training for women, particularly

older women, and equal pay legislation (U.S. President's Commission on the Status of Women 1963; U.S. Interdepartmental Committee on the Status of Women. 1967). And it was equal pay, the dominant policy idea for nearly two decades, that was pushed by the President and ultimately passed. In 1977 and 1978, following the election of Jimmy Carter, ensuring Democrats full control over the legislative process, a whole slew of bills was passed that, among other things, established fathers' insurance benefits (PL 95-216), outlawed discrimination in the civil service (PL 92-1111), and prohibited employment discrimination on the basis of pregnancy (PL 92-2076), all core policy ideas of the Married Mothers Benefits period. In 1993, when again Democrats regained full legislative control following the election of Bill Clinton, the Family and Medical Leave Act was finally passed, following more than a decade of effort by Pat Schroeder and others. And in 2009, under very similar political conditions, this time with the election of Barack Obama, the Paycheck Fairness Act finally passed the House (though failed in committee), and the Lilly Ledbetter Fair Pay Act, a bill that provides greater protections for equal pay discrimination, a key policy idea of the entire Policy Synthesis period, was signed into law. These are but a few examples—though some of the most substantial gendered pay inequity policy changes to date. Each time Democrats have gained full control of the legislative and executive branches, they have reached into that bag of existing, vetted policy ideas, and enacted those ideas that have dominated the period.

The fact that the very ideas that come to dominate a period will also tend to be those most likely to “get through” when a policy window opens suggests that policy innovation junctures are key to understanding policy outcomes, since their content largely determines the shape and content that policy change will take. Much focus has been on what happens when we are paying the most attention: when a new party comes to power; when big economic changes occur; when focusing

events like a mass shooting or public health crisis disrupt our attention and force us to reevaluate existing assumptions and policies. As members of the public and as researchers, we tend to shine an attentive and explanatory spotlight on these instances since they *are* those moments when big change is likely to occur. But what this research suggests is that we need to pay more attention to those moments of calm, of stability, of dimness, when we aren't paying much attention, yet big changes are afoot, nonetheless. These moments when the contents of policy alternatives are being drastically altered, and a few select legislators are reimagining and recalibrating the entire approach to an ongoing social issue.

There are important lessons for social movements scholars and members of advocacy groups, like women's organizations, as well. By the time a policy window opens, it is most likely too late to try to influence the content of legislation. The bar for trying to influence the process at this point is very high, and existing solutions, as Kingdon and I argue, are the most likely to be incorporated. But the bar is much lower, as I have said, during policy idea windows. Organizations such as the Women's Bureau or the newly created National Organization for Women (NOW) needed only to find one or two highly motivated, well-connected, and electorally safe legislators to convince to take up their ideas. Convincing that legislator, who can successfully get others to follow their lead, ultimately means those ideas will likely dominate for the next several years, if not decades. Countless hours, and hundreds of pages, will be dedicated to reintroducing those ideas over and over again. Those ideas will likely outlive the tenure of congressman who first introduced them. New legislators will be elected, or decide to jump into the policy field, and take those ideas up as their own, using them to signal to their colleagues, advocacy groups, and constituents that they care about the issue and are working to do something about it. And should a

policy window open those ideas, first introduced long ago under very different condition, are the most likely to get through. A low bar, scaled under dim light, with possibly quite extraordinary consequences, indeed.

APPENDIX A:

Corpus construction and topics over time analysis

In this appendix, I explain in detail how I constructed the gendered pay inequity corpus and used a topics-over-time analysis to identify the four policy innovation junctures within the corpus.

CREATING THE GENDERED PAY INEQUITY BILL CORPUS

To create the corpus, my first task was to identify the population of bill introductions that focused on the issue of gendered pay inequity. I define gendered pay inequity legislation in the U.S. as proposals addressing the salary and/or benefits of U.S. women workers in relation to their past, current, or future employment, particularly when it is in direct comparison to the salary or benefits of male workers. Thus, for instance, a bill proposing to mandate maternity leave for female government employees would be included, since it is a benefit directly tied to their employment and is specific to women workers (e.g. *S. 1332* of 1945). Alternatively, a bill directing that money be given to U.S. states to provide free childcare for women would not be included, since it would be a benefit provided to all women regardless of employment status (e.g. *H.R. 4025* of 1963).

Using this specific definition of gendered pay inequity, I then used two strategies to construct a list of all possibly relevant bills introduced in the U.S. Congress. For the first strategy, I used a defined set of Boolean search terms to locate relevant bills in Proquest Congressional. Proquest Congressional is a database that indexes various publications of the U.S. Congress as far back as 1789. Such publications include committee hearing transcripts, Congressional Research

Service (CRS) Reports, and, of course, legislative bills. I used the following search terms to create the initial list of bill introductions, such that a bill was returned only if it included at least one term/phrase from *each* set of terms/phrases within parentheses (e.g. a bill containing the term women AND employment AND equal):

(women, gender, sex, or female)
AND
("employment, "pay", "paycheck", "work", or wage)
AND
("equal", "inequity", "comparable", "comparison", "relative", "affirmative action", "investigate", "investigation", "commission", "maternity", "pregnancy", "fair", or discrimination)

For terms/phrases in quotation marks, identical terms/phrases must be found. For terms/phrases not in quotation marks, variations can be found (e.g. for "wage" either wage or wages is deemed an acceptable match).

As a second strategy, I used the Congressional Bills Project (CBP) database to verify the list collected from Proquest Congressional and find bills missed by the search terms. The CBP database, compiled by E. Scott Adler and John Wilkerson, is a nearly exhaustive list of the more than 400,000 bills introduced in Congress between 1947 and 2016. In order to filter out irrelevant bills I used a combination of subtopic codings (e.g. "Energy: Natural Gas and Oil") and term searches (e.g. "gender," "women," and "equal,"). I then manually inspected each bill removing those that did not meet my criteria. The combined searches using Proquest Congressional and the CBP database resulted in 776 bills. The earliest bill was introduced in 1893, the latest in 2019. I then used Proquest Congressional and Congress.gov to locate digital copies of each bill. Most of the bills were only available in PDF format. When available, however, I collected rich text versions to avoid as many text conversion errors as possible. I was able to locate and collect the full text of 767 out of 776 bills I had

previously identified as addressing the issue of gendered pay inequity. Of the 767 bills, seven were introduced between the years 1893 and 1943, which I removed from the formal text analysis but use in Figures 1.1 and 1.2 to explain the lead up to the first policy innovation juncture. In the end, the final corpus used for text analysis consists of 760 congressional bills introduced between the years 1944 and 2019.

The next step was to prepare the documents for text analysis. To do this, I converted all documents to plain text format and manually fixed errors produced by the Optical Recognition Software (OCR) I employed to convert PDF documents to plain text. I then split all 760 “cleaned” plain text files into separate documents based on topical sections. The more common document splitting method is to break up documents by paragraphs, using the carriage returns present in the text to automatically split files (see: Rule et al. 2015; Wang and McCallum 2006). However, because of the format of the bills (see Figure A.4), this approach would have resulted in the creation of hundreds of documents with little meaningful content (e.g. a document consisting only of the text “Sec. 100 Short Title” or “(f) Notwithstanding any of the preceding provisions of this section-“). Additionally, by splitting each bill into existing sections, I retain more of the “natural” topical separation within each original document. In the end, this approach created more comparable documents considering there was a great deal of heterogeneity in the length of the documents collected (the shortest bill is a single page, while the longest bill is 592 pages). For those sections that were clearly demarcated by “SEC.” or “Sec.” I applied a text splitting algorithm to automatically create the new documents. Otherwise, I manually created separate documents based on section headings (e.g. “Enforcement”, or “Records and Reporting”). On average, ten documents were created for each bill. The shortest bills produced only two documents, while the

longest produced 266 documents. Longer bills tended to be those that addressed multiple aspects of the gendered pay inequity issue within one bill. For instance, *S. 2677* of the 102nd Congress is 138 pages long and proposes to create apprenticeship programs for women, create a commission for the advancement of women in science and engineering, provide microenterprise loans for women business owners, study pay equity in the U.S. legislature, and change earnings calculations for married couples, among other things. After splitting all bills into topical documents, I then converted the text to lower case, removed all numbers, stemmed each word into its root form (e.g. “discrimination” and “discriminate” were converted to “discrimin”), and removed a list of “stop words” to reduce non-meaningful noise within the dataset. The resulting corpus is comprised of 7,952 topical documents and 3,092 unique tokens.

IDENTIFYING JUNCTURES USING TOPICS OVER TIME ANALYSIS

Following the creation of the original corpus, I then constructed a model that could identify the temporal dynamics of policy ideas within and across the resulting documents. I achieved this in two steps. First, I identified unique policy topics using Latent Dirichlet Allocation (LDA), a semi-supervised, machine learning algorithm used to uncover latent topics over a corpus of text documents. Second, using document-level timestamps, I computed time-sensitive weights for each topic to pinpoint moments of policy innovation—when new topics emerged, disappeared, or reappeared.

LDA (Blei, Ng, and Jordan 2003) is a probabilistic generative topic modeling algorithm based on the assumption that documents are made up of a combination of topics and topics are meaningful combinations of co-occurring words. LDA generates latent topics using the co-

occurrence of words for each document to infer probability distributions over words for each topic, and probability distributions over topics for each document. For instance, a news article may be represented by the following “topic mixture”: topic 1 0.6, topic 2 0.3, and topic 3 0.1; the topic 1 might be represented by the following multinomial distribution of word probabilities: “ball” 0.3, “life” 0.02, “win” 0.2, “cat” 0.001, “team” 0.2, and so on. Topics are interpreted by taking into consideration the combination of “high probability” words. Thus, topic 1 (with the high-probability words “ball”, “win”, and “team”) may be interpreted as a topic about sports.

LDA further assumes the number of topics to be fixed and known. To determine the number of topics for my corpus, I used a combination of coherence scores, which measure intratopic distance, multidimensional scaling, which measures intertopic distance, and manual review of interpretability. Coherence is a measure of the conditional likelihood of words occurring together and has a range of 0 to 1. A higher coherence score is better, as it indicates high-probability words within the topics will have higher rates of co-occurrence across documents. Figure A.1 provides the coherence scores for unigram topic models ranging in size from 2 to 50 topics. The dotted vertical line highlights the fact that twenty-four topics produces the model with the highest coherence.

Based on the plot, twenty-four topics produce the highest combined coherence, on average (coherence scores for each topic can also be calculated and are presented in Table 1.1 of Chapter 1). I performed an additional test on the twenty-four-topic representation by inspecting intertopic distance using multidimensional scaling. This method uses Principal Coordinates Analysis

(PCoA)⁵⁶ to reduce the dimensions of the dataset from 3,092 (the number of total tokens) to two; the LDA topics are then plotted within the two-dimensional space. Good topic models are characterized by non-overlapping topics that span a large portion of the two-dimensional space (Sievert and Shirley 2014). Figure A.2 provides the multidimensional scaling representation for the twenty-four-topic model used in this research.

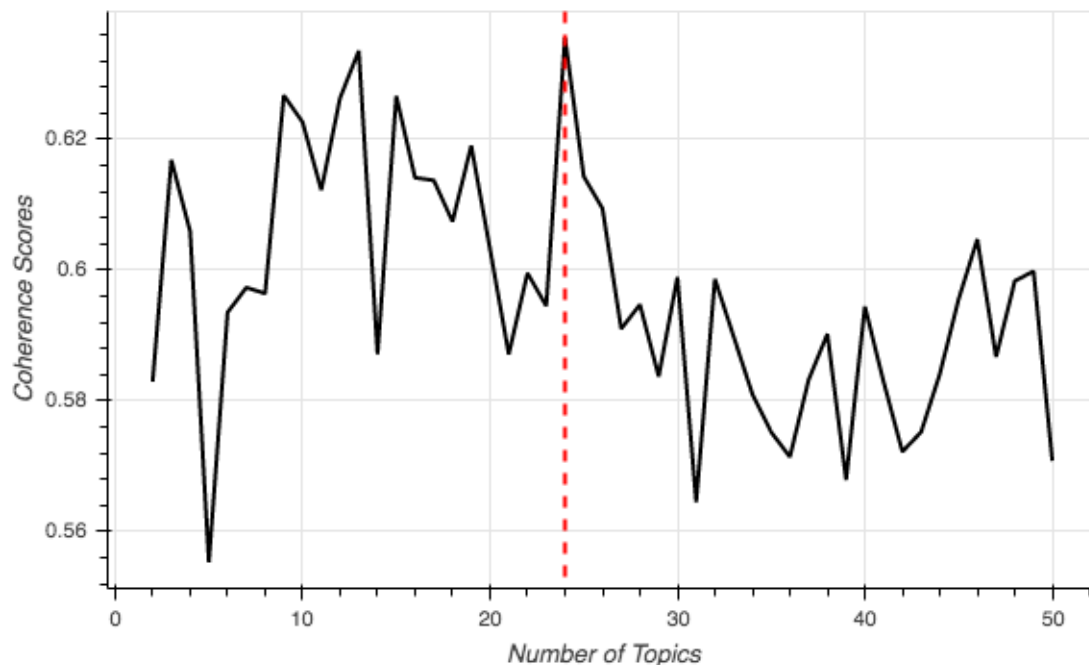


Figure A.1. Coherence Scores for Models ranging in Topics between 2 and 50

⁵⁶ PCoA is similar to Principal Components Analysis (PCA); however, rather than transforming the quantified data into a correlation matrix, PCoA transforms the data into a distance matrix. The distance metric used in this analysis is the Jensen-Shannon distance, a calculation of the pointwise mean of two probability distributions using the Kullback-Leibler divergence. For the exact equation used, see the `jensenshannon` function in the full source code:

<https://github.com/scipy/scipy/blob/v1.3.0/scipy/spatial/distance.py#L1736-L2094>

Intertopic Distance Map (via multidimensional scaling)



Figure A.2. Multidimensional Scaling: The chosen twenty-four-topic model represented as two dimensions using Principal Coordinates Analysis

Intertopic Distance Map (via multidimensional scaling)



Figure A.3. Multidimensional Scaling: Example of model with twenty-two topics, greater overlap of topics and less semantic diversity

Figure A.3 presents a model of twenty-two topics as an example of a model that produces less semantically distinct topics than the model constructed for gendered pay inequity bills. Comparing the two models, we see that the chosen model with twenty-four topics produces topics with less semantic overlap and covers a wider range of the semantic space. This is key for making sure that the topics accurately represent the range of policy ideas that are actually present in the policy documents. The size of the circles represents the marginal topic probability, i.e. the relevance of the topic across the entire corpus, which is, in part, an estimate of the number of words within the corpus generated by that topic.⁵⁷ Thus, we can also see that the chosen model, in relation to the example model, produces topics that are more relevant across the entire corpus.

After I found the twenty-four-topic representation of proposed policies to contain coherent and semantically distinct topics, I then converted “topic mixtures” of each document into two types of temporally sensitive weights: (1) topic prevalence⁵⁸ averaged per congress and (2) probability averages per congress. I used congresses, rather than year, as the timestamp for each document to capture the “naturally” occurring temporal demarcation of bill introduction. This also helped to smooth out longitudinal patterns since nearly 80% (595 out of 760) of the bills in the corpus were introduced in the first session (i.e. year) of a congress. The first weighting type only considers the highest probabilities for each document per congress. Thus, for document i , which was originally represented as a mixture of topic probabilities, topic t , which was weighted as the most probable topic for that document, was converted to “1” for that document. Sums across topics for each congress were then calculated and divided by the total number of documents for that congress. For

⁵⁷ See: <https://cran.r-project.org/web/packages/LDAvis/vignettes/details.pdf>

⁵⁸ This is the approach used in Adrien Guille’s TOM, Topic Modeling, library for python, the library I drew from when writing the topic modeling algorithm for this analysis

instance, if topic t was the most probable topic for 10 documents out of 200 documents during congress c , the temporally sensitive weight for that congress would be 0.05. Thus, 5% of documents for congress c had the highest probability of containing topic t . This weighting method ensured that temporal weights were regularized such that all weights for that year summed to 1. While this method successfully captured topic prevalence in relation to that specific point in time, it is biased towards congressional periods with a smaller number of bill introductions. For example, during the 78th Congress (spanning January 6, 1943 to December 19, 1944) only one gendered pay inequity policy was proposed in Congress, and it was only one page long (two split documents in total). The probability of topics was such that only two topics even registered during this time period and so each had a temporally sensitive weight of 0.5, which is high given there are twenty-four topics. I made sure to take this into account when interpreting longitudinal trends and focused less on congressional periods with very few documents.

The second temporally sensitive weight I calculated was a probability average for each topic per congress. Instead of taking into consideration only the highest topic probability for a single document, all probabilities were summed and then averaged across all documents for that congress. For example, if only two documents were produced for congress c and the topic 1 had a 34.5% probability of being present in the first document and a 28.5% probability of being in the second document, then the average probability for Topic 1 during the that congress was 31.5%. While overall patterns were much the same across both weighting types, averaged probabilities provide a better representation of policy content within a given congress (i.e. which topics are more likely to be present within a given time period) while topic prevalence provides a better representation of the longitudinal prominence for each topic (i.e. when each topic is more or less

important). Because my main interest is in change over time, all results presented in Chapter 1 use prevalence weights rather than average probabilities.

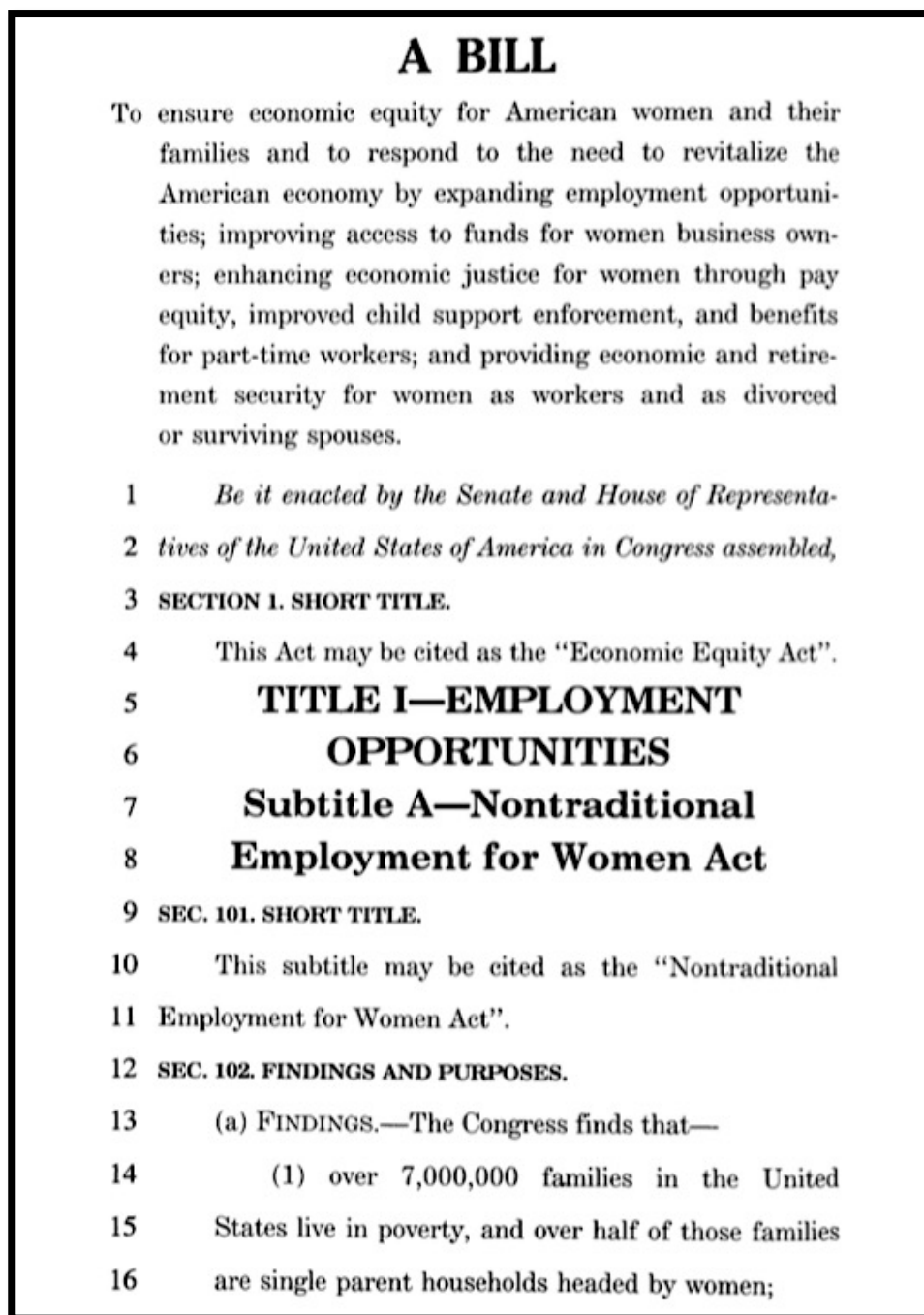


Figure A.4. Example page from H.R. 3526 of the 102nd Congress

APPENDIX B:

Objective conditions and indicators

LABOR FORCE PARTICIPATION RATE DATA

Female labor force participation (FLFP) rate data were collected from three main sources. The BLS Current Population Survey (Household Survey) was used for the years 1948-2020 and is collected each month. January values were used to represent yearly data points in Figure 2.1 of Chapter 2. Data for years 1890-1947 were collected from Long (1958), Tables A-2 and B-1. Data between 1890-1930 were only available for each Census year (every decade) and were adjusted to be in line with standardized values provided by Long (1958) for yearly data between 1940 and 1947.

APPENDIX C:

Political opportunities

SURVEY DATA

Table A.1 presents the four survey questions used for Figure 3.5 in Chapter Three. All questions are from the General Social Survey (GSS) and have been rescaled in order to align with support for women's work. For instance, an answer of "strongly agree" for the first question in the table would indicate the participant does not support women working outside of the home. I rescaled the question so that "strongly agree" was "strongly disagree", "agree" was "disagree," and so on.

Table A.1 General Social Survey (GSS) questions about support for women’s work

Graph Title	Question	Response Options	Recoding	Years Available	Valid Cases
<i>Outside the Home</i>	It is much better for everyone involved if the man is the achiever outside the home and the woman takes care of the home and family.	Strongly agree, agree, disagree, strongly disagree	Support = disagree + strongly disagree	1977, 1985, 1986, 1988, 1989, 1990, 1991, 1993, 1994, 1996, 1998, 2000, 2004, 2006, 2008, 2010, 2012, 2014, 2016, 2018, 2021	28530
<i>With Small Children</i>	A preschool child is likely to suffer if his or her works	Strongly agree, agree, disagree, strongly disagree	Support = disagree + strongly disagree	1977, 1985, 1986, 1988, 1989, 1990, 1991, 1993, 1994, 1996, 1998, 2000, 2004, 2006, 2008, 2010, 2012, 2014, 2016, 2018, 2021	28514
<i>With Children</i>	A working mother can establish just as warm and secure a relationship with her children as a mother who does not work.	Strongly agree, agree, disagree, strongly disagree	Support = agree + strongly agree	1977, 1985, 1986, 1988, 1989, 1990, 1991, 1993, 1994, 1996, 1998, 2000, 2004, 2006, 2008, 2010, 2012, 2014, 2016, 2018, 2021	28822
<i>With no Financial Need</i>	Do you approve or disapprove of a married woman earning money in business or industry if she has a husband capable of supporting her?	Approve, disapprove	Support = approve	1972, 1972, 1974, 1975, 1977, 1978, 1982, 1985, 1986, 1988, 1989, 1990, 1991, 1993, 1994, 1996, 1998	24401

APPENDIX D:

Measuring network stability and change

The analysis approach in Chapter 4 is based on discourse network analysis (DNA), as formulated by Philip Leifeld (2013), which combines content analysis and dynamic network analysis in order to capture the relational dimensions of advocacy and discourse. Discourse network analysis is based on the Advocacy Coalition Framework (ACF) that conceptualizes policymaking as being constituted by competing coalitions of policy actors who are related according to shared policy beliefs and preferences. The Discourse Network Analyzer (DNA), a program written by Leifeld, allows for the analysis of text data according to the principles of discourse network analysis. Statements made by policy domain actors are manually coded for one or more policy “concepts.” Examples of such concepts identified in Leifeld’s (2013) study of German pensions politics, includes ideas to “introduce a ceiling for pension entitlements” and “use pensions system to finance German reunification.” Thus, concepts can include normative goals such as “German reunification” or more specified policy options. Manually coding statements is extremely labor intensive, vulnerable to bias from the researcher, and produces “concepts” similar to the topics I was able to uncover using the LDA method described in Chapter 1. For these reasons, I automate the DNA concept coding process using topic modeling.⁵⁹ Using topics as concepts is also consistent with the DNA, in that “DNA was designed to encode the policy beliefs and preferences of political actors appearing somewhere in the text (rather than merely encoding variables related to a whole text document)” (Leifeld 2013: 528).

⁵⁹ I developed this approach with two colleagues as part of a project to track the impact of focusing events on immigration policy discourse in the U.K. See the acknowledgements page for more information.

For this analysis, I used the “Congressional Record for the 43rd-114th Congresses: Parsed Speeches and Phrase Counts” dataset (Gentzkow, Shapiro, and Taddy 2018), a publicly available dataset archived on the Stanford SSDS Social Science Data Collection online repository. The dataset contains plain text versions of all speeches made on the floor of each chamber of Congress between March 4, 1873 and January 3, 2017, grouped by congresses. The analysis proceeded in five steps: (1) I created a corpus of speeches given by legislators about women’s employment in the years surrounding each juncture; (2) for each juncture, I separated speeches into three four-year periods immediately before and after each juncture; (3) I preprocessed the text from all remaining speeches in order to prepare the corpus for text analysis; (4) I identified discursive patterns across all speeches for each juncture using topic modeling; lastly, (5) I identified changes in how legislators were talking about women’s employment in the months leading up to and after each juncture by looking at network changes across the three intervals for each juncture.

STEP ONE

Speeches available through the Congressional Record database are organized by congresses (a two-year period) into comma separated files. For each juncture, I combined the congressional period in which the juncture occurred as well as the previous period. For example, the Professional Women and Training (PWT) juncture occurred in 1989, during the 101st Congress. For that juncture, I combined all speeches that occurred during the 100th and 101st Congress. Each file contained several hundred thousand speeches (and thus, each set of speeches was roughly half a million speeches) so the first step was to apply two quick filters to eliminate all short speeches that were primarily of a procedural nature—for example, asking “Mr. Chairman will the gentleman yield?” or stating “I yield to the gentleman from New York”—and those that made no mention of women or employment. In the

first case, I eliminated all speeches that were less than ten words.⁶⁰ Next, I eliminated all speeches that did not include at least one of the following terms: women, gender, sex, female, job, hire, employ, pay, paycheck, work, wage, woman, mother, widow, widower, and employment. This step was simply included to filter out speeches that were clearly not related to women's employment, prior to applying a more extensive content filtering algorithm. After these two filtering steps, there were roughly between 50,000 and 80,000 remaining speeches for each four-year period. The next step was to create two specific dictionaries of terms that would capture speeches focused on women and speeches focused on employment. The first dictionary contained the following terms: women, sex, gender, woman, widow, mother, female, and any variations of those terms, e.g. mothers. The second dictionary contained the following terms: work, employ, employment, pay, paycheck, wage, job, and all variations. I then created two summed columns: the first for all instances of women-related words appearing in a speech and the second for all instances of work-related words appearing in a speech. I then summed the two columns and divided by the total number of words in each speech, giving me a rough measure of the proportion of the speech dedicated to women and work. The final filtering step was to eliminate all speeches that did not meet all three of the following criteria: (1) contained at least one women-related term; (2) contained at least one work-related term; (3) women and work-related words comprised at least one percent of the total speech. I did several rounds of manual validation checks whereby I exported a random sample of 200 speeches and manually coded whether they were or were not focused on women's employment. I refined the dictionaries and the three criteria after each manual check until I was satisfied that overwhelming majority of speeches that were actually about women's employment were included after all filtering steps and an overwhelming majority of speeches

⁶⁰ I manually scanned dozens of speeches from the Congressional Record and estimated that most procedural questions and statements were made in less than ten words so this threshold seemed appropriate to capture most procedural speeches that were not relevant.

that were not about women's employment were excluded. After all filtering steps, each four-year period contained roughly four thousand speeches.

STEP TWO

Now having all speeches made by legislators on the floor of the House and the Senate about women's employment for several years before and after each juncture, I needed to restrict the speeches to the period immediately before and after each juncture. Speeches surrounding each juncture were limited to a one-year period and separated into three four-month intervals: the "prior interval," the "proximate interval" and the "post interval." I used the first day of the start of the juncture⁶¹ as the beginning of the post interval. The proximate period was then the four months immediately preceding that date and the prior interval the four months before that. This resulted in one year of women's employment speeches for each juncture containing, on average, 803 speeches. See Table 4.1 for specific information about the number of speeches and speakers for each interval.

STEP THREE AND FOUR

The third step was to prepare the text of each of the four corpora, each containing roughly 800 speeches given by legislators on the floor of the House and the Senate about women's employment. To preprocess the text, I downcased all words, removed all numbers and special characters, removed a common list of stop words (e.g. "the," "at," etc.), and stemmed each word so that it was converted into its base form (e.g. "employment" became "employ"). For the fourth step, I extracted a 20-topic model for each one-year period, thus, identifying the twenty policy ideas legislators were including

⁶¹ This was determined by looking at the dates of introduction of the first few juncture related bills of each period. So for example, the day that Claude Pepper introduced the first substantive equal pay bills was used as the starting date for the "post" period.

when talking about women's employment before and after each juncture. For more information on topic modeling and the considerations I used for choosing the number of topics for each juncture, see Appendix A.

STEP FIVE

The last step was to understand how the content of speeches changed before and after each juncture and to model the relationship between legislators based on that speech content. First, I extracted the gamma matrix for each four-month interval. The gamma matrix provides a vector of gamma weights (i.e. probabilities for each topic) for each speech/legislator based on the probability that the speech the legislator gave actually contains that topic/policy idea.⁶² Thus, each legislator had a gamma value ranging from 0 to 1 (one indicating a 100% probability that the speech the legislator gave contains that topic) for each topic. Next, each gamma weight was converted to a presence (1) or absence score (0) based on a minimum threshold of 0.2 or 20% probability.⁶³ Next, I constructed actor networks based on the dichotomized gamma weights. In each network, legislators who gave at least one speech during that four month interval is represented by nodes; ties between legislators are determined by their shared speech content. The absence of a tie between two legislators would indicate that those two legislators did not talk about women's employment using any of the same topics/policy ideas. The more greater the discursive commonality between two legislators, the higher their edge weight (the weight of each tie) and, thus, the closer, visually, they appear in the networks in Chapter 4. Lastly, I applied a community detection algorithm to identify clusters of legislators who were talking about the same set of policy ideas when giving speeches about women's employment. The specific

⁶² If a legislator gave more than one speech during that four month interval, gamma weights were averaged.

⁶³ The 20% threshold was determined using several rounds of manual validation checks whereby I manually checked whether a speech actually contained each topic and compared my manual coding to the gamma value for each topic.

algorithm used was a “walktrap” algorithm whereby communities are formed based on the number of “steps” between nodes (here, legislators). One step would indicate a direct tie, while two steps would indicate no direct tie but an indirect tie through one other legislator. Two steps, then, creates very interconnected clusters of legislators who are all connected either by sharing at least one policy idea or sharing at least one policy idea with the same legislator (connected through one intermediate tie). The resulting communities I refer to as discursive communities since they are highly dense and interconnected groups of legislators who are connected through a shared set of policy ideas. As noted in Chapter 4, legislators in each community may not agree on the same policy ideas (the ties are undirected) but they do use the same policy ideas to frame their discussion of women’s employment.

To collect floor speeches, I will use the “Congressional Record for the 43rd-114th Congresses: Parsed Speeches and Phrase Counts” dataset (Gentzkow, Shapiro, and Taddy 2018), a publicly available dataset archived on the Stanford SSDS Social Science Data Collection online repository. The dataset contains plain text versions of all speeches made on the floor of each chamber of Congress between March 4, 1873 and January 3, 2017, grouped by congresses. I will filter out any speeches made before 1917 (five years prior to the first bill collected in the first stage). To identify speeches that address the issue of gendered pay inequity I will use a text-matching algorithm to identify speeches that contain a combination of terms previously determined to accurately capture gendered pay inequity texts. After data collection and the creation of a separate testimony corpus and a floor speech corpus, I will prepare the text for text analysis by manually fixing conversion errors, converting all text to lower case, removing numbers, and stemming each word into its root form.

The analysis in the second stage of the research will proceed in two steps. First, I will extract a set of topics from each corpus, which I will take to represent both abstract and concrete policy ideas, including those mentioned above. Second, I will merge the topic probabilities, speaker information, and timestamps for each speech into the DNA program. I will then use DNA to visualize two types of networks within each policy domain venue. The first, an actor congruence network, measures the degree to which actors are related according to their shared use of similar concepts. Each actor represents a node; edges between nodes represent shared concept use; and the weight of the tie between two actors is determined by their shared use of the same concepts. I will take the actor congruence network to represent the basic coalition structure of the policy domain within each venue. Second, a concept congruence network measures the degree to which concepts are related. This approach to concepts is consistent with the relational, and oppositional conceptualization of culture developed in the framework for this paper. That is, policy actors articulate their beliefs and preferences in relation to other beliefs and preferences and in opposition to the beliefs and preferences of their competitors. In the concept congruence network, concepts are the nodes, edges between nodes represent co-occurrence within actor statements, and the weight of the edge is determined by the prevalence of combined use by actors. The final step is to visualize the networks over time, using timestamps of each statement.

In order to test the third hypothesis, which states that policy option innovations are likely to follow breakdowns in advocacy coalitions, I will compare the structure of the actor congruence networks before (using the previous two congresses), at the same time, and after (the following two congresses) each policy option innovation juncture. Thus, to find support for the hypothesis, I would need to find evidence of coalition breakdown in the prior period. This could include the presence of

new clusters of policy actors (as Leifeld found), the presence of new actors in the network, or new combinations of existing actors within coalition clusters. To test the fourth hypothesis, which states that policy option innovations are likely to follow breakdowns in discourse coalitions, I will look for the same types of network structure changes.

APPENDIX E:

Freshman year for bill authors

Information on the congressional tenure of each bill author was gathered from the Biographical Directory of the United States, 1774-Present, a searchable database housed by the official government website of the U.S. Congress.⁶⁴ I counted each bill author's "freshman" year in Congress as the first year they were elected to Congress. Several dozen legislators had gaps in their congressional service, most often due to the loss of an election and subsequent reelection. If a legislator's gap was only one congress, I did not alter their "freshman" year. If a legislator's gap was more than one congress, I either "restarted the clock," so to speak, and counted the year they returned to Congress as their freshman year or counted their original freshman year, whichever period included the year they introduced the gendered pay inequity bill of interest. This was the case for seven legislators: Rep. Stephen M. Young⁶⁵ (D-OH), Rep. Elmer J. Holland (D-PA), Rep. Patsy T. Mink (D-HI), Rep. John J. Dempsey (D-NM), Rep. Robert L. Ramsay (D-WV), William Henry Harrison (R-WY), and Rep. Frank Roberts Havenner (D-CA), who had gaps of nine, six, six, five, four, three, and two congresses, respectively. Interestingly, in all but one case (Patsy Mink) the legislators introduced their first and only gendered pay inequity bill in the period after they returned to Congress, rather than during their initial period before the gap. Several bill authors served in both the House of Representatives and the Senate. In these cases, I counted their freshman year as the year they first entered Congress, regardless of the chamber in which they started in or the chamber in which they introduced the relevant bill or bills.

⁶⁴ (<https://bioguideretro.congress.gov/>) data were retrieved May 25th and 26th of 2022.

⁶⁵ Rep. Young was the only legislator with multiple gaps; each gap lasted multiple congresses. I counted his "freshman" year as the return closest in time to the year he introduced his first and only gendered pay inequity bill, 1949.

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