An Integrated Approach for Doing Comparative Discursive Policy

Analysis

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Abstract
Public policy scholars study an array of contentious issues. Consider cultural practices such as Muslim women's dress that many argue involve a clash between culture and women's rights. Contrary to conventional wisdom, I argue this clash is never inevitable. Instead of seeking to resolve it, liberal democratic states should attack imperial sexism instead. Qualitative policy scholars can generate novel claims like these while enhancing the trustworthiness of their scholarship by carefully tethering constructivist and constructionist policy methods. This paper explains how to apply this integrated approach by drawing on two types of discursive policy analysis: Critical Frame Analysis and "What is the Policy Represented to Be?" I illustrate my argument with examples from three dissimilar policy controversies involving culture and women's rights. The result is an integrated approach for doing discursive public policy analysis that is systematic, rigorous, and can generate politically provocative results.

Key words: comparative politics, culture and women's rights, qualitative methods, discursive

policy analysis

For over thirty years, politicians, pundits, and scholars have debated what liberal democratic states should do about policy controversies involving culture and women's rights, such as Muslim women's dress. These controversies have become increasingly common as nationalist and anti-immigration sentiments have intensified. Resolutions, however, have not kept pace. Conventional wisdom suggests that when culture and women's rights clash, liberal democratic states must prioritize one set of rights at the expense of the other or negotiate a compromise that fulfills neither (Walsh 2018). Yet postcolonial feminists have long insisted that culture and women's rights do not clash and instead attack cultural essentialism (Abu-Lughod 2013; Volpp 2001). Who is right? Is a clash between culture and women's rights ever inevitable? What do people participating in these policy controversies say? How might liberal democratic states advance justice for the women these controversies are about?

No answers exist in response to these pressing policy questions. One way to answer them would be to compare dissimilar policy controversies involving cultural, religious, and women's rights; investigate what people said about them; and assess how policy outcomes affected the women at their center. I set out to do this, comparing the 2010 French "burka ban" adjudicated by the European Court of Human Rights in 2014, the legalization of polygyny by Nelson Mandela's government in South Africa in 1998, and the elimination of the marrying out rule for Indigenous women in Canada in 1985.

This research agenda, however, raised several questions. First, how could I systematically compare what different groups said within and across dissimilar cases? This was particularly challenging as different groups had divergent views on what culture and women's rights meant. Second, these policy controversies did not occur on a level playing field: the women these

controversies were about rarely appeared as political actors. That suggested unequal power dynamics marginalized these women. Third, given the claims of post-colonial feminists, I needed to assess what role cultural essentialism played (if any) in my three rights controversies.

I thus needed a method that facilitated comparisons within and across my cases, was sensitive to skewed power dynamics, offered tools for assessing what the women at the center of these controversies said, and that would help me assess cultural essentialism. Ultimately the solution was not to find one best method. Instead, I integrated several constructivist and constructionist policy methods.[1] By drawing on both schools of thought I was able to undertake a systematic comparison of what people said, assess state practices that marginalized the women these controversies were about, and assess background knowledges like cultural essentialism that informed what was said. This paper explains how and why to pursue an integrated approach by discussing one constructivist method—critical frame analysis (CFA)—and one constructionist method—"What is the Policy Represented to Be?" (WPR).

I focus on CFA and WPR for several reasons. First, CFA is popular among many scholars but is underdeveloped in the literature. Therefore, one contribution of the paper is how to do CFA and upgrade it, enhancing the trustworthiness and significance of this method.[2] A second contribution ends scholarly conflation of CFA and WPR by disentangling the two. This generates several additional contributions to the literature on discursive policy analysis. First, I clarify the difference between the two schools and methods by using language common to empirical scholars rather than philosophers. Second, disentangling CFA and WPR opens a space for explaining why and how constructivist and constructionist methods can be used in tandem. This is crucial as some scholars in each camp foreswear the other. Third, by explaining why and how

to integrate CFA and WPR, I demonstrate how they complement one another, enhancing the significance of both.

I begin with CFA because it is insufficiently developed. Before I can disentangle it from WPR and explain how and why to integrate the two, I need to explain how to do CFA, how to engage with the generous evidence it generates, and how it can be used with other constructivist methods. Having established how to do CFA, I then distinguish between CFA and WPR, explaining that they are rooted in different schools of thought. Next, I discuss why scholars might use constructivist methods like CFA and constructionist policy methods like WPR. I argue that process-oriented scholars undertaking single case and small *n* studies can improve their analytical leverage when using both to identify frames, framing processes, and the background knowledges underpinning both. I then detail how to use CFA and WPR simultaneously. Throughout, I illustrate my arguments by drawing on examples from three policy controversies involving cultural, religious, and women's rights.

Critical Frame Analysis

Critical Frame Analysis provides tools for rigorous and systematic policy analysis useful for comparing dissimilar public policies, particularly policies with contested concepts in contexts with skewed power relations. CFA builds on but is distinct from frame analysis. Scholars from across the social sciences use frame analysis to identify, describe, and compare frames, meaning how people communicate their interpretations of reality. Framing is a significant political activity because it shapes how people understand their world and what they think should be done about it. To successfully frame an issue is to exercise political power.

Many scholars approach framing as a strategic activity adopted by rational actors' intent on promoting their preferred political outcomes. For example, some scholars assess what social movement actors say about an issue and analyze themes, linguistic style, and underlying assumptions in news reports and speeches. This research confirms that the frames social movement actors adopt shape political outcomes (McAdam, Tarrow, and Tilly 2001; Keck and Sikkink 1998). Yet framing is not always intentional. As Lombardo, Meier, and Verloo (2009, 12) note, frames are enabled and constrained by "structures" that "emerge from routines and rules that are commonly applied." More foundationally, they are limited by "broader hegemonic discourses in a Foucauldian sense, such as neoliberalism or the traditional gender division of labour" that "set the context" within which framing occurs. In sum, framing can be intentional or unintentional and is limited by established practices and regulations; further, frames and framing are constrained by unquestioned background knowledges.

Qualitative policy scholars interested in framing increasingly turn to CFA. In part this is because it is designed to assess *policy* framing, which according to Mieke Verloo "*transforms fragmentary or incidental information into a structured and meaningful problem, in which a solution is implicitly or explicitly enclosed*" (2005, 20 italics in original). Verloo developed CFA to compare gender equality policy frames in European countries (Dombos et al. 2012; Lombardo, Meier, and Verloo 2009; Verloo 2005; Verloo and Lombardo 2007). Researchers in many disciplines have applied CFA to a variety of public policies and texts (Karla and Joshi 2020; Roggeband and Verloo 2007). In the field of politics and gender alone hundreds of scholars report using CFA (Van der Haar and Verloo 2016).[3]

Why is CFA so popular? Its key innovation is a template that includes over forty prompts, ensuring researchers consistently code across their cases, which provides a systematic

way for scholars to do open coding (Appendix B).[4] Consider two prompts in the template category "Diagnosis": "What is represented as the problem?" and "Why is it seen as a problem?" Applying these prompts, analysts code for problems the text identifies and highlight the reasons given for the problem. Instead of defining the meaning of a contested concept the policy addresses, scholars code its meaning(s) and apply the same prompts to all their cases. This systematic yet open coding facilitates a constructivist approach to contested concepts such as racial equality. Consider that a policy addressing racial equality, for example, might implicitly propose to treat racial minorities the same as the dominant race or propose affirmative action. Identifying which meaning is at stake sheds light on how policymakers are using the contested concept and potential obstacles to its implementation. The CFA template offers a range of prompts that are organized according to the conventional format of most policy documents (e.g., it includes the categories "Diagnosis" and "Prognosis"). As researchers complete the template, they generate a "supertext," or summary of the policy's subtext that enable them to identify frames and the framing process (constructing, adapting, and negotiating frames) (20).

What makes CFA critical according to Verloo are template prompts that attend to "Voice," meaning to whom the policy attributes agency and thus power. This makes CFA useful for researchers interested in power dynamics and provides one way to assess them. Finally, CFA's forty-plus prompts ensure rigor by requiring analysts to do multiple readings that demand attentiveness the complexity of the text (Verloo 2005, 18, 21–22). In sum, the template provides a rigorous and systematic way for scholars to generate open codes, compare across cases, evaluate the latent messages in policy texts, and assess how these messages are produced.

However, as van der Haar and Verloo (2016, 1) admit there is a "necessity and urgency of more thorough attention to methodological issues related to the use of CFA." The most urgent

is to clarify how to do it. Additionally, little has been said about how to engage with the plentiful evidence CFA generates and how to enrich it to tap its full potential.[5] The latter would provide constructivist scholars with a rigorous and systematic tool for bringing a variety of policy methods together under one umbrella, facilitating comparative analysis to answer pressing policy questions.

Upgrading CFA

In this section I explain how to apply CFA, how to engage with the plethora of evidence it generates, and how to maximize its potential while being attentive to its limitations. The upgrade proposed here relies on the tools of grounded theory, such as memoing, theoretical comparison, and constant comparison, as grounded theory is the foundation of many qualitative constructivist policy methods (Charmaz 2014). What is required to apply the CFA template? First, scholars need to adapt it to their research agenda by changing key words in the coding prompts, adding and deleting prompts, and refining others. In my case, I threaded the theme of cultural, religious, and women's rights throughout the template. Other adaptations required more care. Consider the prompt "Location (organization of labor/intimacy/citizenship)." This appears to invite analysts to code for instances where the text associated the policy problem with a specific sphere of action (work/private/public). This was not central to my research agenda. Instead, I was interested in how the problem was (or was not) associated with cultural, religious, and women's rights. I thus deleted this prompt and wrote new ones addressing human rights, law, and cultural, religious, and women's rights (Appendix D).

Applying additional prompts, such as "Intersectionality," required further reflection. This term is a contested concept, and I was interested in how people in my cases used it. However, I

wanted to do more with this concept as an intersectional lens informed my research questions. Recall that I centered the women these controversies were about. Hence, I also wrote prompts that centered their standpoint. For example, I included prompts about the meaning of both the marginalized *and* dominant culture. In the South African template, this meant I coded for the meaning of African and European culture in policy texts.

As I was adapting the CFA template, I read a set of primary documents from two of my cases: several produced by the South African Law Commission charged with drafting initial legislation on customary marriage reform and the Native Women's Association of Canada, a prominent Indigenous women's group against the marrying out rule.[6] This enabled me to create two templates addressing themes specific to each case (e.g., collective rights, individual rights, customary marriage law, customary marriage practice). After selecting my third case, I created another template, which in turn prompted revisions to the other two. For instance, I added the concept "type of rights relation" to all three templates along with several subcategories, including "agreement" and "no relation."

Delving more deeply into my cases generated additional adaptations. Consider that not all Indigenous women's organizations were autonomous. As I was less interested in the views of Indigenous women who worked with powerful organizations of Indigenous men than with the views of those Indigenous women's organizations that were independent, I drew on Montanaro's (2012) criteria for evaluating whether organizations were accountable to and authorized by members and integrated these criteria into my templates. As I began selecting documents for coding, however, I decided to code documents from autonomous organizations only. Hence, I removed the prompts and used them to inform my document selection process. Other adaptations were retained. For the South African case, for instance, I read many primary documents by

conservative Traditional Leaders to ensure my prompts would be sufficiently broad enough to capture their claims about African culture.[7]

As several scholars note, CFA can be applied to a range of texts, including legislative debates and interviews (Meir 2008; Verloo 2005). This is possible because the template follows the general features of public policy. As Dombos et al. (2012, 6–7) point out, most public policies identify problems and explain why they exist (they are problem oriented and causalistic), detail what must be done to remedy the problem (they are practical, delegative, targeted, specific, and contain a budget), and strive to make a convincing case for the solution they endorse (they create authority and seek logical consistency and comprehensiveness). Many policy documents share these features. For example, the Court's judgment for *S.A.S. v France* provided a diagnosis of the problem, detailed what must be done to solve it, and aimed to be convincing. It also offered a detailed overview of the 2010 ban with references to the policy text. Researchers who use documents from more deliberative fora—such as testimony before a standing committee of parliament, as I did for my research on Canada—may need to adapt the structure of the template. I streamlined the CFA template for all my cases given initial iterations of coding did not generate additional evidence for several of its dimensions and were not central to my research agenda.

After fitting the template to my research topic, I turned all the prompts into sensitizing questions.[8] However, some of these questions invited coding while others invited analysis. For example, I changed the prompt "form (argumentation/style/conviction techniques/dichotomies/metaphors)" to "what is the form of the text regarding argumentation? Style? Conviction? Techniques? Dichotomies? Metaphors?" This set of questions, however, invites not only coding but also an assessment of how each technique was used in the text ("what *is the form* of the text regarding…"). The latter is an analytical task that cannot be done before

identifying each technique in the text. This entanglement of evidence and analysis is common in sensitizing questions as the two are meant to be iterative processes. I coded for a technique first and then memoed about it, and then considered what they might be accomplishing cumulatively. To facilitate this process, I disentangled coding questions from analytical ones, creating a coding template and an analytical template and continuously toggled between them.[9]

Indeed, throughout coding I memoed. For example, I asked myself how codes on "rights relations" might provide insights into other codes, such as "What is represented as the problem?" I thus revisited codes and memoed to develop my ideas. I also drew on my growing knowledge of the cases. For instance, I increasingly recognized how contentious issues were ignored or mischaracterized. Consider that the South African Law Commission emphasized the centrality of polygyny for African tradition yet was silent on how white rule had transformed the practice by incentivizing geographic polygyny. Apartheid strictly controlled the number and movement of Africans permitted in urban areas. African men living and working in these areas often married an urban woman while maintaining their first wife in a rural area to have a home to return to when work ended. I memoed about the Commission's silence making my analysis more robust.

The second step I took in upgrading CFA was to engage with the array of evidence it generated. As van der Haar and Verloo (2016) point out, too often analysts only present a frame typology. I needed to do more to answer my research questions. Consider the following example. Using constant comparison and axial coding to develop and refine categories and concepts that emerged during coding, I was able to assess the framing process.[10] I found that in each case every frame was informed by the speaker's worldview and policy position, and that both informed the speaker's rhetoric and reasoning. This was not always a smooth process. The French government, for example, espoused a nationalist worldview and insisted the ban was

essential to protect the Republic. Yet it struggled to develop a frame to justify the ban given the country's commitments to the right to religion. At other times the speaker's worldview made it challenging to formulate a policy position they assiduously sought. This was the case in Canada, where opposition Members of Parliament (MPs) espoused a liberal progressive worldview, which included strong support for both cultural and women's rights. Yet MPs struggled to specify their policy position because they also claimed Indigenous culture clashed with women's rights. Here, policy preferences they perceived to be at odds were a stumbling block to framing their policy position. CFA enabled me to identify challenges like these during the framing process. This suggests that only reporting frames underutilizes the rich evidence the method generates.

Consider another example. Scholars might use CFA to assess how a text categorizes social groups. The template invites an evaluation of how policies attribute roles to those involved in the policy problem and solution, such as: "perpetrators/victims, etc." and "target groups." As Schneider and Ingram (2005) have established, labels like these convey messages that can inhibit political agency. In all three of my dissimilar cases, liberal democratic states obscured the political agency of the women these controversies were about by framing them as victims of Muslim men and Islam, of white rule, or of 19th century colonialism and patriarchal chiefs. Liberal democratic states insisted their policies would save these women. But these women did not need saving! S.A.S. (the anonymous applicant in the case) took the French government to court and her case was heard; poor, rural African women created a grassroots movement with multiple affiliates; and Indigenous women defied powerful conservative chiefs, commandeering buildings and arming themselves against counterinsurgency. Coding for the "Attribution of

roles" helped shed light on how liberal democratic states minimized these women's power. As these examples suggest, CFA be used to do far more than identify a frame typology.

The third step in my CFA upgrade was to enrich it by drawing on other constructivist policy methods, adding them to the template as needed. For instance, consider the six frames common among my three cases. I labeled each according to its worldview (e.g., nationalist, collectivist, liberal individualist). If these frames had proven to be the key to answering my research questions, they would have been central to my analysis. However, frames did not reveal the relation between culture and women's rights that speakers forged. For instance, the judges in *S.A.S. v. France* used a liberal individualist frame to argue culture and women's rights did not clash. In contrast, the Canadian government used the same frame but argued culture and women's rights clashed. I needed to identify the conflict that was driving the Court's argument. This led me to qualitative narrative policy framework analysis (NPF), which prompts scholars to study the "setting, characters (hero, villain, and victim), plot, and moral of the story" (Gray and Jones 2016, 196). This deepened my understanding of the conflict motivating the judges.

Although government officials and conservative cultural leaders told stories with a clash at its center, international and non-governmental organizations (I/NGOs), the judges, and the women these controversies were about did not. Their stories addressed either culture *or* women's rights or forged relations of agreement between the two. For example, several INGOs insisted cultural, religious, and women's rights were intertwined and that the 2010 French ban violated all of them. ARTICLE 19 argued the ban committed "multiple and intersectional discrimination against Muslim women on the basis of their sex, religion, and often also because they constitute part of an ethnic or racial minority" (ARTICLE 19 2013, §22). Or consider the judges who asserted women's rights were irrelevant to the case. They explained that because S.A.S. chose to

wear the full-face veil, a "State Party cannot invoke gender equality in order to ban a practice that is defended by women" (ECHR 2014, §119). The conflict motivating the Court's story was not a clash between culture and women's rights but a clash between the rights of Muslim Frenchwomen to respect for their personal identity and religious freedom versus the rights of other French citizens to the maintenance of social norms necessary for democracy. Analyzing the story elements in all three rights controversies revealed a clash between culture and women's rights was never inevitable. To fully develop this argument, I drew on my CFA supertexts and memos to discuss each story, analyze it, and compare stories within and across cases.

Possibilities for enriching the CFA template with other constructivist methods abound. The point, however, is not to insist that researchers pile on the methods but instead to highlight the ways in which constructivist methods can complement one another and the flexibility of the CFA template, which can be exploited as needed. Because CFA is useful for comparative analysis, facilitates open coding, and attunes researchers to power dynamics, I recommend scholars layer other constructivist methods *onto* CFA, rather than vice versa. Consider that Gray and Jones (2016) recommend scholars using NPF *inductively* code for "emerging patterns, themes, and concepts," which would entail adding codes as needed. To be systematic, these codes would need to be added to the templates for each case; CFA provides that initial template and is thus a foundational constructivist method. In sum, I have brought clarity to how CFA is done, explained how and why to engage with the robust evidence CFA generates, and illustrated how CFA can be enriched with other constructivist methods.

Even an upgraded version of CFA, however, is sometimes insufficient. Although Lombardo, Meier, and Verloo (2009, 9) insist CFA is designed to "create openings for more transformative and subversive ways of framing the debate," CFA scholars—along with most

constructivist public policy scholars—rarely meet this challenge. Instead, most focus on the substantive content of ideas in texts, how these ideas are communicated, and the norms that constrain them while ignoring background knowledges that underpin what is said. Constructivists also are usually silent on how dominant frames might be overturned, instead calling for commonplace reforms, such as the formal inclusion of marginalized groups (Kalra and Joshi 2020; Novovic 2021). This reformist agenda is troubling given that contemporary democratic backsliding is fueled by nationalist, racist, heterosexist, and anti-pluralist rhetoric that increasingly informs public policy. Would formal inclusion of targeted groups suffice to counter the Radical Right policy agenda? Bringing constructionist methods into conversation with constructivist methods can address these limitations.

Using Constructivist and Constructionist Methods

An upgraded version of CFA answered some of my research questions about culture and women's rights. Is a clash between the two inevitable? What do people involved in these policy controversies say about culture and women's rights? I learned a clash is never inevitable and that people forged a variety of relations between culture and women's rights. However, an upgraded CFA could not explain how liberal democratic states might advance justice for the women at the center of these controversies. Merely recommending policymakers follow the advice of these women, for example, was too vague. It also was insufficient given their advice had been ignored for so long by so many. I also had additional questions, such as: how had the assumption of a clash become so pervasive in the public sphere and the academy given plentiful contrary evidence? Questions like this one were not about the substantive ideas in policy texts or how

they were expressed. Instead, these questions pointed toward the pervasiveness of dominant knowledges that underpinned the clash stories I identified.

I knew from the outset CFA would be insufficient for answering my third research question about how to advance justice for the women at the center of these controversies. I had identified WPR as one method that might be useful. Applying it in tandem with CFA appeared uncontentious. Verloo often refers to WPR. She cites Bacchi's approach as foundational for CFA (2005, 2007) and Verloo's co-edited volume with Lombardo and Meier includes a chapter by Bacchi who praises CFA (2009, 33). Further, the co-edited volume acknowledges some framing is unintentional and is rooted in structures and hegemonic discourses; the latter is WPR terrain. The CFA template also appears to overlap with WPR in select areas. For example, both Verloo and Bacchi appear to prompt analysts to assess what was represented as the problem, why, and what might be driving policymakers to make these claims. Not surprisingly, scholars often conflate CFA with WPR (Novovic 2021; Sauer 2022), claiming to do one or the other or both when they are usually doing CFA.

Indeed, CFA and WPR are distinct. Constructionist methods like WPR provide tools for investigating what Lombardo, Meier, and Verloo refer to as "hegemonic discourses." WPR prompts scholars to assess "how knowledge is produced through plural and contingent practices across different sites, each of which involves the material and the symbolic" (Bacchi and Bonham 2014, 174). CFA does not. Further, WPR is "the study of problematizations," or the dominant knowledges underpinning the representation of a policy problem; this knowing establishes the terrain on which policy controversies reside and framing occurs. Consider that dominant knowledges facilitate the voice of some rather than others. While CFA highlights, for instance, how centrist and radical right Dutch politicians silence Dutch Muslim women

(Roggeband and Verloo 2007), constructionist methods like WPR identify unquestioned knowledges "that enable 'speakers to be taken seriously'" (Dreyfus and Rabinow 1982, 48). In Holland, those unquestioned knowledges are likely to include racialized-sexist biases about Dutch Muslim women as oppressed and lacking political agency and hence who cannot speak for themselves.

Further, constructionist methods can reveal how dominant knowledges are (re)produced, revealing how the injustices they naturalize might be attacked. Consider an example Bacchi and Rönnblom favorably highlight (2014, 180–181). In a 1997 article, Uma Narayan analyzes *sati*, or widow burning in India. She does not describe how Indian public policy frames *sati* and how to make it more inclusive by bringing Hindu women into the policymaking process. Instead, Narayan investigates how different social groups speak about the practice. Revealing divergences, she demonstrates that *contra* cultural conservatives, Indian culture is not a thing to be preserved but a malleable and contested process. Narayan identifies how their appeals to Indian culture are essentialist and reproduce this essentialism. She thus attacks cultural essentialism, *not* Indian culture. Constructionist methods like WPR point toward unquestioned background assumptions and how to resist them, which I hoped would help me to answer my remaining research questions.

However, as I became clear on the distinctions between CFA and WPR, I faced a quandary. Bacchi argues constructivist ontological and epistemological assumptions conflict with those of constructionists. For example, she asserts that constructivists understand persons to be individual agents constructing their lived reality while constructionists understand persons to be subjects constituted by "deeply ingrained ways of thinking…that shape (to different degrees) who we are and how we live" (2015, 5). Further, Bacchi and Rönnblom (2014) argue that

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constructivists who do variable-oriented research to explain causation cannot do WPR because they understand ideas to be things or objects. In contrast, WPR understands ideas to be "complex and differentiated knowledge subject to analyzable rules and transformations" (174). Constructivists, for example, are likely to study how politicians' framing of sati shaped policy outcomes while constructionists like Narayan address pervasive claims about Indian culture as bounded, internally homogeneous, and static.

Some scholars agree with Bacchi that constructivist and constructionist methods never shall meet. Mahoney (2021, 5) disavows constructionism, arguing that it claims "truth, reason, and objectivity are optional ideas that depend on human beings for their meaning." Accordingly, this school of thought can "provide no insight into our ability to use categories to successfully manipulate and control the actual world and to predictably and meaningfully interact with one another in the social world" (5). In short, constructionism denies causality because it refuses individual agency.

This boundary drawing gave me pause. The distinctions between these two schools of thought did not appear as vast as scholars such as Bacchi and Mahoney claimed. To be sure, those constructivists engaged in causal analysis do approach ideas as a thing and treat them as a variable while constructionists approach ideas as unquestioned knowledges that constitute subjects. However, some quantitative scholars argue conceptual schemas such as gender shape public attitudes about health care or support for Radical Right parties (Christley 2021; Winter 2008). They thus recognize that policy frames are enabled and constrained by "structures" that "emerge from routines and rules that are commonly applied" as Lombardo, Meir, and Verloo note. No doubt these quantitative scholars also recognize that structures can shape who people

think they are and ought to be. For instance, they likely understand people who claim to be women and men to be influenced by femininity and masculinity given pervasive gender norms.

Constructionists focus on subjectification rather than socialization.[11] For instance, it is not simply that gender influences how we think about health care or that we are socialized to perform a particular gender script. Instead, according to constructionists, we are born into a gendered world that obscures the process of our becoming women and men. Many people therefore assume some persons are born women and all others born men. Many people also understand themselves *to be* women or men, meaning a category found in nature. Constructionists resist this reification. They assert that women and men are made, not found, and become gendered subjects (Butler 1993). Constructionists examine how and why gendered knowledges emerge, are rarely questioned and persist, to reveal how they can be challenged. Although this is not the research agenda of constructivists, it is not obvious that studying socialization and subjectification must be mutually exclusive tasks. The two schools of thought are distinct but not necessarily conflicting.

Similarly, while constructivists and constructionists have distinct orientations toward agency, this does not mean they must be at odds. Although constructivists have a reputation for reifying individual agency and constructionists for disavowing it, this is overdrawn. Instead, the former often neglect how individual agency is constrained while the latter often overstate the determinism of dominant knowledges. Consider that many constructivists emphasize the ways in which individuals shape their world. Per Mahoney, individuals most certainly have agency given humans' ability to "predictably and meaningfully interact with one another." The latter was evident in my three cases: everyone pursued their interests and had sufficient agency to create a story that addressed a variety of types of rights. Yet, most constructivists also agree that

individual agency is limited by context. Unfortunately, they often relegate these constraints to the background. CFA, for example, does not integrate context into the application of the method and scholars who use CFA rarely discuss it.[12] This contributes to the impression that constructivists believe individuals freely create their lived reality.

In a similarly misleading step, Bacchi insists that subjects are constituted by "social forces" or dominant knowledges. Yet, most constructionists do not deny individual agency; they resist its essentialization. Indeed, Bacchi and Goodwin (2016, 50, italics in original) argue that unquestioned knowledges do not "*determine* the kinds of 'subjects' we become. Rather they 'elicit, promote, facilitate, foster and attribute various capacities, qualities and statuses to particular agents.' Refusal is common."[13] This also mapped onto what my research revealed. For instance, the French government not only framed S.A.S. as a victim of patriarchal Muslim men and Islam, but also insisted S.A.S. was no longer an individual because she wore the full-face veil. Consider the government's response to the assertion S.A.S. chose to wear this garment: "*Completely veiling one's face, freely or under constraint, results in the negation of self"* and in "the erasure of woman as an individual from the public sphere (French Republic, May 2012 §79 and September 17, 3; italics in original). By donning this clothing, S.A.S. had relinquished her humanity and no longer had a "self." Lacking individual agency, she now must be forced to be free. These examples illustrate that constructivist and constructionist research agendas and methods are distinct. However, they need not conflict. Indeed, integration of these methods is desirable for those seeking to understand two different processes: framing and the (re)production of dominant knowledges. Although not all scholars seek to understand both, my research suggests both are essential for social science.

Qualitative scholars pursuing single case or small *n* research and who study processes are best situated to use them simultaneously. Although causation is at the forefront of political science it is not the discipline's only legitimate concern. Consider my three cases. The reasons why these three dissimilar liberal democratic states passed these policies are well known (indeed, overdetermined). Yet much remains to be learned about cultural, religious, and women's rights controversies from these cases, as the questions I ask and the argument I make here about them conveys. In circumstances like these constructionist methods are crucial resources.[14] Further, in these situations, constructivist and constructionist methods complement one another. Recall that an upgraded CFA ensures researchers become intimately familiar with what was said, who said it, and what it means. CFA brings precision to evidence collection and analysis that can be useful for constructionists, particularly those with comparative ambitions. Further, constructionists who agree with Bacchi and Goodwin (2016) that unquestioned knowledges are not deterministic can incorporate agency into their research by using CFA to identify the frames policy actors create, including frames that challenge dominant knowledges.

Consider the Canadian case about the marrying out rule. Applying WPR and CFA, I identified four frames, or what I refer to as stories. Government officials, MPs, and conservative chiefs told liberal individualist, liberal progressive, and collectivist stories. These policy actors took an "essentialist perspective." They approached cultures as static, bounded, and internally homogenous and *either* attacked the sexism of Indigenous peoples or the racism of the settler colonial state. These were the unquestioned knowledges underpinning their stories. All insisted culture and women's rights clashed.

These stories stand in stark contrast to the social justice stories told by Indigenous women seeking to end the marrying out rule. The latter rooted their stories in their own lived experience

and attacked racism and sexism *and* their interaction, or what I call "imperial sexism." The unquestioned knowledge underpinning their stories was an intersectional perspective. This perspective prompted Indigenous women to insist culture and women's rights were entwined. For example, the Tobique Women's Political Action Group argued Indigenous women required equality with Indigenous men *and* individual and collective rights to their culture. They explained:

> the sex-based discrimination[s] of the present Indian Act must be abolished completely. If they are not totally eliminated, their magnitude will be amplified over time and by circumstance to cause further harm not only to the women given the opportunity for reinstatement [to return home] and their children but also to the Indian culture and the individual native societies to which they belong (SCIAND 1985, 36).

Indigenous women demanded the right to equality so they might rejoin their communities, heal Indigenous cultural wounds, and pursue Indigenous autonomy from the colonial state. Having lived for years on grievously under-resourced reservations, borne the brunt of white discrimination, and struggled for their natal citizenship rights, the Tobique Women's Group insisted cultural and women's rights were indivisible. As this example illustrates, using both constructivist and constructionist methods is fruitful. However, it is crucial not to collapse the two. By carefully attending to their differences, scholars can assess framing *and* dominant knowledges that function as the scaffolding for these frames, enhancing scholarly analysis and critique.

Applying an Integrated Approach

How might scholars apply both constructivist and constructionist methods? To answer this question I discuss WPR, which was one of the constructionist methods I integrated with my upgraded version of CFA. WPR facilitates analysis that pushes against presumed truths and that otherwise can be difficult to identify. It does so by prompting scholars to ask seven questions (Appendix C). These questions are perhaps best viewed as tasks. First, WPR prompts analysts to assess underlying discourses according to the specific problem represented (tasks 1 and 2), to denaturalize the problem represented by "mapping the practices" that produced this specific representation (task 3) and to compare and develop different ways of thinking about the problem representation, partly by identifying silences (task 4). Further, it invites researchers to assess the discursive, subjectifying, and lived effects of the problem representation (task 5), to explain how the problem representation is productive and how to challenge it (task 6), and to be reflexive (Bacchi and Goodwin 2016, 20 and 22–25).

Applying WPR while also using CFA is simple to describe but complicated to do. I thus offer a brief "how to" here before turning to illustrations from my cases. The first step in bringing these methods together is to recognize that constructivist and constructionist methods often pose questions and prompts for researchers to apply to texts. Beginning with CFA, recall that its sensitizing questions invite coding and analysis simultaneously. I suggested researchers distinguish between these two functions by creating two separate templates, a coding template and an analytical template, and then toggle between them. I advise scholars using constructivist and constructionist methods to follow this advice. In the case of WPR, its questions do not invite coding but analysis. Because so many have blurred WPR with CFA, I recommend adding WPR questions to the analysis template but keeping them separate from CFA questions. That can help scholars to maintain clear distinctions between frames and framing on the one hand and

background knowledges on the other hand, especially as both are usually referred to as discourse in the literature. This separation of questions is not to suggest that researchers should first focuses on CFA and then WPR. On the contrary, mechanistic analysis should be avoided. Instead, an iterative process that includes CFA coding with CFA and WPR analysis in conjunction will generate analytical memos tightly tied to the text that address CFA and WPR concerns simultaneously.

I applied these two steps for integrating CFA and WPR by adding the seven WPR questions to my analytical templates under the label "Perspectives." I repeatedly asked WPR questions throughout the CFA coding process. This led me, for example, to memo about problem representations and how they were distinct from the policy problem I had identified using CFA. For instance, the French government banned the covering of the face in public with exceptions for conventional French practices, such as donning a long white beard at Christmas time. Following CFA, the policy problem the French government identified is the covering of the face in public, which violates Republican values of liberty, equality, and fraternity. Following WPR, the government's problem representation was those who cover their faces in public for reasons deemed to be un-French. Indeed, French officials admitted the law specifically targeted Muslim Frenchwomen who wore the full-face veil (task 1). WPR also prompts scholars to assess unquestioned knowledges that led the French government to this problem representation (task 2). Reflecting on my coding while doing it, I recognized that many of the French government's responses to the Court were rooted in an essentialist perspective. I memoed about codes that conveyed ideas such as French culture is civilized and Islam is not, or that the gendered practices of Muslims are oppressive and imposed by patriarchal Muslim men while French culture protects women's rights. I also reflected on how the nationalist frame that the French government used

included many implicit and explicit references to what I eventually labeled an essentialist perspective.

Notably, I found that a version of this essentialist perspective also circulated among the previously and persistently colonized. For instance, conservative chiefs in Canada insisted collectivism was superior to liberal individualism, the marrying out rule protected Indigenous communities from white men, and loyal Indigenous peoples approved of the marrying out rule. Much like the French government, conservative chiefs essentialized cultural difference; they assumed culture was bounded, internally homogeneous, and static.

WPR offers tools for disassembling dominant perspectives such as cultural essentialism. As Bacchi and Rönnblom (2014, 180) note, culture and institutions should not be assumed but "ought to be conceived as *political projects*, rather than as static entities." One way to analyze these projects is by explaining the emergence of the problem representation (task 3). In the French case, this invites an assessment of European orientations toward difference, including colonial racism, the emergence of white supremacy, eugenics, and a reification of culture that racializes the formerly colonized. WPR thus helped me to uncover how arguments about a clash between culture and women's rights were rooted in essentialist perspectives that were dynamic and contested yet pervasive.

WPR also invites researchers to make visible "what is left unproblematic," including "silences" (task 4). Using an upgraded CFA, I recognized that some stories—like the one told by Indigenous women in Canada—resisted the claim that culture and women's rights clashed but that these stories were missing from the public sphere and most scholarly literature. WPR, however, goes further. It invites analysts to assess how unquestioned knowledge "mystifies" or conceals what otherwise would be obvious (Bacchi 2009, 13). In the case of Indigenous women

who entwined cultural and women's rights, this claim is not difficult to understand. However, Canadian government officials had trouble grasping it, as my CFA coding of their exchanges revealed. CFA pointed to key portions of these exchanges where government officials pitted a collectivist Indigenous culture against an individualist Canadian culture and worried about the sexism of conservative chiefs. This binary and concern obscured the reality that Canada had violated the collectivist and individual rights of Indigenous women, as the Tobique women pointed out. Caroline Ennis, a longstanding member of the Group, corrected a Canadian politician who insisted a compromise must be struck between the chiefs who were demanding Indigenous rights and Indigenous women who were demanding their individual right to equality:

> But I personally do not see it as a compromise. I think Canada has an international obligation to reinstate those it struck off [the list of those eligible for Indigenous citizenship]…Beyond that, it should be up to the band [Indigenous] government to decide…the point is that if Canada as a nation had not interfered with us in the first place, we would not have these problems and you have an obligation to correct them.[15]

For Ennis, the central policy problem was the imperial sexism of the colonial settler state. It was "Canada as a nation" that had written the marrying out rule into the Indian Act and continued to impose it on Indigenous peoples, harming Indigenous women and their children while violating Indigenous culture and communities. Here, WPR and CFA complement one another; the first by pointing to silences and the latter to how silencing happened (Dahl 2017, 91).

In all three of my cases the policy process had serious discursive, subjectifying, and lived effects (task 5). First, as my CFA coding of policy documents revealed, government officials insisted culture clashed with women's rights. The stories governments told reinforced divisions

between colonizers and the colonized. In South Africa, for example, the South African Law Commission claimed that African customary marriage was synonymous with polygyny and presumed that African and European marriage rites were distinct. In essentializing both African and European culture the Commission ignored the reality that most rural Africans integrated European rites into African customary marriage. Insisting on separate but equal marriage laws, the Commission divided what rural Africans had joined. As WPR conveys, stories and policies like these were rooted in a cultural essentialist perspective, and the pervasiveness of that perspective obscured the reality of African marriage practices.

Second, as CFA made clear, the stories government officials told divided people into distinct cultural groups (task 5). The French government represented Muslims as having retrograde gender norms while mainstream French did not; the South African Law Commission represented African culture as oppressed by European culture, and Canadian MPs represented Indigenous peoples as collectivist and mainstream Canadians as individualist. WPR made it clear that these stories did not merely reflect stereotypes about these group but *constituted* some cultures and people as troublesome and troublemakers. Indeed, the French government constituted those with uncovered faces as individuals, the South African government constituted rural Africans as solely African—as if polygyny were in their DNA—and the Canadian government constituted Indigenous peoples according to sexist descent rules, perpetuating a longstanding divide and conquer strategy.

Third, the ways in which liberal democratic states represented the policy problem— Muslim women covering their faces in public threatened the Republic, European culture had oppressed African culture, and Indigenous peoples were divided about whether Indigenous women should have equal rights—pushed concerns about colonized women's daily lives to the

margins (task 1). Contrary to what CFA revealed, which was that liberal democratic states claimed to be concerned with the welfare of colonized women, the policies they passed harmed these women. In France, police officers targeted Muslim women who wore the full-face veil; the ECHR's support for the ban prompted similar laws across Western Europe and fanned Islamophobia. In South Africa, the legalization of polygyny revived a dying practice African women overwhelmingly denounced for its oppression. In Canada, the government's reinstatement of Indigenous women proceeded in discriminatory fashion and fomented Indigenous hostility toward reinstated women.

By integrating CFA with WPR, I realized the policy problem was not an inevitable clash between culture and women's rights. Instead, the policy problem is how to stop liberal democratic states from drawing upon an essentialist perspective that sows division between groups and positions colonized women as victims while punishing them. How can this essentialist perspective be resisted and justice for colonized women be advanced? (task 6). By using an upgraded CFA and integrating it with constructionist methods such as WPR, I uncovered a disruptive discourse embraced by colonized women and their allies. These groups drew on an intersectional perspective that centered the lived experience of colonized women and attacked imperial sexism. Instead of pitting culture against women's rights, they forged agreements among rights. I therefore argue that rather than seeking to resolve a clash that is never inevitable, liberal democratic states should take an indivisible approach. In short, they should adopt an intersectional perspective to forge agreements between cultural, religious, and women's rights and attack imperial sexism.

Any argument, of course, is susceptible to critique, including mine (task 7). In representing imperial sexism as the policy problem (task 1), I have not stepped outside the

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dominant, essentialist perspective. Instead, as a middle-class, able-bodied, straight, white, ciswoman living in the United States, I have actively resisted this perspective by learning from transnational, decolonizing, post-colonial, and Black feminisms, all of which share a commitment to centering the lived experience of racialized women and ending the pernicious effects of racism, sexism, and their interaction (task 2). The practices that produced my problematization were the systematic application of an upgraded CFA coupled with WPR, both of which were developed by feminist academics to produce knowledge about public policy (task 3). I contend these practices generated trustworthy results to reveal two distinct perspectives, one of which can challenge the clash approach.

However, my problem representation may engage in silencing or contain unproblematized elements (task 4). For example, the intersectional perspective I identified attends to gender, race, religion, and nation but not to other systems of oppression, such as class. Further, it does not address material global inequalities and as a political project it assumes functioning liberal democracies with publics that might be persuaded imperial sexism is unjust and should end. This problem representation may be too limited for coalition politics that center class or other systems of oppression such as disability or be insufficient in some backsliding liberal democracies where leading political parties endorse imperial sexism to public acclaim (task 5). Certainly, my problem representation, which I have "produced, disseminated, and defended" in the academy will be contested (task 6). While it is unlikely to become an unquestioned "truth" (something I would reject), I nevertheless hope it will disrupt the conventional wisdom of the inevitability of a clash between culture and women's rights.

WPR offers methods for uncovering the power of background knowledges underpinning policy controversies that an upgraded version of CFA lacks. Using WPR with an upgraded CFA

enabled me to explain why the assumption of a clash between culture and women's rights dominates public debate and the academy. Culture and women's rights need never clash but this has gone unnoticed because an essentialist cultural perspective is pervasive and underpins the stories that the most powerful tell, drowning out alternatives. Even when the latter are spoken, they are not heard. Policy reform that can effectively resist the pervasiveness of the essentialist perspective is unlikely. Admonitions for liberal democratic states to listen to stories rooted in an intersectional perspective also are insufficient given how these stories have been so easily marginalized. Instead, those intent on advancing justice for colonized women must promote a disruptive, intersectional perspective in all areas of life, not just policy making.

Conclusion

For decades, liberal democratic states have asked: what should be done about policy controversies involving culture and women's rights? Should claims for culture or women's rights be rejected or a compromise that fulfills neither be pursued? I argue that a clash is never inevitable and identify an alternative to the essentialist perspective underpinning this tired debate. My alternative, which is sustained by an intersectional perspective that centers the lived experience of the women these controversies are about can advance justice for colonized women by inviting liberal democratic states to attack imperial sexism.

I integrated constructivist with constructionist policy methods to develop this argument. Illustrating how to use this approach, the paper focused on CFA and WPR. I began with CFA, which has proven to be a popular method across many disciplines. Yet existing approaches to CFA are inadequate. While this limits the trustworthiness and significance of this scholarship, the method can be upgraded. In contrast to the existing literature, I specified how to do CFA.

First, I detailed how to use grounded theory to adapt the CFA template to the analyst's research agenda. I also illustrated why more attention to the rich evidence CFA generates can strengthen the analytical elements of CFA and diversify its applicability to a range of policy questions. Further, I explained how to enrich CFA with other constructivist methods.

These upgrades may suffice for scholars who are interested in causal analysis and variable-oriented research. For those seeking to analyze processes and who are doing single or small n comparisons and who are intent on telling a richer story that not only explains what is said but how it might be resisted an integrated approach is useful. I explained why and how constructivist methods like CFA and constructionist methods like WPR can be used simultaneously. The result is a more compelling tale than either alone can generate. Indeed, just as constructionist methods have much to offer constructivist methods by attuning scholars to dominant knowledges, the reverse is also true. Constructionists would benefit from applying CFA not least because it ensures they escape the accusation of determinism and can help them to uncover resistant perspectives and resistant stories. Indeed, upgrading CFA and engaging with both constructivist and constructionist methods opens a path to discursive public policy scholarship that generates trustworthy, significant, and politically provocative results.

References

Abu-Lughod, Lila. 2013. *Do Muslim Women Need Saving?* Cambridge: Harvard University Press.

ARTICLE 19. 2013. "Third Party Intervention Submissions by ARTICLE 19." ARTICLE 19.

Bacchi, Carol.1999. *Women, Policy and Politics*. London: Sage.

-----. 2009. "Analysing Policy." Australia: *Pearson Education*.

-----. 2015. "The Turn to Problematization." *Open Journal of Political Science* 5(1):1-12.

Bacchi, Carol, and Jennifer Bonham. 2014. "Reclaiming Discursive Practices as an Analytic Focus." *Foucault Studies* 17: 179-192.

Bacchi, Carol and Susan Goodwin. 2016. *Poststructural Policy Analysis*. New York: Palgrave MacMillan.

Bacchi, Carol, and Malin Rönnblom. 2014. "Feminist Discursive Institutionalism." *NORA-Nordic Journal of Feminist and Gender Research* 22 (3): 170-186.

Butler, Judith. 1993. *Bodies That Matter*. New York: Routledge.

Campbell, John L., and Ove K. Pedersen, eds. 2001. *The Rise of Neoliberalism and Institutional Analysis*. Princeton: Princeton University Press: 1-24.

Charmaz, Kathy. 2014. *Constructing Grounded Theory*. London: Sage.

Christley, Olyvia R. 2021. "Traditional Gender Attitudes, Nativism, and Support for the Radical Right." *Politics & Gender, First View*: 1–27.

Dahl, Hanne Marlene. 2011. *Struggles in (Elderly) Care*. London: Palgrave Macmillan.

Dean, Mitchell. 1999. *Governmentality*. London: Sage.

Dombos, T., Krizsan, A., Verloo, M. and Zentai, V. 2012. *Critical Frame Analysis*. Working Paper Series. Budapest: Center for Policy Studies, Central European University.

Dreyfus, Hubert L. and Paul Rabinow. 1982. *Michel Foucault*. Chicago: University of Chicago Press.

French Republic. 2012. Observations of the French Republic on the Admissibility and Merits of Application no. 43835/11, *S.A.S. v. France*, European Court of Human Rights. May 29 and September 17.

Gray, Garry, and Michael D. Jones. 2016. "A Qualitative Narrative Policy Framework?" *Public Policy and Administration* 31(3): 193–220.

European Court of Human Rights (ECHR). 2014. "Case of S.A.S. v. France (Application no.

    43835/11): Judgment." Strasbourg: European Court of Human Rights. Available at:

    https://www.echr.coe.int/Pages/home.aspx?p=caselaw&c=#n1462355447533071073 72
96_pointer

Keck, Margaret E., and Kathryn Sikkink. 1998. "Transnational Advocacy Networks." David

    S. Meyer and Sidney Tarrow, eds. *The Social Movement Society*. Lanham, Maryland:

    Rowman & Littlefield Publishers: 217–237.

Kalra, Sadhvi, and Devin K. Joshi. 2020. "Gender and Parliamentary Representation in India."

    Women's Studies International Forum 82: 1-10.

Lincoln, Yvonna and Guba, Evan. 1985. *Naturalistic Inquiry*. London: Sage Publications.

Lombardo, Emanuela, Petra Meier, and Mieke Verloo. 2009. London: Routledge: 1-18.

McAdam, Doug, Sidney Tarrow, and Charles Tilly. 2003. "Dynamics of Contention." *Social*

    Movement Studies 2 (1): 99–102.

Montanaro, Laura. 2012."The Democratic Legitimacy of Self-appointed Representatives." *The*

    Journal of Politics 74 (4): 1094–1107.

Narayan, Uma. 1997. *Dislocating Cultures*. New York: Routledge.

Novovic, Gloria. 2021. "Are SDGs Counting What Counts?" *Global Governance* 27 (3): 366–387.

Roggeband, Conny, and Mieke Verloo. 2007. "Dutch Women are Liberated, Migrant Women are

    a Problem." *Social Policy & Administration* 41(3): 271–288.

Sauer, Birgit. 2022. "Radical Right Populist Debates on Female Muslim Body-Coverings

    in Austria." *Identities* 29 (4): 1–19.

Schneider, Anne L. and Helen M. Ingram, eds. 2005. *Deserving and Entitled*. Albany: State

    University of New York Press: 1-28.

Standing Committee on Indian Affairs and Northern Development (SCIAND). 1985. "Minutes

of Proceedings and Evidence of the Standing Committee on Indian

Affairs and Northern Development" n.16 March 14. Ottawa: House of

Commons.

Van Der Haar, Marleen, and Mieke Verloo. 2016. "Starting a Conversation about Critical Frame

Analysis." *Politics & Gender* 12 (3): 1–7.

Verloo, Mieke. 2005. "Mainstreaming Gender Equality in Europe." *Greek Review of Social

Research* 117: 11-34.

Verloo, Mieke and Emanuela Lombardo, eds. 2007. *Multiple Meanings of Gender Equality*.

Budapest: Central European University Press: 21-49.

Volpp, Leti. 2001. "Feminism and Multiculturalism." *Columbia Law Review* 1010: 1181-218.

Walsh, Denise. 2018. "Multiculturalism and Women's rights." *Oxford Handbook of International

Political Theory*. New York: Oxford University Press: 343-356.

Winter, Nicholas. 2008. *Dangerous Frames*. University of Chicago Press.

Wodak, Ruth. 2015. *The Politics of Fear*. Los Angeles: Sage.

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[1] As Bacchi (2015, 5) explains, constructi*vists* understand individuals to be agents constructing their lived reality whereas construc*tionists* understand subjects to be constituted by "social forces," including unquestioned knowledges and their associated practices.

[2] Trustworthiness refers to credibility, transferability, dependability, and confirmability (Lincoln and Guba 1985).

[3] Both qualitative and quantitative scholars use CFA. Most use qualitative methods and conduct single case studies (van der Haar and Verloo 2016; Appendix A). All references to the current status of CFA are informed by research conducted by Sam Koreman (Appendix A).

[4] All quotations are from the CFA template in Appendix B, which reproduces the template in full.

[5] Van der Haar and Verloo (2016. 4-5) share related concerns, encouraging scholars to detail their methods and do more to discuss intersectionality and voice in their research. Although they made these suggestions in 2016 and their suggestions speak interests at the fore of many fields, few scholars have adopted them.

[6] I began with these documents because they were authored by different types of speakers, had contrasting approaches to the policy problem, explicitly addressed the themes of my project, and I was familiar with these organizations as I had interviewed members of each.

[7] Information from primary documents also shaped the categories and concepts I developed, for example by enabling me to flesh out their dimensions (category range) and properties (category characteristics).

[8] Only some of the prompts are formulated as questions; it is unclear why (Appendix B). Sensitizing questions in grounded theory are used to "tune the research into what the data might be indicating." They should be open-ended and general (Corbin 1998, 77).

[9] To refine the questions to fit each case and ensure they were sufficiently specified for consistent coding, I trained two undergraduate students in CFA. We coded documents from different cases and compared our responses. I then fine-tuned the sensitizing questions, made final decisions on which documents to code, uploaded them to Nvivo, and began coding (Appendix E). All policy texts were from the relevant period, directly addressed the policy issue, had political significance when written, and were written by individuals and institutions participating in the policy controversy.

[10] In grounded theory, categories are collections of similar codes and concepts are groups of categories. Axial coding relates categories to subcategories.

[11] In contrast to constructivist accounts like Schneider and Ingram's (2005, 33), in which government officials respond to stereotypes about groups that have been socially constructed as, say, victims, WPR "focuses on how groups are constituted *in* policy discourse" (Bacchi 1999, 46).

[12] Van der Haar and Verloo (2016, 5). Scholars who do CFA often neglect context given word count limitations. This highlights the potential for book-length CFA projects that are integrated with WPR.

[13] The quote within the quote belongs to Dean (1999, 32).

[14] Bacchi and Rönnblom (2014) acknowledge this point.

[15] SCIAND 1985, Issue No. 16, 55 and 56.

Appendices

Table of Contents

Appendix A: CFA Literature Review Search Methods
Sam Koreman

List of search engines:

Google Scholar: "critical frame analysis" since 2016= 864 results
- 31 articles citing van der Haar and Verloo 2016
- https://scholar.google.com/scholar?cites=12145735392483211273&as_sdt=5,47&sciodt=0,47&hl=en
- "critical frame analysis" "methodology" returned 452 results since 2016; this was not a useful search. It returned many of the same articles.

Connected Papers and Semantic Scholar Paper Corpus: 17 articles that cite van der Haar and Verloo 2016

https://www.connectedpapers.com/main/465ded821ba42c4ce09bde8c1501a4b569e8abd7/Starting-a-Conversation-about-Critical-Frame-Analysis%3A-Reflections-on-Dealing-with-Methodology-in-Feminist-Research/graph

https://www.semanticscholar.org/paper/Starting-a-Conversation-about-Critical-Frame-on-in-Haar-Verloo/465ded821ba42c4ce09bde8c1501a4b569e8abd7

Virgo (University of Virginia's online library database. Subscriptions to 290,000 journals. Approximately 4.7 million books)

- 436 total journal articles mention "critical frame analysis" (search performed using quotation marks)
- 148 articles since 2016
- List of journals with number of articles published in parentheses

  - Gender, Work, & Organization (18)
  - Nora: Nordic Journal of Women's Studies (18)
  - European Journal of Women's Studies (15)
  - Health Promotion International (12)
  - International Feminist Journal of Politics (12)
  - Politics & Gender (11)
  - Critical Social Policy (10)
  - Policy & Society (9)
  - Education Policy Analysis Archives (7))

- Journal of Social Policy (7)
- Administrative Theory & Practice (6)
- Information Polity: The International journal of Government & Democracy in the Information Age (6)
- Journal of Common Market Studies (6)
- Local Environment (6)
- Modern & Contemporary France (6)
- Policy Studies (6)
- Religions (6)
- Women's Studies International Forum (6)
- Australian Journal of Education (5)
- Modern Law Review (5)
- Children & Society (4)
- Development & Change (4)
- Europe Asia Studies (4)
- Geoforum (4)
- International Development Planning Review (4)
- International Journal of Environmental Research And Public Health (4)
- Journal of Community and Applied Social Psychology (4)
- Journal of Development Studies (4)
- Journal of Health Politics, Policy & Law (4)
- Journal of Language & Politics (4)
- Journal of Southern African Studies (4)
- Problems of Post Communism (4)
- Signs: Journal of Women in Culture and Society (4)
- Communist and Post-Communist Studies (3)
- Development Southern Africa (3)
- Globalizations (3)
- International Environmental Agreements: Politics, Law & Economics (3)
- International Journal of Iberian Studies (3)
- Journal of Asian & African Studies (3)
- Journal of Corporate Citizenship (3)
- Journal of Educational Sciences (3)
- Journal of Interactive Media in Education (3)
- Nordicum Mediterraneum (3)
- Scandinavian Journal of History (3)
- Studies in Continuing Education (3)
- Baltic Journal of Law & Politics (2)
- Feminist Studies (2)
- Griffith Law Review (2)
- Journal of Human Resources in Hospitality & Tourism (2)

Approach for classifying and finding articles:
- Four part classification
  - Application: articles that use CFA

- o Methodology: articles that devote some attention to methodological issues brought about by CFA. Includes applications if those applications did more than simply state that they are using CFA.
  - o Multiple Citations: articles that have multiple citations of van de Haar or Verloo that do not apply CFA, but raise issues related to CFA
  - o Misc.: articles that give some useful insights and came up in the article search process that do not fall into a more specific category
- For articles that directly cite van der Haar *or* Verloo (the searches generated most articles that cited either author)
  - Command + F for the name of the author and then reading the paragraph that cites the author
  - Determine whether the article is using the citation in relation to CFA or something else
    - Ex: definitions or substantive findings
- For articles that have CFA as a keyword or explicitly mention the method
  - Command + F for "critical frame analysis"
    - If the keywords were found, I read the small sections surrounding each search term for additional context.
    - If the keywords were *not* found, I read the introduction, conclusion, and methodology section.
  - Classification as application or saying something as engaging with CFA on any methodological level

Additional Commentary:
- Google Scholar includes unpublished work (theses and dissertations)
  - After skimming through at least 15 of these, I found that none of these unpublished works do more than use the approach.
- Most of the related articles (Semantic Scholar and Connected Papers) are not helpful— they are on similar issues, but do not use the methodology.
- Even though I used quotation marks to search for CFA as a term of art, a lot of non-CFA methods popped up (similar topics like "critical" or "framing analysis")
- Disciplines where CFA was used: political science, sociology, business, policy studies, legal studies, economics, environmental science/policy, feminist and gender studies, anthropology, race and ethnic politics

Appendix B: MAGEEQ Methodology of Critical Frame Analysis, SUPER-TEXT TEMPLATE[15]

NUMBER/CODE/TITLE (max 20 signs)
- Full Title:
- (In English and in original language)
- Country/Place
- Issue
- Date
- Type/status of document
- Actor(s) and gender of actor(s) if applicable
- Audience
- Event/reason/occasion of appearance
- Parts of text eliminated

Voice

SUMMARY
- Voice(s) speaking
- Perspective
- References: words/concepts (and where they come from)
- References: actors
- References: documents

Diagnosis

SUMMARY
- What is represented as the problem?
- Why is it seen as a problem?
- Causality (what is seen as a cause of what?)
- Dimensions of gender (social categories/identity/behavior/norms & symbols/institutions)
- Intersectionality
- Mechanisms (resources/legal and/or cultural norms & interpretations/the use or legitimization of violence)
- Form (argumentation/style/conviction techniques/dichotomies/metaphors/ contrasts)
- Location (organization of labor/ intimacy/citizenship)

Attribution of roles in diagnosis

SUMMARY

- Causality (who is seen to have made the problem?)
- Responsibility (who is seen as responsible for the problem?)
- Problem holders (whose problem is it seen to be?)
- Normativity (what is a norm group if there is a problem group?)
- Active/passive roles (perpetrators/victims, etc.)
- Legitimization of non-problem(s)

Prognosis

- What to do?
- Hierarchy/priority in goals
- How to achieve goals (strategy/means/instruments)?
- Framing of gender (social categories/identity/behavior/norms & symbols/institutions)
- Intersectionality
- Mechanisms (resources/norms & interpretations/legitimization of violence)
- Form (argumentation/style/conviction techniques/dichotomies/metaphors)
- Location (organization of labor/intimacy/citizenship)

Attribution of roles in prognosis

SUMMARY
- Call for action and non-action (who should [not] do what?)
- Who has voice in suggesting suitable course of action?
- Who is acted upon (target groups)
- Boundaries set to action
- Legitimization of (non)action

Normativity

SUMMARY
- What is seen as good?
- What is seen as bad?
- Location of norms in the text (diagnosis/prognosis/elsewhere)

Balance

SUMMARY
- Emphasis on different dimensions/elements
- Frictions or contradictions within dimensions/elements

Comments

Appendix C: What's the Problem Represented to be? (WPR)[15]

Question 1: What's the problem (e.g., of "gender inequality", "drug use/abuse", "economic development", "global warming", "childhood obesity", "irregular migration", etc.) represented to be in a specific policy or policies?

Question 2: What deep-seated presuppositions or assumptions underlie this representation of the "problem" (*problem representation*)?

Question 3: How has this representation of the "problem" come about?

Question 4: What is left unproblematic in this problem representation? Where are the silences? Can the "problem" be conceptualized differently?

Question 5: What effects (discursive, subjectification, lived) are produced by this representation of the "problem"?

Question 6: How and where has this representation of the "problem" been produced, disseminated and defended? How has it been and/or how can it be disrupted and replaced?

Step 7: Apply this list of questions to your own problem representations.

Appendix D: Template 1 Example, Sensitizing Questions for Collecting the Evidence, *S.A.S. v France*, **2014[15]**

General Information
- Title?
- Date?
- Author (gender, ethnicity, race etc.)?
- Topic?

- Purpose?
- Audience?
- Pages included?

Voice
- Who is speaking?
- What are the key words these speakers use?
- What are the historical roots or origins of these key words as described by the authors?
- What references are there to actors and who are the actors?
- What references to texts or sources are there?

Diagnosis
- What is the problem(s) identified by the speaker?
- Why is it a problem?
- Is inequality a problem? If so, what is the inequality?
- How, if at all, does Islam in France or Europe/the individual right to respect for cultural identity/Article 8/minority cultural rights, right to religion/Article 9 feature in the problem? *Not* necessarily how is Islam in France or Europe/the individual right to respect for cultural identity/Article 8/minority cultural rights, right to religion/Article 9 a problem. Instead: what is the discussion about Islam in France or Europe/the individual right to respect for cultural identity/Article 8/minority cultural rights, right to religion/Article 9 in the diagnosis (which may or may not be discussed as a problem in the diagnosis)?
- How, if at all, do women's rights feature in the problem? *Not* necessarily how are women's rights a problem. Instead: what is the discussion about women's rights in the diagnosis?
- How, if at all, do law or other human rights feature in the problem? *Not* human rights *organizations*; and *not* necessarily how are human rights and/or law a problem. Instead: what is the discussion about other human rights in the diagnosis?
- Which specific rights, laws are relevant to the problem? *Not* human rights organizations.
- Which specific rights, laws are not relevant to the problem? *Not* human rights organizations.
- How, if at all, does French religion or culture feature in the problem? *Not* necessarily how is French religion or culture a problem. Instead: what is the discussion about French religion or culture in the diagnosis?
- How, if at all, does European religion or culture feature in the problem? *Not* necessarily how is European religion or culture a problem. Instead: what is the discussion about European religion or culture in the diagnosis?
- What is the origin/source(s) of the problem?

Prognosis
- What is the solution to the problem?
- What action is to be taken to solve the problem?
- Why is this the best solution to the problem?
- How (if at all) does the solution address the inequality identified in the diagnosis?

- How (if at all) does Islam in France or Europe/the individual right to respect for cultural identity/Article 8/minority cultural rights, right to religion/Article 9 play a role in the solution?
- How (if at all) do women's rights play a role in the solution?
- How (if at all) do other individual human rights, laws play a role in the solution? *Not* human rights organizations.
- Which specific human rights, laws (if any) are relevant for the solution? *Not* human rights organizations.
- Which specific human rights, laws (if any) are not relevant for the solution? *Not* human rights organizations.
- How (if at all) does French religion or culture play a role in the solution?
- How (if at all) does European religion or culture play a role in the solution?
- What is the solution supposed to achieve?
- What guidelines do the speakers say they use to come up with to solve a problem? *Not* human rights organizations. *Not* individual human rights, laws or Islam in France or Europe/individual right to respect for cultural identity/Article 8/minority cultural rights, right to religion/Article 9, or women's rights. Instead: what is the discussion about how to think about a solution?
- What is the most important outcome the solution will achieve and why? Second outcome and why? Etc.
- How will the solution(s) be implemented?

Rhetoric
- What are the categorical assertions (i.e., *contestable,* unsubstantiated factual claims that are not supported with evidence, e.g., Capitalism is organized crime; Europe's economies are the best in the world)?
- Does the speaker assert either the authority to make a decision or make a decision?
- Does the speaker defer authority to make a decision, and to whom?
- Problem addressed first in the text?
- Problem addressed last in the text?
- Solution addressed first in the text?
- Solution addressed last in the text?
- Synonyms (what things do the speakers make equivalent to what)?
- Overwording (i.e., when do the speakers use words that are close together in the text and are nearly synonymous)?
- Antonyms (what do the speakers put into opposition with what)?
- Pronouns (what connections or relations do the speakers make among people/groups)? (E.g., adversarial, collaborative: we/us; they/them.)
- Euphemistic expressions?
- Affirmative phrases/sentences (signal something speaker(s) endorse)?
- Negative phrases/sentences (signal something speaker(s) oppose)?
- Passive voice (unclear who is doing what)?
- Active voice (clear who is doing what)?
- Complex sentences that make connections (causal, sequential, adversarial, conditional)?
- Logical connectors (and, but, or) that signal who or what is unequal/equivalent?

- Metaphorical expressions for culture, either for French culture or Islam in France or Europe (conveys the *figurative* meaning of culture, e.g., "the traditional practice of shaking hands helps to break the ice among strangers" is a figurative way of saying that shaking hands helps strangers to feel comfortable among one another; there are no literal blocks of "ice" between people that shaking hands breaks)? [To memo: what is the conceptual metaphor?][15]
- Metaphorical expressions for women's rights (conveys the *figurative* meaning of women's rights, e.g., "women's rights blossomed in the village" is a figurative way of saying that villagers began to support women's rights. Women's rights were never flowers)? [To memo: what is the conceptual metaphor?]

Attribution of roles
- Who made the problem?
- How did they make the problem? What did they do?
- Who is responsible for solving the problem now?
- Whose problem is it (*i.e.,* who/what does the problem directly and negatively affect; who is a dependent)?[15]
- Who is the normative group (i.e., which group is the standard/typical group against which those who caused the problem is compared; the advantaged)? [15]
- Additional groups who are party to the problem (deviants, contenders)?[15]
- Reasons given for why an individual or group involved is not contributing to the problem?
- Who should act to solve the problem?
- Who should not act to solve the problem?
- Who suggests a suitable course of action?
- Which individuals/groups are acted upon when the problem is being solved (target groups)?
- What boundaries are set to the solution(s) (i.e., what are its limits)?
- What reasons are given for why an action should not be taken?

Rights Relations: Diagnosis
- Does the problem include any combination of the following: Islam in France or Europe/the individual right to respect for cultural identity/Article 8, minority cultural rights, right to religion/Article 9, women's rights, other individual human rights/law, French culture, European culture, and if so, does the text explain why?
- If the problem includes any two or more rights, what is their relation (if stated) and does the text explain why?

Rights Relations: Prognosis
- Does the solution include any combination of the following: Islam in France or Europe/the individual right to respect for cultural identity/Article 8/minority cultural rights, right to religion/Article 9, women's rights, other individual human rights, law, French culture, European culture, and if so, why?
- Does the solution involve a relation between rights, and if so, what is it and why?

Appendix E: List of Documents, *S.A.S. v France*, 2014

Amnesty International. 2013. "Submission of Written Observations of Amnesty
International Application No. 43835/11(S.A.S. v. France). Available from the European
Court of Human Rights.
ARTICLE 19. 2013. "Third Party Intervention Submissions by ARTICLE 19."
ARTICLE 19.
De Mello, Ramby, Tony Muman, and Anastasia Vakulenko. 2012. *SAS-C-France
Application no 243835/11*, *Submissions of the Applicant*.
European Court of Human Rights. 2013. *S.A.S. v. France* (no. 43835/11). "Hearings:
Webcasts of Hearings." European Court of Human Rights. Available at:
http://www.echr.coe.int/Pages/home.aspx?p=hearings&w=4383511_27112013&language
=en&c=&py=2013
----. 2014. "Case of S.A.S. v. France (Application no. 43835/11): Judgment." Strasbourg:
European Court of Human Rights. Available at:
https://www.echr.coe.int/Pages/home.aspx?p=caselaw&c=#n14623554475330710737296
_pointer
Liberty. 2012. "Written Submissions on Behalf of Liberty (Intervener): S.A. S.-v-
France." London: Liberty: Protecting Human Liberties, Promoting Human Rights.
Open Society Justice Initiative. 2013. "Written Comments in *S.A.S. v. France*
(Application no. 43835/11)." Available from the European Court of Human Rights.
—. 2012. "Written Comments in *S.A.S. v. France*
(Application no. 43835/11)." Available from the European Court of Human Rights.

Appendix F: Template 2 Example, Analyzing the Evidence, *S.A.S. v France, 2014*[15]

Analyzing Frames

General Information
- How, if at all, does this information reveal silences, omissions, or power relations in the situation?

Voice
- What are the silences and omissions in the text: speakers, key ideas, history, references, actors?

Diagnosis
- What is the meaning of gender, women, women's rights, gender equality, gender inequality in the text?
- What is the meaning of Islam in France or Europe/the individual right to respect for cultural identity/Article 8/minority cultural rights, right to religion/Article 9 in the text?
- What is the meaning of law and other human rights in the text?
- What is the meaning of French religion or culture in the text?
- What is the meaning of European religion or culture in the text?
- What, if any, is the meaning of intersectionality, in the text?

Prognosis
- What are the tensions, gaps, inconsistencies in the solution for women's rights and gender equality?
- What are the tensions, gaps, inconsistencies in the solution for Islam in France or Europe/the individual right to respect for cultural identity/Article 8/minority cultural rights, right to religion/Article 9?
- What are the tensions, gaps, inconsistencies in the solution for laws and other human rights?
- What are the tensions, gaps, inconsistencies in the solution for French religion or culture?
- What are the tensions, gaps, inconsistencies in the solution for European religion or culture?
- What, if any, are the tensions, gaps, inconsistencies in the solution for intersectionality?

- What are the tensions, gaps, inconsistencies in what the solution purports to achieve?
- What are the tensions, gaps, inconsistencies in the guidelines offered for the solution?
- Is the solution likely to achieve the outcome the text claims? Why or why not? Second outcome? Etc.
- Is it likely the solution will be implemented as envisioned? Why or why not? How else might it be implemented and why?

Rhetoric

- How, if at all, do the categorical assertions facilitate the diagnosis or prognosis?
- Why does the speaker either assert or defer authority to make a decision? What does this reveal about power dynamics in the situation?
- Does the order of the problems and solutions addressed convey the priorities in the text?
- Do the synonyms help to clarify the meaning of these things in the text?
- Does overwording help to clarify the significance and/or insistence of an idea in the text?
- Do the antonyms help to convey the meaning of these things in the text?
- Do the pronouns convey how the text constructs connections or relations among people/groups? (E.g., adversarial, collaborative.)
- What are euphemistic expressions hiding or conveying?
- Do affirmative phrases/sentences help to clarify what the speaker(s) endorse?
- Do negative phrases/sentences help to clarify what the speaker(s) oppose?
- Does passive voice help to clarify whose actions are being erased?
- Do complex sentences that make connections (causal, sequential, adversarial, conditional) help to clarify causation in the text, priorities, what the text is against, and which ideas are dependent on others?
- Do logical connectors (and, but, or) help to clarify who or what is unequal/equivalent?
- Do metaphorical expressions for culture, either for French culture or Islam in France or Europe help to clarify the meaning of these things and their importance in the text? Do the conceptual metaphors in the text related to these terms clarify their meaning?
- Do metaphorical expressions for women's rights help to clarify the meaning of what this phrase means and its importance in the text? Do the conceptual metaphors in the text related to this term and its associated terms clarify their meanings?

Attribution of roles

- How does the attribution of who made the problem position this person/group in society?
- Is who made the problem the villain of the story?
- Are those responsible for solving the problem the heroes of the story, or for example, have they failed to act and thus incompetent or villains?
- Is the person/group whose problem this is the victim of the story?
- Is the normative group the heroes?
- If there are supporting characters in the story, how are they related to the main characters and why?
- Are the central and supporting characters connected to one another by a plot of victim, villain, and hero? If so, what is the setting of this story according to the text? What is the moral of the story according to the text (*not* the policy solution but the broader lesson that the story elements convey)?

- If an individual or group is not attributed with contributing to the problem, does this help to clarify the reasons for other attributions of roles?
- If those who should act did not cause the problem, why are they the ones who should act? If they did cause the problem, are they being tasked with tasks they can fulfill?
- Why are those who should not act, not tasked with acting?
- How does the attribution of those who should act reveal power relations in the situation?
- Those who suggest a suitable course of action are exercising political agency. Is this surprising? Expected? Why? What else does this reveal about power relations in the situation?
- Are the targets of recommend policy action passive victims? Valued and protected? Etc.
- How, if at all, do the boundaries of the solution help to clarify power relations in the situation?
- How, if at all, do the reasons for why an action should not be taken help to clarify power relations in the situation?

<div align="center">Rights Relations: Diagnosis</div>

- How, if at all, are culture (and its affiliated terms) and women's rights (and its affiliated terms) related in the text? Why?
- If other rights appear in the text, how are they related with one another and/or with culture and its affiliated terms) and women's rights (and its affiliated terms) in the text? Why?

<div align="center">Rights Relations: Solution</div>

- How, if at all, are culture (and its affiliated terms) and women's rights (and its affiliated terms) related in the solution? Why?
- If other rights appear in the solution, how are they related with one another and/or with culture and its affiliated terms) and women's rights (and its affiliated terms) in the text? Why?

Identifying and Analyzing Perspectives[15]

Question 1: What's the problem (e.g., of "gender inequality", "drug use/abuse", "economic development", "global warming", "childhood obesity", "irregular migration", etc.) represented to be in a specific policy or policies?

Question 2: What deep-seated presuppositions or assumptions underlie this representation of the "problem" (*problem representation*)?

Question 3: How has this representation of the "problem" come about?

Question 4: What is left unproblematic in this problem representation? Where are the silences? Can the "problem" be conceptualized differently?

Question 5: What effects (discursive, subjectification, lived) are produced by this representation of the "problem"?

Question 6: How and where has this representation of the "problem" been produced, disseminated and defended? How has it been and/or how can it be disrupted and replaced?

Step 7: Apply this list of questions to your own problem representations.

References

Bacchi, Carol and Susan Goodwin. 2016. *Poststructural Policy Analysis*. New York: Palgrave

    MacMillan.

Drulák, Petr. 2008."Identifying and Assessing Metaphors." Terrell Carver and Jernej Pikalo, eds.

    Political Language and Metaphor. New York: Routledge: 121–134.

Lakoff, George and Mark Johnson. 2003. *Metaphors We Live By.* Chicago: University of

    Chicago Press.

Schneider, Anne L., and Helen M. Ingram, eds. 2005. *Deserving and Entitled*. Albany: State

    University of New York Press.