
STRUCTURAL BARRIERS AND ACCESS TO JUSTICE FOR WOMEN AND GIRLS:
Expert Short Paper

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CSW 70 Theme: “[e]nsuring and strengthening access to justice for all women and girls, including by promoting inclusive and equitable legal systems, eliminating discriminatory laws, policies, and practices, and addressing structural barriers.”

Background

The 70th meeting of the United Nations' Commission on the Status of Women (CSW) will take place in New York in March 2026, to address the theme of “[e]nsuring and strengthening access to justice for all women and girls, including by promoting inclusive and equitable legal systems, eliminating discriminatory laws, policies, and practices, and addressing structural barriers.” This paper seeks to lay some conceptual groundwork for that discussion and to inform policy and programmatic action by offering some conceptual foundations for thinking about structural barriers and how they impede women's access to justice. The paper also briefly considers the limitations of focusing solely on legal reform in addressing structural barriers, and turns to a very brief discussion of complementary strategies that might improve women and girls' access to justice (e.g., legal empowerment, collective action, norm change). I conclude by providing a couple of examples of successful strategies for addressing structural barriers to access to justice.

Conceptualizing Structural Barriers

How can we understand the concept of “structural barriers” to women's access to justice? There are many barriers to justice that confront women and all people as they seek to access justice, but not all of them are structural. Geographical formations such as mountains and rivers may present obstacles for travellers seeking to reach courts or offices in cities at the center of the justice system, but these are not necessarily, on their own, *structural* barriers. Neither is the wealthy tennis player who twists her ankle and cannot make her court date an example of a woman facing a structural barrier as a woman- she is facing a temporary difficulty, one that is not particular to being a woman nor is it a harm that is particular to a marginalized social group.¹

Structural barriers to justice are those barriers that are systematic, society-wide phenomena, afflicting women as a member of a group (women, other vulnerable populations) rather than as individuals. The barriers are not one-off events. They may be formal (such as a law) or informal (such as a norm). Someone who is barred from having a bank account, driving a car, or attending school because of their identity as a member of a particular ascriptive group (women, racialized minorities, etc.), faces a barrier that is unlike a barrier that prevents someone from undertaking some activity because of a temporary issue, such as an injury or other individual, particular obstacle. Temporary or individual barriers can be important, but they are different than structural barriers.

Structural barriers are so-called because they stem from *social structures* that disadvantage some groups relative to others, a structural injustice (Young 1990; Lu 2016). Social structures are large-scale, organizing principles and practices that undergird social relationships between groups and shape societal processes. They are constellations of formal and informal practices, norms and laws. They can also include material structures (such as buildings) that reflect social norms in which they are embedded, for example, the ways bathrooms are built and organized (with separate or combined bathrooms for women and men; with changing tables for babies; or gender-neutral washrooms). These material structures that reflect social norms are called “practico-inert” structures.

Combinations of such structures can confine individuals in ways that are nearly invisible to others. In her famous essay on oppression, for example, Marilyn Frye ([1983] 2000) gives the example of a bird confined to a cage: if we examine each bar individually, we can never understand why the bird does not

¹ This is a variation of the “rich playboy who breaks his leg skiing” example offered by Marilyn Frye ([1983] 2000).

fly away free. But when we look at the ways the wires in the bird cage combine to enclose the bird, we understand why the bird is unable to escape captivity.



Similarly, for some people, social norms and laws combine in ways that confine them because of who they are, but these barriers might not seem so consequential when considered in isolation: For example, women may be responsible for caring for young children who cannot be left alone; Certain functions may take place during hours where caregivers cannot leave young children; When circumstances or rules make it difficult for children to be present, they may effectively bar women as well because of the norm that so strongly links women to caring for children. Similarly, women may be barred from some jobs or courses of education because of their sex and as a result, they may not be able to achieve economic independence. Women of reproductive age may not have the means to manage menstruation in public spaces, meaning they are confined to their homes for a significant part of each month by a combination of social norms and economic disadvantage.

Women's legal dependence on a male partner or relatives may be reinforced by economic dependence if women are unable to earn their own wages or control their own earnings, resources or property (Weldon et al 2025). In some cases, women are able to generate income but are unable to control it because men are seen (by law or custom) as having a right to have and control any income generated by women in their family and living with them (Helfand-Roger 2018; Forester 2019). Regardless of the law, they may, in some cases, take such earnings or other property with impunity, making it impossible for women to generate enough money to free themselves from an abusive partner or oppressive home situation. If they are responsible for children, this may constitute an additional reason that they are unable to free themselves from a difficult situation or relationship. And of course, in many countries, marital breakdown is blamed on women and is a source of stigma or shame. These social norms or practices may constitute significant obstacles to equality, blocking access to legal or economic institutions.

As this suggests, laws about family property and employment may combine with social norms about marriage for women and men and attitudes that turn a blind eye to abuse inside the family or intimate relationships to create conditions that impede women's efforts to achieve independence. These combinations of rules, laws and norms constitute a social structure, a systematic barrier to justice for women (Htun and Weldon 2018; Mertus 2003; Young 1990).

Structural injustice, it should be noted, includes but goes beyond a focus on economic conditions, or even on material conditions more generally, to incorporate ideational phenomena (such as norms, or identities) as elements of structure (Lu 2017). As Lu puts it: "Structural injustices broadly refer to institutions,

norms, practices, and material conditions that play a causal or conditioning role in producing objectionable conduct or outcomes. The structures in question encompass institutionalized, formal, or informal rules or norms, practices, or conditions.” Structural barriers are distinct from individual level problems; they are societal rather than individual.

Gender is a social structure that undergirds many of the barriers that women face as women. Note that here that gender is understood not solely as “an attribute of individual identity or a type of performance” but beyond that, “a collection of institutions: a set of rules, norms, and practices, widely held and somewhat predictable – though not uncontested – that constructs what it means to be or to belong to a particular sex group” (Htun and Weldon 2018; see also Mertus 2003; Young 1990; 2006). Gender is the structure that gives local meaning to categories that define sex groups, such as “woman” and “man” and “masculine” and “feminine” (among others) (Butler 2004; Htun and Weldon 2018). Gender as a social structure is comprised of institutions that organize social behavior (family law, educational institutions, workplace regulations, social norms about sexuality and gender identity) furnishing incentives for some actions and sanctions for others.

In most contemporary societies, gender situates men and women in unequal relations of power, often intersecting (or combining) with other institutions to uphold patterns of status hierarchy and economic inequality (Htun and Weldon 2018). As Young puts it, “What we call categories of gender, race, ethnicity, etc. are [less individual identities than] a set of structures that position persons ... in relations of labor and production, power and subordination, desire and sexuality, prestige and status” (2002, pp. 417, 420). Social groups do not exist by virtue of a shared identity or attributes alone, but rather because they are similarly positioned by institutions (by laws, norms and social practices).

Intersectionality and Social Structures

This account of social structures treats structures affecting women or gender relationships as if they stood alone; in addition, it treats each country, polity or community as if the social structures undergirding the polity were entirely self-contained. Both of these assumptions simplify- sometimes, but not always, in a problematic way- the ways that structures intersect to shape the various barriers and advantages that adhere to particular genders, classes, races and sexualities in various contexts (Crenshaw 1989; Hancock 2006). Gender is a set of institutions, a social structure, but it is not the only one, and it is not a unidimensional phenomenon.

Structural barriers intersect, but not necessarily smoothly or in a uniform way. They are complex and the boundaries are fuzzy, shaped at times by global or transnational forces. Feminist theorists have called for an approach to gender justice that takes account of the transnational or even global foundations of the social, political and economic systems that constitute gender, not as distinct from issues of domestic politics, but as intertwined with them (e.g. Fraser 2016; Moghadam 2005; 2012; Walby 2003). Many important works that confront gender justice have examined the global dimensions of gender politics (Hozic and True 2016; Ellerby 2017; Enloe 1996; 2014; Forester 2019) showing how gender, race, class and militarism work together to structure gender justice.

Some analysts posit that these systems create a unified structure- for example, theorizing it as a single system called “kyriarchy” (Ellerby 2017). But this seems to assume an unproblematic unity, a smooth functioning of underlying structures, that belies the complexity and messiness, the contingency, of gender structures. In contrast, other analysts argue that understanding the ways that gender, race, class and sexuality work together is irreducibly messy (Smooth 2006), necessarily contingent and contextual (Basu

2016; Hancock 2016) and must encompass instances in which systems work together or at cross-purposes (Weldon 2008). This is even more in evidence when once incorporates a global perspective. Influenced by intersectional feminist theory, feminist analysts have moved the field forward by delineating the *multi-dimensional* nature of gender (Fraser 2016; Htun and Weldon 2018; Htun and Jensenius 2022).

Gender, Intersectionality and Structural Barriers to Justice

How do these structures – gendered and otherwise- create barriers that impede women’s access to justice? Gender justice can be defined as “equality and autonomy for people of all sex groups and gender identities,” and focusing especially on problems of women’s rights and problems with global dimensions can be thought of as examining a subcategory of gender justice (Htun and Weldon 2018; Weldon 2007; Yuval-Davis 1997). How do social structures of gender create barriers that impede women’s access to equality and autonomy?

Following on the discussion above, several barriers combine to create a structure – gender- that blocks women’s access to justice. Gender as a social structure is comprised of at least four axes or dimensions, including:

- 1) Gender-based violence,
- 2) A gender status hierarchy and discrimination, including both formal and informal discrimination in law and social practice,
- 3) The sexual division of labor (Women’s responsibility for care work for children, elders and other dependents), and
- 4) Poverty and gender wage gaps
- 5) Nationality, belonging and kinship

Each of these barriers combines with the others to create a formidable set of obstacles for women who seek to access justice as women. In the sections below, I describe each axis of gender and outline how it works as a barrier to justice before showing how these barriers work in concert to block access to justice for the world’s women and girls.

Gender-based violence: The United Nations defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life"² Such violence- especially intimate violence and sexual abuse- afflict some 30% of women worldwide according to the WHO.³ For example “Population-level surveys based on reports from survivors provide the most accurate estimates of the prevalence of intimate partner violence and sexual violence. A 2018 analysis of prevalence data from 2000–2018 across 161 countries and areas, conducted by WHO on behalf of the UN Interagency working group on violence against women, found that worldwide, nearly 1 in 3, or 30%, of women have been subjected to physical and/or sexual violence by an intimate partner or non-partner sexual violence or both”

In spite of efforts to address such violence, it continues to constitute a barrier to accessing the justice system. Even where it is against the law, many victims of violence still do not report the crime for fear of stigma, because of their desire to maintain their relationship with the offender and because of a lack of

² United Nations. Declaration on the elimination of violence against women. New York : UN, 1993

³ World Health Organization. *Violence Against Women: Key Facts*. March 25 2024. <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>

confidence that the legal system will deliver justice (Dempsey ; Ghana ; Haiti; Weldon 2002). In many places, such violence is still seen as a private or properly familial affair and beyond the purview of state authority. Fear of retaliation from perpetrators, especially when the legal system fails to protect women in the first place, also deters reporting. Violence is itself a problem, but it is also used to silence women and prevent them from accessing public life and spaces, from running for office, seeking justice, or seeking a public profile of any kind, on-line or in person (Krook 2018; Weldon 2002). Even when women do persist and seek justice, they may experience the legal inquiry as a humiliating second violation, deterring other women from pursuing the path of seeking justice.

Status Hierarchy and Discrimination in Law and Social Practice: In many countries, social norms undergird a status hierarchy that may be reflected in formal or informal laws and norms that values some people or groups and devalues others. Gender is one basis for this status hierarchy, and it results in disadvantage and bias against women and girls as they seek to access justice. It is closely connected to, but conceptually distinct from, the phenomenon of violence against women.

The *status hierarchy* refers to those institutionalized patterns of cultural value that privilege men and the masculine and devalue women and the feminine (Htun and Weldon 2018; Fraser 2003; 2007; Young 1990). This hierarchy assigns women a lower status compared to men who are similar in other ways, women are the feminine and are marginalized, rendered “other,” lesser beings less worthy of rights and dignity. Patriarchal norms treat women as the sexual property of men; as objects rather than subjects; as goods to be exchanged, ignored, or belittled; or as disposable beings who may be abused or even killed – in short, as less than full persons, legally, socially, politically (Htun and Weldon 2018). Promoting women’s rights involves the transformation of these patterns that designate some groups as normative and constitute others as inferior, different, or unworthy.

The status hierarchy devaluing women and the feminine in favor of men and traditional masculinity is an obstacle to justice. For example, biases about the credibility of women’s testimony, or acceptance of widely discredited “rape myths” result in biases in rape cases as well as discriminatory and sexist attitudes among police and judges (e.g. Adu-Gyamfi 2014; Bryden, David P., and Sonja Lengnick. 1997; Blair and Jassal 2022; Jagannath 2011). For example, one advocate in Turkey reported that “the police have a certain kind of approach towards those women who especially apply to the police station for getting beaten up; “he is the husband; he can love or beat her”.... (Hatipoğlu-Aydın and Aydın, 2016).

In many countries, the status hierarchy further devalues those associated with particular racial, national, ethnic, caste and religious groups. This similarly constitutes a barrier to accessing justice as these relations intersect and combine in complex ways with gender structures (Crenshaw 1989; Hancock 2016; Weldon 2008; Yuval Davis 1997). For example, as discussed in more detail below, many laws on VAW do not address women of vulnerable groups (Ortiz Barreda 2010).

Sexual Division of Labor Responsibility for Children: The *sexual division of labor* refers to the tendency in most contemporary societies for women to shoulder a disproportionate burden of care work (including so-called “reproductive work”), including care for children, elderly and other family and community members. This work tends to be unpaid or underpaid, less valued, and confined to the domestic or private sphere. By contrast, most societies allocate public, paid, and valued work more consistently to men; women’s access to such work varies across societies and is shaped by family status (Htun and Weldon 2018).

Global analyses show that in spite of many social changes over the last few decades including more women participating in paid work, in most countries, women still shoulder the lion’s share of care work. These care responsibilities shape their employment outcomes (such as occupation, work participation and wages) and economic well-being in general; Unlike men, women’s labor force participation is strongly affected by their family status (lone parent, married etc). (Azcona, G et al 2020; Ferrant et al., 2014). As

Ferrant et al (2014) note “One reason for that lagging progress in women achieving equal status in society is that they are still expected to shoulder a disproportionate share of unpaid care and domestic work responsibilities.” On top of the paid work they do, this unpaid care work is sometimes referred to as a “second shift” (Hochschild & Machung, 2012).

These care responsibilities can impede women’s access to justice when the economic consequences make it difficult to undertake the travel or other expenses involved in pursuing justice. It can also create logistical challenges for travel or attending court proceedings, meeting with counsel, or otherwise participating in institutional processes. As such, they constitute another bar in the bird cage of structured disadvantages of gender.

Poverty and Economic Disadvantage: Global analyses of poverty rates in more than 60 countries find that women are more likely to be poor than men (Munoz Boudet 2018). This economic disadvantage both stems from and reinforces other dimensions of gender inequality. For example, poor women have a harder time fleeing abusive home situations; similarly, abusive partners may take women’s earnings and impoverish them; They may prohibit women from working altogether, preventing their independence. Poverty is an important barrier to accessing the legal system. Resources required to travel, gather evidence to support their claims, or hire counsel are less available to poor women (Adu-Gyamfi 2014; Blair and Jassal 2022; Hatipoğlu-Aydın and Aydın 2016; Majety and Bejugam. 2016; Jagannath 2011).

Nationality, Belonging and Kinship: Rules of citizenship, nationality and kinship are gendered (Yuval-Davis 1993; 1997; 2011). For example, the rights of citizenship may not extend equally to women and men. In some countries, a woman who marries someone who is not a citizen loses her citizenship while a man who marries a foreigner is able to bring his partner into the national community. The same may be true for religious or ethnic communities: Rules of belonging and membership may be defined differently for women and men, boys and girls. The obligations and benefits of participation in religious or ethnic organizations may also flow unequally to men and women (Djupe and Olson 2013; Strolovitch 2006). This fundamental inequality results in women and girls not being counted as a member of the political community on equal terms as their male counterparts, and it reinforces and undergirds all the social and legal inequalities we have enumerated in other areas of this paper (McClain and Grossman 2009).

The Mutually Reinforcing Nature of Gender Barriers: These barriers to justice, then, combine, like the bars of the bird cage, to create a systematic set of barriers that block access to justice for the world’s women and girls. Women do not have the means to escape a violent situation making it harder for them to pursue justice against the perpetrators. Violence contributes to economic inequality. Discriminatory laws that block women from traveling alone, holding a bank account, or opening a business keep them poor and dependent on male relatives or abusive family members. Lack of resources and education undermines access to the legal system as they cannot travel, hire counsel, or gather evidence (such as medical certificates that support their allegations of rape or sexual abuse). Sexual division of labor assigns childcare to women and devalues it, keeping them impoverished and making it more difficult for them to work and obtain fair remuneration for their efforts. Informal discrimination that devalues women and undercuts their credibility means that women seeking justice encounter biased attitudes from police, judges and other representatives of the state (Adu-Gyamfi 2014; Blair and Jassal 2022; Hatipoğlu-Aydın and Aydın 2016; Jagannath 2011; Majety and Bejugam. 2016). And a lack of citizenship rights and failure to count as full members of religious or ethnic organizations undercut women’s ability to call on legal, religious, ethnic or other organizations as supports when they seek justice.

Promise and Pitfalls of Legal Reform as a Mechanism for Advancing Access to Justice

Legal reform and formal policy have advanced women's access to justice around the world. For example, in places from Italy to Haiti, laws have been reformed to ensure that sexual assault is a crime against a person, not just an affront to common decency or an act against honor or otherwise an act of debauchery. This makes it possible for women to pursue the perpetrators (Jagannath 2011; Weldon 2002). Similarly, rape shield laws have placed checks on defense lawyers' efforts to explore women's sexual history as a part of a defense strategy, a tack that is experienced as humiliating and is in many cases irrelevant to the case at hand (Weldon 2002). And through its "expressive power" the law itself sets a standard for acceptable behavior, even when implementation can be spotty (Htun and Jensenius 2022). Legal reform may be needed to ensure women have legal standing to demand that they be treated as equals before the law.

This may be especially important for intersectionally marginalized women. Indeed, according to one analysis of 62 VAW laws across five continents, only 12 mentioned one or more of the groups of vulnerable women (Ortiz Barreda 2010). The study found that the groups of vulnerable women most frequently mentioned were pregnant, disabled or ethnic minority women (but see Maher et al 2018)). Only two countries had laws on violence against women that mentioned immigrant women. Ethnic minorities received special attention in seven laws in Latin American countries. As the study concludes, then, "Decisive interventions addressing the specific needs of disabled, pregnant, immigrant, ethnic minority and older women are needed in order to achieve a broader equity approach in VAW legislation." (Ortiz Barreda 2010). As it stands, general laws on violence do not necessarily address violence against marginalized women in their explicit provisions. This is one area for possible action to address VAW.

However, on its own, this strategy is limited: Legal reform and change through the criminal justice system have several limitations as a strategy for achieving the social transformation required to ensure equal access to justice for women and girls. The first limit is that where such reforms challenge social norms, implementation may be a greater challenge. For example, when local governments in the US began mandating "mandatory arrest" policies requiring police officers to arrest abusers at the scene of a complaint, police officers, many of whom felt uncomfortable interfering in what they saw as a private issue, would arrest both the complainant and the victim, claiming that they were unable to determine who the "primary aggressor" was (so-called "dual arrest.") (Zeoli 2010; Dempsey 2010). This generally deterred women from calling the police in the first case in case they would get arrested (Dempsey 2010). Similarly, in a case in Pakistan, in spite of laws prohibiting rape, a village council (panchayat) mandated the gang rape of the sister of a man they judged to have violated social norms by dating someone outside of his caste group. The law here had little effect and offered scant protection to the woman involved (Dauer 2006). Similarly, in Jordan, a domestic violence law (the Family Protection Law) was seen as so much "ink on paper" by women's rights advocates, pessimistic that it would make a difference for victims (Forester 2019).

Practical and logistical problems also limit legal reform as a strategy. The pace of legal reform is slow, leaving those seeking justice frustrated and vulnerable even as the justice system grinds on (Blair and Jassal 2022; Dempsey 2010; Hatipoğlu-Aydın and Aydın. 2016; Jagannath 2011). The process absorbs an inordinate amount of resources. Perhaps most importantly, however, and related to this issue of social norms, legal reform does not necessarily attack the underlying attitudes and social practices that produce gender-based violence in the first place. Legal reform and the criminal justice system may be part of social transformation, but on its own, is unlikely to lead such a process of broader social change (Jagannath 2011; Mertus 2003; Weldon 2002; 2011).

Strategies for Addressing Structural Barriers to Justice

Given the shortcomings of legal reform as a stand-alone strategy, it is clear that advocates and policy makers should consider complementary courses of action aimed at transforming social norms and practices, raising awareness and empowering women. One important avenue of such transformation is collective action through social movements to raise awareness, change norms, draw attention to problems with existing practice and demand legal change, raise awareness of changed laws when they are reformed (Htun and Weldon 2018; Raymond et al 2013; Weldon et al 2025).

Looking at the transformation of attitudes towards VAW over the past several decades provides an example of how social attitudes may change. This is not to suggest that any transformation has been or could be complete: Many problematic attitudes do- and likely will continue to- remain. Backsliding is also always possible, as the situation in Afghanistan for example makes clear (Ahmed-Ghosh 2003; Shoiib et al 2022; Skaine 2010). Nevertheless, it is worth remembering that although many people today think most forms of gender-based violence ought to be a crime and see them as a violation of human rights, this was not always the case. The *Universal Declaration of Human Rights*, for example, fails to mention VAW explicitly as a category, though it does touch upon other gender issues such as family law. Even the original text of the *United Nations Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW), as presented to the intergovernmental meeting at Copenhagen in 1980, did not mention VAW as a priority for action (Keck and Sikkink 1998; Raymond et al 2013; Weldon 2006; Weldon et al 2025).⁴

Since the early 1980s, VAW has gone from an area judged to be clearly *outside* the purview of international human rights organizations to an area that is *assumed* to be a core dimension of human rights. This “taken-for-granted” quality, a hallmark of social norms, seemed like an impossible goal in the early 1980s when none of the international human rights NGOs made such abuses a core area of their work, instead viewing such violations as private, inappropriate areas for human rights activism (Bunch 1990; Friedman 1995; Friedman et al. 2005; Htun and Weldon 2012; Weldon 2006). Today, Amnesty International, Human Rights Watch, and the other major Human Rights NGOs all have women’s rights projects (Htun and Weldon 2018; Raymond et al 2013). Such norm changes can spark a “justice cascade” (Sikkink 2011).

This transformation is at least partly the result of decades of activism aimed at societal transformation by creating new norms. New norms are created first by highlighting and undermining old norms- by drawing attention to the “taken for granted” practices and showing they are problematic- and then by suggesting alternative practices and principles (Raymond et al 2013). For example, international human rights defenders undertook a campaign in 1993 that resulted in the first intergovernmental Declaration on the Elimination of Violence Against Women (United Nations 1993). Feminist activists both undermined the old norms and created an organized constituency to promote the new norm (Legro 2000; Mackie 1998; Raymond et al 2013). To undermine the old norm, feminists held speak-outs and take-back-the-night marches to elicit attention to issues of violence against women. They used shame to embarrass those who did not take rape seriously, and to point out the unacceptability of overlooking physical violence or treating it as a joke (Weldon 2011). At the 1993 UN Conference on Human Rights, compelling

⁴ This section draws on Weldon and Raymond 2013 and Weldon et al 2025.

testimonials by women from all over the world describing their experiences of violence broke taboos against speaking out – widely seen as “breaking the silence”- and drew attention to the ubiquity of violent behavior supported by norms of masculine dominance and the resulting harm they caused (Friedman 1995).

This international campaign led to clear shifts in the normative understanding of violence against women in the family (Htun and Weldon 2012; Weldon 2002). For example, in Europe, the proportion of Europeans who thought domestic violence against women should be considered a crime grew between 1999 and 2010 (Eurobarometer 2010). Similarly, at one time it was seen as legally impossible for a man to rape his wife (e.g., Hale 1678 in Stetson 2007: 308), and until the 1970s husbands were routinely exempted from prosecutions for rape, even when separated or divorced (Stetson 2007: 312). In 1993 marital rape became a crime in all 50 U. S. states under the sexual offenses code, a remarkable shift in formal institutions that reflected a fundamental change in U.S. norms regarding VAW.⁵ These attitudinal and legal changes replaced a norm of masculine dominance that failed to censure sexual violence against wives with a new norm deeming such violence against women in the family as socially unacceptable.

The persistence of unjust social structures depends on the compliance of seemingly powerless, everyday people: recognizing the structural nature of injustice not only helps us understand it, but also to identify possible sites of resistance (Enloe 1996). If bureaucratic systems, for example, depend on compliance with bureaucratic rules, then failing to comply with those rules can disrupt systems. If economic systems depend on people being willing to work, for example, then workers retain the power to disrupt those systems by withdrawing their labor, for example in a strike.

As this suggests, women have the power to disrupt systems that depend on their unpaid labor, and to draw attention to their contribution, by refusing to do that labor. They may also use striking and other types of protest to draw attention to women’s rights issues more generally. In terms of coordinated international efforts, the international women’s strike and the #metoo movement are examples of such efforts (Kelly-Thompson et al 2024). Such efforts have also been undertaken to great effect at a national or local level over many decades and in many countries: For example, in 2015, saleswomen at a garment store in Kerala, India went on strike to demand the right to sit down during work, breaks and the minimum wage leading to a broader “Right-to-sit-at-work” movement that resulted in the creation of a women’s union and that won basic rights for the saleswomen (Weldon et al 2025). In the supermarket strike, women in Iceland disrupted supermarkets by jamming up the works when they refused to pay more than part of the cost of their groceries, citing the wage gap that contributed to devaluing women’s work (Kaplan 1992). The women of the Chipko movement (the original “treehuggers), disrupted development by refusing to move out of the path of the construction machinery that came to knock down trees (Calman 1989). In the early 1990s in United States, the non-governmental feminist group called National Organization for Women (NOW) opposed President Clinton’s welfare reform initiative, mounting daily vigils at the White House with a coalition of progressive groups, while NOW staffers and leaders went on a hunger strike (Pollit 2001, 125). Though they failed to defeat the Act, the final version (PRWORA) included unprecedented new funds for childcare and new exceptions to some welfare reform provisions for victims

⁵ This is not to say that no problems remain: Spousal rape is still treated as a lesser crime in many instances, and further legal reforms are likely necessary (Weldon and Raymond 2013).

of domestic violence (Weldon et al 2025). Women's threats to withdraw their business as consumers have also sometimes moved institutions that previously ignored sexual harassment and assault to deal with perpetrators more effectively. The ability to "disrupt systems through which power runs is fundamental to the power of protest in modern life. In this sense, the collective power of those at the "bottom" of the hierarchy should not be overlooked, as doing so only further empowers those at the "top," making their domination seem inevitable and inalterable"(Weldon 2019).⁶

The smooth operation of bureaucratic, social, political and economic systems depends on women's compliance (Enloe 1996). If they organize, women can use their collective power in these realms to make a difference. Informal institutions such as norms can be not only obstacles to women's empowerment but also *sources* of power. Ideas about appropriateness and legitimacy can undergird "soft power," sources of influence that inhere in ideas (Khagram et al 2002; Horn 2010; 2013). Collective action in civil society can not only result in changing formal laws and policies that affect women and other marginalized groups (Weldon 2011), it can also change norms, and informal institutions (Raymond et al 2013).

Empowering women and changing norms can be accomplished by funding women's organizing, for example through a feminist foreign policy that includes funding for organizations in the Global South (e.g. Government of Canada 2017; Delgado 2020). Feminist funds, such as the Global Fund for Women, may be a particularly useful way to direct funding to such feminist groups (Hessini 2020; Woronuk 2020). Such funding is needed now more than ever: For example, direct funding of women's organizations accounted for less than 1% of ODA funding (Arutyunova and Clark 2014; Hessini 2020; OECD 2020).

Funding may also be important to directly address economic barriers to access that impede women's access to justice, especially poor, marginalized and rural women. Policies may address these barriers directly. For example, in one case in Haiti organizations collaborated to provided free access to the legal system by funding access to counsel and other legal expenses (Jaganath 2011). Funding may also help by providing more general support for social protection that alleviates women's poverty and economic inequality, such as funding for childcare or policies to reduce the gender gap in wages.

Collective and programmatic action to improve women's access to justice, as noted, is complicated by intersectionality. For example, women's movements in the United States have had to confront relations of racial domination among women (hooks 1999; Roth 2004), and the civil rights movement in the United States, a movement for racial justice, was riven by class and gender as well as race (Simien 2011). Although solidarity among oppressed groups is critical to change, to their power and empowerment, it remains difficult to achieve (Alexander-Floyd, 2012; Rai 2018; Einwohner et al 2021). And policies and programs that address violence against women and other such barriers similarly demand attention to the intersectional nature of structural obstacles (Crenshaw 1989; Hancock 2016). Nevertheless, through a combination of legal reform, activism and appropriate policy interventions, structural barriers may be diminished, significantly advancing access to justice for the world's women and girls.

⁶ The paragraph draws on Weldon 2019.

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