INTRODUCTION FOR SPECIAL ISSUE IN *GERMAN POLITICS*

Leading from Behind? Gender Equality in Germany During the Merkel Era

ABSTRACT

Whilst maintaining its status as an economic engine in Europe, Germany has historically been a laggard in adopting gender equality measures. The European Gender Equality Index, however, now ranks Germany relatively high and shows substantial progress since 2005. While this has gone mostly unnoticed, Germany has passed far-reaching legislation in major policy fields relevant for gender equality. This expansive policy adoption occurred during the chancellorship of Angela Merkel, but we still know little about the actors and processes that explain it. The divergent perceptions of Germany in relation to gender invite deeper scholarly investigation. In general, we lack knowledge about how conservative women and their parties lead on gender policy. More specifically, we need to know more about how policy measures introduced by conservative governments affect gender norms and gender culture, and if they ultimately lead to effective implementation and greater equality. Investigating the effects of Merkel's tenure on gender equality, we assess policy output and outcomes with a focus on internal power dynamics in Germany, as well as international and EU-level pressures in the policy domains of political representation, LGBTI rights, migration, the labour market, and care.

INTRODUCTION

2021 marks the end of the era 'Merkel' in German politics. The four-term chancellor will leave office after having steered Germany through a series of international and domestic challenges and in the process earning herself the Forbes' title of 'most powerful woman in the world' on several occasions. The Merkel era from 2005 and 2021 saw international crises ranging from the Great Recession to the Greek debt crisis, the 2010 Arab Spring, the 2011 Fukushima nuclear disaster, the 2014 Russian annexation of Crimea, the 2015 so-called migration crisis, the COVID-19 pandemic and overall the rise of populism and nationalism in advanced democracies (see table 1). Terrorist attacks across Europe and the globe also required agile and innovative domestic and foreign policy responses. This is especially true of the COVID-19 crisis, where Merkel's science-based leadership was widely praised as exemplary in taming the pandemic (Garikipati and Kambhampati 2020; Piscopo 2020). Domestically, Merkel's legacy includes challenging her party's traditional conservatism (Lau 2009; Mushaben 2017; Zohlnhöfer and Saalfeld 2018) by, for example, abolishing compulsory military service, phasing out nuclear energy, legalizing (with

significant constraints) dual citizenship, adopting the Marriage Equality Act, implementing a corporate board quota, and instituting a minimum wage.

This is all the more noteworthy, given that many saw Angela Merkel as an 'interim' leader when she became the first woman, first East-German-socialised, and youngest Chancellor in German history. The speculation around her longevity was particularly due to the fact that her Christian Democratic Party (CDU) was (and still is) not known for promoting women among its ranks (Ahrens et al. 2020). While scholars have documented and assessed her rise to power utilizing a gender lens (Mushaben 2017; Thompson and Lennartz 2007; Williarty 2010), we know much less about actual policy output on gender issues and their effects during the 16-year Merkel era. The same is true when it comes to our understanding of Merkel's own complicated relationship with feminism and her role in advancing gender equality. This is the focus of our undertaking in this special issue.

Germany has historically been a laggard in adopting gender equality measures (Marx Ferree 2012). It was not until 2020 that the Bundestag adopted a comprehensive national gender equality strategy, introduced and promoted by Social Democratic Party (SPD) Women's Minister Franziska Giffey. The 2019 European Gender Equality Index, however, ranked Germany No. 12 among all European Union (EU) member states, at roughly the EU average. According to the index, 'Germany is progressing toward gender equality faster than the EU', having gained 6.9 points between 2005 and 2017, while the EU gained a more meagre 5.4 points in the same period (European Institute for Gender Equality 2019). The score is even more surprising when we look at the policy sectors to which this increase is attributed to: Whereas the scores for gender equality in the 'knowledge' domain, such as in tertiary education, (non-)formal education, and horizontal segregation in higher education, decreased between 2005 and 2017, Germany gained 22.6 points in the domain of 'power', defined as political and economic power, as well as the social leadership position of women.[i] How can we make sense of this policy transformation and what is Angela Merkel's role vis-à-vis such positive legal improvement in gender policy? Who are the actors and what are the conditions—domestic and international—that advance gender politics when political opportunities in the form of left power resources are marginal or in decline? To what degree has the Merkel chancellorship contributed to, stalled, or hindered gender policy advancements? These questions help us to identify what (and who) drives gendered policy change, as well as to interpret positive policy change towards gender equality under a conservative chancellor. Indeed, our

answers may also illuminate the conditions under which gender equality change can occur in democracies governed by conservative leaders more broadly. In this special issue, we engage with these questions and chart where German gender equality can be positioned after 16 years of a CDU-Merkel-led government. To be sure, we do not argue that the successes around gender equality policy are all attributable to Merkel's governments directly. As our contributors show, some have undeniably occurred despite her being in power.

Merkel's legacy on gender equality is complex, and shaped by various internal and external factors. Specifically, her leadership on gender is influenced by (a) external pressures of international rules and norms driven by international nongovernmental and governmental organisations (particularly the EU), and by (b) internal pressures from coalition partners (particularly the SPD), public opinion shifts, opposition parties, courts, and civil society organisations. A key theoretical argument is that these countervailing factors produce three overarching and unique mechanisms of facilitating change – active, passive and evolved – characteristic of Merkel's leadership on gender, which may also add to our understanding of how women lead more generally. We chart these three mechanisms below.

As women globally have gained access to powerful executive positions in governments over the past three decades (Jalalzai 2014; Alexander and Jalalzai 2020), their presence on the highest political stages has fuelled what we know as "symbolic empowerment" of women (Alexander and Jalalzai 2020). Having women in executive leadership has helped to counter misogynistic attitudes and enabled women to spot cracks in the pervasive glass ceilings of countries around the world. Merkel's mere presence indicates openings for women in German politics. A second major line of inquiry in regard to women leaders focuses on leadership habitus: it asks about gendered differences in leadership style and its effects. Across Europe, most women leaders have climbed to power within multi-party systems (Jalalzai 2014: 591). They, like their male colleagues, have thus been trained in forming alliances and working with compromise in mind. The leadership style literature, however, argues that powerful women leaders in the aggregate present a 'highly effective, androgynous leadership style', blending collaborative approaches with efficient decision making (Grounds and Haffert 2020). Angela Merkel provides an excellent case study of just that combination: neutralizing her gender publicly, signalling willingness and patience to hear multiple sides of an issue, and – once she has made a decision – projecting unwavering clarity to the public

in terms of which path to chart. Analysing Merkel's leadership habitus thus confirms the literature's findings about gendered processes of collaboration and effective decision-making.

While Merkel's strong leadership credentials are established in several policy areas—even earning her the 'iron Chancellor' nickname among political commentators[ii]—she has been less out front on issues associated with gender equality specifically. We do sometimes identify (a) an *active facilitating* role (whether public-facing or behind the scenes) by Merkel – where she has led the change toward more gender equality —, but in most gender equality domains, she pivots to mechanisms that round out our "leading from behind" concept. We define "leading from behind" as an (in)direct facilitating role that wavers between active and passive leadership; one that some women leaders facing the constraints of conservative[iii] parties may have a greater need to play in order to advance gender policy. This includes a (b) *passive and indirect facilitating* role, where claims-making proceeds with reluctance and/or a leader is simply not blocking such claims. The marriage equality vignette that follows is one such example. Merkel would toe the line by voting against the actual policy, knowing full well that it would pass (facing pressure from SPD, Greens, and FDP ahead of the elections, she called the vote and released the party whip, bringing the issue to a majority body of parliamentarians in favour). While this may rightly be viewed as sinister or shrewd, it is a strategy that she often must play on gender issues in her socially conservative party. A third process (c) is one of *evolved facilitation*, where a leader advances from passive resister to active enabler, often in response to the shifts in public opinion and/or international pressure. Public opinion shifts were crucial for marriage equality (see Schotel forthcoming as well as Henninger forthcoming, *this issue*) while EU commitments resulted in important re-positioning in care and labour market policies (see Ahrens and Scheele and Auth and Peukert forthcoming, *this issue*). For Merkel this third process is characteristic of her strategic wavering—which has become a verb, *merkeln*, in German popular discourse[iv]—in response to other commitments that she simultaneously fulfils, sometimes dislodging aspects of her conservative party credentials. Compromise between various pressures from domestic actors and international institutions influence some conservative leaders who may, for example, be swayed by social movement demands or international human rights norms. Merkel has been willing to evolve and compromise in some cases, often involving considerable persuasion skills from those other actors and parties (as many feminist voices in Germany will attest, '*Man muß sie zum Jagen tragen*').

In our research, these three processes became readily apparent as we charted the types of policy innovation (that often come with intense compromise), their (sometimes partial) implementation, and the (highly diverse and surprising cohort of) actors behind them. We proceed as follows. First, we provide a theoretical framework for assessing conservative women's political representation and leadership, starting with a vignette on the Marriage Equality Act, which provides some context to our argument and the 'leading from behind'-concept. As many of the authors will point out in their contributions, Merkel's relationship to gendered policy change is multi-faceted. Second, we apply the theory to the empirical material uncovered by our colleagues in this issue. The analysis of new gender policy in the Merkel era helps us break down our three mechanisms undergirding the 'leading from behind' concept, as well as offering an overview of all the varied actors at play, the policy innovations developed, and the policy implementation achieved. This second section also serves as a preview of what is ahead, by positioning the contributions of the various special issue articles in dialogue with our theory and with one another. Third, as the Merkel Era draws to a close, we conclude with a summary of our findings and reflections on her legacy and what is ahead for gender equality in Germany.

THEORY: GENDER EQUALITY FROM BEHIND

The Complex Case of Marriage Equality and the CDU – an Illustration[1]

The introduction of *Ehe für Alle* (Marriage Equality) by Merkel's third government highlights the complexity of factors both specific to her leadership and those outside of it. In a significant break from years of defending the CDU's opposition to marriage equality, for example, Merkel stunned by announcing in early June 2017 that members of her centre-right, governing Christian Democratic Union (CDU) party would no longer be asked to toe the party line on this policy issue. Instead she would let parliamentarians vote 'according to conscience'—absent the party whip—, knowing full well that it would result in a win for equal marriage.

Merkel's manoeuvre was a marked shift for the CDU. For the daughter of a Lutheran minister who claimed to 'have a hard time' ('Ich tue mich schwer damit') with various aspect of lesbian, gay,

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[1] This subsection draws directly from Ayoub 2017.

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bisexual, trans and intersex (LGBTI) politics (*taz – die tageszeitung* September 10, 2013), as well as being a leader alongside the CDU sister-party, the Bavarian Christian Social Union (CSU)—defined by Catholic values and support of traditional families—Merkel's move took many by surprise. As Tarik Abou-Chadi rightly points out in his piece, "No America, Merkel is not your progressive champion" (*Washington Post* June 6, 2019),

> Merkel herself certainly was not a proponent of LGBT rights expansion. …While the [marriage equality] law passed with a large majority, Merkel herself voted against it. Many citizens, activists and politicians in Germany have fought to expand the rights of the LGBT population. They have fought against massive obstacles and at large personal costs. They deserve the credit for this achievement. Merkel does not.

Both domestic and international politics explain this policy development.

Domestically, Germany was home to the first 'homosexual rights movement' in the late 1800s, but struggled with LGBTI rights in the post-WWII period (Beachy 2014; see Ayoub 2016, 26-27 and 46 for a summary of this history). Indeed, observers had long called attention to Germany's 'retrograde' status on such rights. Remnants of Paragraph 175, an archaic law criminalising same-sex relations among men, remained within the criminal code until 1969, and convictions continued based on unequal age of consent until 1994 (Davidson-Schmich 2017). In interviews ahead of the 2009 German election, members of the CDU's gay and lesbian group (*Bundesverband der Lesben und Schwulen in der Union*, LSU) explained their party's reticence towards legalising marriage equality as rooted in the effort to maintain the spectrum of voters to the right of centre (Ayoub 2016). Yet, as it has done many times before, electoral politics influenced Merkel's own position, as public opinion continued to move resoundingly in favour of full marriage rights. A 2017 survey found 83 per cent of Germans supportive of expanding the institution.[v] Indeed, ahead of the September 2017 election, constituents of every major party agreed (CDU/CSU 64 per cent; SPD 82 per cent; The Left 81 per cent, Greens 95 per cent; FDP, 63 per cent) and Merkel's rival parties responded accordingly.[vi] Three parties – the SPD, FDP and Greens – made marriage equality a prerequisite for entering any governing coalition. The fact that the CDU's coalition partner and main challenger for the chancellery, the SPD, placed marriage equality centrally on their party platform also provided a nudge. Merkel's willingness to outdo its charismatic candidate, Martin

Schulz—who in early 2017 had still given the SPD renewed hope for an upset—surely also played a role in Merkel's political manoeuvre.

While domestic politics help explain why change comes in a rush, international dynamics behind these developments are equally important, and persistently influence Merkel's decision making (Lemke and Welsh 2018). The channels that tie states to their respective international communities greatly impact the spread of LGBTI rights, and states face increasing pressure to adopt such policies (Ayoub 2018, Paternotte and Kollman 2013). This is especially true of states attune to their international reputation and human rights record, like Germany (Kollman 2014). The transnational channels that provoke this response can be indirect and social (e.g., the increasing visibility of queer people in media), or direct and political (e.g., Germany's membership in international organisations that support LGBTI rights, like the European Union and the Council of Europe), or brokered through advocacy networks between local (e.g., LSVD) and global (e.g., ILGA) organisations that campaign on the issue (Ayoub 2016). These transnational normative factors help to explain why marriage equality was on Merkel's radar—whether she liked it or not—for much of her chancellorship. In effect, a mix of internal electoral politics and transnational pressures opened a window for gendered policy change that explains why Merkel released the party whip in June 2017. And Merkel has a history of navigating such multi-level pressures astutely (Lemke and Welsh 2018; Mushaben 2017).

As this exemplary policy change shows, Germany and Merkel's chancellorship offers a fascinating case for interrogating the impact of conservative-led governments on transforming gendered inequalities. Merkel's four governments have passed far-reaching, and often unnoticed, legislation in major policy fields relevant for gender equality (e.g. Henninger and von Wahl 2014, 2018, 2019; Lang 2017; Davidson-Schmich 2017, Ayoub 2013; see table 1 below). Parental leave policies were instituted and expanded over time, providing German parents from 2013 onwards with a codified right to childcare for one-year-old children – a policy clearly upending the historically salient Kinder-Küche-Kirche (children-kitchen-church) ideology of the CDU. Obliged by European Union directives (Abels 2011), Germany established the Federal Antidiscrimination Agency in 2006. Furthermore, beginning with the 2005 CDU-SPD coalition agreement, monitoring and reporting on gender equality became institutionalised in the form of a Gender Equality Report (Bundesgleichstellungsbericht) to be issued once during each legislature (BMFSFJ 2011, 2017). While the governing coalition partner SPD might be considered the driver of most of these policies,

Merkel and her CDU/CSU caucus shaped them, and the outcomes are associated with the chancellor to a considerable degree.

Gender Policy and political representation under conservative leadership

Merkel is not singular in advancing gender equality causes within a partially adversarial policy environment and at times against her personal preferences. Comparative research on gender and conservatism over this past decade has generated insights into the way conservative legislators and executives help increase not just overall descriptive representation of women, but also substantive representation of gender equality claims (Celis and Childs 2014; Och 2016, Celis and Childs 2018). In global perspective, conservative actors typically hold on to dominant ideas of the gender binary and heteronormativity. Thus, they frequently challenge and increasingly roll back previous political gender equality gains of their more progressive counterparts. At the same time, however, the descriptive representation of (conservative) women and LGBTI people in political life has steadily and regularly increased and correlates with promoting gender justice, women's and LGBTI rights, in effect at times intermeshing conservative and feminist goals commonly viewed irreconcilable (Celis and Childs 2014, 2018; Reynolds 2013). While this comes with serious consequences for progressive politics, "[c]onsciousness of a gendered political identity —what some might classify as feminist — and a conservative political ideology are, evidently, not mutually exclusive 'on the ground'" (Celis and Childs 2018, 2). Schreiber (2018, 56) finds for the US that "conservative women are important gender-conscious political actors whose efforts compel questions about ideology and women's activism," but they hardly identify as feminists.

Angela Merkel is a gender-conscious conservative, despite the fact that she has often successfully managed to neutralise her gender in her public-facing role as chancellor. While she has always rejected the notion that she must represent or stand for women, she has recently alluded to women's underrepresentation in public life as problematic. Thus, she embodies an approach that shuns the controversial tropes of 'women's interests' or 'LGBTI people's interest' in favour of a 'poverty of representation' argument (Celis and Childs 2020). The 'poverty of representation' lens focuses on how inclusive, responsive, and ultimately egalitarian the democratic process is constructed (Celis and Childs 2020, 89) both in terms of descriptive and substantive representation of diverse claims. Merkel and other conservative women leaders have been visibilised by this theoretical turn and have come to embrace it. Moreover, the Chancellor built her legacy on the CDU's identity as a

catch-all party. Gendered actors in corporatist catch-all parties operate by way of mediating internal positions and therefore allowing more room to advance gender claims than they could in ideologically more extreme conservative parties (Williarty 2010). Along those lines, Merkel learned to value the linkages between institutional politics and German civic actors in the area of gender equality over the course of her tenure, such as the Deutsche Frauenrat and the Women's Unions of CDU and CSU (Saward 2020, 9ff.). In the process, she became more amenable to gendered arguments and norm promotion. Finally, research on conservative women highlights the role of coalition governments for conservative women's gender policy adoption. Coalition governments are a key feature of German politics and, as table 1 shows, constituted the basis for all four Merkel governments. Merkel was pushed by her Social Democratic coalition partner as well as by feminist actors within her own party to – if not initiate – at least support more progressive gender policies (Och 2016). Merkel's coalition governments with the SPD thus exhibit features of what Celis and Childs call the 'co-constitutive ways' of feminism and conservatism, showcasing 'how conservatism might redefine feminist goals, and how feminism might re-model conservative thought and practice' (Celis and Childs 2018, 3).

Despite redefining German conservative gender equality policies, Angela Merkel's legacy in general, and as a feminist in particular, is far from settled (Clemens 2009; Williarty 2010; Davidson-Schmich 2011; von Wahl 2011; Mushaben 2017). With a political style that still puzzles many observers, she is alternatingly described as the 'most powerful woman in the world' and as an enigma. The Chancellor herself personifies symbolic representation, with notable changes over her four terms: after not being taken seriously as candidate and downplaying gender in early election campaigns, she eventually became known for her "Girl's Camp" of close advisors, her pantsuit style and "Merkel-Raute" (the diamond shape placement of her hands, instead of standing at attention like her male counterparts) and her unquestionable function as a global role model (Mushaben 2018b). While she has a self-described track record of avoiding feminism, she has been variously described as a 'feminist against her will' (Duhm 2018) or as a 'reluctant feminist' (Mushaben 2018a) who is frequently '"misunderestimated" by political elites at home' (Mushaben 2017, 8). It took Merkel until her last days in office to call herself a feminist, in September of 2021 during an event with renowned Nigerian writer and feminist icon Chimamanda Ngozi Adichie.[vii]

In terms of descriptive representation, Angela Merkel's record is mixed. On the positive side, never before in German history have women made such visible inroads into the masculinist executive

world of politics than during her chancellorship. The proportion of women in Merkel's four cabinets rose from 37.5 percent in her first cabinet to 43.8 percent in her fourth, with a dip to 31.3 percent in her second cabinet. As of summer 2021, six of Merkel's fifteen ministers are women, with three from her own party and three from the SPD (none are from the CSU).[viii] Most directly, she has advanced the careers of women in the Chancellor's office. Her longstanding Chief of Staff and Press Secretary are both women. Three of her four Ministers in the Chancellor's Office are women; and four out of her eight Chancellery Departments are led by women (Duhm 2018). Moreover, the public visibility of women CDU politicians clearly increased during her tenure. Openly gay parliamentarians, for example Guido Westerwelle (FDP) and Jens Spahn (CDU), have also held important cabinet positions under Merkel—even though it is important to note that both, especially the latter, have often been criticised by LGBTI activists and the communities they descriptively represent. Overall, the number of women and LGBTI people holding ministerial offices and party leadership positions increased across parties, although the balance still tips clearly in favour of left-leaning parties.

Merkel's gender balance sheet is less positive for the CDU party. To reform the party's longstanding and substantial gender gap in offices and mandates, it would have required Merkel to stand publicly for a campaign addressing women's underrepresentation in the CDU and offer a comprehensive strategy to shrink the gender gap. She never made this a priority, however, until the end of her fourth term – and even then she passively facilitated the 50 percent initiative (to reach parity for CDU offices and mandates by 2023) from behind the scenes. In effect, increases in women's representatives in the CDU are largely due to a contagion effect from the centre-left parties, pushing a reluctant CDU's attention toward women candidates and their electability (Ahrens et al. 2020; Lang 2018).

Assessing Merkel's legacy in terms of substantive representation and substantial changes of the traditional German male-breadwinner-model shows mixed results as well. As we argued above, major German gender equality policies have been adopted during Angela Merkel's time in office. From this vantage point, political decisions of the CDU-led governments, such as closing down the GenderCompetenceCentre[ix] in 2010 or adopting a so-called care allowance in 2013 (criticised as "Herdprämie" or "stove bonus," and ruled unconstitutional in 2015), showcase the tensions in the CDU/CSU party caucus between progressive and traditional currents. This tension also manifests itself in Merkel's telling silence around the Alternative für Deutschlands (AfD)

dismissal of gender equality and attacks on so-called "gender ideology". As Merkel witnessed the AfD's shift from social conservatism to populist and radical right messaging (Dilling 2018) on women, quotas, and family policy, she only rarely commented on the AfD's rhetoric and anti-gender positions. One could argue that this deliberate non-engagement emboldened the AfD's messaging. That said, the populist party's extreme anti-gender stance may well have helped Merkel generate support for a more moderate course linking gender equality to social and economic investment policy in her own party. In sum, German gender equality policy during the Merkel era has developed in ambivalent directions, and her leading the gender equality cause 'from behind' might have impacted policy output and outcomes in unexpected ways. With this special issue we ask which domestic and international factors have driven the various gender equality policy measures during Merkel's chancellorship and pay special attention to Merkel's role in and relationship to these policies. We also enquire if and how these policies have affected gender norms and gender culture, and if they ultimately lead to more gender equality in Germany. As the following section spells out in more detail, all authors in this special issue assess Merkel's complicated relationship with gender policies and reflect on the complexity of her legacy-in-the-making: the Merkel era of leading gender equality policy 'from behind'.

NUANCING MERKEL'S GENDER EQUALITY LEGACY

The articles in this issue assess both the actors motivating and the adoption processes of gender equality-related policies, as well as their legislative policy output and their potential to dismantle gendered inequalities and discriminatory practices. In doing so, they focus on national power dynamics in party politics, bottom-up public discourse and mobilisation, as well as on international and EU-level pressures in the policy domains of political representation, LGBTI rights, migration, the labour market, and care. Each article addresses the overarching question of the special issue:[x] *How has gender equality in policy area x changed during the Merkel era between 2005-2021 and what role did various Merkel governments play in advancing, hindering, or otherwise influencing respective policies?*

While our articles do this in different ways – some looking more at the responsible actors (individuals and parties), some at civil society or stakeholder mobilisation, and some scrutinising the (potential) effect in policy implementation next to the adoption process – they are united in deciphering the case-specific core factors and in paying particular attention to how Chancellor

Angela Merkel 'led from behind' and positioned herself over time vis-à-vis gender equality, thereby often tipping the scales in one direction or another. To remind our readers: all authors examine four successive conservative CDU-led governments in Germany – known for decades as one of the strongest heteronormative male-breadwinner gender regimes in Europe. Thereby they all contribute to the broader field of studying the complex relationship between conservative actors and gender equality as well as women's descriptive, substantive, and symbolic representation (Celis and Childs 2014).

Table 1 provides an overview of successive Merkel governments (I-IV), illustrating the governing coalition, major international events impacting German politics, and the relevant policies with gendered effects introduced during that period (while ultimately adopted by her government, not all policies are originally attributable to Merkel's coalitions themselves). Row II on international events is there solely as an orientation point of the political climate, we do not draw a causal arrow between these events and gender policy output. Its function is to provide contextual information, as one goal of the SI is to provide an assessment (or 'Bilanz') of the Merkel Era, and we hope for this element of Table 1 to serve as a reminder of the major events that required active German leadership during this period, with both domestic and international gendered ramifications. Indeed, Merkel's leadership in Germany is inextricably connected to the international context in which Germany is embedded and the multilateral institutionalization of power that has become the "most distinctive aspect of the relationship between Europe and Germany" (Katzenstein 1997). The subsequent articles address most of the legislation presented in row III.

TABLE 1. THE MERKEL GOVERNMENTS, CONTEXT AND GENDER EQUALITY POLICY, 2005-2021

	2005-2009	2009-2013	2013-2017	2017-2021
I. Governing Coalition	16th Bundestag CDU/CSU/SPD (448 of 614 seats)	17th Bundestag CDU/CSU/FDP (332 of 622 seats)	18th Bundestag CDU/CSU/SPD (504 of 631 seats)	19th Bundestag CDU/CSU/SPD (399 of 709 seats)
II. Major International Events	EU Lisbon Treaty Great Recession	Greek Debt Crisis Arab Spring Fukushima Nuclear Disaster Istanbul Convention	Crimea Annexation EU Terrorist Attacks Migration Crisis Brexit Vote	Brexit COVID-19 Pandemic
III. Notable Legislation with Gendered Effects	General Equal Treatment Act (2006) Parental Allowance (2006)	Amended Transsexual Act (2011)[1] Family Care Leave (2012)	Mothers Pension (2014) Revised Transsexual Act (2014)[3] Minimum Wage Law (2014)	Introduction of a Third Sex (2018) Temporary Part-Time Law (2019) Ban on Conversion Therapy (2020)

Revised Protection against Violence Act (2007) Childcare Funding Act (2008) Elderly Care Leave (2008)	Stepchild Adoption (2013) Childcare Subsidy (2012)[2] Reformed Civil Status Law (2013)	Corporate Board Quota (2015) Parental Leave Plus (2015) Revised Criminal Code for Sexual Offenses (2016) Marriage Equality (2017) Pay Transparency Act (2017) MSM can donate blood (2017)[4]	Ban on Surgeries on Intersex Children (2021)

Notes: [1] The 2011 amendment to the Transsexual Act removed the surgery and sterilisation requirements; [2] the 2012 Childcare Subsidy introduced a legal entitlement to public childcare for children aged one and over; [3] the 2014 revision to the Transsexual Act removed the marriage clause; [4] men who have sex with men (MSM) can donate blood (with 1-year deferral). All other legislation in this table will be addressed in detail in this special issue.

Despite the visible legislative policy gains listed in table 1, Merkel's 'leading from behind' is not a unitary or straight-forward process. Her role needs to be viewed with nuance, as it is influenced by external pressures by the EU or international organisations and internal pressures from coalition partners, opposition parties, courts, civil society organisations and/or changes in societal norms and values. In some cases, she *actively facilitated* change towards gender equality, either quietly from behind the scenes (child care) or more directly upfront (foreign policy, unanalysed in this issue). In others, she *passively and indirectly facilitated* claims-making by not blocking them (intersex rights, elderly care). And still in others, she did it by shifting from passive resister to active enabler (CDU quota, labour market, marriage equality, migration) in a process of *evolved facilitation*. We anticipate that this shift is the result of a combination of factors, including her personal experiences with sexism, the emergence of the AfD and freedom afforded by not running for re-election allowing her to be more proactive in her fourth term. It will be the work of future research, with the benefit of hindsight, to qualify the relative importance of each. In any case, taking these pathways together, Merkel has opened up discursive space in her party to develop a more progressive political agenda on gender equality.

Plan of the Special Issue

Overall, the contributions' general assessment of gender equality in Germany is that it has improved in several domains over the past 16 years and often in a manner unexpected when considering the CDU's party manifestos, electoral programme or the public statements of many (male) leading figures. Against this background, the articles of this special issue often emphasise the role of Angela Merkel's (non-)actions as long-term party leader and chancellor.

The first article of the special issue by Joyce M. Mushaben (forthcoming), introduces Merkel's leadership in domestic and international politics, tracing her trajectory as an East German and 'Kohl's Mädchen' to a symbol of stability and leadership on the world stage. It provides an overview of the 16-year era. Mushaben addresses Merkel's unquestionable role in opening new doors for future women leaders across the party spectrum. She confirms the importance of Ursula von der Leyen and Annegret Kramp-Karrenbauer in this process and reflects on the implications of Merkel's legacy for the future.

The next group of articles turns our attention to policy innovation and the actors behind it. We do not rigidly separate them according to these two criteria, due to the fact that many of the articles deal with both. The picture of *who* promoted gender equality and how change occurred over Merkel's four terms, depicts multiple facets underpinning this gradual process of change in Germany. This is apparent within her own party. As Petra Ahrens and Sabine Lang (forthcoming) demonstrate, when it comes to advancing women in the CDU, inner-party (male) opposition is clearly evident. Despite consistently failing to fulfil their 33 per cent women's quota and even with direct support from Angela Merkel towards the end of her fourth tenure, the CDU Women's Union push for parity faces stern resistance in the party.

As for *actors* behind broader legislative change, many laws were not initiated by the CDU or Angela Merkel, but were previously developed and inserted into coalition agreements by its respective coalition partner (see e.g., Auth and Peukert forthcoming; Ahrens and Scheele forthcoming, *this issue*). In other cases, actors like courts or civil society mobilisation in conjunction with changing societal norms and values played a decisive role for Angela Merkel's mode of policy facilitation. Angelika von Wahl (forthcoming) in her analysis of the emergence of intersex rights points out how the Constitutional Court enforced change—not medical associations—and how Merkel silently let them pass, making Germany the first country to introduce a legal third sex in Europe.[xi] Merkel's fluctuation between silence and occasionally

"giving the green light" provided room for emergent policies that have begun to increase inclusivity for intersex and gender-non-conforming Germans. For Annette Henninger (forthcoming), Merkel eventually also acted as enabler on the case of marriage equality by giving in to a 'conscience vote,' despite her party being pressured by 'anti-gender' mobilisations, among them the right-extremist AfD which entered the Bundestag in 2017. As Anne Louise Schotel (forthcoming) emphasises, pressure from LGBTI and queer organisations, together with more supportive parties (SPD, Greens, The Left) and a public opinion transformation toward broad support for LGBTI policies, led to Merkel's active enabling of some respective legislation – although she still sometimes voted against it. In 2021, most members of the governing coalition (including the SPD) hindered inclusion by opposing to reform archaic elements of a German law on transgender rights. Social movements were also clearly ahead of institutional actors in this area, and Schotel's analysis provides evidence that parliamentarians are often poorly versed on inclusive LGBTI rights.

When we look more broadly at *policy innovation*, migration policy is a policy field that experienced major shifts directly attributable to Angela Merkel's active facilitation. Heather MacRae (forthcoming) demonstrates how Merkel made welcoming and integrating newcomers into German society her priority – against often strong opposition in the CDU/CSU. MacRae also emphasised that this evolution – from seeing migration as an 'utter failure' to '*wir schaffen das*' (we can do this) – arrived with paying growing attention to the integration of women and girls as well as gradually warming to a more intersectional approach, at least for the federal level. Alex Street (forthcoming) confirms the importance of Angela Merkel's active engagement in migration policies, yet, untangles the deeper roots of the CDU/CSU struggle around citizenship policies and the subsequent challenges that immigrants, especially immigrant women, face in labour market access and poverty risk.

Petra Ahrens and Alexandra Scheele (forthcoming) illustrate how the SPD was crucial for policy innovation. In terms of labour-market-related gender equality issues like corporate board quotas, improved part-time legislation and the gender pay gap, the SPD inserted these issues into the last two coalition agreements. Their implementation was then facilitated by a shift in Merkel's personal positioning, often against outspoken resistance from business-friendly CDU party branches. We end by shifting the perspective to emphasize the actual effects of policy implementation on lived experiences and gender relations. Here Diana Auth and Almut Peukert (forthcoming) highlight

how Ursula von der Leyen in the first CDU-led Merkel government put the extensive previous Red-Green plans for extending childcare and elderly care into practice. In this case, Merkel facilitated the change despite the strong attachment of the CDU party and its electorate to the male breadwinner model.

Overall, *policy implementation* or gaps therein due to legislation that fails to tackle root problems are the symbolic Achilles' Heel of Merkel's four tenures. The target groups of many laws were elite or middle-class, instead of low-income, women (see Auth and Peukert on care; Ahrens and Scheele on labour market) and intersex persons medical treatment is an ongoing challenge (see von Wahl). While many of the policy changes are thus often unexpected and far reaching, they nonetheless disproportionately benefit the most privileged within the marginalised group, often ignoring the most intersectionally invisibilised members within (see Schotel on LGBTI rights). Despite these shortcomings and the oft-outspoken resistance from (mainly male) fellow party members, her governments' record for promoting gender equality in different policy fields has – as all our contributors show – continuously improved.

CONCLUSION

'Sind wir bereit für 'ne männliche Kanzlerin?
(Headline Bild Zeitung February 15, 2020)

In this introduction to the special issue, we characterised Angela Merkel's leadership style as 'leading from behind' and conceptualised three different mechanisms that inform her leadership: (a) an active facilitating role, (b) a passive and indirect facilitating role, and (c) evolved facilitation. Over her four terms as chancellor, we discern a clear shift towards *evolved facilitation*, with Merkel advancing from passive resister to active enabler, often even in opposition to large parts of her own party. Her pronouncement of 'Yes, I'm a feminist!' in her final weeks as chancellor shows that Merkel's leadership on gender policy is often like her own feminism, cautious and evolving. During most of her early terms, she played a more *passive and indirect facilitating role* by reluctantly acknowledging new claims originating from either domestic and/or international pressure. As opposed to her predecessors, however, she did not outright block many of these initiatives; instead insisting, for example, on her right as Chancellor to set policy prerogatives

(Richtlinienkompetenz). Former chancellor Gerhard Schröder (SPD), was infamous for his 'Basta-Politik' ('the buck stops here' politics) and for dismissing progressive gender equality policies as '*Gedöns*' (useless fuss). Passive and indirect facilitation of advances in the area of gender policy turned out to be the most dominant mechanism of Angela Merkel's style of 'leading from behind.'

Simultaneously, over all four tenures, the *active facilitating role* turned out to be the least pronounced in Merkel's repertoire. Thus, change is typically not directly initiated by her, but brought to her by cabinet coalition ministers from centre-left parties or by women allies within her party. In addition, her respect for civil society and international legal principles regarding human rights set a welcoming tone for gender equality advocates and opened the door to important policy changes uncharacteristic of her party. As Schotel (this issue) puts it: 'Despite the fact that we cannot credit Merkel or her government for the expansion of LGBTI rights, it simply must be acknowledged that her politics have influenced until-recently-unthinkable possibilities for progressive change.' The institutional actors behind these progressive changes can often be traced back to opposition parties, social movements, international organisations and/or courts typically at odds with Merkel. In most contributions to this special issue, the actors are diverse and mostly derive from non-CSU/CDU parties on the left. That said, during her chancellorship, conservative actors are also more likely to initiate gender policy change than in previous legislative periods.

Unsurprisingly, political commentators diverge in appreciating her legacy for gender equality as a series of recent articles reflecting on Merkel's legacy illustrate. Jana Hensel, for instance, acknowledges improvements in policy fields also treated in this special issue: childcare, reconciliation of paid and unpaid work, promoting women leaders within the CDU (*Die Zeit* January 2, 2021). Nonetheless, Hensel also points out that Merkel's mere presence led many to claim that gender inequality does not exist anymore – similar to the problematic discourse of a post-racial society following Barack Obama's historic election in the United States –, and asserts that the chancellor remained too quiet on gender equality issues overall. Merkel's leadership style on gender also has features that are paradigmatic for her policy style in general. Reflecting on her management of the COVID-19 pandemic, Michael Schlieben describes her instincts as 'tensely reasonable' and: concentrated, unpretentious – no euphemisms, no promises, slightly emphatic (*Die Zeit* January 21, 2021). Tina Hildebrandt, on the other hand, praises Angela Merkel as "Chancellor of Change", ready to affirm and embrace change with conviction, a leader who set a hard-to-reach benchmark for successors with her spirited attitude of '*Dann eben anders*' (then find

another way) (*Die Zeit* January 6, 2021). Finally, Mariam Lau forecasts a new progressive era for women's political representation not least in the CDU. Merkel's departure, she argues, will create a big gap regarding women in leadership, one that parties cannot ignore, particularly when deprived of the best excuse as of yet: a woman chancellor (*Die Zeit* December 29, 2020).

A driving theme in most political commentary, and in our analyses, is that Angela Merkel as first woman chancellor unequivocally left a transformative mark on German and international politics. Building on the Obama reference above, if the United States' recent history is at all indicative, we know that historic descriptive representation does not eradicate dominant centres of power in society and that gains for marginalised groups remain fragile. If and how persistent gendered inequalities continue to be addressed after her departure, depends largely on the outcome of the federal elections in fall 2021. Along similar lines, if and how Merkel's legacy in gender equality policy within her party will be carried forward, depends on the future political priorities of incoming CDU leadership under Armin Laschet. As the CDU continues to compete over conservative votes with the liberal FDP and the AfD[xii], gender equality may become an increasingly salient core issue. If the 2021 elections result in the first federal Black-Green coalition, the progressive Green gender equality agenda – and possibly even a woman successor in Annalena Baerbock – may well bolster and expand Merkel's legacy. We leave this for time to tell.

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[i] Cf. https://eige.europa.eu/gender-equality-index/2019/domain/knowledge/DE and https://eige.europa.eu/gender-equality-index/2019/domain/power/DE. Accessed January 23, 2020.

[ii] These policy areas where she has displayed active leadership are diverse, including her "wir schaffen das" response to 2015's so-called migration crisis. On "iron chancellor", cf. https://www.aljazeera.com/features/2017/9/21/angela-merkel-germanys-iron-chancellor

[iii] We use the term 'conservative' to encompass a broad range of parties and political actors on the centre-right part of the ideological spectrum of democracies (see also Celis and Childs 2018, 10).

[iv] In 2015, "merkeln" – remaining inactive in important matters and not giving own opinions – was almost voted the German "Youth Word of the Year" (Jugendwort des Jahres), a competition invented by German dictionary manufacturer Langenscheidt. While the term "merkeln" clearly won the public online voting, the expert jury having the final say opted for another word given Merkel's visible engagement in the migration crisis back then.

[v] Cf. https://www.handelsblatt.com/today/handelsblatt-explains-why-germany-waited-so-long-to-legalize-gay-marriage/23570440.html?ticket=ST-176642-6I9VCKzaY0ajOOoPwDZ6-ap1 Accessed January 12, 2020.

[vi] Cf. https://twitter.com/VollCornHirsch/status/879638783666376706, Accessed January 12, 2020.

[vii] Cf. https://www.dw.com/en/germanys-angela-merkel-declares-yes-i-am-a-feminist/a-59127993. Accessed September 17, 2021.

[viii] For legislative representation in the Bundestag see Ahrens et al. 2020.

[ix] The GenderCompetenceCenter, established in 2003 under the SPD-Green government, was an application-oriented research institution tasked with supporting public administrations across Germany in advancing gender equality.

[x] For analysis, they employ a mix of qualitative and quantitative methods, the selection of which are driven by their respective research questions. For most authors, the primary methodological approach involves qualitative techniques, including process tracing and document and discourse analyses. Contributors use, amongst other materials, parliamentary debates, expert interviews, and survey data from the period (2005 to present) under analysis, and they individually lay out specific methods in their respective contributions.

[xi] While we witness unparalleled reform in Germany, Merkel herself let the political process unfold without actively taking part. It was other actors, initially transnational social movement activism and international pressure that opened the door for change in the German legal framework. This top-down pressure, alongside left political parties and especially innovative domestic civil society actors—for example XY-Women and the Association of Intersex People who were willing to work with the institutions—began to transform the language of gender variance within the German state, and the courts that met them part way.

[xii] Cf. https://wahl.tagesschau.de/wahlen/2017-09-24-BT-DE/analyse-wanderung.shtml" \l "11_Wanderung_UNION accessed February 7, 2021.