

SEVEN LESSONS FOR INCLUSIVE ANTITRUST FROM FEMINIST FOREIGN POLICY



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Inclusive antitrust – the idea that antitrust should be deliberately focused on hearing from and serving everyone – aspires to make antitrust better by improving data inputs, options, and outcomes. An inclusive antitrust policy may encompass a spectrum of options for how antitrust and its drivers are shaped and deployed to achieve healthy competition with minimal unintended negative ancillary effects. In laying out and considering these options, Feminist Foreign Policy – already the official government foreign policy of Canada, Mexico, France, Luxembourg, the European Parliament, and Spain – presents lessons for inclusive antitrust. The lessons gleaned provide steps that can be undertaken in both the near and long terms, from leadership to process to data use – and could not be timelier in light of calls for antitrust and competition law reform and upheaval taking place around the world. Feminist Foreign Policy provides guideposts to improve antitrust policy by offering principles in expanding information and data that can contribute to more effective analysis.

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CPI Antitrust Chronicle April 2021

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I. INTRODUCTION

Inclusive antitrust aims to use better (inclusive) data to inform decision making and achieve (more inclusive) policy outcomes and decisions that serve competition goals more effectively and broadly. Whether the justifications for antitrust to be inclusive are value, purpose or efficiency-based, the concept of incorporating more complete information and evidence with a broader lens to better capture market complexities seems compelling. Being inclusive is especially important as antitrust aims to create space for competition and more level playing fields to benefit consumers across society, and prides itself on data driven decision-making.

This article looks to inclusive policy forerunners to explore approaches to inclusive antitrust. Similar to antitrust, foreign policy – historically driven by a focus on defense and military force² – is a field where inclusion has not been the dominant policy driver. And yet an increasing number of countries are officially adopting an inclusive foreign policy approach, boldly named Feminist Foreign Policy (“FFP”).

FFP provides both experience and lessons for inclusive antitrust. While foreign policy may have different objectives, players, and dynamics than competition law, those differences do not diminish the transferability of the principles discussed here. Notably, foreign policy and antitrust share core commonalities: both focus on mitigating the negative effects that can occur from power imbalances. Applying an inclusive lens on a traditionally “hard power” field carries lessons for the “hard economics” and “hard data” driven field of antitrust and competition law.

II. A BRIEF HISTORY (OR HERSTORY) AND OVERVIEW OF FEMINIST FOREIGN POLICY

To set the stage, a brief overview of FFP.³ FFP emerged in 2014, when Swedish Foreign Minister Margot Wallström announced Sweden’s new official foreign policy: a Feminist Foreign Policy that put gender equality at the center of the nation’s diplomacy, defense, development, and trade, and which focused on rights, resources and representation for underrepresented groups.⁴ According to a recent policy brief arguing for FFP to be operationalized in the U.S. government, the authors define FFP as “a common sense approach to governing that includes a focus on who makes decisions (people), how and what policies are created (purpose) and how those policies are implemented (process).”⁵

As Wallström describes, the policy was initially met with giggles⁶ and raised eyebrows,⁷ then silence. Nevertheless Wallström and FFP persisted. FFP is now firmly entrenched in Sweden and has since spread – both in its focus and geographic reach. Canada, Mexico, Luxembourg, France, Spain, and the European Parliament have all announced official feminist foreign policies, and other countries – including the United

2 See Julian W. Korab-Karpowicz, “Political Realism in International Relations,” *The Stanford Encyclopedia of Philosophy* (Summer 2018 Edition), Edward N. Zalta (ed.), at <https://plato.stanford.edu/archives/sum2018/entries/realism-intl-relations/>.

3 For more on FFP and the differences between the official FFP announced and adopted by various states, compared to the aspiration of FFP activists, see Sweden Ministry of Foreign Affairs, *Handbook for Sweden’s Feminist Foreign Policy*, 2019, at <https://www.government.se/492c36/contentassets/fc115607a4ad4bca913cd8d11c2339dc/handbook---swedens-feminist-foreign-policy---english.pdf> [Sweden Handbook for FFP]; Government of Canada, *Canada’s Feminist International Assistance Policy*, 2020, at https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/priorities-priorites/policy-politique.aspx?lang=eng&_ga=2.214810583.1756738672.1615567873-789670169.1615401502 [Canada Feminist Foreign Policy]; International Center for Research on Women (ICRW), “Defining Feminist Foreign Policy,” 2019, at <https://www.icrw.org/publications/defining-feminist-foreign-policy> [ICRW Report]; Rollic Lal, “How a ‘Feminist’ Foreign Policy Would Change the World,” *Global Citizen*, March 11, 2021, at <https://www.globalcitizen.org/en/content/feminist-foreign-policy-united-states/>; Centre for Feminist Foreign Policy, “The CFFP Glossary” (March 2021), at <https://centreforfeministforeignpolicy.org/the-cffp-glossary>.

4 Sweden Handbook for FFP, *supra* note 3.

5 Stephenie Foster, Susan Markham, Sahana Dharmapuri, “Concrete Steps Towards a Feminist Foreign Policy,” *Policy Brief*, Winter 2021, at <https://www.oursecurefuture.org/sites/default/files/Concrete%20Steps%20Towards%20FFP.pdf> [hereinafter Foster et al.]; see also Gabriela R. A. Doyle, Madeline Olden, Leah Sheunemann & Christopher Skaluba, “Why NATO should adopt a feminist foreign policy,” *Atlantic Council*, Mar. 9, 2021.

6 “Sweden’s Foreign Minister Has No Time for Giggles, Foreign Policy,” at <https://foreignpolicy.com/2016/04/06/swedens-foreign-minister-has-no-time-for-giggles>.

7 “What do Sweden and Mexico have in common? A feminist foreign policy,” *New York Times*, July 21, 2020, at <https://www.nytimes.com/2020/07/21/us/sweden-feminist-foreign-policy.html>.

Kingdom and the United States - have introduced resolutions or legislation towards the same.⁸ The precepts of FFP now appear embedded in initiatives promulgated by the Biden Administration, including the March 8, 2021 Executive Order creating a Gender Policy Counsel.⁹

FFP is not a code marshalled uniformly by each of the countries that have formally adopted it. Policy in action generally must be different given contextual and structural differences between states. It is, however, worth noting that uniformity is also anathema to inclusivity as a dynamic concept that demands continual examination and integration of different groups and changes in real world events. Yet key tenets emerge across the board:

- FFP begins by naming its embrace of inclusion boldly and explicitly.
- FFP unpacks assumptions and begins with first principles. FFP seeks to look at the full life cycle of foreign policy, and how different policies and actions affect other parts of the cycle.
- FFP focuses on broadening perspectives, including through representation, qualitative data gathering, and collaboration. It is focused on expanding the circle, not replacing one dominant group with another. It aims to use more holistic data to make better policy decisions to avoid unintended policy consequences.
- FFP strives to create accountability mechanisms to ensure inclusivity is applied and progressed.
- FFP expands the tool kit, but does not mandate a specific choice, leaving to policymakers and enforcers to assess and use the tools best fit for the desired purpose in specific instances.

With these principles in mind, we turn to how FFP approaches inclusivity before turning to lessons for inclusive antitrust.

III. HOW FFP APPROACHES INCLUSIVITY

As noted, the application of FFP by countries that have adopted it is varied.¹⁰ Sweden focused initially on representation of women in leadership positions, Canada incorporated a Gender-Based Analysis, and Mexico has trained all of its ambassadors and diplomats on its FFP approach. The above tenets help sketch some bounds of what FFP is. We add here how FFP broadly approaches inclusivity. Specifically, FFP – and arguably any comprehensive inclusive policy – demands assessments of (1) who is making decisions, (2) who is being heard and seen in that analysis, and (3) what is a policy's impact – narrowly and broadly.

A. Inclusive Decisionmakers

In line with the axiom that representation matters, FFP calls for a critical look at who is in decision-making roles across organizations, and commits to working towards meaningful diversity. This generally means diversity not only among top leaders, and not only in specific areas, but at every level across areas of expertise. Given the feminist or gender lens, the focus is primarily on ensuring that women are represented. Yet the importance of intersectional representation is gaining attention, as is the need for diversity generally.

8 Council on Foreign Relations, "Advancing Gender Equality in Foreign Policy," [CFR Report] April 7, 2020 See also Canada Feminist Foreign Policy, *supra* note 3; French Ministry of Foreign Affairs, Feminist Diplomacy, at <https://www.diplomatie.gouv.fr/en/french-foreign-policy/feminist-diplomacy/>; Mexico Adopts Feminist Foreign Policy, Jan. 9, 2020, at <https://www.gob.mx/sre/prensa/mexico-adopts-feminist-foreign-policy?idiom=en>; Spain's Feminist Foreign Policy, 2021, at http://www.exteriores.gob.es/Portal/es/SalaDePrensa/Multimedia/Publicaciones/Documents/2021_02_POLITICA%20EXTERIOR%20FEMINISTA_ENG.pdf; Luxembourg Presents Feminist Foreign Policy at International Meeting, Feb. 19, 2021, at <https://chronicle.lu/category/abroad/35646-luxembourg-presents-feminist-foreign-policy-at-international-meeting>; UK Labour Party, A World for the Many, Not the Few, Proposal, March 2018, at https://www.policyforum.labour.org.uk/uploads/editor/files/World_For_The_Many.pdf; U.S. House of Representatives, H.Res.1147 (expressing support of FFP), Introduced Sept. 23, 2020, <https://www.congress.gov/bill/116th-congress/house-resolution/1147/text>. Cf. State of Hawai'i, A Feminist Economic Recovery Plan for COVID-19, April 2020, <https://humanservices.hawaii.gov/wp-content/uploads/2020/04/4.13.20-Final-Cover-D2-Feminist-Economic-Recovery-D1.pdf>.

9 Executive Order on Establishment of the White House Gender Policy Council, March 8, 2021. at <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/03/08/executive-order-on-establishment-of-the-white-house-gender-policy-council/>.

10 For an overview of how different countries have adopted FFP, see CFR Report, *supra* note 8.

It bears noting that, to be heard, underrepresented people must not only be present, but must have the opportunity to speak up and have an impact. Leadership and organizational culture that creates that space is important, as is achieving critical mass of representation.¹¹ French Ambassador-at-Large Delphine O, for example, has observed that organizations need a critical mass of at least 25-35 percent women for their voices to be heard.¹²

Even when diverse representation is present, the assumption that inclusive principles are represented may be wrongheaded. As numerous FFP advocates note, not all females are feminists, and not all feminists are female.¹³ What is needed are teams that understand the gender lens principles, which increasingly focus on intersectionality as well, and continually seek to represent those not in the room.¹⁴ Seeking and recognizing the value of third party contributors is thus another key aspect of FFP.

B. Inclusive Data and Contributors

Core to FFP is also the notion of broadening the lens that informs analysis and decision paths taken. This means bringing in qualitative data in the form of perspectives from a wide range of affected parties. It also involves a broader concept of “affected” to begin to identify who may hold relevant sources of information, in part by also broadening the view of which issues that are seen to be part of the policy. In the foreign policy context, for example, it involves recognizing the importance of issues such as global health and climate change to national security.¹⁵

A second key aspect of broadening the lens involves improving quantitative data by striving to make sure data includes women and other underrepresented people,¹⁶ and that the data is disaggregated by key demographics, including but not limited to gender. Ideally this data should be included in all briefings and assessments as part of every analysis – not just “gender” issues. The Canadian Gender-Based Analysis Plus models the practice of collecting and deliberately using disaggregated data.¹⁷

C. Inclusive Impact Assessment

In addition to assessing who is represented in decision-making and in data, FFP involves an assessment of the impact of decisions. This includes not just the immediately apparent impact of decisions, but also the broader impact and second and third order effects.¹⁸ Such an analysis takes into account indirect or unintended consequences that can undermine the stated goals of policy measures when overlooked. Such assessments can help set agendas, set implementation priorities, and shape budgets and the allocation of resources.

According to the countries that have adopted a FFP, especially Sweden, which has the longest record, the policy has yielded significant benefits, both in terms of advancing gender equity, and also in making the countries’ foreign policies more robust, resilient, and effective in an increasingly complex world where cross-border issues such as climate, technology, and global health affect states’ security.¹⁹

11 Drude Dahlerup, “The Story of the Theory of Critical Mass,” *Politics and Gender*, Vol. 2, Issue 4, Nov. 28, 2006, at <https://www.cambridge.org/core/journals/politics-and-gender/article/abs/story-of-the-theory-of-critical-mass/592171C05B9B828DBBDCC121B05780D4#article>.

12 Panel Interview at Sciences Po on “Feminist Foreign Policy: Comparing France, Sweden, and the United States,” March 10, 2021, at <https://www.sciencespo.fr/en/news/news/feminist-foreign-policy-comparing-france-sweden-and-the-united-states/5453> [Sciences Po Panel on FFP] (discussing also the benefits of quotas in achieving that critical mass).

13 Briefing by Stephenie Foster, Sarah Kemp & Wenchi Yu to the National Committee on U.S. China Relations, on Feminist & Inclusive Foreign Policy and the US-China Relationship (Sept. 18, 2020), at <https://www.ncuscr.org/event/feminist-foreign-policy> [Foster, Kemp & Yu].

14 Intersectionality refers to the recognition that identities are not shaped by a single trait, but that the experience of a Black woman, for example, is different from a white woman and from a Black man because she cannot silo those traits. See Canada’s Gender-based Analysis Plus (GBA+), at <https://women-gender-equality.canada.ca/en/gender-based-analysis-plus.html> [Canada GBA+] (citing among others Kimberlé Williams Crenshaw, who coined the term intersectionality).

15 *Id.*

16 For a deep dive into many areas where women are not represented in data, from city planning to health care to technology design, see Caroline Criado Perez, *Invisible Women* (2019).

17 Canada GBA+, *supra* note 14.

18 Interestingly, this is akin to business and human rights analyses done by various companies, who examine not just the business or financial impact of creating products, operating in certain locales, negotiating with workers, government actors or others – but also the potential impact on human rights. See Christine Bader, *The Evolution of a Corporate Idealist*; see also Verizon’s Business and Human Rights Approach, at <https://www.verizon.com/about/investors/human-rights-at-verizon>.

19 Sweden Handbook for FFP, *supra* note 3.

The experience of FFP in implementing these core aspects of representation, data, and impact assessments, discussed below, provides guideposts for inclusive antitrust. The success of FFP also highlights the opportunity that inclusivity presents at a time when antitrust faces calls for reexamination, retooling, and even overhaul.

IV. SEVEN LESSONS FOR INCLUSIVE ANTITRUST POLICY

Antitrust is being examined around the world to assess whether it is fit for purpose in light of twenty-first century business, competitive, technological and societal dynamics. New legislation and regulation proposes to update or overhaul antitrust everywhere from the United States to Europe to Australia. A key complaint spurring these legislative and regulatory changes is that antitrust is not serving consumers or society. The ostensible weakening of competition brought about by network effects in multi-sided markets, tipping, “zero price” goods, envelopment and ecosystem theories, contestability, and consumer autonomy and choice tend to dominate these discussions.²⁰ Many of the proposals are part of digital regulation agendas, and entail increased resources and development of digital units, agencies and tools.²¹

In parallel, scholars, practitioners, and journalists are documenting the ways in which technology is among the least inclusive spaces, both in terms of demographics, culture, and user design.²² With growing calls for companies to prioritize diversity to create more equitable, accessible, and safe technologies,²³ it bears considering both what role inclusivity might play in addressing the current concerns of antitrust. Without inclusivity as a central part of antitrust – particularly as the need for technology competence expands and intensifies – policy outcomes and enforcement may inadvertently undermine competition that better serves all.

At the same time, in the U.S., inclusivity is a new but strong policy priority, as evidenced in the Biden Gender Policy Council Executive Order of March 8, 2021 (Executive Order). The Executive Order reflects the same broad principles as FFP but applies these across all areas of U.S. policy – which of course includes U.S. antitrust and all penumbra of competition law and policy. The seven lessons outlined below offer a timely guide for what antitrust may take from FFP in progressing a deliberately inclusive antitrust policy, whether in the U.S. or elsewhere.

20 Jacques Cremer et. al, “Competition policy for the digital era,” European Commission, 2019, <https://ec.europa.eu/competition/publications/reports/kd0419345enn.pdf>; Jason Furman, “Unlocking digital competition,” Report of the Digital Competition Expert Panel, 2019, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/785547/unlocking_digital_competition_furman_review_web.pdf; Antitrust and Competition Conference - Monopolies and Politics, University of Chicago, Stigler Center, 2020 at <https://www.chicagobooth.edu/research/stigler/events/antitrust-2020>; “Platform Accountability and Contemporary Competition Law: Practical Considerations,” Shorenstein Center, Nov. 20, 2018, at <https://shorensteincenter.org/platform-accountability-contemporary-competition-law-practical-considerations/>; “The Courage to Learn: A Retrospective on Antitrust and Competition Policy During the Obama Administration and Framework for a New Structuralist Approach,” Jan. 2021, American Economic Liberties Project, <https://www.economicliberties.us/our-work/courage-to-learn/>; UK CMA, “A new pro-competition regime for digital markets,” Dec. 2020, https://assets.publishing.service.gov.uk/media/5fce7567e90e07562f98286c/Digital_Taskforce_-_Advice.pdf; ACCC, “Digital advertising services inquiry - interim report,” Jan. 28, 2021, <https://www.accc.gov.au/system/files/Digital%20Advertising%20Services%20Inquiry%20-%20Interim%20report.pdf>.

21 See *supra* sources cited in note 17.

22 The author Emily Chang has written about the male-dominated culture of Silicon Valley. “Emily Chang’s Brotopia takes aim at sexism in Silicon Valley,” Feb. 8, 2018, <https://www.theverge.com/2018/2/8/16982000/emily-chang-brotopia-book-review-sexism-silicon-valley>. And Caroline Criado Perez has written a book about how the biases of tech developers ultimately infects their innovations as well. “Invisible Women by Caroline Criado Perez – review,” The Guardian, Mar. 11, 2019, <https://www.theguardian.com/books/2019/mar/11/invisible-women-exposing-data-bias-by-caroline-criado-perez-review>. Remote work seems to be worsening this problem for tech workers. “Remote Work Is Leading To More Gender And Racial Harassment, Say Tech Workers,” NPR, March 30, 2021, at <https://www.npr.org/2021/03/30/982449551/remote-work-is-leading-to-more-gender-and-racial-harassment-say-tech-workers>.

23 See, e.g. Lisa Winning, “It’s Time To Prioritize Diversity Across Tech,” Forbes, March 13, 2018, at <https://www.forbes.com/sites/lisawinning/2018/03/13/its-time-to-prioritize-diversity-across-tech/?sh=3ce8ac6816f8>.

Lesson 1: Boldly Name the Policy

Words have power. Linguists, philosophers, anthropologists, and psychologists study the way words send explicit and implicit signals; they shape what is viewed as correct, desirable, and even possible.²⁴ They also make ideas more readily susceptible to analysis. As cogently explained by category mathematicians whose job involves categorizing and naming complex concepts, the act of naming a concept helps one readily organize thoughts, analyze complexities, and work through the underlying issues more effectively.²⁵

FFP embraces inclusion boldly and explicitly.²⁶ Then Swedish Foreign Minister Margot Wallström named it FFP despite being aware that the F word – feminism – triggers negative assumptions and even derision in some. Wallström used the name as an opportunity to reframe the issue of foreign policy, disabuse derisive interpretations of feminism, and create a laser sharp focus on the issue of inclusivity and promotion of gender equality.²⁷ As she explains, using a bold and provocative name also set clear expectations and resulted in greater accountability both internally and externally.²⁸

Inclusive antitrust as a concept should not be inherently controversial, especially to the extent that it mandates antitrust policy and enforcement based on inclusive leadership, and inclusive data that drives towards achieving best results. The term “inclusive” may nonetheless raise some eyebrows, just as “feminist” did and does in the foreign policy arena. It may also engender (pun intended) criticisms that inclusivity does not fit in this “gender neutral” or “value neutral” space. Yet the label “inclusive antitrust” sends a clear signal that antitrust is for everyone and will be led, analyzed and enforced accordingly.²⁹

Lesson 2: Diverse Leadership Is Requisite But Not Sufficient

Diverse leadership is important, and study after study has shown it improves outcomes and results and efficiency.³⁰ Touting the importance of diversity in policy and decision-making is mainstream and has become tablestakes at this point.³¹ Diversity is touted as an asset that generally

24 See “Does Language Shape Thought?: Mandarin and English Speakers’ Conceptions of Time,” *Cognitive Psychology*, 43, 1–22 (2001), at http://www.cogsci.bme.hu/~ktkus-er/KURZUSOK/BMETE47MC15/2018_2019_1/boroditsky2001.pdf.

25 Category theory helps with this challenge of naming abstract ideas, as it involves identifying patterns, naming them to expedite analysis, and using abstraction to help explain the why behind the patterns. Eugenia Cheng, *X + Y* (2020). In the same book, Cheng also discusses the challenges of the word feminism due to the many different interpretations, and proposes the terms “ingressive” and “congressive” to describe what are often characterized as masculine and feminine. Ingressive means more competitive, prioritizing individualism and independence as measures of success, whereas congressive means collaborative, emphasizing community and interdependence. These are viewed not as binary, but as on a spectrum and capable of changing.

26 Sweden, Canada, France, Mexico, Luxembourg, and Spain have all explicitly adopted a FFP. Notably, some are not fully bought in to using the term “feminist,” because the term evokes visceral negative reactions for some in power. Cf. Malena Rosén Sundström & Ole Elgström, “Praise or critique? Sweden’s feminist foreign policy in the eyes of its fellow EU members,” *European Politics and Society*, 2020, 21:4, 418-433, at <https://www.tandfonline.com/doi/full/10.1080/23745118.2019.1661940>. Using alternate terms for the same concept, such as gender inclusive FP or other terminology has been proposed, and prominent proponents of the principle of FFP have shied away from officially naming it “feminist” (see, e.g. former U.S. Ambassador-at-Large Melanne Verbeke, Sciences Po Panel on FFP, *supra* note 12, I), but FFP has become accepted as the international nomenclature. ICRW Report, *supra* note 3.

27 The description by most all countries that have adopted FFP demonstrate a commitment to intersectional feminism that serves all – especially non-white women and other underrepresented groups. See, e.g. Canada Feminist Foreign Policy, *supra* note 3; European Parliament Resolution, https://www.europarl.europa.eu/doceo/document/TA-9-2020-0286_EN.html (including LGBTQ rights).

28 Sciences Po Panel on FFP, *supra* note 12.

29 While the term feminist as deployed by FFP proponents has inclusivity, including antiracism, at its core, the term “Inclusive Antitrust” more clearly signals that it is both for all, and incorporates an inclusive and holistic methodology. See The Wright Show interview with Marissa Conway, Jan. 19, 2021, <https://podcasts.apple.com/us/podcast/feminist-foreign-policy-robert-wright-marissa-conway/id505824847?i=1000505839835> [Conway Interview].

30 See, e.g. Stuart Levine, “Diversity Confirmed to Boost Innovation and Financial Results,” Jan. 15, 2020, *Forbes*, at <https://www.forbes.com/sites/forbesinsights/2020/01/15/diversity-confirmed-to-boost-innovation-and-financial-results/?sh=2b2c0d2bc4a6>.

31 Assistant Attorney General Delrahim Delivers Remarks at the Antitrust Division’s Seventh Annual Diversity Celebration, Dec. 9, 2020, <https://www.justice.gov/opa/speech/assistant-attorney-general-delrahim-delivers-remarks-antitrust-division-s-seventh-annual>; Commissioner Slaughter, Antitrust at a Precipice, Nov. 17, 2020, https://www.ftc.gov/system/files/documents/public_statements/1583714/slaughter_remarks_at_gcr_interactive_women_in_antitrust.pdf; <https://www.competitionpolicyinternational.com/cpi-talks-with-margrethe-vestager-2/>; <https://www.competitionpolicyinternational.com/cpi-talks-with-rebecca-kelly-slaughter>; Bill Kovacic speaking at OECD Gender Inclusive Competition Workshop, February 2021, at https://www.youtube.com/watch?v=s7gg7w7M_9E&list=PLyBGvyEYBNlpHYPgEdxhnsghO2oyuYIJ&index=3[Kovacic Talk].

changes both the equation and focus of policy discussions, and improves outcomes.³² According to studies cited by the Council on Foreign Relations in their project on advancing gender equity in foreign policy, FFP leads to increases in economic growth, decreases in human rights abuses, and sustainable peace.³³ And according to the American Academy of Diplomacy, “representatives of U.S. foreign policy need to look like America” in order to most effectively assess and predict foreign actors’ behavior, avoiding assumptions that can lead to dangerous policy outcomes.³⁴

Diversity is a start, but beyond a box-checking or optics exercise, any initiatives aimed at creating inclusive leadership must give voice to different perspectives. This requires both critical mass of diversity, and leadership that creates psychological safety for differing opinions and viewpoints to be brought to the table.

The focus on creating not only diverse representation but also a lens of inclusion is likewise key. Given the spectrum of identities, especially when considering intersectionalities,³⁵ no team can ever fully represent consumers or competitors or society broadly. What matters then instead is that the team is both diverse and constantly exploring blindspots and unpacking assumptions. For teams to be inclusive – no matter how diverse they are – they should be constantly increasing their awareness of different experiences, and apply that learning in a regimented way. The example set by the Mexican government, which trained all of its foreign service officials in one model, is to be emulated, especially if the training is ongoing and not expected to deliver all benefits after one session. The Canadian government’s GBA Plus offers another model – one which has already been applied in the competition law and policy context.³⁶

Lesson 3: Unpack Assumptions and Broaden the Lens

Broadening the aperture of what is examined and prioritized involves not only representation in places of power, but also input from sources beyond just those sitting at the table. This includes seeking information from affected people, rather than assuming that the experts at the table making decisions for others inherently know best.³⁷

In the FFP context, this broader perspective lies in particular contrast to traditional “realist” foreign policy approaches. Yet as proponents of FFP describe, more diverse perspectives from girls and women (in or outside the decision room) lead to more options and ideas brought to the decision-making discussion, which leads to more peace.³⁸ It also opens the doors to others beyond women and girls. Creating a gender lens through FFP, for example, has led to questions about who else is not represented, along with demands for greater input from other underrepresented groups - including racial minorities, people with disabilities, the elderly, and other underrepresented groups. The European Parliament, for example, has expanded FFP’s purview to include LGBTQ rights.³⁹

Opening that door also brings attention and efforts to issues that have been men’s issues but were not previously discussed. For example, men have been victims of sexual assault in the military and sexual violence as a tool of war for millennia, but did not raise these as key policy issues until women spoke out and action was demanded to address this “women’s issue” – which then led to men coming forward as well.⁴⁰

32 In the foreign policy context, increasing representation of women is tied to more successful and enduring peace negotiations, for example. <https://www.cfr.org/womens-participation-in-peace-processes/>.

33 CFR Report, *supra* note 8.

34 Carla Robbins, “Maybe Next Time: Groupthink makes bad policy. So why are there still so few women at the Pentagon?,” *American Purpose*, February 5, 2021.

35 For example, you may have a team with a white woman, a black man, a transgender woman, a disabled man, a non-native English speaker, a Midwesterner, a Millennial, a Boomer, a Gen Zer, etc but still fail to capture the experience of a Black woman, or a Black Millennial Woman, or a Black Millennial woman who is not a native English speaker, or countless others.

36 Canada GBA+, *supra* note 14.

37 Sweden Handbook for FFP, *supra* note 3; Canada Feminist Foreign Policy, *supra* note 3.

38 Interestingly, Sweden has found that contrary to expectations that its FFP would alienate some partner governments, its FFP instead “opened new conversations and opportunities.” CFR Report, *supra* note 8.

39 European Parliament resolution of 23 October 2020 on Gender Equality in EU’s foreign and security policy, at https://www.europarl.europa.eu/doceo/document/TA-9-2020-0286_EN.html.

40 Sanam Naraghi Anderlini, Podcast Interview with Omid Nouripour, Oct 31, 2020, at <https://anchor.fm/omid-nouripour/episodes/feminist-foreign-policy-with-Sanam-Naraghi-Anderlini-elr7s8>.

Similarly, in the antitrust context, focusing on “women’s issues” such as childcare markets may more directly impact women, who bear most of the child care burden - but will directly impact single fathers or other men with primary or equal childcare responsibilities, and will indirectly impact virtually all men (those with children, those working with women with children, those relying on the work of people with children, etcetera). In other markets, men may benefit from the greater price sensitivity of women if that sensitivity is disaggregated and considered in enforcers’ antitrust analyses.⁴¹ Inclusive antitrust could extend this lens to other underrepresented groups as well.

As the foregoing makes clear, FFP is not about advantaging women to disadvantage men; in nearly all cases, all benefit from inclusive policies. Men benefit as a whole from more comprehensive solutions to cross-border issues such as armament, health pandemics, climate change, and digital regulation. FFP also does not mean reducing funding for other priorities, instead it focuses on spending resources more effectively in a way that “is inclusive in its reach and benefits, and therefore accelerates progress towards global security and prosperity.”⁴² FFP notes the two way street of a feminist foreign policy: it focuses on promoting gender equality, but it also yields better foreign policy outcomes.⁴³

Antitrust may similarly benefit from broadening the aperture and examining whether assumptions are entrenched in policy, economic analysis, and enforcement decisions. As an example, consider that in the United States, women owned businesses generated \$1.8 trillion; and generally achieve greater business results despite less resources, especially in the technology sector.⁴⁴ Examining potential differences in terms of business leadership and incentive may be relevant as antitrust policy makers seek to change the business incentives of companies – will there be unintended negative consequences? Might changes benefit these more productive women-led businesses? Unpacking assumptions about who is leading companies and business incentives, and getting qualitative and quantitative data, enhances the analysis, and potentially policy outcomes.⁴⁵

Lesson 4: Data Is Key and Should Be Inclusive

Data is a key accountability mechanism for inclusive policy. FFP broadens the type of information available to analysts and decision-makers. Data – both quantitative and qualitative – is needed to measure problems and drive results.

Data and metrics do pose challenges. Often, relevant quantitative data on gender or other demographics is not disaggregated – or not collected at all - leaving important data gaps that impede progress. Often the fact that data is not representative or even biased is not readily apparent and the data is assumed to be representative of all. On the issue of qualitative data, capturing it may create challenges in how that data is combined, used, and/or presented effectively. Creating metrics that measure inclusion to serve as such drivers can be challenging, especially as policies are still being developed and implemented.⁴⁶

Using data can, however, start simply. A first step is to always to collect gender disaggregated data (and race and other relevant demographic data).⁴⁷ FFP prioritizes gender in information collection and analysis.⁴⁸ This disaggregated data can meaningfully show gender and other impacts. It also strives to include these inclusivity and disparate analyses as part of all decision-making and leadership briefings.⁴⁹

41 Oxera is conducting studies as part of the OECD Gender Inclusive Competition Project with preliminary results, described in the February 25, 2021 workshop, showing as much. <https://www.youtube.com/watch?v=yyw8aFGzZqI&list=PlyBGvyEYBNipHYPgcEdxhnsgh02oyuYIJ&index=2>.

42 ICRW, All Foreign Policy Spending Should Take Gender Into Account, 2020, at https://www.icrw.org/wp-content/uploads/2020/12/All-Foreign-Policy-Spending-Should-Take-Gender-into-Account_12.2020.pdf.

43 Catalina Crespo-Sancho, “Can gender equality prevent violent conflict?,” World Bank Blog, March 28, 2018 (collecting studies on impact of gender inequality on security, such as armed conflict, breaking with norms and treaties, and use of military force), at <https://blogs.worldbank.org/dev4peace/can-gender-equality-prevent-violent-conflict>.

44 <https://www.commerce.gov/news/blog/2021/03/women-owned-business-ownership-america-rise#:~:text=Women%20Owned%20employer%20firms%20reported,one%20or%20more%20paid%20employees>; <https://www.forbes.com/sites/allysonkapin/2019/01/28/10-stats-that-build-the-case-for-investing-in-women-led-start-ups/?sh=4d5ce3559d5f>; <https://www.inc.com/kimberly-weisul/boston-consulting-group-female-founders-higher-revenues.html>.

45 Chris Pike & Estefania Santacreu-Vasut, “Competition Policy and Gender,” *Concurrences*, November 2019, at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3503384 (describing two-way benefits: gender inclusive antitrust can enhance not only antitrust but also gender equality).

46 CFR Report, *supra* note 8 (explaining that participants noted that “the challenges of creating a framework and monitoring tools while simultaneously implementing new policies and programs”).

47 Foster, Kemp & Yu, *supra* 13; Conway Interview, *supra* note 29.

48 Foster et al., *supra*, at 3.

49 There may not always be a disparate impact on women or other groups, but undertaking the impact-assessment every time a policy decision is made remains a key component of robust foreign policy analysis under FFP. CPI Antitrust Chronicle April 2021

Given the data-driven DNA of antitrust, this lesson may pay immense dividends for inclusive antitrust. The OECD's gender and competition project is funding projects that are already shedding light on gaps and opportunities. Oxera Consulting, for example, in its work examining consumer survey results for disparate gender impact, price sensitivities and other competitively relevant effects, noted that many consumer surveys were not usable because they did not collect or record gender data.⁵⁰ Prioritizing collection of relevant demographic data that can then be disaggregated and incorporated in all policy and enforcement briefings is a concrete step towards inclusivity.⁵¹

Data collection and identifying and filling data gaps⁵² is a starting point, but data practices may contribute to exclusive antitrust in numerous other ways. Biases embedded in data categorization and hierarchies,⁵³ representation in the data,⁵⁴ who the data is being deployed against,⁵⁵ data visualization,⁵⁶ and even insufficient or ineffective data auditing all may lead to exclusion and undermine the goals of antitrust policy and enforcement – especially inclusive antitrust.

Lesson 5: Take a Holistic View

FFP pulls back from narrower questions of military operations and defense, to focus on the broader goal of peace and security. In doing so, it dispenses with the assumption that a military and defense focus is the only endpoint that can assure peace and security. It seeks instead to incorporate a more holistic assessment of peace and security that includes the complexities of many different threads, such as trade agreements, economic growth, climate, cybersecurity, global health, and other domestic policies with cross border effects.⁵⁷ It essentially calls for a systems design approach to foreign policy⁵⁸ that also involves a culture of collaboration across institutions.⁵⁹

As antitrust becomes increasingly complex, it cannot isolate itself from other areas. To be robust, antitrust policy and enforcement must consider interactions with other areas such as intellectual property, privacy, cybersecurity, national security, supply chain... yes, even foreign policy. Looking at how FFP is enhancing the ability of foreign policy to assess complex problems by improving the data used and strategic analysis is a model for those making antitrust policy – and providing strategic antitrust advice.

50 OECD Workshop on Gender and Competition, February 25, 2021 at <https://www.youtube.com/playlist?list=PLyBGvyEYBNipHYPgcEdxhnsgh02oyuYIJ>.

51 Acting Chair Slaughter agrees: "we should start these efforts with data. We should make a concerted effort to collect demographic data where possible in our investigations so that we can understand where and how communities of color are disproportionately harmed by proposed mergers or anticompetitive conduct. I am confident that we can incorporate these questions into our analysis of the competitive effects of mergers and conduct alike." CPI Talks with Rebecca Slaughter, CPI Chronicle, April 2021.

52 See Caroline Criado Perez, *supra* note 16, for a comprehensive overview of how the exclusion of women from data sets impacts everything from science and innovation to product development.

53 Safiya Noble, *Algorithms of Oppression* (2018) (explaining how data categorization can entrench power by privileging some views and information over others, making it harder to find or surface certain information. Noble explains how library information science informed by inclusivity such as critical race theory can inform ICT innovation in things such as search engines); see also "In 'Algorithms of Oppression,' Safiya Noble finds old stereotypes persist in new media," Feb. 16, 2018, at "<https://annenberg.usc.edu/news/diversity-and-inclusion/algorithms-oppression-safiya-noble-finds-old-stereotypes-persist-new>."

54 Criado Perez, *supra* note 16 (demonstrating that women are repeatedly left out of data used for research, product development, policy making and more); Coded Bias (2021) [documentary] (documenting AI researcher Joy Buolamwini's experience and subsequent research into representation gaps leading to common inaccuracies in Microsoft, IBM, and Amazon's services) at <https://www.pbs.org/independentlens/films/coded-bias/>.

55 Cathy O'Neill, *Weapons of Math Destruction* (2016); Frank Pasquale, *A Rule of Persons, Not Machines: The Limits of Legal Automation*, 87 *George Washington Law Review* 1 (2019); ; Meredith Broussard, *Artificial Unintelligence* (2018); UK Centre for Data Ethics and Innovation, *Review into bias in algorithmic decision-making*, Nov. 27 2020, at <https://www.gov.uk/government/publications/cdei-publishes-review-into-bias-in-algorithmic-decision-making/main-report-cdei-review-into-bias-in-algorithmic-decision-making>.

56 Catherine D'Ignazio & Lauren Klein, *Data Feminism* (2020) (describing the power of charts, graphs, and other data visualizations to change the way we look at issues due to their inherent power, that charts and graphs are not "neutral" but actually represent a certain viewpoint, and are dependent on the data that they are based on, and if data is missing or not collected, the charts will also be skewed); see also Catherine D'Ignazio, "What would feminist data visualization look like?," Jan. 22, 2017 at <https://medium.com/@kanarinka/what-would-feminist-data-visualization-look-like-aa3f8fc7f96c>.

57 Foster, Kemp & Yu, *supra* note 13.

58 "What is Systems Design? How to Surface Opportunities for Change," Ideo U, at <https://www.ideo.com/blogs/inspiration/what-is-systems-design-how-to-surface-opportunities-for-change>.

59 Comments by former Ambassador Bonnie Jenkins, Panel Discussion, *Toward a Feminist Foreign Policy in the United States*, May 21, 2020, New America Foundation, at <https://www.newamerica.org/political-reform/events/online-toward-feminist-foreign-policy-united-states/>.

Lesson 6: Use Tools Fit for Purpose

Being able to identify when an inclusive approach is warranted versus a more traditional approach may be key to dynamic antitrust needed in dealing with increasingly complex industries, competitive dynamics, and fourth industrial revolution technologies.

For example, computational antitrust⁶⁰ may be ideal in certain instances, but may exclude specific groups. Inclusive design may mitigate that risk – but there is reason to doubt it always will.⁶¹ Focus on inclusivity requires vetting automated decision making that may undermine inclusivity – even when the intent is to enhance inclusivity.

Evaluating differential impacts may lead to use of different types of economic models⁶² or enforcement analyses. Scholars and reporters have examined the ways in which a race or gender lens may enhance antitrust analysis and enforcement, and the research stemming from the OECD's 2020 call for papers provide further insights when inclusivity tools specific to antitrust analysis may have particular impact.⁶³

The ability to “toggle back and forth” between inclusive and traditional approaches also has precedent in foreign policy. As Anne-Marie Slaughter, former director of Policy Planning at the State Department writes in her book *The Chessboard & The Web*, leaders must learn to see in “stereo” in making policy for a networked world, to “toggle back and forth” between a “chessboard” version of the world that maps along traditional sovereign state lines, and a “web” version of the world comprised of connections and flows of people and ideas. Women foreign policy leaders, she argues, may be uniquely suited for such toggling since they have more experience exercising power from within a web, rather than the top of a hierarchy.⁶⁴ These same principles have lessons for antitrust, and the need to apply different tools for different circumstances.

Lesson 7: Embed Inclusive Antitrust in a Clear Process for Impact and Longevity

People change, priorities change, and workloads are heavy. To get and maintain traction, FFP proponents have learned that inclusive policy must be embedded through processes, documentation and accountability.⁶⁵ As a Council on Foreign Relations Report describes, “though a sitting government can shape priorities or programs, the commitments of a feminist policy should persist regardless of changes in leadership.”⁶⁶ Canada's GBA Plus embodies precisely this approach. It also provides an example of how mandating such processes, documentation and rigor in applying inclusivity analysis can yield unexpected benefits.⁶⁷ The application of this framework by the Canadian Competition Bureau is described in further detail in this issue in the article by Vassos and Creighton.⁶⁸

As FFP shows, and Canada's gender lens confirms, gender is a gateway to other types of inclusion. FFP urges application of an intersectional gender (and broadly inclusive beyond gender) lens to foreign policy decisions. The same might be applied in antitrust, whether in policy or

60 Stanford Computational Antitrust Project, <https://law.stanford.edu/codex-the-stanford-center-for-legal-informatics/computational-antitrust/>.

61 Meredith Broussard, *Artificial Unintelligence* (2018); Daryl Lim, “Can Computational Antitrust Succeed?,” 2021, <https://law.stanford.edu/wp-content/uploads/2021/04/lim-computational-antitrust-project.pdf>.

62 Perhaps even application of different economic theories, such as behavioral economics, or consideration of different philosophical approaches, such as feminist economics – but that is outside the scope of this article.

63 Sally Hubbard started the focus on gender and competition with an article on the impact of monopolies on women in 2017. Sally Hubbard, “How Monopolies Make Gender Inequality Worse,” Dec. 20, 2017, *Forbes*, at <https://www.forbes.com/sites/washingtonbytes/2017/12/20/how-monopolies-make-gender-inequality-worse-and-concentrated-economic-power-harms-women/?sh=77e171841b11>. The OECD has since spurred generation of numerous papers on this topic, including among others Chris Pike & Estefania Santacreu-Vasut, *supra* note 45; Sarah Long, “Gender inequality, market distortion and consumer welfare: A call to action for competition authorities,” *Journal of European Competition Law & Practice*, May 2019. Examinations of race and antitrust have likewise been studied and are receiving renewed attention. See Hosea H. Harvey, “Race, Markets, and Hollywood's Perpetual Antitrust Dilemma,” 18 *Mich. J. of Race & L.* (2012); ABA Antitrust Spring Meeting Panel, Making Antitrust Antiracist (March 2021).

64 Anne-Marie Slaughter, “How to Succeed in a Networked World: A Grand Strategy for the Digital Age,” *Foreign Affairs*, 95 no. 6, November/December 2016, 76-89.

65 See, e.g. CFR Report, *supra* note 8 (“Participants emphasized the need for feminist foreign policies to be institutionalized to ensure continuity.”)

66 CFR Report, *supra* note 8.

67 Canada GBA+, *supra* note 14.

68 Nadia Vassos & Ellen Creighton, *The Competition Bureau's Journey Toward Inclusive Competition*, CPI (April 2021).

enforcement. Acting Chairwoman Slaughter has expressed support for the idea of using antitrust to combat structural racism.⁶⁹ As FFP shows, doing so in a way that is routinized, documented, and included in all briefings and policy analyses has the greatest chance for real and sustained impact.

V. WHERE SHOULD WE APPLY INCLUSIVE ANTITRUST (FIRST)?

One additional lesson from FFP is to be prepared for criticisms that this all sounds good in theory, but the idea of applying it seems unrealistic.⁷⁰ The lessons above highlight several areas where changes towards inclusive antitrust are straightforward and can be immediately implemented without substantive changes to antitrust or even significant funding increases. Changes already afoot in antitrust, especially in terms of institutional changes and enhanced technology expertise, also present particular opportunities to apply other inclusive policy lessons in the near term. In the longer term, where significant additional resources might be required and additional study desired, empirical research is already underway and can be further supported and bolstered.

Given the immense workload already besetting antitrust and competition authorities, the appropriate place to begin may be with low hanging fruit: start with leadership, data collection, and embedding top-to-bottom inclusive norms, data use, and processes in any new institutional structures. Creating diverse teams is widely acceptable and has become a key part of the U.S. and EU governments.⁷¹ This should be complemented with regular inclusivity development education that helps individuals identify and address perspectives not represented who should be brought into the analysis. The Canadian process has made many tools and training broadly available, which can serve as a foundation to build upon.

Creating inclusive institutions can be challenging when it involves addressing structures and cultures firmly entrenched. The creation of new competition units, however, especially data focused units such as the CMA's DaTA Unit, the FTC's Tech Enforcement Division,⁷² and the Data Center proposed by Senator Klobuchar's CALERA legislation,⁷³ offer an opportunity to make these organizations inclusive by design – from the outset and from top to bottom: leadership and personnel to data use to analysis and decision-making. The CMA's DaTA unit seems to be doing some of this already, for example through its work focused on algorithm bias.⁷⁴ Creating explicit commitments, objectives and plans for thorough inclusion could lay foundations that will embed inclusivity and serve as a model for more established organizations to embrace inclusive antitrust principles. The benefit here, given the focus on data of these new organizations, is that they can embrace the focus on making data use inclusive from the beginning through their “digital DNA”⁷⁵ while also avoiding entrenching the well documented biases and exclusive practices that notoriously pervade some Silicon Valley organizations.⁷⁶

69 FTC Commissioner Becca Slaughter, Antitrust at a Precipice, Nov. 17, 2020, at https://www.ftc.gov/system/files/documents/public_statements/1583714/slaughter_remarks_at_gcr_interactive_women_in_antitrust.pdf; Vassos & Creighton, *supra* note 68.

70 Cf. Kovacic Talk, *supra* note 31; Conway Interview, *supra* note 29.

71 Biden Pledged Historic Cabinet Diversity. Here's How His Nominees Stack Up, NPR, Feb. 5, 2021, <https://www.npr.org/sections/president-biden-takes-office/2021/02/05/963837953/biden-pledged-historic-cabinet-diversity-heres-how-his-nominees-stack-up>; President von der Leyen vows to fight lack of diversity in E.U. institutions, PBS, June 17, 2020, <https://www.pbs.org/newshour/world/president-von-der-leyen-vows-to-fight-lack-of-diversity-in-e-u-institutions>; <https://www.competitionpolicyinternational.com/cpi-talks-with-margrethe-vestager-2/>.

72 CMA, “The CMA DaTA unit – we’re growing!,” May 28, 2019, at <https://competitionandmarkets.blog.gov.uk/2019/05/28/the-cma-data-unit-were-growing/>; “FTC’s Bureau of Competition Launches Task Force to Monitor Technology Markets,” Feb. 26, 2019, FTC, at <https://www.ftc.gov/news-events/press-releases/2019/02/ftcs-bureau-competition-launches-task-force-monitor-technology>.

73 S.225 - Competition and Antitrust Law Enforcement Reform Act of 2021 (CALERA), at <https://www.congress.gov/bill/117th-congress/senate-bill/225/text?r=8&s=1>.

74 CMA, “Algorithms: How they can reduce competition and harm consumers,” Jan. 19, 2021, at <https://www.gov.uk/government/publications/algorithms-how-they-can-reduce-competition-and-harm-consumers/algorithms-how-they-can-reduce-competition-and-harm-consumers> (citing Catherine O’Neill among others).

75 “New Digital Realities; New Oversight Solutions in the U.S.,” Aug. 2020, Shorenstein Center, p. 19, at https://shorensteincenter.org/wp-content/uploads/2020/08/New-Digital-Realities_August-2020.pdf.

76 Opportunity is present in established institutions and industries as well. The establishment of a Multilateral Working Group to Build a New Approach to Pharmaceutical Mergers is one example of using different tools and collaborative approaches to tackle entrenched challenges. “FTC Announces Multilateral Working Group to Build a New Approach to Pharmaceutical Mergers,” March 16, 2021, at <https://www.ftc.gov/news-events/press-releases/2021/03/ftc-announces-multilateral-working-group-build-new-approach>.

There are many next steps beyond these initial ones, such as those detailed by Bill Kovacic and others calling for retrospective studies, encouraging and funding more empirical research,⁷⁷ and designing ways to better capture different viewpoints, including through greater use of qualitative data and behavioral economics. All of these warrant further exploration and consideration.

Finally, research and studies that can lead to long term progress should receive increased and ongoing support. Work is already underway thanks to efforts by the OECD, spurred and funded in large part by the Canadian government, to conduct empirical research on gender inclusive antitrust.⁷⁸ Further research can help shape not just cultural,⁷⁹ process,⁸⁰ and data design,⁸¹ but also may shape economic models, standards, and decision making paradigms.

VI. CONCLUSION

Outrage in the United States over systemic inequality coincides with a global antitrust upheaval. Both movements are fueled by concerns about concentrations of power, and the way that concentration leads to exclusion. Systemic exclusion, inadvertent exclusion, unconscious bias: all suggest that a *laissez faire* approach defaults to codification of perspectives and approaches that benefit past holders of power.

Inclusive antitrust creates more resilience, value alignment, and highlights the nuances and complexities as we navigate the fourth industrial revolution and beyond. Deliberate – and as we learn from FFP, explicit – focus on inclusion is warranted.

The lessons from FFP can help guide where inclusive antitrust may focus first and where to build: 1) broadening representation; 2) embedding processes that routinize inclusive analysis and scrutinize assumptions; 3) making data use an asset rather than impediment to inclusivity; and 4) appreciating context and which tools are best fit for purpose.

Perhaps the time has come to upgrade homo economicus from a one dimensional “rational” white male to an intersectional being with varied motivations facing different societal obstacles. An inclusive lens that does just that can reveal new competitive complexities, and multidimensional new approaches to data will help optimize competition law.

⁷⁷ The research underway through the OECD, the work done by Paroma Sanyal & Coleman Bazelon, and others featured in the Inclusive Competition issue of CPI, are some examples of research advancing inclusive antitrust grounded in data.

⁷⁸ OECD, Gender-Inclusive Competition Policy, <https://www.oecd.org/competition/gender-inclusive-competition-policy.htm>.

⁷⁹ Lauren Collins, “Expand Your Culture Through Conversation,” at <https://www.ideou.com/blogs/inspiration/lets-talk-expand-your-culture-through-tough-conversations>.

⁸⁰ Melanie Bell-Mayeda, IDEO, “What Is Systems Design? How to Surface Opportunities for Change,” March 2021; Adrienne Maree Brown, Emergent Strategy (2017).

⁸¹ See, e.g. Catherine D’Ignazio & Lauren Klein, Data Feminism (2020).

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