

**GENDER MAINSTREAMING AND ENLARGEMENT:
THE EU AS NEGLIGENT ACTOR?**

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ABSTRACT

In its relations with the 'near abroad', and in particular with countries eager to attain membership status, the ability of the EU to adopt a proactive role in international politics has been very evident. Indeed, in the case of Central and East European applicants, the EU has used its position to play the role of mentor, shaping transition processes and policy preferences in order to ensure compatibility with the EU *acquis*. A notable exception in this case has been the EU's evolving policy on gender relations. While there has been discussion of the formal, legal requirements of equality Directives, the EU's declared strategy of gender mainstreaming has been disregarded. This absence represents a lost opportunity – for EU and CEEC officials to explore together the potential of, and impediments to, an effective mainstreaming strategy. This paper outlines the principles of gender mainstreaming, explains why gender issues are important in the context of enlargement and suggests reasons for the failure to adopt a mainstreaming strategy during the pre-enlargement period.

This paper argues that there has been insufficient effort, prior to and during accession negotiations with applicant countries, to promote the perspectives on gender relations developed within the EU. The EU's failure in this respect is noteworthy for two reasons. Firstly, the strategy of gender mainstreaming was introduced prior to, and in the context of, the 1995 Fourth World Conference on Women in Beijing.¹ Its development thus coincided chronologically with the pre-accession period and the strategy was in place, and its practice being strongly promoted within the Commission, at the time when the formal pre-accession processes commenced (Commission 1997a and b). Secondly, it is in relation to the 'near abroad', and most particularly the candidate countries, that the EU's ability to exert influence and to behave proactively is most apparent. Before considering the issues around gender mainstreaming, it is worth examining the basis of this contention.

The actorness and influence of the European Union

Over the past decade the aspiration that the EU should play a more proactive and effective role in world politics has frequently been reiterated. Declarations to this effect range from the objective of the Union to 'assert its identity on the international scene' (Article 2, Treaty on European Union) to the Commission's ambition, articulated in Agenda 2000 –

The Union must increase its influence in world affairs, promote values such as peace and security, democracy and human rights, defend its social model and establish its presence in world markets, prevent damage to the environment and ensure sustainable growth with an optimum use of world resources. Collective action by the European Union is an ever increasing necessity. Europe's partners expect it to carry out fully its responsibilities.

(Commission 1997c:27)

The broad and challenging agenda proposed by the Commission makes clear that there is a desire to export the EU's values -including, one might suppose, a commitment to gender equality. Also evident is an intention that the EU should seek to move beyond its established practice, in some policy areas, of simply reacting to external events and demands. Thus there is a concern to develop the capacity to move beyond rhetorical statements and reactive policies in order to make conscious choices and decisions – and hence to engage in purposive, externally oriented action. Following the approach adopted in an earlier, more extensive study (Bretherton and Vogler 1999) the capacity to act, or actorness, is seen as a process involving three facets and the interconnections between them – presence, opportunity and capability –

Presence conceptualises the relationship between the internal development of the EU and third party perceptions and expectations of the EU's role in world politics.

Opportunity refers to factors in the external environment which enable or constrain purposive action.

Capability refers to the capacity to formulate and implement external policy, both in developing a proactive policy agenda and in order to respond effectively to external demands or opportunities.

Presence

Broadly following the usage of Allen and Smith (1990), presence refers to the ability to exert influence, to shape the perceptions and expectations of others. Presence does not connote purposive external action, rather it is a consequence of the external impact of internal policies and processes. Thus presence is a function of being rather than doing. The most fundamental aspect of the EU's presence is economic, deriving from the creation of the customs union and the subsequent development of the Single Market. This has certainly been the case for CEE countries. By the mid-1980s the growing significance of the EU market was very evident, as was the inability to gain access due to the restrictive nature of its trade policies. At this time, 50% of EU anti-dumping measures were directed against a region which represented only 7% of its external trade. From 1989, the strong orientation towards Western values and institutions in general, and the aspiration for EU membership in particular, reflected a broader perception of the EU's magnetic presence among CEE elites. Nevertheless the continuing significance of economic factors is demonstrated by the level of trade dependence of CEEC – with trade into the EU market averaging 65% across CEEC by 1995 (Commission 1997d).

Opportunity

The very significant presence of the EU is mirrored, in relation to CEEC, by the sudden and dramatic increase in opportunity provided by the post-1989 external environment. Indeed the new expectations and demands of the EU were unprecedented. Thus the decision in July 1989 that the European Commission should be responsible

for coordinating G24 aid to CEEC represented, in the words of a well-placed insider, 'a new kind of legitimacy, for the first time the Commission was a foreign policy actor in its own right' (Nuttall 1996:142).

Capability

In order to build upon its formidable presence, and exploit available opportunities, the EU must possess certain prerequisites for actor capability. These include *inter alia* shared commitment to a set of overarching values and principles, and the ability to formulate policies and to negotiate effectively with third parties.

The first of these requirements may appear unproblematic, in that the Treaties set out broad values and principles to which the EU and Member States are committed. Among these, since entry into force of the Treaty of Amsterdam, is commitment to gender mainstreaming (Article 3.2 TEC). Here, however, the central issue is not shared commitment in principle to a set of values, but rather level of commitment and prioritisation between potentially competing or even conflicting values. In external policy generally, and in relations with CEEC in particular, values and practices associated with gender equality have been systematically marginalised - subordinated to dominant and deeply embedded neo-liberal values associated with privatisation and market opening. This raises important, general issues concerning the EU's discursive self-identification as an ethical foreign policy actor committed to promotion of values such as democracy and protection of human rights.

The ability to formulate policy, and to negotiate with third parties, might appear to have been evidenced, in relation to CEEC, by the evolving EU/CEEC relationship and the present advanced stage of negotiation with the applicant countries. Nevertheless, as in other areas of EU external activity, policy coordination has been impeded by difficulties flowing (in part) from the highly complex nature of the EU policy system. These can be identified as the problems of consistency and coherence. While having considerable significance for policy towards enlargement in general, they will be explored here only briefly - and specifically in relation to policy on gender equality.

Consistency denotes the extent to which the policies of the Member States are consistent with each other and with those of the European Community. It thus provides an indication of overall political commitment. All Member States (and, of course, the Community) are formally committed to promoting gender equality. In practice, however, there have been and remain considerable differences between Member States in terms of prioritisation of this policy area, while implementation of mainstreaming strategies has been, at best, patchy.

Coherence refers to the EU's internal policy processes; specifically to coordination of external policy emanating from several Directorates-General of the Commission. Nowhere is this more evident than in relation to enlargement - a unique and complex process through which the external becomes internal. The requirement that applicants adopt the Community *acquis* in its entirety has necessitated the involvement, to varying degrees, of all Directorates-General in the processes of assessing the readiness for accession of candidate countries and preparing negotiation positions. Given the continued expansion of the *acquis*, and the number and heterogeneity of applicant countries, this has placed enormous demands upon Commission officials, not least in terms of coordination.

In relation to promotion of gender equality during the pre-enlargement processes, two possible

approaches to coordination can be identified. These might be termed minimalist and maximalist. The minimalist approach, which was adopted, involved ensuring input from DG Employment and Social Affairs during the screening and negotiation processes - in relation specifically to adoption of the formal equality *acquis*. Despite this, provisional closure of the relevant chapter was not impeded by failure to transpose this element of the *acquis* into domestic legislation. While even the minimalist position has not been assiduously pursued, the maximalist position was not attempted. This would have involved using the unique opportunity provided by detailed discussion of the *acquis*, chapter by chapter, to consider the potentially gendered impact of all policy areas. That is the EU's recent commitment to gender mainstreaming could have been put into practice.

It remains to consider why, despite significant presence, unprecedented opportunity and evidence of capability, no effort was made to adopt a strategy for which the Commission had identified a 'strong need' (Commission 1998a:22).

The need for gender mainstreaming

The unique nature of enlargement ensures that the characteristics and priorities of new Member States become integral to the evolution of political cultures and policy priorities at the EU level. The proposed Eastern enlargement, to include countries undergoing fundamental and unprecedented transition, raises many questions concerning the EU's capacity to absorb new members whilst also maintaining commitment to established principles. In circumstances where there has been a sustained 'transitional backlash against women' in CEEC (Titkow 1998:29), our concern is with the ability of an enlarged EU to maintain and consolidate its commitment to the principle of gender equality. The EU's most recent strategy for the promotion of gender equality is mainstreaming; that is integration of gender equality considerations 'in all activities and policies at all levels' (Commission 1998b:22). As we shall see, mainstreaming is a demanding strategy.

Principles of gender mainstreaming

Mainstreaming is a relatively recent approach to *gender* equality - which implies equal valuation of different characteristics among and between women and men. Its emergence reflects acknowledgement of the inadequacies of strategies intended to promote *women's* equality, which implies the attainment by women of equal status with men, on men's terms. Thus, traditional women-focused approaches to equality have aimed to assist women in adapting to established norms and values, and rhythms of life, which have long operated to accommodate the needs and interests of men. Even relatively radical approaches such as positive discrimination have focused primarily upon impediments to women's access; they have lacked a comprehensive analysis of the 'gendered organizations' to which access is sought (Acker 1991).

Importantly, then, mainstreaming is not an attempt to remedy an absence. Understandings about gender are already deeply embedded, they shape and constrain social interaction at all levels and are 'written into the very logic and design of the organizational relations of public life' (Davies 1999: 36). Within the EU, the fundamental challenges facing the mainstreaming strategy are acknowledged by the Commission –

The promotion of equality must not be confused with the simple objective of balancing the statistics: it is a question of promoting long-lasting changes in parental roles, family structures, institutional practices, the organisation of work and time....(Commission 1996a: 5).

Gender mainstreaming, then, reflects analysis of the roles and behaviours not only of women, but also of men; and of the interaction between them. It implies that men, as well as women, will need to adapt. Gender-focused approaches do not merely seek to 'add women' to a particular context; they seek to change the context itself. Mainstreaming is thus a long-term, comprehensive strategy for achieving gender equality. The Council of Europe (1998: 7) provides a useful definition –

Gender mainstreaming is the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making.

Mainstreaming strategies, then, cannot be delegated to specialist equality units. Policy makers and administrators at all levels (local, national and EU) are required to participate in their implementation. Thus, if mainstreaming is to become institutionalised through practice, practitioners will need initially to be persuaded of the effectiveness of mainstreaming in generating efficient policies which reflect the needs and interests of all sections of society (Council of Europe 1998: 11). Within the EU, it is anticipated that gradual implementation of mainstreaming practices will promote learning and ultimately institutionalisation. For example, use of gender impact assessments should, it is argued, uncover the 'unintended negative consequences' (for women) of policy decisions that appear to be gender neutral (Commission 1997a:3). Nevertheless, as the Commission's first 'progress report' demonstrated (Commission 1998a:20-21) failure to implement a mainstreaming strategy has been particularly evident, and perhaps singularly unfortunate, in the context of the deteriorating status of CEE women during the transition period.

Gender dimensions of CEEC transformation

The processes of economic transition and democratisation in CEE societies have been differentiated by gender, and there is much evidence to suggest that women have suffered disproportionately from their consequences (Funk and Mueller 1993; UNICEF 1994; Subhan 1996; Renne 1997; Bretherton 1999). In the brief overview below,² the focus is upon employment and democratisation - key issues for the EU.

Women and employment

Prior to 1989, the majority (up to 94 per cent) of working age women were in full-time paid employment in CEEC (Šiklová 1993: 75). This level of participation was supported, across CEEC, by a range of policies and

provisions intended to facilitate the reconciliation of work and family life - including paid maternity leave, entitlement to annual paid leave to care for sick children and heavily subsidised kindergarten provision.

Despite these provisions, which have eroded steadily since 1989, gender disparities in terms of pay and promotion resembled those in the West (Einhorn 1993; Heitlinger 1993). Moreover women suffered a debilitating double burden of domestic and paid work. Thus a telling consequence of women's experiences under state socialism was a significant and sustained fall in the birth rate across CEEC. This was associated, in the absence of adequate contraceptive provision, with a high abortion rate. For example, in Hungary, in the late 1960s, there were 134 abortions for every 100 live births (UNICEF 1994: 60).

After 1989 it quickly became evident that the processes of marketisation and privatisation would create unemployment in CEEC. For socio-psychological as well as economic reasons, it was also anticipated that unemployment would, and indeed should, affect women disproportionately. In Poland, for example, there was a belief that women would be better able to adjust to unemployment, since they could devote themselves to home and family, whereas unemployed men would be likely to 'drink, steal or go fishing' (Reszke 1995: 16).

For new CEE governments after 1989, women's position in society was an early matter of concern and an important aspect of the repudiation of the previous system. Thus, in the rhetoric of CEE politicians, the 'heroine worker-mother' of state socialism was replaced by highly traditional images of women. In Poland, and to a lesser extent in other CEEC, debates about women's status crystallised around the issue of abortion. 'The woman-mother for whom pregnancy is a blessing, must be an idol' announced Marcin Libicki, Polish representative at the Council of Europe (in Malinowska 1995: 41).

Despite the expectation that women would, more or less willingly, embrace the housewife role offered to them, there is much evidence to indicate that women in CEEC both *need* to work, for financial reasons, and *want* to work, for reasons of status and personal satisfaction (Millard 1995; Ascady 1998; Dodds 1998). Consequently, a major problem for women is that, once unemployed, they are significantly less likely than men to be re-employed. Discriminatory practices in relation to retraining schemes and recruitment to employment are strongly evident and in some CEEC job vacancies are openly advertised by gender. In addition, the reduced availability, and increased cost, of childcare provision across CEEC has impacted particularly upon low income groups. The urgent need to obtain work has also made women vulnerable to sexual harassment and exploitation.

The labour market impacts of economic transformation have not been gender neutral. In 1989 the majority of working age women, across CEEC, were in paid employment, albeit concentrated in poorly paid, low-status jobs. Today, even these jobs are unavailable to women. In these circumstances it might appear that the EU equal opportunity *acquis* has a great deal to offer CEE women. In practice, however, the situation is rather more complex. Women's rights under state socialism were accorded from above and there was little tradition of women's activism in their defence. Inevitably, the gap between rhetoric and reality has made CEE women sceptical of notions of women's emancipation, and ambivalence remains concerning women's roles and status - 'a description of how women see their own situation is completely lacking. Their voices - their critical considered voices - are rarely heard in public' (Ascady 1998: 77). This raises important implications for the development of

civil society in CEEC.

Democracy, participation and civil society

In order to fulfil the EU's criteria for membership, acceding countries must demonstrate 'achievement' of democracy. This implies not only establishment of formal institutions and procedures but public awareness of, and support for, the norms and practices associated with liberal democracy. Thus, in addition to participation in decision-making at the elite level, we would expect to find women's involvement in the autonomous grassroots organisations characteristic of civil society.

In the case of elite participation, women's representation in the formal political system, particularly in national parliaments, was relatively high when compared with EU levels. However, again, the gap between the rhetoric and reality of women's political participation was great. Representation in national parliaments was predetermined by quota and women's participation was perceived as an obligation, imposed from above to symbolise the achievement of equality. This perception was reinforced by the fact that parliaments themselves played a largely symbolic role. In the higher echelons of the Communist Party and in the Politburo, where power lay, women were frequently *unrepresented* (Janova and Sineau 1992).

An immediate effect of the demise of state socialism was a spectacular fall, of almost 75 per cent on average (from 26 per cent to 7 per cent), in the proportion of women in the national parliaments of CEEC (Lokau 1998). While there has subsequently been a slow increase to an average of 10.7% per cent for CEE applicant countries this remains below the EU Member State average of 20.5 per cent, while women currently comprise 30 per cent of Members of the European Parliament.

The fall in women's representation in CEEC cannot be explained by reference to women's lack of experience or qualifications - women are as highly educated as men and the new democratic procedures were unfamiliar to men and women alike. Rather it reflects the enhanced status of parliaments and parliamentarians, in circumstances where quotas no longer operate and where renewed emphasis upon traditional gender stereotypes has encouraged or legitimised women's relative absence from the public sphere of politics.

Low participation in formal political systems could, arguably, be compensated by the development of strong, autonomous women's organisations. However these have been slow to evolve in CEEC and, again, this is a legacy of the past. For forty years the only women's organisations officially permitted were those sponsored by the Communist Party. The purpose of these organisations was to extend the reach of the Party, and participation was strongly encouraged. Consequently, as Šiklová has noted (1998: 34), an aspect of women's newly acquired freedom has been 'the freedom not to have to organise ourselves into politicized groups'.

Despite a lack of enthusiasm for participating in formal organisations, women across CEEC have become involved in numerous groups, primarily small and local, organised around issues such as domestic violence - a previously unacknowledged problem in CEEC. Particularly significant, however, has been the development of transnational networking by CEE women's groups. Exasperated by the unwillingness of 'most of the major political parties' across the region to consider women's expectations and anxieties (Rueschmeyer 1998:

286), the United Nations system has become a focus for lobbying by women's groups pressing for implementation, by their governments, of the 1995 Beijing 'Platform for Action' (OSKA 1998a). Increasingly, too, attention has focused upon the potential for EU officials, in the context of enlargement negotiations, to influence CEE governments.³

These responses to the adverse effects of transition upon women's political and economic status are indicative of the continuing debate over the status of women in CEEC. The model of women's emancipation imposed under state socialism - in many cases upon highly traditional societies - lacked gender analysis or even acknowledgement of gender as a social construct. This continues to be reflected in difficulties in translating or finding social equivalents for the concept of gender, as well as scepticism concerning its relevance to CEEC (Regulska and Roseman 1998: 24). While debates and analyses within CEEC are constantly evolving, and gender studies is becoming established in academic departments, awareness of gender as a relational concept has been slow to develop. Consequently attention continues to focus primarily upon the status of women. Nevertheless, the differences between CEEC are such that generalisations quickly become untenable. Below, in an attempt to highlight some contemporary issues, a brief study is presented of the Polish case - where 'transitional backlash' has been particularly severe but where there is a relatively strong women's movement.

The Polish case

In Poland, since 1989, debates about women's status have been intense, and the Catholic Church has been highly proactive in leading the 'transitional backlash' against the social and political advancement of women (Titkow 1998: 29). While protracted controversy over abortion provided an initial focus for women's mobilisation, from the mid-1990s the issues pursued by women's organisations became much broader.

At the elite level, these debates are reflected in the positions adopted by the two broad coalitions which have dominated Poland's fragmented political system. Between 1993 and 1997 the governing coalition comprised the Alliance of the Democratic Left (SLD) and the Polish Peasant Party (PSL). Secular in orientation and espousing a social-market ideology, the SLD-PSL coalition was receptive to lobbying by women's organisations and introduced a number of measures supportive of women's advancement. These culminated in the April 1997 National Action Plan on Women, which reflected the (then) government's Beijing commitments.

The October 1997 general election saw a major shift in Polish politics. The government elected at that time, also a coalition, was dominated by Solidarity Electoral Action, itself a coordinating body for some thirty socially conservative, centre-right groups, many of which have religious affiliations. The smaller coalition partner, the Freedom Union, combined a neo-liberal economic orientation with secularism and relatively liberal social policies. The *modus vivendi* reached between these disparate groupings, gave Freedom Union responsibility for economic policy while Solidarity Electoral Action was responsible for, amongst other areas, social policy, religious affairs and education.

During the office of this coalition (October 1997 to October 2001) diminution in elite commitment to women's equality was a matter of great concern to Polish women's organisations. Indeed provided the stimulus

for concerted action. In 1998, for example, an NGO Association was created specifically to protest against the government's departure from the Beijing commitments of its predecessor.⁴ Among the Association's concerns were the removal of women's issues from the mandate of the (former) Plenipotentiary for Women and the Family. In addition to this name change, and the appointment of a highly conservative male politician to the post (Kazimierz Kapera) the new government dismissed the entire staff of the Plenipotentiary's office. This was among the earliest acts of the new administration and was accompanied by spending cuts which clearly demonstrated the government's unwillingness to commit resources to this policy area. These included failure to implement the programme on domestic violence launched by the previous government, which entailed loss of United Nations funding.

The policy shift on the part of the Polish government was noted in the Commission's 1999 progress report on Poland's readiness for accession, which expressed 'concerns about the need to make progress on national policies improving the treatment of women' (Commission 1999b:14). Subsequently, in 2000, Poland was the only CEE applicant (bracketed with Turkey) which again failed to make any progress in implementing women's rights legislation (European Voice 2001, 5-11 April).

A further policy reversal following the 1997 elections was the abolition, by the new 'Plenipotentiary for the Family', of the monthly consultative NGO Forum, which considered the gender implications of government policies and programmes. This abandonment of an embryonic mainstreaming strategy accords with the present government's contention that women's equality is already protected by existing laws. This contention requires examination.

The principle of equal rights for women and men is established by Article 33 of the new (1997) Polish Constitution. There is no elaboration of this principle, however, nor is there any means of checking whether it is contravened by existing or new legislation. The Polish Labour Code also incorporates this general principle, but again there is a lack of specific provisions, not least in relation to recruitment. As a consequence 'employers do not try to make it a secret that they prefer to employ men'; moreover it is common practice to require women to provide certificates declaring that they are not pregnant (Women's Rights Center 1998a: 2). In addition to general provisions on the principle of equality, Section VIII of the Labour Code deals with 'Protection of Women's Work'. Article 176 contains a key provision - 'Women shall not be employed in work which is particularly onerous or harmful to health. The Council of Ministers shall, by regulation, specify a list of such work.' Originally (from 1979) women were prohibited from employment in more than ninety occupations. In 1996 the list of prohibited occupations was shortened - for example women are now permitted to drive buses and trams - and divided between those affecting all women and those affecting only pregnant and breastfeeding women.⁵ The overall impact of these provisions is to deny women the right to make decisions concerning their own well-being.

Poland's present 'protective' approach is incompatible with EU equality legislation and will require amendment prior to accession. The central issue, then, will be to ensure that the general principles of equality already enshrined in Polish law are given practical expression. This will require the development of an effective

equality machinery - an area where EU practice is likely to have influence; and where Polish NGOs, lawyers and parliamentarians have for some time been actively lobbying. There has, for example, been considerable pressure for the introduction of an 'equal opportunity act'. Ironically, among the issues raised by the present government in opposing the draft bill, was its potential incompatibility with EU law (Fuszara and Zielińska 1998a: 4). It is surely significant that, in the debate about the position of women in Polish society, EU policies and principles, variously interpreted, are regularly cited by both sides.

. In the general election of October 2001 the Solidarity-led coalition was heavily defeated, and replaced by the SLD-PSL coalition. However the reasons for Solidarity's defeat lay in perceptions of incompetence and corruption rather than rejection of its socially conservative policies. Indeed the continued influence of 'traditional' values is evidenced by the development of the ultra-conservative League of Catholic Families, which won 8% of the vote in 2001 and has subsequently increased its level of support. It is also evident within the Peasant Party (the junior member of the governing coalition) and its right-wing rival, the populist agrarian Samoobrona (Self-Defence) movement, which won 10% of the vote in 2001 and is also growing in support (European voice 2001, 8-14 November). Consequently, although the new (Socialist) prime minister has expressed verbal commitment to gender equality, including liberalisation of abortion, he is also acutely aware of the need to placate Catholic opinion in advance of a projected 2003 referendum on EU membership. Thus, in discussions with the new government reported in the Polish media in December 2001, Pope John-Paul is said to have expressed support for Poland's membership of the EU, provided that this is not achieved 'at the cost of Polish tradition and identity' (European Voice 2001, 13-19 December). In consequence, while the political climate is undeniably more favourable towards women's demands than during the tenure of the previous government, it is probable that Polish women's organisations will continue to struggle in their efforts to advance women's interests. It has long been their hope that the EU might assist. Thus, in July 1998, nineteen Polish women's organisations addressed a joint appeal to the European Commission Task Force on enlargement -

We are aware of how seriously the issue of gender equality is treated in the EU. We would therefore greatly appreciate it if you brought to the attention of the Polish government the importance of developing and implementing equal status policy... (OSKA 1998b).

Examination of EU policies towards CEEC, however, provides a disappointing picture of limited success and missed opportunities.

EU policies towards CEEC

After 1989, EU policies towards CEEC developed incrementally, from basic trade and aid agreements to increasingly close association and, ultimately, pre-accession strategies intended to assist CEEC in taking on the responsibilities of the *acquis*.

During this process a strong argument was made that aspects of the *acquis*, including social policy areas such as gender equality and safety at work, should be set aside to facilitate accession. While this argument for a phased adoption of the *acquis* did not prevail, the Commission's White Paper on enlargement (Commission 1995b) clearly established the Single Market as a central priority. The absence of gender analysis from the White Paper is notable. It generated fears (European Parliament 1995: 82) that CEE governments would be encouraged to regard gender inequality, and other social problems, as unimportant.

Agenda 2000 fuelled these fears. Despite the EU's proclaimed commitment to a gender mainstreaming strategy, no attempt was made to integrate gender issues - which were absent from the main body of the report. Neither did the appended Commission Opinions on individual applicant countries attempt to mainstream gender; they merely included a reference to 'equal opportunities' as a distinct area of social policy. It was concluded that, in all candidate countries, the basic provisions of EU anti-discrimination law were largely covered by national legislation (Commission 1997d). However, the entire policy area is dealt with in a few brief sentences, similar for each applicant country, and there is no reference to problem areas such as Poland's 'protective' women's policy.⁶ Rather more space is devoted to the failure of CEE governments to insist upon the EU's preferred labelling for cigarette packets.

The failure to mainstream gender in *Agenda 2000* generated strong fears that enlargement will entail a general weakening of EU equality policy (Commission 1997b; European Parliament 1997, 1998a). Despite these fears, there was no attempt to mainstream gender in the Accession Partnerships negotiated in the wake of *Agenda 2000*. It is thus unsurprising that the Commission's progress report on gender mainstreaming (Commission 1998b) identified enlargement as an area where greater effort was required. Despite this, Commission's subsequent Reports on progress towards accession also fail to mainstream gender.

In the absence of a mainstreaming strategy, dialogue with CEEC on equality issues has focused upon the legal aspects of the *acquis*; that is adoption of anti-discrimination legislation in conformity with EU norms. Since adoption of the legal *acquis* is a requirement of accession which can readily be monitored, this pragmatic approach is regarded, by Commission officials, as the most effective means of influencing policy; and of generating debate about issues of equality within CEEC (Interviews, Commission September 1999).

There is some evidence that this approach has borne fruit. Thus, some CEE governments have been willing to move towards EU practice more broadly through, for example, establishment of an equality machinery. In the case of Slovenia, it is argued, establishment of a parliamentary commission and a government office for women has been part of a 'well planned effort to do anything that will enhance the country's chance of being admitted to the European Union' (Renne 1997: 6). And in the case of Hungary:

Problems of gender were pushed to the side until Hungarian politicians bumped into European expectations about gender discrimination. Soon, government offices, boards and departments were established to institutionalise the defense of women's interests. The only people missing from the picture were women. Ascady 1998: 78)

Such innovations in CEEC may be dismissed as mere lip-service. It is noteworthy, nevertheless, that calls for similar equality institutions have been strongly rejected by the Polish government. Potentially, such bodies can be utilised by women to effect change; they can also serve to generate debate, and hence broaden awareness of gender issues.

As the Commission anticipates, awareness may be raised as a consequence of adoption of the equality *acquis* and related measures. However, the ability to encourage gender sensitive policy in CEEC, and to raise awareness of gender issues across a wide range of policy areas, would undoubtedly have been enhanced by a systematic attempt to integrate gender during the pre-accession period. Areas where this approach might usefully have been employed include the Phare (assistance) programme and the detailed, bilateral screening of CEEC legislation conducted by Commission officials during 1998-99.

Mainstreaming gender in the context of the Phare programme would have heightened awareness of equality issues within the public administration and NGO sectors of CEEC. In practice, however, no attempt was made to integrate gender at any stage of the programme, from planning to implementation. Thus, for example, gender equality considerations were not among the criteria for project approval. Commission officials and contracted agencies were not required to ensure that women, who tend to be well represented at lower levels in both the public administration and NGO sectors, were included in project management teams or selected as participants in EU-funded training programmes.

The pre-accession screening is a second area where a mainstreaming approach might usefully have been employed. This involved a lengthy process of bilateral meetings between Commission officials and CEE representatives (concluded in June 1999), which examined the policies of each CEE systematically, and in considerable detail, in order to assess compatibility with the *acquis*. The process was not simply a technical exercise, it involved discussion of implementation issues and an element of bargaining. In this context, mainstreaming would have necessitated consideration of gender issues across all policy areas, providing a useful learning experience for EU and CEEC officials alike.

Following the practice in *Agenda 2000*, however, gender issues were considered during the screening process only in the context of the 'equal opportunity' element of the formal social policy *acquis*. Doubtless bilateral discussion of this policy area between Commission officials and representatives of applicant countries provided opportunities to clarify and discuss its broader implications. And there are indications that these discussions were influential. In Poland, for example, proposals for a new 'family policy' based upon a male breadwinner model, which were current at the time of the social policy screening, were subsequently abandoned. Thus the screening process provided an opportunity to influence CEEC policy prior to commencement of the formal accession procedures (Interviews, Commission, December 1998). In consequence the failure to mainstream gender across all policy areas represents an important opportunity lost.

Given these failures, there is a need to identify the impediments to integrating gender in the context of EU policies towards CEEC.

Mainstreaming gender: impediments to EU actorness

EU actorness, it has been argued, arises from the interaction between presence, opportunity and capability. In relation to CEE, opportunity is clearly apparent, while presence is undoubtedly formidable. Indeed the influence afforded by its presence has been used by the EU to shape CEE transition processes and policy development across a wide range of issue areas. While, in the highly sensitive area of gender relations, the ability to influence CEE policy will inevitably be limited by deeply embedded socio-cultural values within CEE societies (as it continues to be within the EU) this does not explain the failure to exploit presence and opportunity in this policy area. Rather we must look to the various dimensions of capability, in particular the two areas previously highlighted – commitment to shared values and policy coherence/coordination.

Shared values?

The Union has committed itself to a set of broad and over-arching values, which it seeks both itself to uphold and to promote externally. Among these is promotion of gender equality, which it currently seeks to achieve through a mainstreaming strategy. What, then, are the prospects for acting upon shared values; by integrating gender in EU practice?

It is noteworthy that, within the EU, the prerequisites for introduction of a mainstreaming strategy are largely in place.⁷ Indeed they are considered to be particularly well established in the EU context (Council of Europe 1998: 23-33). The strategy has developed from a solid basis of equality policies which have shown progression, over time, from a narrow focus upon equal treatment in employment to a comprehensive 'women's policy' by the early 1990s (Hoskyns 1996). Moreover, the relatively high profile of EU activity in this area has ensured that there is considerable awareness of EU efforts on behalf of women, particularly at the elite level (Bretherton & Sperling 1996).

Relative success in some areas of internal and external policy indicates that the EU is capable of pursuing such a mainstreaming strategy. In external policy there is, however, a sharp contrast between the failure to mainstream gender in relation to enlargement and the relatively successful integration of gender issues in development policy, where the efforts of the Directorate-General concerned are said to 'merit special mention' (Commission 1998a: 6). Since development cooperation is a policy area where gender mainstreaming has long been emphasised, the relative progress achieved in that area might have been anticipated. Nevertheless, the Phare programme resembles development assistance in many respects, so that the absence of progress in relation to enlargement is less predictable.

In terms of values, then, it can only be concluded that, while gender equality is a value espoused by the Union, it occupies a subordinate position within a hierarchy of values. Foremost among these, in relation to enlargement, have been neo-liberal market principles. This has resulted in a lack of high level political commitment to prioritising gender equality issues in the pre-enlargement period.

Policy coherence/coordination

In areas where mainstreaming strategies have been introduced, for example structural funding, the record of implementation is patchy. Implementation record indicates that impediments to gender mainstreaming remain within the EU decision-making and implementation processes. For example, despite frequently reiterated commitment to the strategy, the Commission (1998a:11) notes that 'lack of high-level backing' in the DGs remains an impediment to coordination of this horizontal policy area. This doubtless reflects the fact that, despite sustained efforts to increase participation by women in decision-making (Commission 1991; 1996a; Leijenaar 1997), there remains within the EU institutions considerable imbalance among personnel at the higher grades, with a marked clustering of women in the lower grades. There are, nevertheless, significant differences between DGs in levels of commitment to the mainstreaming strategy. Some explanation for these differences, and for the absence of a mainstreaming strategy in relation to enlargement, can be found at the level of bureaucratic culture within the Directorates-General.

Prior to the reorganisation of the Commission in 2000 (when DG Enlargement was created) primary responsibility for enlargement lay with DGIA, which dealt, also, with Common Foreign and Security Policy (CFSP). This reflects the genesis of EU-CEEC relations as a priority of the nascent CFSP in the immediate aftermath of the Cold War. While the Commission cannot be said to operate a traditional foreign office, there was a preoccupation with traditional foreign policy, or 'high politics' issues, (and a corresponding lack of interest in 'low politics' issues) among senior officials and seconded Member State diplomats. While the contemporary agenda of international politics suggests that this distinction is untenable, it continues to be reflected in policy style and bureaucratic culture. Indeed recent analysis has highlighted the contrasting processes through which issues were constructed within DGIA and other, internally oriented, DGs (Mörth 2000).

From a feminist perspective, too, there is a considerable literature dealing with the failure to consider the gender dimensions of 'high politics' issue areas.⁸ Here it is noteworthy that DGIA was one of very few DGs which, at the time of the Commission's 1998 'progress report', had failed to nominate an officer responsible for gender mainstreaming (Commission 1998b: 5). Since gender equality was perceived as a 'low politics' social issue for which responsibility lay elsewhere, DGIA did not participate in the internal processes for gender mainstreaming within the Commission. This demonstrates that the policy responsibilities and bureaucratic culture of individual DGs can be an important factor in determining the extent to which 'organizational life' is masculinised (Davies 1999); and hence levels of receptiveness to ideas about gender equality.

Enlargement, however, is not simply a matter of foreign policy, nor indeed of external policy more broadly conceived; it is a highly complex process through which the external becomes internal - hence requiring the involvement of all Directorates-General. Coordination of this process, including the Phare programme, was the responsibility of hard pressed DGIA officials.⁹ Inevitably they were subject to intense lobbying, not least by other DGs interested in influencing policy prioritisation in CEEC (Interview, Commission, December 1998).

Here, given its responsibility for the social policy *acquis*, it might have been anticipated that DGV (now

DG Employment and Social Affairs) would have exerted influence. However DGV was itself internally fragmented and its officials were preoccupied, during the late 1990s, by major internal reorganisation. Thus, while DGV undoubtedly promoted gender mainstreaming in policy areas within its remit, in the context of enlargement it has lacked the capacity to establish its perspective on social policy issues areas. During the crucial early years of policy development these were, in consequence, influenced primarily by DGXVI (Regional Policies and Cohesion). Within Phare this produced an emphasis upon regional development, and associated devolution of programmes, which was not conducive to awareness raising on gender issues (Interview, Commission, December 1998).

Clearly there have been and remain significant impediments to gender mainstreaming in relation to enlargement. These arose, in part, from lack of awareness and expertise among DGIA officials. This has been greatly exacerbated, however, by the complexities of enlargement as an external/internal process, in which problems of horizontal coordination inhibit development of a systematic mainstreaming strategy. The relative weakness of DG Employment and Social Affairs has compounded these problems. Despite a commitment by Anna Diamantopoulou, when appointed Commissioner for Social Affairs in 2000, to introduce a range of measures to strengthen horizontal coordination and implementation of the mainstreaming strategy (Commission 2000), numerous problems remain. The internal fragmentation of the Commission, and ensuing competition between Directorates-General, has ensured that no agency has been equipped to promote a comprehensive mainstreaming strategy across DGs. In relation to enlargement, gender mainstreaming was thus a casualty, not only of the inhospitable internal culture of DGIA, but also of the bureaucratic politics of intra-Commission rivalry.

Conclusion

In the context of the EU's proposed Eastern enlargement the potential for EU actorness and influence has been unprecedented. Despite this, there has been a notable failure to pursue formal commitments to integrate gender across all EU activities. This is a cause of great concern. Women's status in CEEC is both deteriorating and contested, and among sectors of CEE elites and societies there has been a backlash against women's advancement. Opposed to this, however, is an increasingly active women's movement, and a growing awareness of the importance of gender analysis to policy development. In recent years this has been associated with orientation towards the EU as a source of support. By neglecting to integrate gender during the pre-accession period, however, the EU has failed to capitalise on its presence, and hence realise its influence, in promoting gender awareness in CEEC.

Within the value-system to which the EU proclaims commitment, the low priority accorded to gender issues in EU-CEEC relations demonstrates that obligations to mainstream gender equality will not be permitted to obstruct the *real* mainstream. This comprises commitment to market construction and the perceived economic and political benefits of enlargement. More deeply embedded within the mainstream, however, are values, ideas and practices constitutive of patriarchy.

As a process through which the external becomes internal, enlargement will be an important determinant of the EU's future character. In these circumstances, given the significance of EU actorness in relation to CEEC, the failure to prioritise gender issues in the pre-accession period can only signify overall lack of commitment to gender equality as a core value of the Union. While enlargement to the East will enhance opportunities for creative alliances between women, present evidence suggests that it will also contribute to the dominance of values, and interests, antithetical to achievement of gender equality.

Notes

1. Gender mainstreaming attained treaty status at Amsterdam (Article 3.2 TEC). However the strategy was introduced in the *Third Medium-Term Action Programme 1991-95* (Commission 1991). In 1996, following EU commitments at the 1995 Beijing World Conference on Women, the mainstreaming strategy was formalised and strengthened (Commission 1996a; 1996b).

2. Inevitably, women's experiences differ significantly both between and within CEEC. Rural-urban divisions are a particularly important influence on women's priorities, while issues of concern to ethnic minority or migrant women may differ markedly from those of the majority. Unfortunately, space does not permit exploration of these differences.

3. This was evident from interviews with representatives of women's groups in Poland (July 1999). Subsequent discussion with Commission officials (September 1999) confirmed a similar situation in other CEEC and in the Baltic Republics.

4. The *Women's Association for the Equal Status of Women and Men-Beijing-1995* is now active across the region, coordinating a network of NGOs from nine CEEC.

5. Occupations from which all women are excluded are those requiring heavy or intensive labour or involving exposure to high noise or vibration levels. Also prohibited is work underground or at high altitudes, or where there is exposure to electro-magnetic fields and radiation. Pregnant women cannot work in areas of extreme climate change nor be exposed to low levels of electric energy (for example an unprotected computer screen). Night work, overtime work and business trips are prohibited for pregnant women (Women's Rights Centre 1998a: 4).

6. The Opinion on Poland reads as follows -

On equal opportunity, the basic provisions of EC non-discrimination law between women and men are covered by Polish legislation, but the non-discrimination principle is not always respected in areas such as equal pay for equal work. The difference in pay between women and men is considerable. Legal adaptation is also necessary for parental leave. (Commission 1997d: 14)

7. The prerequisites identified by the Council of Europe (1998) include:

1. Political commitment at the highest level.
2. An existing equality policy upon which to build.
3. Prior establishment of a robust equality machinery.
4. Widespread awareness of gender issues among policy makers and the public.
5. Substantial participation by women in decision-making processes at all levels.

8. See, for example, Enloe (1990), Peterson (1992) and Steans (1998).

9. In addition to substantially increased workload without commensurate increases in staffing, morale among DGIA officials was affected by a major reorganisation of the external relations DGs in 1998, which coincided with the screening process.

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