Facing Obstacles to Change – implementing EU gender equality policies in Central and Eastern European Countries

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On May 1st 2004 the European Union was enlarged with ten new countries. Eight of these share a common background as satellite states of the former Soviet Union and today three more are candidate countries for an EU membership. These countries share a state-communist past. In terms of gender equality this affects the countries’ norms regarding gender and the conception of equality between the sexes. The EU has an outspoken commitment to gender equality and has throughout the years developed a number of Equal Opportunity Policies to combat the problem with gender discrimination within the EU. What happens when the EU is implementing these policies into the former communist countries and norms from two different environments meet?

The thesis aim to critically review and discuss EU equal opportunity policies concerning the labour market in the former communist countries from perspectives of neo-institutionalist and contemporary feminist theory. The discussion concern obstacles to change and the creation of norms regarding gender equality, and whether the specific background (the communist experience) shared by the countries of the Eastern Europe might have implications for the process.
The thesis uses a multi strategy approach, combining text studies, interviews and quantitative data. The analytical framework consists of concepts relating to change and norm formation from cultural neo-institutionalism and a feminist perspective. The input consists of the present rules and roles in the former communist countries and the existing EU equal opportunity policies. The situation that appears when the perspectives meet is analysed from a critical feminist perspective based on modern debates regarding the east-west dichotomy within the school of feminism. By adding concept of change from the school of cultural neo-institutionalism the situation can be evaluated from a norm creating perspective. This creates an opportunity to discuss potential future scenarios.

The findings of the thesis show that there is a significant difference between the theoretical foundation for a discussion on gender equality between the EU15 and the CEEC11. This is reflected in a lack of gender awareness in the CEEC11 acknowledged by both NGOs and EU officials. The implication of this is that the EU is challenged to make the public aware of the importance of these values. They are forced to create a change in the norms governing gender equality in the CEEC11. However, the findings also show that the EU is somewhat uncritical towards its own role as the norm shaper in the process. There is a need for the European Commission to reflect over the present equal opportunity policies in order to create sustainable change. If the EU fail to do so it will most likely be the uncontested norm-holder and socialisation ceases to be a two way process. The consequence may be ineffective policies.

Nyckelord
Keyword
Gender, Neo-institutionalism, Feminism, EU-policies, Gender Awareness
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Definitions of Concepts

CEEC11: The countries which the study will discuss will be denoted CEEC11. These countries include the new post-communist member countries of the EU; Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia, and the post-communist candidate countries; Bulgaria, Romania.¹

Communist State: A state ruled by a single political party following the principles of Marxism-Leninism.

Transition: In politics transition is change from one political system to another, example dictatorship to democracy. Political scientists, sociologists and anthropologist has for some time argued that the term “transition” should be discarded on the grounds that the word implies and unproblematic trajectory and a destination that is known. ² In the case of the former communist countries the term transition countries chiefly implies their transition from a planned economy to a market based.

¹ Croatia was not an official candidate country when the work with the thesis started and will therefore not be included in the study.
1 Introduction

“What Poland still needs are stuntmen and dare devils, not somebody who will spend time putting on makeup or going to the hairdressers” Lech Walesa

1.1 Introductory Background

The European Union represents a very diverse set of states, covering different religions, historical, political and cultural backgrounds. With the 2004 enlargement of the EU, 10 new member states add yet another dimension of experiences to the already substantial mix. Eight of the new member countries in the EU have been part of the Soviet bloc and subjected to the policies of the Soviet regime. Eight of the former communist states are now full worthy members of the EU and three others are waiting to join.

During the accession period a number of subjects have been up for debate. The EU has outspoken commitments to values of human rights and democracy, values stated for the candidate countries already in the Copenhagen criteria. One of the criteria includes gender equality as part of human rights. The European Union has worked with policies on gender equality since the 70’s. The development has now lead up to a policy of gender mainstreaming which the EU has worked with for the last nine years. Working with gender mainstreaming adds an additional dimension to gender and equality, the policy itself demands that the implementers believe that there truly is an oppression of women caused by the power structure in society. This new approach to policy construction in gender related issues is more than a simple policy, it is a norm in itself and as such it is also a carrier of meaning.

In the former communist countries women have had an equal role in society, but the fundamentals of that role differentiated from the fundamentals of the women in the west. The achievements of gender equality were to a large extent the result of policies generated by the communist regime. These policies were generally not supported by the citizens as the policies did not regard the reality of women's lives in the communist state.

3 New member countries; Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia. Candidate countries; Bulgaria, Romania, Turkey, Croatia
4 Romania, Bulgaria and Croatia
5 See p. 33 on The Copenhagen Criteria
6 See http://europa.eu.int/comm/enlargement/intro/criteria.htm# Copenhagen Criteria
The complex realities of post socialist gender relations can possibly have long run consequences on gender and equality in the new member and accession countries. However, most reports on the issue are uncritical to EU policies in the area, accepting and urging governments of the states in Eastern Europe to comply with the criteria. It is crucial for future successful policies to acknowledge differences and obstacles to positive change. There is a need now to discuss the possible impact of the Soviet legacy on gender relations in the former communist countries.

1.2 Objective and Research Questions

The objective of the thesis is to critically review and discuss EU equal opportunity policies concerning the labour market in the former communist countries from perspectives of cultural neo-institutionalism and contemporary feminist theory. The discussion will mainly concern obstacles to change and the creation of norms regarding gender equality, and whether the specific background (the communist experience) shared by the countries of the Eastern Europe might have implications for the process.

In order to facilitate the study the aim is broken down into four research questions;

- How has the EU worked with gender equality in the labour market in the former communist countries and what is the situation like at present?
- Which are the main obstacles to change in the gender equality field in the post-communist countries?
- How will the EU apply policies and thinking that have developed in a liberal democratic setting to countries which are in transition from state communism?
- What possible effects can the realities of gender equality in the former communist countries have on the legitimacy of the EU equal opportunity policies in Eastern Europe?

The research questions help to structure the empiric sections of the thesis and are central for the analysis. The aim of the thesis is not to test a hypothesis. The idea is to develop general propositions through the research questions and the concepts of change and feminist theories introduced in the theoretical chapters.

1.3 Delimitations

The study discusses the EU gender equality policies concerning the labour market in the former communist countries. The countries which the study will discuss, will be denoted CEEC11 (Central and Eastern European Countries). The countries include the new post-communist member countries of the EU; Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia, and the post-communist candidate countries; Bulgaria, Romania. Croatia is not included in this study since it was not an official candidate country to EU membership when the

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work with the thesis started. The study is limited to the conditions in these countries and the possible effects EU’s actions might have on gender equality. I study the developments and impact of EU legislation from the point in time when these countries became candidates to an EU membership. I only aim to discuss the material from the viewpoint of the theories in the theoretical framework of the thesis.

1.4 Thesis Outline

Chapter 1. Introduction: The opening chapter describes the purpose of the thesis. Furthermore, methodology, relevant literature and analytical concerns are discussed.

Chapter 2. Processes of Change – A Theoretical Framework: The chapter is focused on different theoretical assumptions, introducing a number of concepts related to policy change and norm-formation. I want to put forward some concepts of change from cultural neo-institutionalisms and initiate a discussion concerning the obligations of a state in relation to its citizens. The theoretical framework will form the background for analysis and interviews.

Chapter 3. Theorizing Feminism – when East meets West: Chapter 3 continues the theory section and introduces a broad picture of the basic thoughts in mainstream feminism, constructionism and essentialism. The chapter continues by describing the features of state-socialist feminism and contemporary East-West feminist debates.

Chapter 4. Reference Framework: The chapter explains the authors view on the theoretical perspectives from chapter 2 and 3, how the theories have been used to set up the empiric part of the thesis and finally how the empiric material and the theoretical perspectives will come together in the analysis.

Chapter 5. EU and Gender Equality: This chapter starts the empiric section of the thesis and presents the different policy models on gender equality of the European Union. It will also provide information about the implementation of the gender equality policies into the legal framework of the accession countries. For this purpose both primary and secondary sources will be used, as well as interviews with officials at the European Commission.

Chapter 6. Same, But Different?: Chapter 6 will draw a rough picture of the situation on the labour market concerning gender equality in the CEEC11. In order to achieve this I have taken into account the Joint Assessment Papers, external sources from the World Bank and documents assessing the impact on gender due to the EU accession on the status of women in the labour market.

Chapter 7. Voices of the East: Chapter 7 is the last chapter in the empiric section and mirrors the opinions of different women organisations in the CEEC11. Attention will be directed at the gender equality situation in respective candidate country’s labour market and the possible gender impact of the EU membership.

Chapter 8. East meets West – Obstacles to Change: The empirical data and interviews are analysed and discussed from neo-institutionalist and feminist view points.
Chapter 9. Conclusions: Concludes the main findings of the thesis.

1.5 Methodology

1.5.1 Research Structure and Analytical Design
The thesis is mainly qualitative in its character, but there are also quantitative elements central to the analysis. The thesis is qualitative in the sense that it primarily sets out to answer the questions “Why?” and “How?”. The aim is to increase the understanding, define and explain the perception of gender in the CEEC11s, not to measure results. Qualitative studies are especially useful for this purpose. But in order to achieve this, quantitative data is necessary to illustrate the actual situation at hand. Hence, the other question which needs an answer is “How many?” In the thesis the hard data and the soft data will complement each other and give additional depth to the study.

The methodological aim has been to find a purposeful structure that would be efficient in relation to the research aim and the research questions. As always, problems have arisen during the course of the study. These problems will be elaborated and made visible in this section.

It should be remembered that this particular study is not made as an example of a general trend. The conditions of the enlargement of the EU to include the former communist countries are very specific. The thesis aim to show and discuss the obstacles that the EU has to deal with in order to successfully understand the gender dimension in these countries.

The choice of theory and material will be discussed in detail in this chapter. The methodology entails documentation studies of primary and secondary sources as well as interview transcripts. The theories used consist of concepts of change from cultural neo-institutionalist perspectives and present feminist debates on the east-west dichotomy.

1.5.2 A Multi-Strategy Approach
There are different strategies for combining qualitative and quantitative data. In this particular case I have used the qualitative and quantitative approaches parallel at data collection and data analysis. The purpose is to see both the quantitative and the qualitative sides of a phenomenon.

The opponents to a Multi-Strategy approach are usually those who strongly believe that qualitative and quantitative research are connected to different paradigms. By choosing your research method you also choose which paradigm you “believe” in. Still, a multi-strategy approach to research is becoming more

11 Svenning, Conny (2000) Metodboken, Lorentz Förlag
and more common due to a softer attitude to the divide between the research methods and the “baggage” that they carry.\footnote{Bryman A (2001) p. 419}

The multi-strategy approach has been used to combine the apprehensions of the women organisations with a statistical and official illustration of the situation in the candidate countries.

1.5.3 Theoretical Perspectives

I have chosen theories from neo-institutionalism and feminist discussion on western/eastern views on gender equality. Schimmelfennig and Sedelmeier point out that the enlargement of the EU preferably can be analysed from a neo-institutionalist perspective.\footnote{Schimmelfennig F & Sedelmeier U (2002) Theorizing EU Enlargement: Research Focuses, Hypotheses, and the State of Research, Journal of European Public Policy 9:4 August 2002, p. 500-528} However, by combining the neo-institutionalist approach with present debate in feminism, another interesting dimension is included.

Chapter 2 of this thesis “Processes of Change – A Theoretical Framework”, is dominated by the thoughts of March and Olsen and their work Rediscovering Institutions, 1989.\footnote{March G, James & Olsen P, Johan (1989) Rediscovering Institutions, The Organisational Basis of Politics, The Free Press, New York} With this book they introduced a new, more dynamic, way of viewing institutions. This new view point is particularly significant in combination with the ideas of feminism. Feminism, as do other strands of theory concerned with power relations in society, is bound to be involved in a discussion around their own influence and creation of different situations and expressions in society. The paradigm itself demands that the followers of the theoretical approach twist and turn the scene. Feminism demands institutionalisation of the norms of the paradigm in order for justice and equality in the world to be fulfilled. When feminist thoughts (buried in the policies of the EU) reach the CEEC11 then only interesting things can happen. Another important discussion on what the state ought, and ought not to do was initiated by Bo Rothstein in 2002\footnote{Rothstein, Bo (2002) Vad Bör Staten Göra? Om Välfrådsstatens Moraliska och Politiska Logik 2ed., SNS förlag, Stockholm}. In his book he discussed the effects on the legitimacy of the state caused by the actions of the same. EU policies on gender equality have consequences in two directions. First; will the norms be institutionalised? Second; what happens if they are not, or even if they are? How will the impact of the EU policies on the CEEC11 reflect back on the EU? The thought is essential for the success of gender equality policies in the future. I will use the ideas of Hedley Bull (1932-1985), who dealt with similar issues to Rothstein, but at a far more general level. Bull saw the problem of legitimacy as a world problem and in The Anarchical Society (1977)\footnote{Bull, Hedley (1977) The Anarchical Society: A Study of Order in World Politics, Palgrave, Basingstoke} he discusses the ethnocentric perspectives of the western world and the impact this “supremacy of values” might have in the long run.

The feminist theory in relation to the east-west dimension is represented by Peggy Watson and Barbara Einhorn. Barbara Einhorn, professor at the University of Sussex, has made a major contribution to the field of gender equality studies

in Eastern Europe with the book "Cinderella Goes to Market- Citizenship, Gender and Women’s Movements in East Central Europe." She maps the developments concerning gender issues in Eastern Europe. She accounts of women’s position before and after the fall of state socialism. Einhorn’s analysis discusses gender relation from angles of sociology, economics and politics. Peggy Watson specialises in theorising the transition to democracy after communism and the reformulation of gender and post-communism. She is active at the University of Cambridge (UK).

1.5.4 Documentation Analysis and Text Material

Part of the empirical material in the thesis consists of official EU documentation and legislation. In this thesis the documentation and legislation play a crucial role in explaining how the EU has approached the enlargement and the problems of the gender dimension. One of the pillars of the thesis, which the analysis will use as a starting point, is the EU approach so far and whether or not it is sufficient to cope with the specific conditions of the former communist countries.

The documentation and legislation has mainly been gathered from the official website of the European Commission. However, In order to identify the most relevant legislation and policies I have browsed the website of the European Women Lobby and studied articles and literature on the subject.

In the first part of chapter five, EU Equal Opportunity Policies, I have included theoretical academic articles and literature in the study. The articles and literature have been essential in order to structure and add depth to the documentation and legislation at hand. The flora of different approaches is wide but clearly some research is more relevant for this study. Teresa Rees, Professor of Labour Market Studies at the School for Policy Studies at the University of Bristol is one of those who have thoroughly researched the development of EU Equal Opportunity policies. Sonya Mazey, Faculty Lecturer in the Department of Politics and International Relation at the University of Oxford, is another key actor. She is focusing her research on policy learning and transfer. Another scholar in this field is Andrea Pethö, Department of Political Science at the University of Miskolc in Hungary. Pethö concludes in an article from 2003 that there are very few proactive works on the mutual implication of EU enlargement as far as the norm of gender equality is concerned.

1.5.5 Secondary Data

Normally there is a distinction between primary and secondary data. The primary data is the data the researcher collects by using some data collection method. Secondary data is data collected by others, i.e. information which already been interpreted by others.

Primary statistics over the gender dimension of the labour market in the CEEC11 is impossible to collect for the sole purpose of this thesis. However, secondary

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19 Einhorn, Barbara (2004) “Cinderella goes to market- Citizenship, Gender and Women’s movement in East Central Europe”, Verso, London
21 European Women’s Lobby, www.womenlobby.org (09.08.2004)
22 Pethö A (2003) p. 81-86
23 Hålvorsen, Knut (1992) Samhällsvetenskaplig Metod, Studentlitteratur, Lund p. 72
data is ideal when studying historical trends and social change.\textsuperscript{24} In this case the sources are Joint Assessment Reports prepared by the candidate countries and the EU and statistics aggregated by the World Bank and Eurostat.

The Joint Assessment Papers are developed within the “JAP process”. Key challenges and policy priorities were identified in a “Joint Assessment of Employment Policy Priorities” (JAP). The reports were developed in cooperation between the General Directorate for Employment and Social Affairs and each candidate country. The ways the candidate countries had worked with the challenges and policy priorities were further examined in a follow-up process. Documents provide an assessment of country specific developments and present a description of recent economic and labour market developments.\textsuperscript{25}

The World Bank report on Gender in Transition was prepared as a consequence of concerns raised about how economic transition in poor countries affects women. The report combines quantitative and qualitative data. The report relies chiefly on data from the Gender Statistics database of the World Bank and data from UNICEF.

When using secondary data the researcher has to carefully consider the validity and reliability of the data. Is the data representative? In the case of the statistics provided by the World Bank this seems to be a minor problem. The statistics are already gender specific and the sole purpose of the report and the data base is to allow other researchers to draw conclusions from the material. The data base\textsuperscript{26} is originated with the sole function of providing gender specific statistics for the purpose of research. Gender-specific statistics constitutes a rather new field. Normally data is simply divided by gender. Gender-specific statistics on the other hand are built on concepts and definitions designed to detect gender-differentiated conditions and characteristics and gender interactions.\textsuperscript{27} The Joint Assessment reports identify and discuss problem areas, based on surveys made by the candidate countries and the EU. The reports are valuable to the research in the sense that they provide a joint assessment of the problems in the candidate countries. The assessment reports are based on official statistics that the candidate countries and the EU base their priorities and sequential decisions on. Hence, these statistics are important determinants of the actions taken by the EU.

\textbf{1.5.6 Interviews}

I have conducted qualitative interviews with the purpose to shed light over, firstly, the European Commissions views on the impact of gender equality policies on the CEEC11, and secondly, to get an inside perspective on the gender equality issues from the women organisations in the former communist countries. The goal has been to achieve first-hand information that would serve as primary

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\textsuperscript{24} Halvorsen K (1992) p. 73


\textsuperscript{26} On the World Bank website it is possible to read more about the continuous work with statistics and development/gender issues. http://www.worldbank.org/data/aboutdata/aboutdata.html (12.06.2004)

\textsuperscript{27} Food and Agriculture Organisation of the United Nations, http://www.fao.org/DOCREP/003/X2919E/x2919e03.htm, (15.08.2004)
sources of data for the discussion. During the course of the study I have conducted three interviews with officials at the European Union and six interviews with persons working for different women NGOs in the former communist countries.

The interviews were semi-structured. Semi structured means that a set of central questions, which are related to the research questions of the thesis, are created. The interviews are left open in the sense that every single interview have been coloured by the impulses of the interviewee and the interviewee’s motivation to speak about certain subjects. The individuals who are interviewed are left to freely express their answers and were thereby given the opportunity to communicate their meanings and understandings. Depending on who is being interviewed the questions can be asked in different order. Moreover, the open ended interview, structured around a set of theme questions, also provides the possibility to nuance the questions to make them better fit the interviewee and the interviewee’s knowledge of the explored area. It gives an advantage to be able to recreate, develop and specify the questions if the questions are not sufficient in relation to the information which is sought after.\textsuperscript{28} In feminist research it is common to use qualitative interviews. Feminist researcher Anne Oakley argues for an interview which contains a high degree of trust between the interviewee and the researcher. It takes account of the perceptions held by the interviewee and does not contain a hierarchical situation.\textsuperscript{29}

The selection of the interviewees was based on their expertise in the studied field. The interviewees were found through websites and via snowballing. The main website used was TRIALOG. It is a website provided by the EU in order to shed light upon NGOs in the former communist states. TRIALOG contains a NGO database which I used to identify relevant interviewees.\textsuperscript{30} I was also helped by representatives from the former communist countries on the board of the European Women Lobby. European Commission officials were found through the official website. One of the interviewees at the European Commission I was recommended to contact by another interviewee. The interviewees are divided into two groups. One group represents the European Union and work with the accession countries and gender equality on the European commission on a day-to-day basis. The other group consists of women working in NGO’s in the former communist countries. They are all working on a macro level, meaning that they primarily work with strategic issues rather than grass root practicalities. Since the main purpose of the thesis is to discuss policy change and norm formation, the micro level and the more practical work among the “grass roots” are not relevant in order to fulfil the purpose of the thesis.

Due to financial and time limitations the interviews were conducted by phone. Some methodological concerns are connected to phone interviews. The researcher can not pick up on the interviewee’s “non-verbal behaviour”, see the interviewee’s body language or affect the environment which the interview is

\textsuperscript{28} Bryman A (2001) p. 301-305  
\textsuperscript{30} TRIALOG –Development NGOs in the enlarged EU. TRIALOG is a project to raise awareness of development policies in the enlarged EU and to strengthen dialogue and partnerships between development NGOs in accession countries, EU countries and developing countries. http://www.trialog.or.at (10.08.2004)
being conducted in. On the other hand, the distance which the phone interview ensures minimises the risk of the interviewee’s answers being affected by the researcher’s appearance (age, class, sex etc.)\(^{31}\) The interviews were recorded in order to facilitate the analytical work. All interviewees agreed to be taped and the interviews were transcribed as soon possible after the interviews took place.

The chapter with the interviews mainly contains quotes from the interviews, which is a thing that some critics claim just proves that the researcher has not worked through the material. However, it was never my main intention to generalise by using an average. I want the interviewees to have their own “voices”, to show that the opinions and comments in the chapter are truly theirs. It may be argued that the representatives of the women organisations are bound to have similar view on the situation in the CEEC11 due to network interaction and shared cognitive maps developing from that interaction. To some extent, obviously, this is a valid point of argument. I do find, however, that the interviewees often visualise their more abstract statements with practical examples from their respective countries. This adds credibility and individuality to their statements. The practical examples also ensure that responses reflect actual problems that are representative for all women, not just the interviewees.

### 1.6 Methodological Concerns

The thesis differentiates between the candidate countries of the former communist countries (CEEC11) and the others (by others meaning Malta, Cyprus and Turkey). The assumption being that the CEEC11 have a common bond which makes it possible to discuss them as a group, at least with respect to women issues. Generalizations are bound to be problematic, yet they are difficult to avoid. Obviously there are domestic differences between countries such as Latvia and Poland. Nevertheless, it would also be wrong to overlook the fact that women in these countries have a lot in common, their shared socialist past. Their lives are coloured by common experiences. For generations it was the norm for women to go out and work. However, the main point of the thesis is to discuss obstacles to change and the creation of norms and whether the specific background (the communist experience) shared by the countries of the Eastern Europe might have implications for the process. It is fully possible to carry the argument without going closer into the different situations of the respective countries. The EU discusses the enlargement countries as a group in a number of policy documents and the legislation as a whole obviously concerns all countries regardless of specific situations.

As mentioned before, the statistics are based on secondary data. The denominators might be different depending on where the statistics originate from and who gathered it. Different social institutions and settings in a country may influence the accuracy of the statistics. Nevertheless, the overall policy decisions in the EU are made upon those statistics and therefore I do not believe that it is a problem to include them in the thesis, especially since it is those policy decisions that I will discuss.

The selection of material and interviews are made to reflect the situation at hand as much as possible. By letting both expert officials from the European Commission and experts from NGOs in the candidate countries give their view on

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\(^{31}\) Bryman A (2001) p. 128f
the situation, and combining this with quantitative statistics, reports and theoretical references, I believe I have created a correct picture of the situation. It is easy to fall into the trap of looking for proof of things being in a specific way and this has been an important point to keep in mind during the work.

1.6.1 Thoughts on Theory

The theoretical approaches, feminism and neo-institutionalism, are often subject to critique saying that the assumptions are non-falsifiable and that, in the case of neo-institutionalism, the different strands of theory fail to explain different aspect of institutions.

If we look at the historical institutionalism, one of the main criticisms has to do with the concept of ideas and the creation of institutions. They argue that when an idea becomes accepted and materialises in an institutional form, then the idea is institutionalised. Some call this tautology, the institution exists when the idea is accepted, but the acceptance is indicated by the presence of a structured institution. In that respect the historical institutionalists twist and turns but are somewhat unable to answer the questions; when does the creation of an institution occur? Their framework is based on the long lasting effects of policy choices. So why and when do change occur? The explanation appears to be that change come from outside, through learning by other environments.\(^\text{32}\) The sociological institutionalists are stronger in explaining the process of creating institutions and therefore it seems proper to combine the two.\(^\text{33}\)

One future requirement on neo institutionalism might be to find better ways of testing the theory. The relatively few independent testable hypotheses make it possible to find excuses for abnormalities. If there is always an emergency exit, then it is difficult to prove or disprove any hypotheses about the impact of institutions on individual behaviour.

However, all of the above taken into account, the approach is still important. It provides an alternative perspective on politics and it is crucial to understand how institutions function considering that most actions happen within institutions. Combining the different neo institutional strands of theory provide an opportunity to compare the different instruments of explanation and elaborate on the possibilities connected to them. It is also in combination that they provide the clearest picture. Neo-institutionalism brings in issues of a moral character to the debate, the creation of meaning and the relevance of values, as a counterbalance to the perspective of individual maximisation, and the rational, technical and economical answers. Adding aspects of morality and meaning provides a more complex level of logic and a higher level of abstractness, far from simple calculus explanations.


\(^{33}\) Peters B G (1999) p. 97-112
2 Processes of Change – A Theoretical Framework

This chapter is focusing on different theoretical assumptions, introducing a number of themes related to change in the different strands of neo-institutionalism. The themes will form the basis for the discussion in the analysis and the empirical findings will be viewed through this theoretical lens. Firstly, the importance of the approach is highlighted by Schimmelfennig and Sedelmeier and secondly, the themes are described.

2.1 Themes

For the purpose of this thesis I will use the ideas of Schimmelfennig and Sedelmeier and view the gender equality issues of the east from a neo-institutionalist perspective. This will be achieved by introducing themes formed in the context of the different cultural approaches within neo institutionalism. By combining these theoretical perspectives I join Guy Peters, Peter Hall, Rosemary Taylor and many others in their argument that the approaches to institutionalism should be seen as complementary. Peters argue that there may be a need to blend together the different versions of neo-institutionalism to achieve a more complete perspective on the political system, and by combining the approaches the researcher will reach a greater level of understanding than if only a single approach had been applied. Four main themes, of relevance to this study, have been identified and the analysis and empiric material build on these;

- The logic of appropriateness
- Path dependence
- Institutions as norm-shapers
- The role of the state- Legitimacy

The themes will be elaborated in the following paragraphs. However, after recapitulating the ideas of Schimmelfennig and Sedelmeier, I firstly intend to facilitate the reader’s understanding of the above themes by giving a background to the ideas of cultural neo-institutionalism.

2.2 EU – A Need to Theorise Institutions

In Theorising EU Enlargement Frank Schimmelfennig and Ulrich Sedelmeier recapitulate the theoretical development with regard to the EU enlargement and the present state of research. They point out the far-reaching implication of the EU enlargement for the institutional set-up and the policies of the European

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34 The rational institutionalism could be a relevant theory depending on how the underlying reason for the GM is viewed. (Assuring EU’s position on the international arena by introducing a cheap and relatively simple approach, can be a rational way to increase influence and thereby maximise winnings, however the focus is on the norm building approach which is taking place whichever rationale the EU had to begin with)

35 Peters B G (1999) p.2
Community. They claim that there has been a case of theoretical neglect in the study of the EU enlargement. Neither of the classical approaches to integration has fully covered the different aspects of the EU enlargement. Schimmelfennig and Sedelmeier claims that the enlargement literature mainly consists of policy oriented single case studies, analysing single enlargement rounds of single organisations and single member countries. Important aspects of the enlargement are thereby ignored – such as the pre-accession process, substantive policies and the impact of the enlargement on both the EU and the accession countries. They argue that the reasons for some of these shortcomings are

“an under specification of dependent variables, and a neglect of important dimensions of enlargement and an under specification of causal factors or independent variables, and a subsequent neglect of exploring alternative explanations.”

Schimmelfennig and Sedelmeier define enlargement as a process of institutionalisation.

“A process of gradual and formal horizontal institutionalisation of organisational rules and norms. Horizontal institutionalisation takes place when institutions spread beyond the incumbent actors, that is, when the group of actors whose actions and relations are governed by the organisation’s norms becomes larger.”

By doing so they connect enlargement to the study of institutions and opens the analysis of enlargement to the establishment and effects of institutions. The focus of the study of enlargement becomes wider when it also includes the impact of horizontal institutionalisation in the applicant countries, the member states and the organisation itself, a dimension which has received comparatively little attention. Schimmelfennig and Sedelmeier mean that it is often asked how enlargement affects the “distribution of power and interest in the organisation” and how the enlargement affects “the efficiency of the organisation” and the “integration within the organisation”. However, they claim that equally relevant is the question of impact on new members and on non-members. Hence, the main question would be:

“How does enlargement change the identity, the interests, and the behaviour of governmental and societal actors? Under which conditions do they conform to the norms of the organisation?”

Schimmelfennig and Sedelmeier state that rationalism and sociological institutionalism are two suitable theories to deal with this question. The specific type of subject will determine which theory is most useful. The basic difference between the theories is that rationalist institutionalism emphasises the instrumental and efficiency-enhancing functions of international organisations, the emphasis being on gains and losses. Sociological institutionalism on the other hand sees institutions as autonomous actors with constitutive and legitimacy-providing functions. The organisations are “community representatives” and “community building” agencies. Thus, if you study enlargement in a sociological institutionalist perspective the analysis primarily consists of values, norms and

36 Examples; Neo-functionalism, Transactionalism, Neo-corporatism.
37 Schimmelfennig F & Sedelmeier U (2002) p.502
38 Schimmelfennig F & Sedelmeier U (2002) p. 502
39 Schimmelfennig F & Sedelmeier U (2002) p. 504
40 Schimmelfennig F & Sedelmeier U (2002) p. 507
41 Schimmelfennig F & Sedelmeier U (2002) p. 509
societal identities. Consequently, the higher degree of community, the faster and deeper the process of horizontal institutionalisation. 

2.3 Neo-institutionalism

Neo-institutionalism has its roots in institutionalism. Institutionalism is a classic part of political science. It is descriptive to its character and is mainly focused on formal-legal arrangements. The rather “what you see is what you get” oriented institutionalism was heavily criticized especially by the behavioural political scientists. They claimed that the analysis of law and institutions did not cover all the relevant variables and therefore could not explain policies and power. Moreover, the focus on facts displayed a lack of theoretical foundation, neglecting that these facts could actually acquire meaning. With the behaviouralists’ entrance into the political scientist arena, institutionalism became less significant. March and Olsen put institutionalism back on the agenda by adding new dimensions to the field. They viewed institutions as autonomous and added new dimensions, acknowledging values, meanings and norms as part of the institutions.

According to Municio neo-institutionalism sets out to create an alternative analysis of society. The neo-institutionalists strive for a macro analysis, that is an analysis which says more about the society at large than the individual institutions which construct it. Neo-institutionalists criticise the way in which institutions have become entities which are apprehended in market terms, efficiency being the core value. Institutions main tasks have been reduced to finding optimal solutions to technical problems. The alternative that neo-institutionalism provides is a perspective which emphasises human rights and devotes time to argumentation about how to achieve the “good” society. Politics has an educating function and the citizen is part of a democratic discussion. Municio points out that institutions are carriers of meaning and the neo-institutional perspective is an attempt to include the activities in society which create meaning in the analysis.

2.3.1 Cultural and Calculus

Neo institutionalism incorporates not one school of thought, but three. The historical, rational choice and sociological institutionalism have developed during the last fifteen years. They all have in common that they try to clarify the role institutions play in the formation of political and social outcomes. In institutional analysis the two main questions are,

“how to construe the relationship between institutions and behaviour and how to explain the process whereby institutions originate and change.”

If you ask how institutions affect the behaviour of individuals, there are two identifiable answers from the neo-institutionalists’ point of view. One approach is

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42 Schimmelfennig F & Sedelmeier U (2002) p. 513
43 Schimmelfennig F & Sedelmeier U (2002) p. 515
46 Municio I (1995) p. 38-41
called the calculus approach and the other is called the cultural approach. The central theme in the calculus approach is the strategic action taken by individuals. Institutions provide them with information and decisions are made to maximise benefits. The main role of institutions is to provide a degree of certainty which help individuals determine the actions of others. The calculus approach is connected to the argument taken by the rational institutionalists.\(^{48}\) Opposing the calculus approach is the cultural approach, which claims that human behaviour is not just strategic; it is dependent upon the individuals world view. From a cultural perspective the role of an institution is claimed to be the following;

"Institutions provide moral or cognitive templates for interpretation and action. The individual is seen as an entity deeply embedded in a world of institutions, composed of symbols, scripts and routines, which provide the filters for interpretation, of both the situation and oneself, out of which a course of action is constructed. Not only do institutions provide strategically useful information, they also affect the very identities, self images and preferences of the actors."\(^{49}\)

March and Olsen builds on the cultural approach as they argue that institutions play a significant role in creating the identities of societies and individuals, hence what it means to be part of a collective. The institutions represent paradigms and ideologies that put focus on certain issues whilst distracting focus from others. They reintroduced institutionalism onto the academic arena by connecting it to behavioural models and arguing "that interests and preferences develop within the context of institutional action".\(^{50}\) March and Olsen believe that institutions are more than reflections of social forces.

"Institutions are also; "collections of standard operating procedures and structures that define and defend values, norms, interests, identities and believes."\(^{51}\)

By this statement they mean that if the institutions are viewed as being autonomous we can treat them as independent political actors. In this thesis the "institution" itself is defined in the words of Clemens and Cook in the spirit of sociological intuitionalism:

"Institutions exert patterned high order effects on the actions, indeed the constitution, of individuals and organisations without requiring repeated collective mobilisation or authoritative intervention to achieve these regularities."\(^{52}\)

According to this definition of institutions, for example money and marriages are institutions or, as in the case of this thesis, the persistent patterns concerning gender equality in the labour market of the former communist countries.

2.3.2 Logic of appropriateness

One of the main concepts in March and Olsen’s version of institutionalism is the "logic of appropriateness". March and Olsen argues that political institutions are "..collections of interrelated rules and routines that define appropriate actions in terms of relations between roles and situations".

In this process the actor has to identify and acknowledge the rules of the institutions in order to make the appropriate decisions. Once the rules are learned the actors are going to apply them in every situation, new and old.\(^{53}\)

\(^{48}\) Hall & Taylor (1996) p. 939  
\(^{49}\) Hall & Taylor (1996) p. 939  
\(^{50}\) March & Olsen (1989) p. 16  
\(^{51}\) March & Olsen (1989) p. 17  
The rules can be of three kinds; based on political or organisation authority or what is here discussed as "appropriate behaviour". When referring to rules March and Olsen indicates

"the routines, procedures, conventions, roles, strategies, organisational forms, and technologies around which political activity is constructed. We also mean the beliefs, paradigms, codes, cultures, and knowledge that surround, support, elaborate, and contradict those roles and routines".  

The main point March and Olsen are trying to make is that behaviour is connected to the existing social norms and therefore action is based on a normatively appropriate behaviour rather than on an individual rational agenda. In their definition of rules they include beliefs, paradigms, codes and cultures, hence the base on which the norms of the society exist. The idea of this appropriate behaviour is normally developed in a learning process and internalised through socialisation.

According to March and Olsen the political community shares history, a definition of a common good and, through that, a common understanding of what the rules for appropriate behaviour are. Institutions and culture shade into each other. The rules ensure that the society is kept together, that there is a shared belief in what are good reasons for action. Individuals in a society commit to the norms, beliefs and practices embodied in the institutions. However, it is not only the society (compromised by individuals) that influences institutions. Institutions have a responsibility to educate citizens into “knowledgeable citizens”. A knowledgeable citizen is described as someone who is acquainted with the rules of appropriate behaviour and therefore understands actions taken by institutions, and the citizen can justify them by reference to the requirements of a larger order.

Hall and Taylor claims that there is a distinct understanding of the relationship between individuals and institutions. In sociological institutionalism institutions are said to be associated with roles to which certain “norms of behaviour” are attached. Individuals are socialised into specific institutional roles and internalize roles connected to the associated norms. That is how institutions affect individual behaviour. This is often called “the normative dimension of institutional impact”. It describes how institutions provide meaning to social life and affect the preferences and identity of the individuals.

Campbell discusses the issue of what bestows legitimacy or appropriateness on some institutional arrangements and not on others. Campbell puts forward an explanation which claims that institutional practices evolve from an interactive process in a given network. The actors in the network discuss problems, how to interpret them and how to solve them. By doing this the actors develop shared cognitive maps. This results in a common understanding of what constitutes appropriate institutional practices. The practices are then widely implemented. Later in this chapter some of Jacqueline True’s argument on transnational norm formation will develop this idea further. She argues that it is evident that these processes are taking place on a transnational scale. She too believes that
exchange in international regimes encourage shared understandings which affect domestic politics.

2.3.3 Path dependence

One of the main problems this thesis is concerned with is the different concepts of social appropriateness that might divide the east and west. The concept of path dependence provides a useful explanatory background to this subject.

Historical institutionalists claim that the same forces or circumstances will not necessarily produce the same output. The output is dependent on social causation, the context in which actions take place is likely to have an effect on the final result. The context is a result of the historical development. Moreover, institutions are considered to be persistent features and therefore “one of the central factors pushing historical development along a set of paths”\(^{59}\). Historical institutionalists often return to the role of ideas in shaping policy. Once the idea becomes an initial policy, a pattern is created, and unless there is some extreme force sufficient to overthrow it, the established pattern will persist forever, hence, path dependency. Moreover, as new policies are created on the basis of the old policies (to correct or better), the path dependency becomes very extensive. If the initial choice is inadequate, institutions must find some way to adapt or they will no longer exist. In a sense historical institutionalism is an evolutionary theory.\(^{60}\)

A number of historical institutionalists stress the impact of policy legacies on subsequent policy choices and others stress the importance of policy conditions and how they encourage societal forces to organise along specific lines and to particular identities. Historical institutionalists emphasise unintended consequences of the institutions rather than picturing them as purposive and efficient. Historical institutionalists try to locate institutions in a causal chain and take into account socioeconomic factors and the diffusion of ideas.\(^{61}\) In all, historical institutionalism takes into account the patterns created in our past and how those might affect society and institutions today. If we do not understand the initial decisions we will not understand the logic of the development of that policy.

2.3.4 Norms and the foundation for legitimacy

March and Olsen give an interesting argument concerning the development of preferences and beliefs. March and Olsen draws from an argument by Daft and Weick when stating that

“...understanding of events and their value are connected to previous understanding, to the understandings of other people, and to social linkages of friendship and trust”. \(^{62}\)

March and Olsen discusses the concepts of seeing and liking. They connect a number of assumptions to their argument. Some of these bring up the idea that people see what they are expected to see and like what they are expected to like.

\(^{59}\) Hall & Taylor (1996) p. 941
\(^{60}\) Peters B G (1999) p. 64f
\(^{61}\) Hall & Taylor (1996) p. 942
\(^{62}\) March & Olsen (1989) 42ff
"Individuals come to any particular choice situation with a set of values, attitudes and opinions. These values are substantially fixed. Changes that occur within a relative brief time period face problems of consistency with the pre-existing attitude structure. In some cases, the restrictions imposed by this presumption will dominate the behaviour. The role of social norms in facilitating the interpretation of events and attitudes is a familiar theme in the analysis of social behaviour."

March and Olsen argues that the political system consist of individuals characterised by; varying degrees of trust and integration into the political system and varying patterns of interaction. Individuals are integrated to the extent to which they accept responsibility for the political system and feel that the actions of that system are fundamentally their actions, or the actions of those they trust. The converse relation with the political system is alienation. Individuals are alienated from the political system if they do not accept responsibility and feels that its actions are neither their actions nor the actions of others whom they trust. What the individuals see and what they like will be dependent sources of information (which of the sources they are exposed to, and which of these exposed to they trust). The learning process becomes related to interactive processes such as discussion and influences. Attitudes spread through the contact network which is characterised by variations in trust.

2.3.5 Institutions – norm shapers

Rothstein discusses the institutions as autonomous and with the capacity to be norm shapers. When a political actor creates an institution, not only does the actor change what in the future will be considered rational, this actor changes what others will consider as morally correct behaviour. The existing moral level in society is simply a product of the institutions which the citizens and their representatives have created. Rothstein points out that the social norms are the product of institutional relations which have been created through political decisions. Hence, it is not specific types of social norms which create specific institutions; it is specific institutions which create specific norms.

March and Olsen welcome the idea of institutions as autonomous entities, capable of transforming political interest. They view institutions as a source of vitality in political life and shapers of the political community. So when do norms change? March and Olsen expresses it as follows;

"There are situations where citizens are more likely to become aware of the values, concepts, beliefs, and institutions by which they live. Typically in such situations the political institutions and the ways in which they organise the relations between citizens, elected representatives, bureaucrats and experts, and organised interests are re-examined and possibly modified, transformed or replaced. In general, changes are produced through some kind of encounter between the rules (or actions based on them) and an environment, partly consisting of other rules."

63 March & Olsen (1989) 44
64 March & Olsen (1989) p. 42ff
67 March & Olsen (1989) p. 164
68 March & Olsen (1989) p. 166f
The argument is connected to the idea of appropriate behaviour, which obviously is connected to existing norms in society. In other words, appropriate behaviour changes through new experiences and influences from other environments.

Anders Sannerstedt adds the dimension of policy formation and implementation on the somewhat abstract reasoning of March and Olsen. He argues that decision makers often make decisions with the purpose of persuasion, shaping citizen’s interpretation of reality. The policies are not created to become powerful instruments. On some occasions the aim might just be to legitimize current politics by creating pointless measures to meet a trend. Measures such as these regard the symbolic values in political life. Statements are made to create the impression of intelligent and fair politics. Sannerstedt rejects the idea that this behaviour would be hypocritical. He claims that politics need not be about concrete action, it is also the interpretation of reality. Politics is the power over the mind just as much as power over actions. However, when decision makers create programs aimed to affect people’s behaviour, the programs have to build on a correct causal theory. A policy based on an incorrect interpretation of reality would never be fulfilled no matter how well it was implemented. 

Sociological institutionalists believe that identities can be formed in the context of states’ interaction with other states in international regimes or just plainly “the world system”. This perspective argues that states learn and become embedded in global norms that shape their domestic conduct, particularly their obligations to citizens. Hence, this limits the sovereign powers of a state. What norms/institutions are likely to be transferred and adopted? Stanford school of sociological institutionalists propose that institutions are most likely to be adopted by states where domestic norms are close to the global norm or in post colonies which want to increase their international reputation.

If norms flow over boundaries due to networking of various kinds, these norms have serious implications for international relations. If we accept True’s and the sociological institutionalists’ argument we accept that the domestic/international dichotomy is dissolving. Domestic policies are no longer created in a relative autonomous environment; hence it would change the understanding of what is possible in international relations.

2.3.6 The role of the state

In Vad Bör Staten Göra? (What should the state do? auth. translation), Bo Rothstein argues the importance of norms as forming the welfare state. He claims that in order for norms to be fair they have to be based on the normative apprehensions of the people. Institutional arrangements reflect a specific moral logic which affects the outcome of a process. He poses the question; what is the state going to be like: neutral or normative?

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He claims that there are two basic ideals; the autonomous state and the communitarian state. If the state is autonomous the right of the individual comes first. The market rules and protection is offered on an individual level. The right to equal treatment is the right to have one's interests treated as well as someone else’s. The second ideal is that the state ought to provide some collective moral principles, hence not be neutral in relation to values and norms. The state has a responsibility to promote certain values and thereby points at the ways of living that are of a superior kind. Rothstein exemplifies this thought by showing how the school teachers in Sweden are supposed to inflect specific moral and philosophical values in children. The state's task is to promote certain cultural values because a majority of the citizens believe that some ways of life are better, have a higher level of moral correctness than others.

### 2.3.6.1 Legitimacy

A state obviously needs legitimacy to function and do "good". March and Olsen argue that legitimacy is established by;

> "...showing that the decision accomplish appropriate objectives or by showing that they are made in appropriate ways. Since legitimacy often depends as much on the appropriateness of intentions as it does on outcomes, political processes are more effective in reinforcing values and celebrating different values sequentially than they are in articulating those values through action."

Making choices in political institutions are in essence a matter of ensuring the public three things;

- Trust that the choice is intelligent
- Trust that the choice regards the wishes of the aimed population
- Trust that the political system is controlled by its leaders and appropriately so

According to the neo-institutionalists trust and the rules it support is based on an interpretation of appropriateness. Neither the individual will of the actor, nor the calculus of political gains and losses or expectation of the future, are more important than historical traditions in the complex set of rules, an apprehension of identity and appropriateness. Rothstein further elaborates this thought by distinguishing between what the state can do and what it should do. He says that the state can appeal to social norms and that these norms are fair, secondly that the implementation of the policy is based on fair play. Thirdly, and this is what the state should do, give the citizens the impression that other citizens agree and contributes to the policy. If these three conditions are fulfilled, the policy will remain unchallenged.

### 2.3.6.2 Supremacy of Values

The legitimacy of a state or an organisation is dependent on a “just” apprehension of the world. Who sets the norms for international behaviour and which are the effects of the norms? By imposing liberal values, the western states imply that others are not just, that they do not know what is appropriate.

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73 Rothstein B (2002) p. 39 f
74 Rothstein B (2002) p. 44
75 Rothstein B (2002) p. 48
76 March & Olsen (1989) p. 50
77 March & Olsen (1989) p. 50
78 March & Olsen (1989) p. 38
79 Rothstein (2002) p. 172
both on a state and individual level.\textsuperscript{80} Hedley Bull is famous for his discussion concerning the possibility of a moral supremacy of western liberal values. Bull argues that states in the international society have different and sometimes conflicting ideas about what constitutes justice. This may lead to an undermining of the order in international society if one state tries to impose their ideas of justice onto another.\textsuperscript{81} Factors such as the economic and social foundation and the network of a state, may decide upon the state’s possibility to actually maintain their domestic sovereignty and determine to what extent that state can survive while not having to adopt values conflicting with their original ideas. Hence, there is a continuous debate concerning whether;

\textit{“the right of sovereignty can be overridden by an allegedly higher moral principle of protecting human rights”}.\textsuperscript{82}

\begin{footnotesize}
\textsuperscript{82} Linklater A (2001) p.118
\end{footnotesize}
2.4 Summing Up

In this chapter I have highlighted a number of themes in neo-institutionalism. I started out by discussing the significance of the approach using thoughts developed by Schimmelfennig and Sedelmeier. They define enlargement itself as a process of institutionalisation, where the group of actors grow and define their community by the same norms and rules. Thereby, Schimmelfennig and Sedelmeier connect enlargement to the study of institutions and opens the analysis of enlargement to the establishment and effects of institutions.

The recapitulation of different ideas from neo-institutionalism is started of by distinguishing four themes which are particularly interesting for the scope of the thesis. These themes are;

- **The logic of appropriateness**
  The idea of the “logic of appropriateness” is introduced by March and Olsen. The main point March and Olsen are trying to make is that behaviour is connected to the existing social norms and therefore action is based on a normatively appropriate behaviour rather than on an individual rational agenda.

- **Path dependence**
  Path dependence is a thought developed in the school of historical institutionalism and basically it takes into account the patterns created in our past and how those might affect society and institutions today. Simply put, if we do not understand the initial decisions we will not understand the logic of the development of that policy.

- **Institutions as norm-shapers**
  In sociological institutionalism, institutions are regarded as autonomous entities able of transforming political interest and norms. March and Olsen claims that changes are generally produced when the rules of one specific environment come across different rules developed in a different environment. Moreover, in a global society the there is likely to be an increase in the flow of rules/norms over state-boundaries and thereby affecting domestic agendas.

- **The role of the state- Legitimacy**
  Bo Rothstein asks whether the state should be normative or neutral and continues with a discussion about the possible effects of that choice. It is established that legitimacy is dependent on the decisions being in accordance with the norms/rules in society and, furthermore, that these decisions are made based on a correct interpretation of the logic of appropriateness.

These themes are related to the research questions, as being kept in mind when forming them, and will play an important part as a foundation for discussion in the analysis. They have also formed the base for the interviews, influencing the character of the interview questions.
3 Theorising Feminism – when East meets West

This chapter introduces a broad picture of the basic thoughts in mainstream feminism, constructionism and essentialism. The chapter continues by describing the features of state-communist feminism and contemporary East-West feminist debates.

3.1 The Concept of Gender and Two Dominating Approaches

In order to discuss gender equality it is of crucial importance to understand the concept of “gender” and the implications of it. Before we take a closer look at the concept of gender, as perceived by constructionists and essentialists, it needs to be pointed out that there is a difference between the concepts of “sex” and “gender”. Gender is a category that was developed to explore what is reckoned as a woman and what is reckoned as a man. The distinction between sex, a matter of biology, and gender, a set of culturally defined characteristics, is significant to feminist theory. Of the two dominating fields, constructionism and essentialism, constructionism will be given the most attention. Among the women lobby in Brussels it is the prevailing norm and it also has the most consequences for the subject studied in this thesis. Regardless of that, it is important to acquire an understanding of both theories in order to understand the essence of feminism and the concept of gender.

3.1.1 Constructionism

According to researcher Yvonne Hirdman the gender concept signifies a qualitative leap, away from simple explanations to the relation between women and men, and into a more penetrating attempt to understand both the obvious and the more subtle parts of the power relationship between women and men and also how the reproduction of the subordination of women is reinforced. She argues that gender does not hold one single, clear definition, instead it should be understood as a concept which contains certain “understandings”. She lists three of these understandings as particularly important:

- The concept of gender demands a deeper understanding of the impact of the social and cultural inheritance for actions taken in society.
- The concept of gender is used to describe a process in which the male and the female are formed and the result is institutional consequences. The social life is distinguished by the process of gender formation which

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create institutions and artefacts, which in turn create order, meaning and generate a new legitimacy to the gender formation.

- Also, this formation creates hierarchies and differences. The creation of gender is notable for its production of differences in a hierarchical fashion. By making, creating and forming differences between the sexes, so are the female inferiority and the male superiority created and formed over and over again. The causal relationship implies that the consequence is that places and institutions become carriers of a “gender essence”.  

Hirdman systemises her argument by theorising in terms of “gender contracts”. In direct relation to her three understandings, she wants us to understand the contract as a culturally inherited agreement. She uses the gender contract as a way of analysing the rules and norms which the gender generates concerning men’s and women’s positions and qualities in a society. The gender order creates a social pattern which can be seen in every society. Hirdman argues that, on this system level, the man has become the norm for “the human being” and become a natural part of institutions and thoughts. This “normality” becomes “law”.

Hirdman finishes of her argument by claiming that the oppression of women is characterised by the control of women’s power of motion in the physical and psychological space. The rationalities of gender, incorporated into the gender contract, are self evident to maintain and obey for the individual who tries to make the best of the existing situation. Hence, both women and men contribute to the maintenance of the order. To revolt against the gender order and in particular against the weak, powerless feminine gender – to break the contract, has in most cases, Hirdman argues, proved unthinkable.

So, in order words, the political project for constructionists is to distinguish sex from gender and to erode the social constructions of gendered identities. The solution is to accept sex differences, but to make sure that the gender does not affect the life of an individual negatively. By taking away the connection between sex and gender, men and women are given the chance to participate equally in public life.

3.1.2 Essentialism

The essentialists are so called due to their claim that women have a pure female essence which are not socially constructed and not coloured by the male domination (opposed to constructionism). Diana Fuss expresses it as “a belief in true essence – that which is most irreducible, unchanging and constitutive of a given person or thing.” She further explains herself by

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85 Hirdman (1990) p. 76ff
86 Hirdman (1990) p. 78
87 Hirdman (1990) p. 79
90 Fuss D (1989) p. 2
exclaiming that essentialism "appeals to a pure femininity outside the boundaries of the social and thereby unattained by a patriarchal order." 91

Hence, while the essentialists view the natural as the determinant of social and political practices, the constructionists would claim that the natural itself was a construction of the social and the political. 92 93

3.2 Feminist Theory - East-West Differences

In the West, all advancement in equality of opportunity or the elimination of discrimination on grounds of sex has been the outcome of political struggle from below. In the East on the other hand, the “policy of women’s emancipation” was an official commitment by the governments of the former communist countries. Theorists, such as Molyneux, has pointed out that

"The persistence of sexual inequalities in socialist countries appears to challenge the theoretical linkage upon which the unity of socialism and women’s emancipation has supposedly rested." 94

3.2.1 The Heritage

The unity was introduced in texts by Marx, Engels and Lenin. The main idea was that women could only be truly emancipated through socialism. The roots of women’s oppression lay not in men’s power over them, but in the institution of private property. Hence, only the overthrow of private property through socialism could truly liberate women. The double burden of dependency upon men and economic dependency, lead to the conclusion that it was crucial for female liberation to have women participating in the labour market. The socialists also claimed that the patriarchal family relations was the outcome of capitalist property relations, thereby saying that by eliminating the capitalist society, the inequalities between women and men would be eliminated as well. Engels wrote;

"The emancipation of women becomes possible only when women are enabled to take part in production on a large social scale, and when domestic duties require their attention only to a minor degree". 95

This theoretical framework was later inherited by the East Central European countries which became socialist after the Second World War. Barbara Einhorn clarifies by saying:

"labour force participation was not only a necessary condition, but also the sufficient condition for women’s emancipation." 96

91 Fuss (1989) p.2
92 Squires J (1999) p. 66
93 However, some feminists argue that the gender concept is unfortunate as it illustrates sex and gender as two mutually exclusive categories. These feminists point out that sex and the biological are constructions just as much as gender. They mean that the gender has become simply a cultural prolonging of the sex (a man automatically gets a male gender). By this reasoning, the door is opened up for a type of social determinism which threatens to replace the biological. Sex is not an essence; it is a consequence of the gender discourse. Butler J (1990) Gender Trouble: Feminism and the Subversion of Identity, Routledge, New York
In “Cinderella goes to market” Einhorn tries to move beyond the rhetoric and reality of “women’s emancipation” in state socialism and examines whether the conditions for the women really was transformed by the political, social and economical transformations. She means that the notion of the woman as a worker and a mother lacks a male counterpart. The man was never described as a man and a father. The woman question was a separate issue and not integrated into the building of an egalitarian society. The effect was gender blindness. Einhorn mentions another problem with state socialism, which effects are still visible; Citizenship rights were conferred from above, articulation of rights by women organising in grass roots organisations was prohibited. Since 1989 the demands of the transition to a market economy has resulted in women being displaced from the labour market. They are back in the family, which is claimed to be their primary sphere of responsibility. In state socialism, the “heroine worker” and “heroine mother” were celebrated. House wives earned official disapproval, except for times when the reproduction of the labour force were threatened, then that prevailed over the need of women’s labour power.\(^97\)

However, the private was very important due to the fact that there were no official civil society. The private was the arena where it was possible to avoid the long arms of the state and the only place for private initiative for most women. This is a major contrast to the private/public dichotomy which is in the centre of western feminist thought. The private was “yelled” at for keeping women in undervalued work in the home, isolating them and preventing emancipation. The emphasis of Western feminists was to get women out of the private and into the public spheres. In the state-communist countries the public/private divide was strengthened due to the oppressive forces in the public sphere. The private became the sanctuary for most women.\(^98\)

### 3.2.2 Present Debates

After the liberation from state socialism various forces of nationalistic character has entered the political arena. They have reinforced the role of the mother as the natural choice for women and society. Market induced pressures and the role of women as promoted by the current ideological forces are together causing women to disappear from the labour market. The economic rights and measures of positive discrimination, which were implemented during state socialism, are now working against women because they are more expensive to employ. The new western type democracy is claimed to privilege the male autonomy. The representation of women in the parliaments and other decision making bodies has decreased dramatically. However, although there were women in decision making bodies during state socialism, they were often tied and could not voice women rights. On the grass root level there is still a major anti-feminist feeling. The women groups which have emerged are tiny minority organisations, of which many are explicitly non-feminist.\(^99\)

Peggy Watson argues that there is a need to deconstruct and separate feminism from the communist experience. Western feminists generally argue that eastern feminists do not know that feminism is, but according to Watson this shows an

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96 Einhorn B (2004) p. 17-21  
98 Einhorn B (2004) p. 6  
underlying assumption by the norm holders, the western feminists, that there is a political sameness for women in the east and west. She claims that the relationship reinstates the West-East structured feminist discourse. The result is an uncontested white feminism.\textsuperscript{100} The result is that when west becomes the outspoken point of reference for the representation of Eastern Europe, a western centeredness structures interpretations of change.\textsuperscript{101}

Watson continues her argument by criticising Western feminists for misreading what is happening in the East European countries after the ending of state socialism. She claims that the discourse of transition implies an ethnocentric expectation by Western feminists that the democratisation will make “them” (the women in Eastern Europe) more like “us” (the women in Western Europe). Watson argues that the introduction of democratisation and a market economy has just reconfigured the patriarchal system, introducing new inequalities for women, and she emphasises that the new developments demand a re-conceptualisation of the meaning of democracy from a feminist standpoint.\textsuperscript{102} Feminist literature has rarely been accessible for the general public. The tradition of feminism that existed previous to communism was silenced by the governments of state-communism. The result is that women believe feminism is an alien import, some describe it as a product of women who put their own self-interest before their nation and people. Furthermore, in the late 1990’s, many values and ideas regarded as Western are viewed with suspicion after the “failure” of democracy and market reforms.\textsuperscript{103} The suppression of the early suffrage has left Eastern Europe in a relative absence of theory.\textsuperscript{104} Therefore, Watson points out, many Western feminist expect them to import and adopt western feminist thinking in an uncritical way. She concludes that it is important “...not to prescribe, but to allow the possibility of difference”.\textsuperscript{105}

Many feminists argue for an added dimension of difference. Gender has been experienced differently and this must be acknowledged. As Watson puts it:

*For instead of expectations based on the idea that in principle democracy represents the opportunity for people to be their “true selves”, democratisation itself can be seen to involve a process of redefinition, where a contest over identity transformation is central to the realisation of change.*

She wants to move beyond gender, looking at what happens within a newly democratic state, establishing property rights and market freedom, changing the conditions for politics and economics, asking in what way new meanings for gender are bound up with democratisation. Especially since democratisation centres around the "institutionalisation of political relations of class"\textsuperscript{106}

When considering the transnational relations of power that structure post-feminist discourse, one must critically review some issues. Watson sums it up by asking the following question;


\textsuperscript{101} Watson P (2000:1) p. 108


\textsuperscript{103} Bull, Diamond, March (2000) p. 6f

\textsuperscript{104} Bull, Diamond, March (2000) p. 14

\textsuperscript{105} Bull, Diamond, March (2000) p. 11f

To what extent, for example, does thinking about transition in terms of linear east west comparison have the effect of eclipsing race, wealth and class – the difference of dignity and voice that, in actually existing democracies, adhere to these – from transnational debate. How far do expectations of change depend on keeping such issues out of play, and how far is the political order within the western democracies also at stake in the discourse of transition? Feminism has to keep a critical eye to the broader political/economic terms of transition.

3.3 Summing Up

The chapter introduces the reader to the two dominating and dichotomist approaches of feminism; constructionism and essentialism. Focus in this thesis is on constructionism, which is the dominating approach. Constructionism aims to take away the connection between sex and gender in order to provide women and men with equal opportunities to participate in public life. They claim that gender is a cultural and social construction of identity, inherited and reinforced by hierarchies and structures in society.

Moreover, the chapter aims to shed light on the theoretical implications of state-communism and the effects it has had on feminist debates. Socialism and women’s emancipation are supposed to (according to the socialist rhetoric) to go hand in hand. Feminism, however, as constructed in the west, has never really reached or been accepted in the former communist countries of Eastern Europe. The private/public argument debated by the western feminists is based on different fundamentals than that of the women in the east. For them, the private was the sanctuary, where they had individual freedom. According to Peggy Watson, the western feminists are norm holders and they claim that the eastern women do not understand feminism. Watson argues that it is time to deconstruct feminism in order to achieve an equal and just view on it. The different ways in which gender has been experienced calls for a re-conceptualisation of the concept itself.

The thoughts put forward in this chapter are of crucial importance in order to pick up on “tones” and “nuances” in the interviews. The ideas are central as a contrast to the EU policies and will be discussed and compared to these policies in the analysis. Neo-institutionalism and feminism are the two tools used to interpret and discuss the results of the interviews and material studies.

4 Reference Framework

Chapter 4 aims to explain the authors view on the theoretical perspectives from chapter 2 and 3, how the theories have been used to set up the empiric part of the thesis and finally how the empiric material and the theoretical perspectives will come together in the analysis.

In order to ease the reading of the empiric section and the discussion I find it useful to elaborate on the explanatory value of the theoretical approaches chosen for this study. There are several reasons for choosing the theoretical approaches of cultural neo-institutionalism and feminism to discuss the development of EU equal opportunity policies in the CEEC11. In the words of Schimmelfennig and Sedelmeier, neo-institutionalism might help answer relevant questions which may be overlooked when other theories are applied. The cultural approach in neo-institutionalism gives an opportunity to consider how the EU enlargement changes the norms and identities of societal actors. Thus, it allows the study to focus around the impact of enlargement on gender equality, the accession countries and the EU. The neo-institutionalist approach strives for a macro analysis which is not just focused on single institutions but rather on society at large, thereby giving an opportunity to discuss the studied subject in more general terms. Moreover, cultural neo-institutionalism contains a normative element which gives additional depth to the discussion.

By combining the cultural neo-institutionalist perspectives with feminism, which is built on theories of power relations and the effects of the prevalence of norms, the study is turned from a general level into the gender dimension. Feminism provides the tools needed to critically reflect around the EU equal opportunity policies and their implementation in the CEEC11’s labour markets. It is from theoretical debates in feminism that modern day gender equality policies have grown. Now feminists are arguing for a re-conceptualisation of democracy and feminism in order to adjust to the new challenges which the enlargement has brought about. This should create new understandings and, hence, new policies.

The theories facilitate a discussion concerning not just the present situation, but also the eventual output. The input consists of the preconditions. We have 11 countries with a shared past in terms of their heritage from the communist era. According to historical institutionalism and path dependence it is reasonable to assume that their heritage has affected the norms and identities of the citizens and the countries in Eastern Europe. On the other hand, there are the shared experiences of the countries in Western Europe, which in the shape of the EU have created a set of policies which reflect those experiences. These two, to some extent conflicting, perspectives meet in the enlargement process. Feminism helps dissolve and explain the difficult relationship which develops when these two perspectives meet. The concepts of change introduced in chapter two helps explaining the apprehensions and norms which shape the two sides. Change is what the EU sets out to achieve. The EU aims to institutionalise the values of the organisation in the new member countries. The cultural neo-institutionalist approach is also interesting to use as a prediction tool. Although,
often criticised for just that, i.e. its lack of prediction capabilities, the neo-institutionalist approaches have a distinct value as a base for discussion. It might not be possible to say that things are certain to happen, but it is possible to say what a potential outcome might be if we assume that the cultural neo-institutionalist approach represents a valid apprehension of society.

4.1 A model version

In order to further facilitate the understanding of the thesis, I have created a model to explain the usage of the theories in relation to the empiric material.

![Figur 1: Model over the flow of the thesis, Empirical and Theoretical](image)

The two **triangles** represent the empiric material, the actual situation in the CEEC11 and the development of EU gender equality policies. The triangles, containing inherited understanding, together create the present situation as described in the empiric sections.

The **rectangles** represent actual scenarios, the one that we can see at present and the potential outcome.

The **circles** represent the theoretical perspectives which are applied on this situation. The perspectives add new dimensions to the implementation of gender equality policies in the CEEC11 and deepen the understanding of the situation.
5 EU and Gender Equality

Chapter 5 will present the different policy models on gender equality of the European Union. It will also provide information about the implementation of the gender equality policies into the legal framework of the accession countries. For this purpose both primary and secondary sources will be used, as well as interviews with officials at the European Commission.

5.1 EU Approaching the East - Labour market and Gender

On the 1st of May 2004 eight of the former communist countries – The Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia - became members of the EU. Two of the former communist countries – Bulgaria and Romania - remain as candidates until 2007.

In order to be accepted as members of the EU, the countries have to conform to the EU regulatory framework and incorporate this into their domestic legislation. The EU Community Framework Strategy on Gender Equality (2001-2005) recognises gender equality as an integral part of economic, social and democratic development. The enlargement Commissioner has pointed out that compliance with equality regulations are a precondition for EU membership.

The Copenhagen criteria are the basic criteria which the EU has identified as necessary to for the candidate countries to fulfil in order to be eligible for membership in the EU.

- Candidate countries have to be stable democracies, where the rule of law and respect for human and minority rights is ensured
- Candidate countries need to dispose of a functioning market economy which has the capacity to compete within the single European market
- Candidate countries are required to transpose the acquis communautaire (common body of EU legislation) into national legislation and to ensure its implementation

Progress is monitored by the European Commission and assessments are published in the Annual Progress reports. All EU legislation on gender equality is in chapter 13 of the acquis, the chapter on Employment and Social Policy. Employment and Social Policy is the only policy area with binding regulations about gender equality. Obviously the former communist countries which became members of the EU in 2004 have done all necessary implementation.

The laws of the acquis communautaire can be divided into primary law, which establishes the European Community, and the secondary law, which originates from the treaties. There are also soft laws adopted by the EU. Soft law is a term

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108 European Commission press release IP/02/1443 from 021009
109 See http://europa.eu.int/comm/enlargement/intro/criteria.htm# Copenhagen Criteria
used for EU policies, which guide the national policies of the member states in fields such as gender equality policy. The most important articles, secondary laws and soft laws concerning gender equality can be found in Appendix 1 – EU Legislation.

The EU examines the laws of the candidate countries in a process of screening. Every year the European Commission prepares progress reports on each candidate country and analyse the developments so far in the accession process. Many women NGOs have criticised the EU for not acknowledging the method of Gender Mainstreaming enough during the screening period. Since the acquis has been transposed chapter by chapter, the overall strategy of gender mainstreaming has not been ensured. The EU also has a Pre-Accession strategy. Its main aim is to help the candidate countries to set up their legal and institutional framework before they become members in the EU. This consists of priority setting combined with financial assistance and participation in Community programmes. The accession partnerships provide an appraisal of the priority areas in which progress need to be made by the candidate country. It also outlines the ways in which the Phare programme will support the accession preparations. Participation in the community programmes by the candidate countries is key to the accession process.

5.2 EU Equal Opportunity Policies

The laws, directives and strategies above are the agenda that the new member countries of the EU have to adopt. However, this is the end product of a long development within the EU. It is imperative to understand the background of the development of EU equality policy, in order to enhance the understanding of how norms regarding equal opportunity have developed and changed within the EU. In order to systemise the information and further develop an understanding for the background of the subject at hand, the development will be illustrated with the assistance of three models concerning equal opportunities developed by Theresa Rees.

5.2.1 The models of Equal Treatment and Positive Action

Rees identifies and separates three models of equal opportunities which are, or have been, used by the EU. The benefits of Rees’s models are that they clearly show a development from the liberal ideas of equal right to the acceptance of differences in women and men’s opportunity structures, explained only by a dominating male structure. It is important to bear in mind that neither of these models are mutually exclusive.

The first of these models is the model of equal treatment. This model is often connected to the first EU equality policies in the 1970s and 80s. It takes its departure from the liberal ideas of equal rights. Rees expresses it as the model; “implies that no individual should have fewer human rights or opportunities than another”. The model stresses the importance of equal conditions and equal legal

113 Interviewee A
The European Union introduced Equal Pay for women and men already in 1957 (Treaty of Rome art. 119). In the 1970’s the growth and strength of the Women’s movement resulted in the European Union beginning to include the issue of gender equality into social policy concerns. Results were, for instance, anti-discriminatory legislation\textsuperscript{115} and the 1976 Equal Treatment Directive which extended equal treatment of women and men beyond pay and onto other areas of working life (training and working conditions).\textsuperscript{116} The first model of equal treatment can be said to be elementary in equal opportunities policy. The problem with the model is its exclusive focus on women’s rights as workers, thereby ignoring the basic source of sexual equality, namely the informal gender contracts (see constructivism). The “public” is in focus and a blind eyed is turned to the “private”\textsuperscript{117}.

The second model rests on the principle of equality of outcome and is called \textit{Positive Action}. The objective of this model is to secure equality of access to the labour market by introducing policy proposals which take account of the special role of women. To be more concrete, positive action requires adoption of specific actions in behalf of women. Model number two perceives women as in need of special assistance in order to overcome shortages, shortages triggered by an unequal starting point in a patriarchal society. Policy results of this model have been for instance, "Positive Action Programmes"\textsuperscript{118}, women only training work shops and family friendly employment policies.\textsuperscript{119} Positive Action programmes have been designed to move beyond the public areas of the workplace and raise awareness of gender equalities.\textsuperscript{120} The model can also involve positive discrimination through quotas. The idea of positive discrimination may be appreciated by feminists, but it remains controversial and questions about the individual rights of the men discriminated against have been raised. The debate over positive discrimination tends to become even more interesting when reviewed in the light of feminist critique aimed at the model of positive action.

\subsection{5.2.1.1 Liberal Ideas and Trouble in Paradise}
Both models described above relate to the liberal idea of citizenship and have been subjected to critique from feminist circles. The most fundamental critique is

\begin{itemize}
\item \textsuperscript{116} Walby, Sonja (2000) \textit{Gender, Nations and States in a Global Era}, Nations and Nationalism 6 (4), 2000, p 523-540
\item \textsuperscript{117} Carol Pateman writes "The public character of civil society state is constructed and gains its meaning through what it excludes – the private association of the family”. Hence, the family is situated in the private, being the concern of individuals; the provisions for citizenship on the other hand are located in the public sphere, predominantly populated by men.
\item \textsuperscript{119} Since the early 1980’s directives on equal opportunities have been complemented by “Positive Action Programmes” on the behalf of women. These programmes are designed to increase the effect of EU/EC equality laws, promote the public knowledge of women’s issues and to promote equal opportunities for women and men beyond the workplace.
\item \textsuperscript{119} Rees T (1998) p. 44
\item \textsuperscript{120} Mazey, Sonja (1998) \textit{The European Union and women’s rights: from the Europeanization of national agendas to the nationalisation of a European agenda}, Journal of European Public Policy 5:1 1998, p. 131-152
\end{itemize}
the one regarding citizenship, representation and equality. These concepts are not neutral in the way they operate. They work in favour of some interests and against others. Women are one of the groups that are affected negatively due to this.

Feminists are generally critical about the conceptualisation of citizenship. They claim that the citizenship is built on a male norm, which excludes half the population and that it stems from a set of values and experiences which privilege men. The citizenship depends on the autonomy and personal resources that an individual needs in order to be able to exercise the associated rights. The citizenship is grounded in the public sphere and women are “held back” in the private sphere by their caring role. In the most far reaching critique it is claimed that the perceived gender neutrality of the citizenship concept has created dependence among women upon the family for survival, hence, creating a feminisation of poverty and social subordination. Jane Lewis has acknowledged this by pointing out that the welfare state by no means provides the citizens with gender neutral policies. She claims that the welfare state promotes ideas, norms and values about women and family. The welfare state is not a neutral and passive mechanism, it is an active force in the ordering of social relations.

Squires focus on both the first and second of Rees’ models, when she claims that policies restricted to equal opportunities shifts the attention from analyses of the structural subordination of women to a discussion about reallocation of resources.

According to the two models described so far, the European Union has moved from a primary concern with women in employment to a more general approach. The prevailing norm concerned solely with women in public life, leaving other women to the non-political sphere of the private (model 1), has altered to a norm which acknowledge the special needs of women due to their situation in the private sphere (model 2). As concluded above, these two models are not considered sufficient to fulfil women’s needs and provide the structural changes which, feminists argue, are necessary to achieve a society with truly equal opportunities. The gender mainstreaming approach is designed to come to terms with the critique against the more conventional equal opportunities strategies. The negative remarks about these strategies serve as the principle intellectual justification for model number 3, the model of gender mainstreaming.

5.2.2 The model of Gender Mainstreaming

The third model brought up by Rees is the model of gender mainstreaming. In the EU the term gender mainstreaming was first acknowledged in 1989 when the preparation of the Third Action Programme on Equal Opportunities between Women and Men (1991-1995) began. This programme was a result of the presence of powerful women in important positions within the European Union and an increasing optimism about the prospects for economic growth created by the progress of the internal market. The potential for economic growth produced

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a positive atmosphere towards social policies in general and equality policy in particular.\textsuperscript{124}

The Gender Mainstreaming approach is a significant change from previous equal opportunity policies. It is politically significant for the reason that mainstreaming is based upon the recognition of gender differences between men and women in terms of their socio-economic status and family responsibilities. According to the European Council the object of mainstreaming is not to help women adjust to the male norm, rather;

"Mainstreaming seeks to take gender equality issues into the mainstream of society, the mainstream consisting of the directions, organisations and ideas which make decisions about the policy and the resources regarding general or specific policies."\textsuperscript{125}

The concept of gender mainstreaming is simple. Sonja Mazey expresses it shortly as;

"A commitment to incorporate gender into all areas of public policy, rather than considering women’s issues as a discrete policy problem."\textsuperscript{126}

Schön and Rein are two researchers who require policy makers to re-evaluate the way in which they frame policy issues. According to them a change like this will in many cases

"..entail questioning of deeply embedded values and practices; as such is likely to be resisted in some quarters."\textsuperscript{127}

Gender mainstreaming is a long term strategy where gender is to be integrated into all public policies in order to achieve equality of men and women in and beyond the workplace. The European Commission expresses the goal as follows:

"Gender mainstreaming involves not restricting efforts to promote equality to the implementation of specific measures to help women, but mobilizing all general policies and measures specifically for the purpose to achieving equality by actively and openly taking into account at the planning stage their possible effect on the respective situations of men and women."\textsuperscript{128}

By introducing the gender mainstreaming approach, the existence of structures and policies which play an important role in life are recognised as institutionalising the "maintenance and reproduction of the social construction of gender."\textsuperscript{129} This implies a change from short term policies which are designed to help women adjust to the existing structures. In the words of Sonja Mazey; the gender perspective gives a;

"long term and potentially radical strategy, which requires transforming not only the mechanisms of policy making, but also the way in which policy issues themselves are conceptualised".\textsuperscript{130}

\begin{thebibliography}{9}
\bibitem{124} Jacobssen H & Brittan D (1991)
\bibitem{126} Mazey S (2001) p. 2
\bibitem{127} Mazey S (2001) p. 3
\bibitem{130} Mazey S (2001) p. 8
\end{thebibliography}
To summarise, the gender mainstreaming approach can be said to engender the policy process.

The benefit of gender mainstreaming lies in acceptance of the politics of difference. The argument between essentialists and constructionists are overcome by this approach.¹³¹

5.3 Views of Commission Officials

These above mentioned instruments of legislation and the consequences of them have been discussed with three different officials from the European Commission in order to deepen the rather technical and legal picture which develops when the enlargement strategies on equal opportunities are studied. Two of the officials are working/or have been working in candidate country teams and one is working in the directorate of employment with equal opportunity issues. The interviews surrounded two main themes; Efforts made by the EU to ensure gender equality in the accession countries and the possible effects of those efforts.

5.3.1 Tools

Generally all three of the officials put heavy emphasis on the screening process and the work put into the adoption of the acquis communautaire. Two of them quoted the main primary legislation concerning equal opportunities, article 2 and 3 in the Treaty of Amsterdam. One of the officials in DG Employment said;

"The law is a very important foundation...to spread the information and make people aware of how the legislation can be used. This will increase the knowledge and raise a debate about how society should be functioning. Eventually the debate will spread to all areas, even those where the EU has no authority to legislate today."

The limitations of the powers of the European Union in relation to the accession countries were also highlighted. That there are no means by which the EU can have more, or separate legislation, in relation to the new CEEC members concerning equal opportunities than towards the EU15.

They also identified other ways in which the EU has, or will be, working with issues of equal opportunities. The EU has invited the candidate countries to seminars on how to deal with gender equality on a national basis apart from the work with the acquis. The EU has the authority to implement community legislation, but it is the responsibility of the national countries to put the legislation into practice. The Open Method of Coordination was identified as a possible main strategy to shed light on equal opportunities issues in the future. One of the officials showed a strong belief in the OMC as a tool to handle social and employment issues in general, but specifically gender equality.¹³³

¹³¹ Mazey S (2001) p. 11
¹³² Interviewee A
¹³³ Open Method of Coordination (OMC) – a process where the member countries report to EU every year about the developments in certain areas. The reports are based on criteria which are decided on in common. Participation in these reports are voluntary and the aim is to gather comparative data through identification of specific indicators. The member countries are measured against each other and the reports are supposed to create a motivation for progress and evaluation. The method is based on five key principles: subsidiarity,
was pointed to as an important method in areas where the EU lacks legislative powers. However, there is no separate OMC report on the progress of gender equality. Instead, issues of gender equality are incorporated into other policy areas according to the method of gender mainstreaming.\textsuperscript{134} All three discuss the EU programmes where the EU financially support the development in the countries based on certain criteria. It is up to respective candidate country how to design the programmes, but the influence from the EU is strong and in many cases there are demands that equal opportunity concerns are incorporated. Apart from that, it is seems as if there are no other measures, (at least not directed towards the former communist countries which became members 1\textsuperscript{st} of May 2004) “They are members now”\textsuperscript{135}

5.3.2 Obstacles and Remedies

The Commission officials generally expressed optimism as to the development of equal opportunities in the labour market of the former communist countries. Still some concerns were raised regarding the need for information, putting institutions in place and also the representation and participation by women in policy making bodies. Official B says;

“\textit{There are no structures in society to really inform and follow the development in this area and foremost these institutions have to be built. The EU has demands in the legislation that the countries should have an equality body; there are demands that the government fulfils the obligations of the legislation. The EU also makes demands that the government follows the developments in the labour market. We cannot say today what is going to happen, but we monitor their national action plans and applications within the structural funds. Yet, it takes quite some work to spread information to the citizens of the candidate countries and for the citizens to understand what it takes to achieve gender equality. It will take time.}”\textsuperscript{136}

Official A expressed it as;

“\textit{The citizens don’t have the necessary information yet. If they don’t understand what it is to be discriminated, then they want try to formulate goals. One of the biggest challenges for these countries (the former communist countries auth.) is to create the institutional mechanisms which enable an information flow about rights and what these rights mean. Hopefully, understanding will lead to an increased debate in the country.}”\textsuperscript{137}

The need for institutions and administrative bodies, to some extent, goes hand in hand with the issue of public participation. Two of the officials explicitly express the need for administrative bodies to be in place. They highlight the importance of backing up the legislation through concrete action plans and that resources have to be created in respective candidate country. However, these responsibilities lie mainly with the countries.

Another major issue which is identified is the political representation and how the power is divided between women and men. Official A points out that many women have been held “hostage” in decision making bodies (during the

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{134} Interviewee C
\item \textsuperscript{135} Interviewee C
\item \textsuperscript{136} Interviewee B
\item \textsuperscript{137} Interviewee A
\end{itemize}
\end{footnotesize}
They are reluctant to be put in a similar situation again. Official C points out the subordinate position held by women in relation to men. The official claims that when the power is primarily held by men there are no forces in government strong enough to ensure gender positive change in the labour markets. Still, two officials point out that there is a need to have faith in the democratic process and that the issues of the power divide sooner or later will be solved.

In general the interviewees were reluctant to acknowledge any particular problems with the implementation of EU equal opportunities policies into the former communist countries. They were also optimistic, believing in integration as an effect of the implementation of EU law into the candidate countries legislation. The point can be illustrated by this quote from Commission official B;

"It is actually a number of other accession countries that has reached this step rather quickly and of course the transposition of the acquis and everything is going relatively quickly. I see it from a positive perspective, that it is a positive reinforcing process. EU accession perspective for 2007 has triggered a lot of positive development which would otherwise not have taken place and I think this also reflects in gender equality." 138

138 Interviewee B
6.1 Overall Impressions

When studying the Joint Assessment Papers, WIDE and World Bank reports, a somewhat contradictory and confusing picture of the former communist countries occurs. By dividing the JAP and the NGOs in two sections I will elaborate further on this subject.

6.1.1 The Joint Assessment Papers

The Joint Assessment Papers analyse the activities on the labour market by the candidate countries and the compliance of these activities with the EU labour market policies. The JAPs are country specific and deals with particular problems on the labour market in each candidate country.

In general, the aggregated macro level statistics which the JAPs are based on, does not show much difference between the former communist states and the EU15. In the beginning of the transition period employment among women sank rapidly and un-proportionally. Around 1993-94 the situation stabilised and at present all of the former communist states show levels of employment among women close to, or better, than the EU15. The same goes for unemployment levels and statistics over economic activity. Statistics from the World Bank confirms this picture of the situation in the former communist states. See Appendix 3 – Statistics for statistical data.

In relation to gender equality, the problem areas identified in the JAPs are similar to those in the EU15. They mainly concern the wage gap between women and men, the concentration of women in low-paid jobs, the under representation of

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139 UNIFEM = United Nations Development Fund for Women
140 The "Joint Assessment Papers on Employment Priorities" (JAPs) are the first step of the cooperation process on employment that the Commission/Directorate-General for Employment and Social Affairs initiated in 1999 with candidate countries. The purpose is to let the candidate countries and the European Commission together analyse and identify the key challenges in labour market reform and for employment policies. The candidate countries would be better able to adjust to the EU wide employment policy co-ordination.
women at senior levels, highly educated women are at risk for unemployment and women have more difficulties getting back into the labour market once they become unemployed.

However, the most striking feature of the JAPs are how late the action plans on gender and the equal opportunities institutions have come into place, if they have come into place at all. The awareness of the gender dimension and the implications of it seems as if it has only been identified around the time negotiations with the EU were initiated. Most of the former communist countries have not identified strategic measures for the promotion of equal opportunities in the labour market until around year 2000. The Slovak Republic and Poland were the first two countries to introduce strategic documents on gender equality in 1997.\textsuperscript{142}

In the JAPs there is an obvious focus on the transposition of the acquis as the solution to most of the problems concerning gender equality. In the JAP Progress Report, the Commission specifically asked for the implementation in relation to the acquis. The JAPs are mainly concerned with the fulfilments of the requirements of the acquis.\textsuperscript{143} Estonia and Latvia are the only candidate countries which refer to measures put in place for the facilitation of the successful implementation of the Gender Mainstreaming Strategy.\textsuperscript{144}

The main issues that are identified in the JAPs, and seem specific for the former communist states compared to the EU15, are the issues of family friendly working time and daycares for children. The possibilities for part-time work and day-care for children are small in the former communist states. This circumstance is brought up as a general issue concerning all former communist countries and given considerable space in two of the most important progress reports;

\begin{quote}
*The in-depth reviews have focused attention on the low incidence of family-friendly working contracts and flexible working time arrangements as an obstacle to female participation but progress in this respect remains slow. There is now also more understanding of the need to promote affordable child-care facilities but important efforts will be needed to achieve the related targets set in*.\textsuperscript{145}
\end{quote}

And;

\begin{quote}
*Family-friendly working-time arrangements remain poorly developed beyond basic provisions for maternity and family-related leaves. Most candidate countries also need to develop affordable child-care facilities, in particular those Central and Eastern European countries where such facilities disappeared with the collapse of the previous system*.\textsuperscript{146}
\end{quote}

\begin{footnotesize}
\begin{enumerate}
\item Joint Assessment of Employment Priorities in the Slovak Republic 26 November 2001, Joint Assessment of Employment Priorities in Poland (no date)
\item COM (2003) 663 Progress in implementing the Joint Assessment Papers on employment policies in acceding countries, Final Communication from the Commission to the Council, The European Parliament, The European Economic and Social Committee and the Committee of the Region
\item Joint Assessment of Employment Priorities in Estonia, March 19, 2001p. 22, Joint Assessment of Employment Priorities in Latvia, 6 February 2003, p. 36
\item COM (2003) 663
\item COM (2003) 37 Progress on the Implementation of the Joint Assessment Papers on Employment Policies in Candidate Countries, Communication from the Commission to the Council, The European Parliament, The European Economic and Social Committee and the Committee of the Region
\end{enumerate}
\end{footnotesize}
The JAPs focus on production and labour market efficiency and the Equal Opportunity issue is often primarily seen as a way to achieve this goal. In the Joint Assessment Paper for Estonia it is put as following;

"The government’s efforts in this field should be pursued with vigour, in the interests not only of the women themselves, but of the contribution their participation will bring to improving the flexibility and dynamism of the Estonian labour market." \[147\]

The Joint Assessment Paper on Latvia is the only paper which recognises the cultural impact on results by pointing out that;

"However, in practice the effective implementation of gender equality is limited by both "culture" and by the absence of mechanisms for solving gender equality disputes." \[148\]

Latvia further elaborates on the cultural aspect in relation to participation of women in politics and senior public administration. It is stated that the gender imbalance at decision making levels is affected by the political culture and system in Latvia and thereby creating both indirect and direct obstacles for women. Women account for a majority of the employed in the Civil Service, but they are scarce on senior levels. \[149\]

The Latvia JAP brings another important and general concern into the limelight, namely the lack of mechanisms and institutions for handling the solving of gender equality disputes. Romania mentions in their assessment section that;

"It is important to ensure that legal steps already taken are followed by the effective setting up of structures and mechanisms envisaged to support the implementation and enforcement of equal opportunities policies." \[150\]

6.1.2 Women Organisations - Opinions on the Joint Assessment Papers

The NGOs direct heavy criticism towards the JAP and the actions by the candidate states and EU in the accession process. They paint a much darker picture of the current situation.

Their key criticism regards the actual actions taken as a result of the transposition of the acquis. They claim that the JAP and the Progress Reports are too unclear about what has actually been done. \[151\] The progress report deal only marginally with gender equality issues. The NGOs point out that, for example in the country specific Progress Report and the case of the Czech Republic, the Commission points to the fact that the wage gap between women and men has increased by 3.1 %, but nothing more concrete is said. Moreover, the Progress Report describes that The Council for Equal Opportunities in the Czech Republic started its work on 1 January 2002 and it describes its formal structure, but it does not refer to the lack of real results in the first year. The reports continue

\[148\] JAP Latvia (2003) p. 34
\[149\] JAP Latvia (2003) p. 33
\[150\] Joint Assessment of Employment Priorities in Romania, 28 October 2002, p. 34
with examples like these from all candidate countries where the intentions and goals are not related to the reality of action and the implementations of the policies are not monitored.\textsuperscript{152}

The NGO also points to the lack of ambition with regard to the implementation of the Gender Mainstreaming approach. They claim that this is particularly obvious in regard to allocation of funds from the structural funds, an opinion shared by researcher Charlotte Bretherton. She criticises both the EU, for not working with Gender Mainstreaming properly, and the candidate states, for their low prioritisation of this policy area. She describes the implementation of the mainstreaming strategies as “\textit{at best, patchy}\textsuperscript{153}” The NGOs asks for an EU which will enforce the mechanisms of gender equality stronger. In the reports from WIDE they claim that the situation needs to be addressed more rigorously and that the failure to prioritise gender equality signifies a lack of commitment to the value itself.\textsuperscript{154}

NGOs also feel that the statistics used for the basis of the JAPs and Progress Reports should be better adapted to women. The informal labour market is significantly large in most of the former communist countries and this affects women to a larger extent than men.\textsuperscript{155} The statistics used by the EU and the candidate countries are statistics focused on a formal market. By not recognising the impact of the informal labour market on the lives of most women, the EU and the candidate countries base their judgements on an incorrect background.\textsuperscript{156}


\textsuperscript{155} Paci P (2002) p. 14ff

\textsuperscript{156} Lohmann, Kinga & Seibert, Anita (2003) \textit{Gender Assessment of the Impact of EU Accession on the status of Women in the Labour Market in CEE}, Karat Coalition, Warsaw, p. 78
7 Voices of the East

Chapter 7 will mirror the opinions of different women organisations in the former communist countries. Attention will be directed at the gender equality situation in respective candidate country’s labour market and the possible gender impact of the EU membership. The organisations that have participated are all involved in strategic politics in respective countries. The interviewees consist of one man and five women who will be referred to by Interviewee and their respective country. Their respective organisations are visible in the footnotes. Their views will be divided into three sections dealing with; the historical/political environment, EU and impact on norm formation and, finally, the issue of gender awareness. Interview guides can be found in Appendix 2 – Interview Guides.

7.1 Impact of State-Communism

As mentioned in the chapter on feminist theory, there are certain features of political history which the former communist countries do not share with Western Europe. In the interviews the interviewees constantly returned to the effect of the legacy of the state-communism. With a single voice they described the effects of the soviet-feminist approach.

Interviewee Estonia describes the relationship between the present situation for gender equality issues and the Soviet legacy as;

“The feeling of alienation towards feminism in Eastern Europe has several roots. One is the Soviet background and the sort of equality that we had. It had a very bad image, as had all Soviet things. It was devalued. So gender equality itself had already a kind of bad image as feminism is dealing a lot with gender equality issues it get connected to Soviet.”

And interviewee Hungary puts it as;

“It is a fact that the communist/socialist ideology used some contents that feminism has introduced, such as women’s equality. As any kind of dictator in any kind of system can really say, all dictatorships have one thing in common and that is patriarchy and hierarchy. There is a strong hierarchical system that is about power and the justification of power. Also there was this strong ideology that women have to be equal and the emancipation of women was put under the flag. It was advertised as the emancipation of women, so many people believed that the equality of women was achieved because of this.”

The interviewees reflect a view where the politicians and the general citizen do not regard gender equality and feminism in terms of equal opportunity and equal social value for both. Instead it seems that there is an elimination of the specificity of gender. Interviewee Latvia traces that back to the;

157 Representatives from candidate country Romania and member countries Hungary, Estonia, Poland, Latvia, The Czech Republic
158 Open Estonia Foundation, Estonia (03.05.2004)
159 Hungarian Women’s lobby (30.04.2004)
"Soviet idea of policy of providing ideological norms without the necessary discussion and analysis."

Three of the interviewees pointed out that there was no feminist thought in the former communist countries before independence from the Soviet Union. The countries were only reached by the anti-feminist propaganda and the stereotypes of feminists. Feminism came to be regarded as a pseudo-problem of the already wealthy. According to the interviewees this has affected the current feminism and women’s movements in these countries. Successful people in these countries would never admit to being feminist even if all the thoughts they are expressing are feminist in their essence. Feminism has a bad stigma which they do not want to be a part of.

"They deny feminism, they are feminist in their discourse but if you asked them if they are feminist they will all say no."

The interviewees emphasise the effect that the state-policies of the Soviet-Union has had on the current attitude towards the labour market among women. Interviewee Romania describes women as being "overwhelmed during Communism". The women had the sole responsibility for the family, they had to work full time, they had to stand in lines to buy food and they had to mind the homes. There were no dish washers, laundry machines or other technical facilities. The concept of gender equality promoted by the Soviet Union proved to be too much for women.

"Immediately after 1989 first group of women that were sent to unemployment. They were happy. They were quite happy not to be obliged to have to work so hard. But then came inflation and detoriation and very hard economical problems in the family. Women discovered they need a job. They had to work and all of a sudden they discover that they are not welcome in the labour market if they are more than 35 years old. It was a very long process for the grass root women to understand what it is gender discrimination on the labour market. There is no connection between women as winners and women as losers. There is no communication between groups and while these women, who are losers in the labour market, perceive discrimination and inequality, the others, the winners, deny these inequalities. And there is no change of experiences and trying to find solutions together."

The interviewees describe the state and the policies that have affected the lives of women as shaped by the realities of that particular point in time. Interviewee Latvia has done research in stereotypes and propaganda created by the Soviet Union. The interviewee describes the 50’s, when the men wanted their jobs back after the war and women were to stay at home. Then women had to be primarily mothers. In the 60’s nativity levels were decreasing and again women had to be stay at home. In the 70’s women were forced into the industry;

160 Coalition for Gender equality in Latvia (28.04.2004)
161 I want to illustrate this example by comparing to Sweden where parties in parliament labels themselves as feminists, which in practice cause feminism to become more or less unquestioned and mainstream. It could also be an example of a way to neutralise the feminist question by recognising and accepting and thereby consider the issue to be done with.
162 Equal Opportunities for Women Foundation, Romania (30.04.2004)
163 Equal Opportunities for Women Foundation, Romania (30.04.2004)
"Basically if you are in power you will create the ideology that will justify what you do.....It never occurred to the Soviet Union that in order to raise the number of births the homes needed to be emancipated as well. This is still the situation today. People think that if you have a job you are emancipated. All you have to do is work."  

Interviewees Poland and Hungary describe a conservative backlash after the fall of communism. After the long period with an oppressive ideology people voted for anything but the communists.

"We have this saying, when you throw out the bathing water you also throw out the baby. This is what happened because of the strong need to distance ourselves from what happened before. We managed to get rid of the positive changes of the communist era as well. This is very much I believe responsible for why politicians in the early nineties started to get away with statements (elected politicians) such as "I have a solution to the high unemployment, if women stopped working and only men would be allowed to work"...."  

7.2 EU and norm affection

One of the themes in the interviews was the possibility of change in these countries. The main question was focused on the potential difference in norms between the EU and the former communist countries. Had the accession period brought about any changes in the gender equality work and what would those changes be?

The interviewees seem to signal a careful optimism in this respect. The countries have obviously been forced to incorporate the EU directives on equal treatment. However, the interviewees describe lengthy negotiations to get the proper action plans and legislation in place. Interviewee Latvia says that

"Latvian gender implementation policy was largely implemented during the accession period... It took four years to make a real operational programme for promoting gender equality in Latvia and still there is no adequate funding in place to realise activities planned."

Interviewee Latvia continues by describing the view point of the state

"At the state level there is insufficient understanding of the consequences of not addressing gender equality and there are gender equality policy documents that are established but there is never any funding approved for the implementation of these programmes. The government established a Gender Equality Unit in the Ministry of Welfare, but when they reorganised the Ministry last year they closed the Unit. The coalition (which the interviewee works for auth. remark) had to put pressure on the government to make them keep the gender equality unit in the ministry of welfare."

The interviewees show faith in the possibility of the EU to affect the prevailing gender norms, but they also provide a picture where the former communist states feel mislead and to some extent used by the EU. Interviewee Estonia claims that in the second half of the 90’s women regained interest in working and economic independence, this was a result of economic necessities but the accession negotiation also had an effect. However, the interviewee also points to

164 Coalition for Gender equality in Latvia (28.04.2004)
165 Hungarian Women’s lobby (30.04.2004)
166 Coalition for Gender equality in Latvia (28.04.2004)
some less positive effects of the gender equality demands. The interviewee claims that the demands and directives was seen as

“...EU stupidity, they were so wealthy that they do not have problems, so they are creating artificial problems of gender equality and then they want us to follow these rules.”

Another interviewee believes that the governments in the candidate countries have conformed to the EU to be accepted as member countries and that at present they are critical to the way the EU are promoting certain values.

“For a long time the accession countries believed what the EU said. Here I am actually quoting an expert on integration issues in Poland; that right now the government has realised that EU does not mean anything what the EU says. EU communication has managed to make some issues more serious that they actually are. So EU really has to look at their own records. They keep a high profile and in many cases they demand things from the accession countries that none of the present member countries has actually implemented themselves. That doesn’t make the EU very credible. This is just downing on people and politicians. Do we really have to take care of all this? ....... The effect of conforming to EU policy was much bigger before, but has tended to decrease with the feeling of being cheated by the EU. Women’s rights are not that big of an issue.”

The interviewees identify several labour market problems which are common for women in all of Europe. Yet, it seems as the interviewees point to the fact that women have troubles entering the labour market. A woman cannot be the right age. She is either about to have children, she just had children or she is just too old. The interviewees point to the need to find policies which protect women against discrimination in the work place. The main problem that they see with the implementation of the EU Equal Opportunities directives into the candidate countries is that the natural process of development is left out. Interviewee Czech Republic expresses it as;

“Sometimes I see a problem with some steps in the process being overlooked. There has been a natural development in the EU around certain topics and there is a tendency to believe that only the “end product” is envisaged to reach the accession countries and that is a mistake, lacking this organic development basically means that there is really no foundation.”

7.2.1 Pleasing the EU?

The interviewees are somewhat concerned about the motives of their respective countries in relation to gender equality. Three interviewees express a belief that the EU membership will lead to a higher profile for gender related values and that the national politicians will have to change their discourse.

“It is still more compliance than commitment. It is still more just to please the EU, but they have no choice because all the other, the money and funds and programmes from the EU have the gender impact evaluation. It has also the pressure to be not gender blind. This is very good!”

The interviewee expresses a positive view of the possibilities of the EU action, but is somewhat critical to the intentions of the specific country.

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167 Open Estonia Foundation, Estonia (03.05.2004)
168 Karat Coalition, Poland (06.05.2004)
169 Women’s Alliance for Development, the Czech Republic (03.05.2004)
170 Equal Opportunities for Women Foundation, Romania (30.04.2004)
In Estonia discussions about the Gender Equality Act have been going on since 2001 until April 2004. Interviewee A describes a reluctance to accept the EU bureaucracy and a fear that the Gender Equality Act would affect birth rates negatively. The interviewee says that one major ingredient in the debate was whether this Act would deprive men of some of their rights. The interviewee claims that she thinks that the main reason for the Act to finally come through was that the EU expected Estonia to have an Act when they entered the union.

"...but still you can see that most of the parliamentarians were thinking ...we have to have it because the EU demands it. When it come to equalisation I don't really believe that all the officers and ministers are jumping of joy to get into the gender mainstreaming guidelines and start to implement it. It will be really, really hard work and pressure from all kind of international organisations, CU organisation, local NGOs to get this working." 171

### 7.3 Gender Awareness

All interviewees discussed the impact of Gender Awareness or Gender Blindness. This seems to be a problem which affects policy outcomes, policy input and the behaviour of women and men in the labour market. The interviewees point out that people in general are not aware when and if they are being discriminated against and, if so, where they are supposed to go with their complaint. Some of the former communist countries have put legal authorities in place in order to handle complaints on the grounds of sexual discrimination in the labour market. However, these legal authorities do not get cases. One interviewee expresses it as;

"..so I think that people do not even know that this is a violation against all kind of international and national legislation. You cannot be discriminated because of the gender. This is so normal, so widespread that no one even complains because of that. Therefore it will be hard work to get somebody to be this kind of case. To show an example of what it means. What is discrimination because of gender and what are the solutions? What is the European practice? So there will be all kind of issues and I am not very optimistic that there will be quick." 172

The interviewees seem to agree that the degree of gender blindness in the decision making levels is severe and that this is a major obstacle to development in the gender equality field.

In party documents in general you don't find references to feminism. You will find family issues, child support but not really the type of gender equality that EU has in all areas. Politicians are not really open for training or new information. I would like to believe that they are genuinely trying to improve the situation but sometimes it seems to me that they are making a show off towards the EU. 173

Interviewee Latvia elaborates on this issue by describing the situation in Latvia:

"Last October there was gender equality committee established in the parliament, a man dominated one. The level of understanding of gender equality issues in the committee and the very concept of gender is very low. The low understanding of the issue makes the committee very unproductive. The positive thing at this moment is that experts have integrated gender equality educational programmes for the state. Civil servants will receive education at least of the very basic concepts of gender equality and gender mainstreaming. That is positive news!" 174

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171 Open Estonia Foundation, Estonia (03.05.2004)
172 Karat Coalition, Poland (06.05.2004)
173 Open Estonia Foundation, Estonia (03.05.2004)
174 Coalition for Gender equality in Latvia (28.04.2004)
Interviewee Czech Republic gives an example of lack of gender awareness in the distribution of funding from the structural funds:

"The Organisation of Gender Studies was involved in an international project on women’s education. This project was submitted within the Gruntwig Programme in the part adult education. It was admitted in all the other countries which participated only from the Czech part came a letter saying that “women and men are equal in this country and therefore special education of women are not a priority”. This happened about two years ago.\textsuperscript{175}

Interviewee Estonia is concerned that the lack of gender awareness affects the implementation of EU gender equality directives. The standard of the legislation is now at a good level in Estonia, but there are no results. The interviewee says that;

“If you could use that legislation, if you had the political will to use that legislation you could get good results without changing anything in legislation itself. Mostly lack of political will and understanding of what it means. There is a very wide problem, and if you don’t have a gender sensitive way of looking at them you would think they were other problems..... It is not that the politicians are bad or stupid. It is lack of information and research, lack of data that can influence people who are in decision making institutions.”\textsuperscript{176}

Interviewee Czech Republic claims that EU has to work on ways to better share their knowledge on gender equality in general and Gender Mainstreaming in particular in order to make efficient implementation of the directives possible. The interviewee means that there is a rejection of the idea of gender equality and people deny that this is a problem; consequently there is no practical implementation. The result is lack of guidelines and strategically focused documents on gender equality in the labour market. Three interviewees mention the need for pressure or penalties from the EU if the legalisation is not implemented correctly. The interviewees claim that there are no respect for gender equality issues and that

"..you would be a crazy feminist to put accent on a minor problem, denied by both men and women particularly in the political life.”\textsuperscript{177}

The interviewees emphasises that the level of gender awareness has to be raised for both women and men. Working with both men and women issues are a good way to secure support for gender equality.

"Also important to regard that it is not just women’s issues, you have to work with women and men, gender relations. Stress the impact of men. When I use examples with men people are more affected by these examples. It is a good tool to use. Men cannot be in caretaking positions because of these stereotypes and although there are not many men suffering you can still use them as examples.”\textsuperscript{178}

\textsuperscript{175} Women's Alliance for Development, the Czech Republic (03.05.2004)
\textsuperscript{176} Open Estonia Foundation, Estonia (03.05.2004)
\textsuperscript{177} Hungarian Women’s lobby (30.04.2004)
\textsuperscript{178} Open Estonia Foundation, Estonia (03.05.2004)
8 East meets West - Obstacles to Change

The previous chapters have shown the developments of EU equal opportunity policies, the present state in the CEEC11 labour market concerning gender equality, the east-west debate among feminists and given an introduction to the most relevant neo-institutionalist concepts of change. In this chapter these sections will be brought together with the purpose to form a discussion on the subject.

8.1 Gender Equality – Policies and Problems

8.1.1 Labour market effects

According to statistics from Eurostat and the World Bank, the present state of the labour market in the CEEC11 does not imply much difference from the EU15. In some cases the economic participation and employment rates of the CEEC11 are even better than those in the EU15. However, these statistics relate to a somewhat uncritical picture and unconcerned way of viewing gender and labour market participation. The statistics simply state the obvious and there is a need to discuss why there are concerns about the state of gender equality in Eastern Europe if the prerequisites for gender equality in terms of employment and economical participation are already fulfilled.

The JAPs and results of research by feminist researchers point in the same direction. The problems are not related to the actual labour market participation, instead, the problem is the lack of gender awareness both on a practical and theoretical level. The public/private divide has not been thoroughly explored in the former communist countries and the conditions of a market based economy have a different impact on women than the previous planned one. The interviews show that women organisations are concerned that the wide-spread gender blindness may cause disruptions in the labour market and specifically that this will lead to a failure to implement EU gender equality policies efficiently.

Watson argues that feminists need to deconstruct their view of east and west and start recognising the possible implications of the different theoretical starting points. The impact of this statement is relevant for the EU policies, which have grown from a typical western feminist perspective (what Watson refers to as an “uncontested white feminism”). The gender equality policies concerning the labour market have, according to Rees, developed and been implemented in Western Europe during times of economic growth. Hence, Western Europe has had time to build a strong theoretical foundation surrounding the policies, and the external circumstances, in terms of the economy, have been favourable for implementing these policies. The values connected to gender equality have had time to become institutionalised and implementation has not competed with

179 See chapter 5 paragraph 5.1 Overall Impressions
other more acute priorities, thereby ensuring a general support and favourable conditions.

With this in mind, it is possible to identify the most obvious obstacles to institutionalisation of the values adhered in gender equality policies in the CEEC11. The economic situation, while rapidly improving, is still not good. As one of the interviewees pointed out:

“..you would be a crazy feminist to put accent on a minor problem, denied by both men and women particularly in the political life.”

The lack of theoretical foundation combined with anti-feminist sentiments is the other obstacle. Consequently, it seems somewhat naïve to believe that the end product of gender equality policies designed to fit Western Europe can be successfully and effectively implemented in Eastern Europe. The interviewees from the women organisation reflect a critical view on the possibilities for implementing the EU gender equality policies; however they are, at the same time, hopeful that the impact of the EU presence will create positive change. Concerns are raised that the specific issues and problems of the women in the CEEC11 are not thoroughly taken into account. However, the interviewees from the women NGOs as well as the EU officials show a great deal of confidence in the power of discourse and the implications for change brought about by the mere presence of laws and information.

8.1.2 Gender Mainstreaming

The European Union has received substantial critique for their lack of commitment to the principle of Gender Mainstreaming during the accession negotiations. As discussed in the paragraph on EU equal opportunity policies, Gender Mainstreaming is a new tool to handle equal opportunities in the EU. In the long run the Gender Mainstreaming approach will phase out the models of equal treatment and positive action. In the process of screening the laws during the accession periods no effort was made to implement Gender Mainstreaming into the acquis of respective accession countries. This may cause serious implications at a later stage. The Gender Mainstreaming model is based on the acceptance of the structural subordination of women. If this idea is not accepted the approach becomes useless and in the worst case even damaging for gender equality. It demands that the decision makers are constantly aware of the gender impact of every single decision that they make. The problem is evident in the interviews. Every single interviewee devoted time to the problems they face concerning gender blindness (or lack of gender awareness). At worst people are not even aware that they are being discriminated against solely because they do not know what discrimination based on gender entails. And even if they do know, the citizens have no idea of where to go and complain. That is, if an institution dealing with discrimination even exists. The EU officials pointed out the problem with the lack of institutions to deal with discrimination and gender equality. These institutions are not prioritised in a harsh economic climate.

It is in the dealings with the gender mainstreaming models that the lack of theoretical foundation and understandings for the ideas of feminism is most evident and may have the largest implications. The laws which are specifically created to combat gender discrimination (in accordance with the model of equal treatment) are simple to refer to and easily measured. Gender mainstreaming,
on the other hand is subjective. It does not only demand for women to have equal access to the labour market, it also demands that society facilitates this through constructive action for example by building day-cares, something that, according to the JAPs, was a problem in all CEECs. This specific problem is described by interviewee Latvia who points out "People think that if you have a job you are emancipated. All you have to do is work." The JAPs showed a significantly late implementation of strategic action plans for gender equality. This is a direct reflection of the gender blindness that the interviewees describe. Moreover, the gender blindness is not confined to the males, instead it is spread throughout society.

The model of Gender Mainstreaming relies on solidarity, as does feminism. If the problems with structural subordination are not acknowledged they will never be treated. It seems interesting that the anti feminist sentiments are strong in the former communist countries, considering that the base for communism relies on the same principle, namely structural subordination and solidarity. Is it possible that the similarity regarding the dominating features of these theories may have implications for the acceptance of feminism? The interviewees describe the strong rejection of the communist policies by women after the fall of communism, how the women felt used in order to fulfil the "larger than life" purposes of the government. Is it possible that these women who were emancipated by the Soviet regime in the name of solidarity now reject solidarity with other women in order to avoid being used? Is the model of Gender Mainstreaming even possible to implement in a society based on individual concerns, rejecting the idea of solidarity and structural oppression of women?

**8.2 Institutions as norm shapers**

The sociological perspective of neo-institutionalism takes a great deal of interest in institutions as norm-shapers and the possibility of educating the citizens. March and Olsen claims that there are certain situations where citizens are more likely to "become aware of the values, concepts, beliefs and institutions by which they live." The accession to an international community is not an unreasonable event to raise people’s awareness and highlight debates concerning different paradigms and institutions in society. The changes will be brought about by the meeting of two environments with contesting rules. This is the development which the EU emphasises and relies on and the gender equality spokes persons in the NGOs hope for. But what are the odds? Which actor or society is more likely to adopt or accept the other's rules? To what extent is it crucial for the acceptance of these rules to be mutual in order for the process of change to be just and, furthermore, for the presence of a new authority to be legitimate?

The first two developmental steps of the EU gender equality policies relates to an outlook on society which solely belong to societies which have adhered to the ideas of liberal democracy, societies which have been formed and raised by these beliefs. The notions of citizenship which lay the ground for the public/private debate in feminism are fundamentally different from those notions of citizenships developed within the Soviet state-communism. In the CEEC11, the Soviet ideas

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181 Coalition for Gender equality in Latvia (28.04.2004)
182 March & Olsen (1989) p. 166f
183 See Rees’ models for development of EU Equal Opportunity Policies in Chapter 4 paragraph 2 “EU Equal Opportunity Policies”
have been prevailing for almost 50 years. The historical institutionalists claim that the same forces or circumstances produce different outputs depending on social causation. However, Historical institutionalists view institutions as persistent features, but the institutions can be overthrown if the force is sufficient. In the CEEC11 development has taken the countries through many stages in only a few years. Is it logical to assume that the old state-communist policies still matter? According to the interviews the answer would be yes, there are still features and problems connected to state-communism which affect the development of gender equality policies in the CEEC11. The Soviet Union created a specific communist type of gender equality which still influences the priorities of the domestic government and, hence, creates obstacles for the implementation of EU gender equality policies. With the foundation for analysis and discussion lacking from the political framework, it is not very likely that the implementation of an end product developed within a western based feminism will be successful.

However, as the institutionalists points out, there is the possibility of power of discourse and the logic of social appropriateness affecting the process of change. According to Bull, the western countries are the norm-holders. The EU is created by countries in Western Europe and values such as human rights and gender equality are normally not questioned. The countries of Eastern Europe are young in the sense that they have recently been given a chance to rebuild their identity. The interviews with the women NGOs show that as much as the interviewees would like for it to be a change in the direction of increased gender equality; they are also protective towards their society and in many respects critical towards the EU. Moreover, the protectiveness that the interviewees showed is also reflected in the general EU scepticism mirrored in the Eurobarometer in May 2004184. The accession to the EU is a process of socialisation where the new member countries are supposed to become acquainted with the rules of appropriate behaviour and the citizens are expected to be educated into knowledgeable citizens. The protective approach can be interpreted as suspicion and it seems as if the EU has a long way to go to a successful institutionalisation of gender equality values.

It is possible to interpret the critical attitudes as negative towards the chances of successful implementation of the present policies. What it is possible to hope for is that the EU gender equality policies create a debate and that the women in the CEEC11 are given an opportunity to rediscover their rights and promote a redesigned type of feminism which is adjusted to their specific historical, political and economical circumstances. The basis for legitimacy would be significantly better with a decentralised debate and a sense of allowing the countries to find their own identity and developed their own norm, giving them the right to be the norm-shapers.

184 The European Commission, Eurobarometer 2004.1, Public Opinion in the Acceding and Candidate Countries, First Results Spring 2004
8.3 Legitimacy and Norms

8.3.1 Autonomous or Communitarian Ideals

Sannerstedt claims that for institutions to be fair they have to be based on the normative apprehensions of the people, i.e. institutions have to be built on the same world view. Today the EU is in a developmental phase somewhere in between Rothstein’s communitarian and autonomous ideals. The early EU was very close to the autonomous state. In Rees’ equal opportunity models the focus was on the individual in the labour market and the core idea was to maximise the market efficiency. Today the EU is transforming and new areas of competence are added. The old areas were not as controversial since these built on a market principle shared by the countries who joined the EU (in many cases the possibility to participate in the inner market were the sole purpose of joining). However, with the EU developing beyond the market, the institutionalisation of values among the members of the organisation becomes crucial for progress and collaboration.

The CEEC11 have been explicitly communitarian during the period of state-communism. In the former state-communist countries of Eastern Europe, the state almost legislated themselves into the private sphere of the family. Einhorn describes the inner most private as a sanctuary where it was possible to avoid the long arms of the state. Hirdman classifies oppression of women as the control of women’s power of motion in the physical and psychological space, i.e. what the Soviet policies did. One of the interviewees points out that authoritative regimes are normally patriarchal by definition even if the underlying ideology assumes differently. This could reflect a situation where women in Eastern Europe now extend their sanctuary of the private into the public, wishing to make individual decisions, thereby rejecting the general idea of feminism. Feminism, which harbours the idea that the conditions of the private is negative, stopping women from achieving equality. Since EU labour market polices on gender equality are built on the principles of feminism, it also means a rejection of the involvement of the EU, and the principles behind the policies. The interviewees describe women who are very reluctant to acknowledge feminism and governments which are basically saying the gender equality is a pseudo problem for the already wealthy. The WIDE reports and the JAPs portray a society were women in general have little support to expect from society and were women does not seem to demand any support. There is a divide between the values that the EU is trying to promote and expectations that the CEEC11 have on the EU membership. This is a crucial point for achieving change. The EU is challenged to create new norms in these societies, norms that are welcomed by some, but are considered to be violations against the domestic autonomy by others.

8.3.2 Legitimacy

According to March and Olsen, a state needs legitimacy to function and do “good”. They claim that making policies within institutions is a matter of making the public believe that the choices are relevant – the decision makers have to earn the trust of the public. This trust is, according to March and Olsen, mainly dependent on historical traditions and rules, an interpretation of identity and appropriateness. So in order to achieve a high degree of legitimacy the institutions need to conform with the logic of appropriateness as experienced by
the public, thereby earning their trust. Campbell argues that institutional practices evolve from an interactive process in a given network. Through discussion the actors develop shared cognitive maps. This ensures a wide implementation of the decisions. The EU is obviously an excellent forum for this type of process. The JAPs, which are developed in collaboration between the European Commission and the accession countries, are good examples of this. Nevertheless, implementation is not the same as compliance. The women NGOs are concerned that the lack of punishment will affect the will of the governments to seriously work with gender equality issues. This signals a lack of common rules. The interviewees express apprehensions that there is no sincere political will behind the formal acceptance of the EU gender equality legislation. The interviewees point to a low degree of understanding for the concept of gender, as in the example of the interviewee from The Czech Republic who describes the rejection of an application to the Gruntwig programme on the grounds that equality in the Czech Republic was already achieved. There is, at this point, little that indicates an institutionalisation of gender equality values. According to the sociological neo-institutionalists there is not likely to be trust if the rules are not shared. So what are the possibilities for norms regarding the gender equality to change in the CEEC11?

8.3.3 Norm formation and Gender Equality – Prospects for the Future

According to the cultural neo-institutionalists there would be quite good expectations for positive change with regard to gender equality in the CEEC11. They view citizens as “knowledgeable” and possible to educate. Appropriate behaviour is learned and internalised through socialisation. Institutions have roles and individuals internalize roles connected to the specific institutions. The conditions for the socialisation and internalisation to take place are trust and possibility. Existing identities and paradigms affect the effectiveness of the socialisation and the level of trust is crucial for the outcome.

The EU is acting to change what is considered appropriate behaviour in the institution of gender equality in the CEEC11. The tools the EU is using are laws and information. Laws are in themselves a powerful tool of discourse. Laws are, in a way, a form of social practice which can control particular forms of behaviour. Legal discourse therefore has the possibility to produce more immediate practical effects than other forms of cultural criticism. Sannerstedt argues that decision makers often make decisions with the purpose of persuasion in order to shape the citizen’s interpretation of reality. He says that politics need not be about concrete action, it is also the interpretation of reality. However, policies built on an indirect causal theory will never be fulfilled. To some extent the EU has fallen into this trap. By implementing the EU gender equality policies concerning the labour market without critically reflecting around the implications of the communist past, the EU runs the risk of applying policies with no foundation. The public will tend to see gender through another lens than the EU. The crucial question seems to be whether the policy is based on the incorrect

185 Rules as in the definition by March and Olsen “the routines, procedures, conventions, roles, strategies, organisational forms, and technologies around which political activity is constructed. We also mean the beliefs, paradigms, codes, cultures, and knowledge that surround, support, elaborate, and contradict those roles and routines”. March & Olsen (1989) p. 22
causal theory, and will therefore fail, and when the policy at present may seem out of place but in reality will have “power over the mind” and create a normative change and an institutionalisation of the gender equality values of the EU? The EU officials seem to strongly believe in the process of democratisation and thereby in the long run an institutionalisation of the gender equality values. In a feminist perspective the EU officials use the concept of democratisation in a far too uncritical manner. Watson claims that such an unproblematic approach simply implies that democratisation will make “them” more like “us”. The unproblematic usage of the term democratisation implies a “sameness” between women of the east and west which may not exist. Furthermore, the gender mainstreaming model rests on the thought that the number of women in decision making bodies needs to increase in order for mainstreaming to be successful. The presence of women increases the gender sensitivity. The uncritical reliance on the democratic process is a contradiction to the fact that the democratic process will not be as gender sensitive with hardly any women in it.

The EU strongly promotes the “Method of Open Coordination” as a way to create dialogue and exert pressure on the new member countries without legislating. This method will also force the new member countries to work with the Gender Mainstreaming method since there is no specific report on gender equality. On the other hand, there is no specific OMC report on gender equality. As pointed out in the section on gender mainstreaming it is not likely that the CEEC11 will manage to incorporate the gender mainstreaming method effectively. The OMC is specifically created to achieve the decentralised debate that I, in a previous section of this chapter, argued was needed, but it seems naïve not to create a specific process in order to promote gender equality. They also work with information through the Structural Funds. The officials themselves repeat that information and the democratic process will make the difference, but it has to be allowed to take time. Furthermore, it is not just the EU that influences the gender equality norms in the CEEC11. True argues that identities can be formed in the context of states’ interaction with other states. The Stanford school of sociological institutionalists proposes that institutions are most likely to be adopted by states where domestic norms are close to the global norm or in countries which like to improve their reputation. The former communist countries may also be eager to show that they are no longer under Soviet rule, that they have the freedom to create their own identity and now wants to belong to another type of society.

Sociological institutionalism emphasises that information needs to come from trusted sources in order for change to occur. March and Olsen claims that what the individual will see and like is dependent upon sources of information, which they are exposed to and which they trust. Attitudes spread through the contact network which is characterised by variations in trust. The lack of access to information and networks was what caused feminism’s absence from these countries to begin with. As these societies are opening up, influences and attitudes are free to spread. As mentioned earlier the interviewees express a suspicion towards the EU and they believe that the conditions the EU has put up for membership are not being fulfilled within the EU15 either. The CEEC11 are suspicious and EU has to earn their trust in order to put the message through.
8.4 Summing up

To begin with we had the Soviet family policies which developed within the framework of the Soviet communist state. The foundation for these polices were laid by Engels, Marx and Lenin and were connected to the class struggle. The solution was the participation of women on the labour market. Participation in itself would ensure emancipation. Women were primarily workers and secondarily women. The worker had precedence over all other roles. This framework is reflected by the situation in the CEEC11 today, and in this thesis, it is made visible by the interviews made with representatives of the women organisations, reports provided by WIDE (Women in Development) and the Joint Assessment Papers. EU gender equality policies on the other hand are built on the understanding that gender is everywhere and define who we are. The man is the norm and has become the natural part of institutions and thoughts. The hierarchical forces are reinforced by gender contracts, a culturally inherited agreement. This perspective is made visible in chapter 5, discussing the development of EU equal opportunity policies and interviews with EU officials. These two conflicting perspectives, represented by the EU gender equality policies and women organisations, form the base for the encounter between Eastern and Western European apprehensions of gender equality, i.e. the situation at present. It may sound like simple differences, but as I have shown in the previous sections, the implications when norms and identities are built on these paradigms are enormous. The policies and effects are critically discussed from a feminist view point. The concepts of change from chapter 2 have been added as a mean to facilitate discussion over the possibilities for change.
9 Conclusions

The objective of the thesis was to critically review and discuss EU equal opportunity policies concerning the labour market in the former communist countries from perspectives of neo-institutionalist and contemporary feminist theory. The discussion concerned obstacles to change and the creation of norms regarding gender equality, and whether the specific background (the communist experience) shared by the countries of the Eastern Europe might have implications for the process.

The results of this study demonstrate three main conclusions:

The first is the evident lack of gender sensitivity in the CEEC11. Based on results of interviews with both EU officials, women NGOs and the Joint Assessment Reports it seems clear that the biggest obstacle the EU has to face regarding gender equality is that there is no understanding for the underlying assumptions of the concept. Behind the EU policies on equal opportunity lies a theoretical foundation based on developments within feminist thoughts. The feminist thoughts in turn are based on notions from liberal democracy. This regards the public-private divide and what the concept of citizenship entails. This in turn has defined the roles of women and men in the labour market in the EU. In the CEEC11, gender has not traditionally been an issue. According to the ideology, before communism women and men were primarily workers oppressed by the bourgeoisie. The revolution would ensure freedom and emancipation for all, women and men alike. If women participated in the labour market and the ownership was common, then equality was achieved. The role model was the heroin mother and worker. Women were deprived the right to organise and to articulate their needs. The EU is now applying equal opportunity policies built on the specific circumstances of Western Europe onto the framework of norms in the former communist countries, thereby expecting the CEEC11 to apply an end-product without the development of the shared cognitive maps which Campbell refers to.

This leads to two other conclusions; 1) The EU needs to critically reflect over the present equal opportunity policies in order to create sustainable change and; 2) legitimacy and effectiveness of future gender equality policies is dependent on this reflection process. The EU is put in a situation where they are expected to socialise the new member countries into the norms of the organisation, but the base for doing so needs to be debated. Interviews and document studies show that the EU put faith in the democratic process to create change. The implementation of the legal framework into the new member countries are the main tool to create change. As stated in the analysis, the power of discourse in terms of law is an influential instrument, but it seems as the interviewees, while pleased with the efforts made, also demand a higher degree of sensitivity towards the specific circumstances of the CEEC11. It is imperative for the EU, in order to create a long term legitimacy, that they manage to institutionalise the norms connected to gender equality, to change the apprehension of what is considered appropriate behaviour. The conclusion here is that the EU is far from that point at present time. While tools of information and legal framework are important it seems obvious that the expectations on support are higher. The EU
needs to show that it stands behind the commitment to gender equality. Present feminism debates concern a re-conceptualisation and critical rethinking of the old "feminism". It seems important that the EU takes part in this debate and that the EU, not uncritically, remains the norm holders. Uncritically assuming a sameness between the situation of women in former communist countries and the EU15 may give way for problems at a later stage. Legitimacy is dependent on apprehension of trust and justice and an accession of new member countries are a two way process where norms encounter new environments. For the process to be sustainable it seems imperative that no norms are considered superior, but to allow for common grounds to develop.

Overall there is no evidence against the possibility for change regarding the gender equality values of the CEEC11, but the obstacles in terms of gender blindness and different theoretical foundation are severe. The EU officials argue that changes regarding gender norms need to be allowed to take time and, according to sociological neo-institutionalists, the mere presence of communication and forums for argument will create arenas where new roles and rules can grow. One of the crucial questions to ask is then, whose rules and roles will be internalized? Is it reasonable to assume that the denominators for appropriate behaviour can melt together into a shared east-west community, or is the norm-shaping power of the west strong enough to override the east and thereby define the new European community in terms of gender equality? This study points to the latter. The somewhat unquestioning attitude taken by the EU and the dependent position held by the CEEC11 may lead to just that. The consequences are then to be paid in lack of effective policies, which, in that case, in the long-run unfortunately might affect the rights of women in the CEEC11 negatively. Obviously the problem formulated above is not solely contained to the subject of gender equality, it is related to many other areas of competence as well. This makes the subject particularly interesting and current.

9.1 Suggestions for Further Research

Another useful way of studying this subject would be by doing comparative case studies of a number of the CEEC11. Thereby some aspects of the study would deepen, new details and different problems would float to the surface and additional knowledge of the subject would be retained. It would provide the researcher with the opportunity to find other nuances. It would also be interesting to add theories of calculus neo-institutionalism to the cultural strand of theory, thereby introducing a competing perspective with a different explanatory value. I am convinced that this would benefit the discussion. The same would be possible by introducing more traditional theories of integration and compare to the cultural neo-institutionalist thoughts. Furthermore, I would encourage an interested student to study the connection between the anti-feminist sentiments in the CEEC11 and the heritage of communism in terms of solidarity and structural oppression. In addition, for future studies it would be interesting to see whether the “suspicious” tendencies have decreased and how the apprehensions of feminism in these countries would have changed.
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Treaty of Amsterdam

Treaty Establishing the European Communities (as amended by the Amsterdam Treaty),
Appendix 1 – EU Legislation

The most important primary laws in relation to gender equality are these articles from the Treaty of Amsterdam:\textsuperscript{186}

<table>
<thead>
<tr>
<th>Article</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article 2</td>
<td>Equality between women and men is established as one of the tasks of the community</td>
</tr>
<tr>
<td>Article 3</td>
<td>Refers to eliminating inequalities in all the activities of the community as well as to promote equality between women and men. (obligation to mainstreaming)</td>
</tr>
<tr>
<td>Article 13</td>
<td>This article proposes to take appropriate action to combat discrimination based on sex</td>
</tr>
<tr>
<td>Article 137</td>
<td>This article supports activities in equality between women and men with regard to labour market opportunities and treatment at work.</td>
</tr>
<tr>
<td>Article 141</td>
<td>The article ensures the principle of equal pay for work of equal value and supports the adoption of positive action for the under represented sex in vocational activity and compensation for disadvantages in professional careers linked to gender</td>
</tr>
</tbody>
</table>

The secondary laws in the field of equal opportunities consist of ten directives in Chapter 13;\textsuperscript{187}

| 1 | Equal pay |
| 2 | Equal treatment in access to employment, vocational training, promotion and working conditions |
| 3 | Equal treatment with regard to statutory social security schemes |
| 4 | Equal treatment with regard to occupational social security schemes |
| 5 | Equal treatment for self-employed and their assisting spouses |
| 6 | Maternity leave |
| 7 | Organisation of working time |
| 8 | Parental leave |
| 9 | Burden of proof in sex discrimination cases |
| 10 | Part-time work (framework agreement) |

The most significant soft law instruments consist of:

<table>
<thead>
<tr>
<th>The Framework Strategy;\textsuperscript{188}</th>
<th>The European Employment Strategy\textsuperscript{189}</th>
<th>The European Social Policy Agenda\textsuperscript{190}</th>
</tr>
</thead>
<tbody>
<tr>
<td>Represents a way to promote equal opportunities by addressing topics which has been identified as particularly important during 2001-2005. These topics deal with equal participation and representation, equal access to social rights, promoting gender equality in civil life and promoting change of gender roles and stereotypes.</td>
<td>Includes guidelines for member states’ employment strategies. One of four pillars concern gender equality in employment.</td>
<td>Broad-ranging social policy document adopted by the member states in December 2000. It defines specific priorities for action around some strategic areas, among them gender equality.</td>
</tr>
</tbody>
</table>

\textsuperscript{186} Treaty Establishing the European Communities (as amended by the Amsterdam Treaty), http://europa.eu.int/comm/employment_social/eqeu_opp/treaty_en.html#13 040817

\textsuperscript{187} http://europa.eu.int/eur-lex/en/search/search_lif.html or http://www.europa.eu.int/comm/employment_social/eqeu_opp/index_en.htm 040618


\textsuperscript{189} DG Employment and Social Affairs, Employment Strategy http://europa.eu.int/comm/employment_social/employment_strategy/index_en.htm 040529

Appendix 2 – Interview Guides

ORGANISATIONS

THEMES

- Potential difference in apprehension of feminism between Western and Eastern Europe due to different historical and political experiences, and the effect on outcomes.
- Gender equality as a norm/policy and how norms may function as instruments of education/socialisation.
- The market in relation to values and how the, to some extent, dichotomist relationship between the concepts may lead to possible alienation.

QUESTIONS

1) Women in the Eastern Europe and Western Europe have very different historical backgrounds and political circumstances within their respective countries, do you believe that this affect their view of feminism in general and if it differentiates, how so?
2) Gender Mainstreaming as a policy is based on the idea of structural injustice and thoughts developed mainly in the school of western feminism. Can the fact that EU’s gender equality policies are based on western liberal ideas affect the implementation of GM in the east?
3) In the literature I have studied I have perceived a feeling of alienation by the women of the east against feminist ideas? Is this correct?
4) Do you believe in gender mainstreaming as a positive norm/policy enhancing the gender equality level in the east? What obstacles can be identified?
5) Can international interaction affect gender equality in the east, and in that case how? Positive (embracing feminism) negative (feeling alienated from the western ideas, or alienated because of small relevance for the living situation of the women of the east)?
6) Is there any evidence, that you are aware of, that gender equality in your country has been affected by international relationships (examples)?
7) Has the accession to the European Union made the public and/or the government more aware of gender related issues in general? Do you think that the outspoken commitment to gender equality on EU’s part may lead to a higher profile for gender related values?
8) How do you believe that the gender mainstreaming approach has to be managed in order to make it a successful approach in the future?
9) Do you feel that the public relate positively to the gender values promoted by the European Union?
EU OFFICIALS

THEMES

- Gender Mainstreaming and the work in progress with the approach
- EU perception of gender equality situation in the former communist countries
- EU plans to meet the needs of the former communist countries

QUESTIONS

1) Have there been any particular problems with implementing EU gender equality policies in Bulgaria in (respective country or general)? What specific obstacles can you identify?
2) Do you believe that the difference in background (political and historical) between the original 15 member states and the new members and accessions states of the post-communist countries will affect the implementation of gender equality policies?
3) A number of NGOs that I have spoken to have voiced concerns about the fact that the post-communist countries are obliged to implement an “end product” without going through the stages of development in gender equality that the original 15 countries have done. They are concerned that it will affect the institutionalisation of the gender values. Is that an issue that you have come across and how so?
4) If you compare NN to the other post communist countries, do you feel that the EU has more experience now in dealing with the accession countries and gender equality issues?
5) What do you believe is the number one priority if gender mainstreaming shall be efficiently used in the former communist countries?
6) What does the EU believe is the most important building stones in order to facilitate implementation and compliance with the EU equal opportunity policies in the former communist countries?
7) What effects does the EU hope for in relation to the labour market and increased gender equality?
Appendix 3 - Statistics

Statistics collected by Eurostat.  

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