

Gender mainstreaming and the open method of coordination: is the open method too open for gender equality policy?

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One of the distinctive features of the development of the European employment strategy has been the focus on gender equality issues; in 1997 equal opportunities between women and men was established as one of the four pillars of the employment strategy and in 1998 the commitment to gender mainstream all policies, under all four pillars was added to the guidelines. Gender mainstreaming has been subsequently included in the social inclusion process. Council recommendations to member states to improve performance under the EES have included recommendations with respect both to gender equality specific policies and gender mainstreaming. Specific gender equality targets have been set, including a specific female employment rate target for 2005 and 2010 and related targets for the provision of childcare following the Barcelona summit. These developments- including the dual strategy of mainstreaming and gender specific policies and the targets on employment and childcare have been included in the new phase of the employment strategy even though equal opportunities for women and men is no longer one pillar among four but one guideline among ten. The proposal by the European Commission for new targets to eliminate the gender gap in unemployment rates by 2010 and to halve the gender pay gap at the member state level by the same date did not survive the scrutiny by the Council but nevertheless the new guidelines includes a commitment to substantial reductions by 2010 in the gender gaps in employment rates, unemployment rates and pay.

This chapter explores the conditions associated with the rise of this gender equality agenda, assesses its impact on both policymaking and outcomes at the member state level, identifies the limitations of the current approach to gender equality and concludes by reviewing recent developments as potential indicators of the sustainability of the gender equality commitments¹.

1. The rise of equal opportunities for women and men up the European agenda:

The development of the European employment strategy in the 1990s coincided and interacted with the development of a platform for action on gender equality at the UN world summit on women in Beijing in 1995. The EU played a major role in the negotiations over this platform for action and has recognised that it has an important responsibility in implementing that strategy; as a consequence it is impossible to separate out the increasing importance attached to equal opportunities at the EU level from the Beijing process itself. Nevertheless, by including the key commitment of the

¹ Much of the information in this paper has been collected as part of the author's role as coordinator of the European Commission's Expert Group on Gender and Employment (EGGE). This group acts as an advisory expert group to the Equal opportunities Unit within DG Employment. It consists of an independent expert from each member state who is responsible, inter alia for producing an evaluation of the National Action Plans on Employment from a gender perspective on an annual basis. Much of the information in this paper comes from the 2001 evaluation where the experts reviewed the evaluation of the NAPs- please see Marage and Meudlers (2001) for Belgium, Emerek (2001) for Denmark, Maier (2001) for Germany, Moltó and Valiente (2001) for Spain, Silvera (2001) for France, Karamessini (2001) for Greece, Barry (2001) for Ireland, Villa (2001) for Italy, Plasman and Rusinek (2001) for Luxembourg, Plantenga (2001) for the Netherlands, Mairhuber (2001) for Austria, González (2001) for Portugal, Lehto (2001) for Finland, Gonäs (2001) for Sweden, Rubery (2001) for UK. The network is coordinated by Jill Rubery, together with colleagues at the European Work and Employment Research Centre, UMIST (Damian Grimshaw, Colette Fagan, Mark Smith and Hugo Figueiredo). The expert group is financed by the European Commission but the views expressed here are those of the author alone and do not necessarily represent the views of the European Commission nor of the other experts.

Beijing platform- to pursue gender equality objectives through gender mainstreaming in all policy areas- as an element of the European employment strategy, the EU has provided an example to other actors who have done very little to implement the agreed platform for action.

While the general political process in which the EU engaged around Beijing is a key factor in explaining the development of the gender equality perspective in the EES, the continued momentum behind the strategy must be explained by more proximate factors, associated with the European policy-making process. These proximate factors probably divide into three main types: first, and perhaps most important of all is the increasing awareness among officials and political actors responsible for the EES that the achievement of the employment targets at the heart of the EES process are critically dependent on the behaviour of women. This awareness was by no means immediate but developed gradually. The 1993 so-called Delors white paper that kick started the EES process made no mention of gender whatsoever and was heavily criticised by an expert group set up to consider the equal opportunities dimensions of the white paper (Rubery and Maier 1995), not only for ignoring the interests of women but for misdiagnosing and misunderstanding some of the fundamental changes taking place in the European labour market. For example, the white paper presented the tendency for most new jobs to be taken by the inactive rather than the unemployed as a puzzle and not as a consequence of gendered nature of labour demand in a context of declining manufacturing and the rise of part-time and service sector jobs. The second set of factors are more political and personal. This increasing recognition of the gender dimension to the EES was not, as we have said, either immediate or automatic but depended on the understandings and initiatives taken by key officials and political actors. The attention paid to equal opportunities in the EES could well have been different if, for example, the director-general at DG employment at the time had not come from a Scandinavian country where high employment rates for women were a core element in the labour market policy. Furthermore, the attention paid to gender equality in the EES is part of a process of defending but modernising the so-called European social model. Here there are clear differences in approach between for example DG Ecofin that takes a narrow economic approach to employment and DG employment where the EES is integrated with the development and modernisation of the European social model. The existence of these alternative perspectives on the European project is central to the understanding of how the attention paid to both employment and social issues rises and falls within the European agenda.

The importance of personalities and political processes is also evident within the series of European presidencies; the Austrian ministers for women and for labour in post during the 1998 Austrian presidency, both of them women ministers, had their sights set on promoting equal opportunities further within the EES. To that end they organised an informal joint council of ministers for labour and gender equality, commissioned an extensive report (from the current author) and used this momentum to push for the successful inclusion of the commitment to gender mainstreaming in the EES guidelines at the December summit. The input from the presidencies has continued to be important in the development of the equal opportunities dimension to the EES; it was the Lisbon summit that established quantitative targets for both women and for childcare (made more specific at the Barcelona summit) and the presidencies of Finland, Belgium, France and Sweden have all continued to add to

pressure to provide more and better information and indicators on gender equality. The third and related factor is the role of lobby groups and pressure groups that have created pressure at both the EU level and at the national level for the development of gender equality policies. The women's lobby is a well established pressure group at the EU level; at the nation state level pressure groups and political parties have used the commitment to gender equality in the EES and perhaps more importantly within the structural funds to lobby for more attention at the national level. Thus the process has to some extent its own momentum as the inclusion of commitments at EU level opens up opportunities for national actors. However, as we will document below, while the question we are addressing at the moment is why equal opportunities has been given so much prominence at the EU level, an equally important question is why that prominence has not led to evidence of sustained commitments to equal opportunities and gender mainstreaming at the national level. One major factor, as we will discuss further below, is that national political processes explain not only the take up but also the dropping or the neglect of equal opportunities issues.

The development of the European employment strategy and indeed the social inclusion process through the open method of coordination necessarily requires that the commitment to gender equality at the EU level is mirrored at the member state level. This is also to a large extent true of so-called hard law where the general approach to the implementation of law matters, not just the acceptability of the policy approach. The reliance on political will at the member state level is both the strength and the weakness of the current phase of the equal opportunities agenda; it is a weakness because, as we shall illustrate, the member states have very different commitments to and understandings of what is considered to be gender equality. It is a strength in as much as the gender mainstreaming agenda can only really be effectively implemented at member states level, as it requires the development of a policy-making approach or process and not the enactment of individually-specified policies. Moreover, the full development of gender mainstreaming involves a more holistic approach to policymaking where the implications and interactions between policies fields are considered in advance of design and implementation of policies; this approach is potentially 'transformatory' (Rees 1999, Council of Europe 1998). As policymaking in all its various aspects still takes place primarily at the member state level, it is implausible to imagine that a rethink of the interactions between social and economic policy could be effectively implemented through EU level hard law. The European social model is in practice a collection of different models (Wickham 2002) and each of these will need to find its own particular route to transformation, even if all aim to implement an equal opportunities perspective. There is, therefore, considerable complementarity between the OMC and the notion of gender mainstreaming; nevertheless one of the issues to be discussed is whether the soft law approach in this area has been too soft- not backed up by sufficiently specific targets, indicators or definitions of the desired outcome- a more gender equal society- for gender mainstreaming to really take root at the member state level. However, before we come to dissect the weakness of the approach, we first of all have to review the achievements of the policy to date, bearing in mind that it is only ten years since the white paper on employment was published that failed to identify any gender dimension to the employment problems faced by the European Union.

2. The impact of the gender equality perspective on policymaking and outcomes.

The European employment strategy is much the most advanced process under the open method of coordination. It is in fact now entering a second phase after a five year period beginning 1997 that was evaluated under a so-called peer review- that is a joint evaluation exercise between member states and Commission. That peer review provided confirmation that, from both the member states' and the Commission's perspective, the inclusion of the equal opportunities dimension had had significant outcomes. Seven member states explicitly stated that equal opportunities policies had been 'influenced by the EES, either through the setting up of institutions or through the spreading of practices (e.g. gender impact assessment).' Five member states specifically mention gender mainstreaming and all member states with the exception of France and Sweden refer to gender or equal opportunities issues in their summaries of the key policy changes associated with the EES (EC2002: Annex to ch.1). For Greece, equal opportunities policies became 'more ambitious' while the impact of the EES on equal opportunities is strong in Spain and notable in Portugal. Finland reports that gender mainstreaming 'became part of government policy, largely as a result of the EES'.

These assessment are not fully in line with those carried out by the European Commission's Expert Group on Gender and Employment (EGGE) in their evaluations of the annual National Action Plans from a gender perspective. Nevertheless, there is agreement that the EES has put equal opportunities issues more on the map at both EU and the national level, although the extent of change at the national level varies according to the political priorities of the government in power. It is notable that the impact can be identified both in innovations in the policymaking process and in specific policy fields.

If we look at progress made in developing institutional arrangements for promoting gender mainstreaming it is clear that the EES has had a significant impact in stimulating institutional innovation. Box 1 highlights the main forms of institutional innovation that have been reported. It should be noted that in 1997 most member states had at best a weak and often a non-existent base for gender mainstreaming. In the first phase of the EES almost all member states put in place some formal mechanism for gender mainstreaming of employment policy or government policy more generally. The role of the EU has been that of a catalyst, by putting gender mainstreaming on the agenda as an issue to be used within the internal political process by various interest groups and political parties. The reliance on local actors also means that the effectiveness of these mechanisms and the extent to which they are becoming deeply embedded in the policy-making process varies greatly (see section 3 below) and thus that the interpretation and meaning given to mainstreaming varies among EU states. The impact of the Beijing process can be seen in the development in some member states of gender mainstreaming initiatives even before the introduction of the gender mainstreaming guideline into the EES in 1998/9. Nevertheless the gender mainstreaming guideline in 1999 not only represented a major step in the implementation of this Beijing commitment but also led to a more widespread development of institutional arrangements to implement gender mainstreaming in member states. By 2001 only Spain and the Netherlands had failed to develop significant mechanisms for mainstreaming (Rubery 2002).

Box 1: Examples of gender mainstreaming initiatives and institutional developments.

- Establishing a ministry with authority in gender mainstreaming (the Ministry

- for Women's Affairs in Luxembourg, Swedish Minister of Gender Equality);
- Setting up inter-ministerial committees (for example France, Belgium, Greece), inter-ministerial steering committees/ work groups (the Netherlands, Germany, Austria), or committees at the office of the presidency (Portugal) with responsibilities for gender mainstreaming;
 - Establishing departments, units or taskforces with specific competence in equal opportunities and/or evaluation and monitoring duties (UK, Denmark, Germany, Ireland, Sweden, Portugal) or providing an enhanced role for equal opportunities bodies (Spain);
 - Appointing parity/ equality advisors on key committees or in ministries (Austria, Italy, Finland, Belgium, France, Portugal) or committees or mechanisms established for gender analysis of the budget (Sweden, France),
 - Passing new equal opportunities acts requiring mainstreaming (Denmark, Sweden) or drawing up national strategies or plans for equality (Portugal, Italy (planned), Greece, Belgium, Ireland(planned), France, Portugal);
 - Introducing mainstreaming or gender assessment into individual ministries or public services (Finland, Sweden, Germany, Luxembourg (planned), Denmark, France, Ireland, Italy, Austria);
 - Developing methodologies or guidelines for gender mainstreaming of government policies or employment policies (UK, Germany, Greece (planned), Ireland, Austria, Finland, Sweden);
 - Making commitments to undertake gender assessment of all new pieces of legislation (Finland, Germany (planned)).

The initiatives listed in box 1 refer mainly to central government policy. There are other direct and indirect impacts on gender mainstreaming from the EES, manifest in local or regional initiatives, often related to the gender mainstreaming dimension to the European structural funds that was introduced in parallel to the guideline in the EES. In some cases gender mainstreaming is more developed at the regional or local level. For example, the devolved governments of Scotland, Northern Ireland and Wales have made much stronger commitments to mainstreaming than the central United Kingdom government (for details see Rubery 2000, 2001).

The interpretation of the significance of the initiatives reported in box 1 is complex. It may be that the impact of the EES has in some senses been greater in countries where a comparative evaluation would suggest that the actual measures are weaker or less strongly embedded in the policymaking process. That is because it is precisely those member states without any significant tradition of gender mainstreaming where the EES may have done more to kick start a process, even if that process remains extremely fragile and underdeveloped. For example in the Nordic countries commitments to include gender issues within public policy are well-established. Denmark has been mainstreaming its public employment service since 1981 when it first appointed equality consultants to regional labour market councils (Emerek 2001) and in 1994 Sweden undertook to mainstream gender into all ministerial policy was also taken in 1994 (Gönas 2001). In part because gender mainstreaming is less novel in these countries, there is limited discussion of this approach within the Nordic National Action Plans. In contrast the Southern countries of Greece and Italy together with Ireland have both weak traditions of equal opportunities policies and also relatively low female employment rates. It can thus be argued that the requirement to gender

mainstream has had a significant impact on the approach to employment policy in all three countries. To some extent the reliance in all three countries, but particularly Greece and Ireland, on structural fund monies may have played a role in stimulating gender mainstreaming initiatives as the requirement to gender mainstream and to develop equal opportunities policies has also been strengthened within the structural funds. Indeed in Ireland the commitment to gender mainstreaming is much stronger in the National Employment Development Plan that relies on structural funds than in the employment NAP itself (Barry 2001). However while in 2001 Greece and Italy could be identified as two countries where a range of initiatives in gender mainstreaming were planned, by 2003 the situation has again changed, with Italy retreating on many of its former commitments. This illustrates not only the difficulty of comparing across countries but also in identifying what measures or developments constitute significant and sustainable changes. As we will see below, the changes in political complexion of governments in the EU has a major influence on the impact of the OMC on the development of an equal opportunities perspective. This was no more true than in Austria where having achieved the inclusion of the gender mainstreaming guideline during the Austrian presidency the government of Austria changed and effectively dismantled many of the internal innovations in gender mainstreaming. France is another country where the election of a right wing government is placing in jeopardy its significant programme of gender mainstreaming that it initiated in 2000 and 2001. In some countries, due to a range of factors including a strong commitment to gender equality that predated the EES, the process seems to be taking on a sustained life of its own. In Finland it is argued that gender mainstreaming has been accepted by policymakers to be a permanent part of the policy formation, implementation and evaluation process (Lehto 2001) and Sweden has signalled the maturity of its policy by starting to evaluate the methodologies of mainstreaming that it has implemented (Gönas 2001). In member states without such traditions of gender equality policies, it is too early to know which, if any, of the green shoots will eventually turn into mature policies. The large number of examples of member states where initiatives have been reversed or ineffectively implemented provides scope for pessimism but there may still be a return to such developments, once the political or economic cycle swings again.

So far we have been discussing the development of gender mainstreaming from the perspective of the gender equality agenda. The other contribution that gender mainstreaming can make is to promote a more effective and holistic approach to employment policy, thereby improving the efficiency of policy making in this area. Indeed the peer review of the EES used the interesting concept of 'mainstreaming' employment 'into other related areas such as social inclusion, education and training, fiscal policy and family policies' (EC 2002:13). This positive assessment of the broadening of the scope of employment policy can be clearly related to the early decision to include equal opportunities and gender mainstreaming as part of the EES. This commitment necessarily leads on to a consideration of issues such as family policy (for example the childcare targets agreed at Barcelona) but also tax policies and social inclusion. This broader approach links the survival and the modernisation of the European social model much more closely to the EES and, furthermore, provides for more efficient and holistic approaches to policymaking, where the strategy is seen to require not just a change in the labour market but in the institutional arrangements that underpin individuals participation in that labour market. The development of a job quality dimension to the EES, particularly under the new guidelines, can also be in part attributed to the need to reconcile the search for gender equality with the changing

nature of employment. If the focus had remained solely based around issues of access to employment, the problems of closing the gender gaps in quality of employment- as for instance indicated by the gender pay gap- could be expected to become increasingly apparent.

The second strand to gender mainstreaming is the inclusion of gender aspects in the design, implementation, monitoring and evaluation of specific measures included under all the EES guidelines. There is a general view that the EES has not been very successful in promoting a systematic approach to policy evaluation; it is therefore not that surprising that there is limited evidence of gender-based evaluation of mainstream policies. Perhaps more concerning is a rather general failure to set gender specific or disaggregated targets within the first three pillars of the EES. There has been some more success in introducing gender aspects into the design or implementation of specific policies, particularly those related to active labour market policies, taxation and entrepreneurship. The record in other aspects of the EES has been even more limited, as we discuss in section 3 below.

Change in public policy is evident with respect to the access of women to active labour market policies. Such schemes were traditionally oriented towards displaced men, with eligibility restricted to being a benefit claimant (Rubery et al. 1998, 1999) or to redundancy from heavy industry or manufacturing. Many women who are without work but want to work are not formally classified as unemployed for the purposes of claiming benefits, having been out of the labour market or working in non standard employment. Examples of countries which have opened up access to job seekers whether or not they are eligible for benefits since the beginning of the EU employment strategy in 1997 include Germany, France, Belgium and Austria, while other countries such as the Nordic countries do not face the same disparities in eligibility for programmes as women have similar employment patterns to men. Several countries have established targets or minimum quotas for women's share of these schemes- including France, Germany, Greece, Austria and Spain. For example, Greece introduced in 1999 a 60% quota (equal to the share of women in unemployment) in all active labour market programmes and schemes. Some schemes include more innovative gender equality approaches: for example in the traineeship scheme in Portugal the underrepresented sex is always to be encouraged and in Sweden some jobseekers are placed in 'break projects' aimed at reducing gender segregation of the labour market. In Italy as part of the reform of the public employment service, personnel with equal opportunity competence were to be appointed in each local employment office. In contrast the UK and Ireland have continued to restrict access to the main active labour market policies to those eligible for benefits, thereby excluding many female unemployed. The proportion of women on the New Deal programmes in the UK as a result are much lower than their share among the unemployed, using the ILO definition.

The second main area where there has been movement is that of tax where individualization of taxation systems, aimed at removing disincentives to participation by women and other groups has been further developed or fully achieved in the Netherlands, Spain, Ireland, and Belgium. The Netherlands has a fully individualized system but within this has both retained a general tax benefit for everyone, including those who do not work, and has introduced a very small benefit for anyone who combines work and care (defined as looking after a child aged below 12). This focus on

taxation reform for promoting participation follows very much the line of the recommendations from the EU although as we discuss below, in fact the impact of these policies on women's participation has possibly been exaggerated, except perhaps in Germany (Vermuelen et al. 1994).

The majority of member states have also established some specific programmes or set gender targets within existing programmes to support the development of female entrepreneurship but the impetus for this development may have come more from the structural funds that provide a good part of the support for business start-up programmes in many countries. In this context what is perhaps more surprising is how limited these developments are. Sometimes it is also difficult to know what has actually happened as programmes mentioned in one NAP disappear in the following NAP with no information as to whether the measure has ended or has just been omitted.

While all the other areas of policy can be regarded as an almost gender free zone (see section 3, point 2), it is worth noting that where efforts are made to expand or develop guidelines to point member states at issues that have a gender perspective, there is some evidence that these developments may be followed up. Before 2001 there had been a relatively limited development of an equal opportunities dimension to lifelong learning initiatives, with many schemes still focused on those in full time employment. In 2001 lifelong learning initiatives were stressed more and the guidelines revised to include a specification to pay attention to access for those in atypical jobs. There were some moves in 2001 to extend access in ways which may favour women. For example, in the Flanders region of Belgium training credits were introduced that allow for career breaks or reduced working time for training and learning leaves were introduced for part-timers; Spain expanded the range of organizations and workers eligible for state funded training; Italy's new law on parental leave gave a right to up to one year's unpaid leave for life-long learning, Portugal required attention to gender balance in all its expanding training programmes and the UK began targeting part-timers in some training programmes.

In addition to gender mainstreaming the rest of the guidelines under pillar four required member states to enact specific policies to close gender gaps and to promote reconciliation of work and family life. In practice most of the attention was placed on the latter agenda- including improving childcare and leave arrangements. Policies to close the gender gaps were relatively underdeveloped, except for initiatives to address segregation, introduced largely in response to Council recommendations. Box 2 provides a summary of the positive and negative developments within EES within the Equal Opportunities pillar under the four main headings of segregation, pay, reconciliation and care provision (employment and unemployment being addressed primarily within pillar one). Here action has been greatest in the area of care provision, followed by leave entitlements, with relatively modest and not always productive steps taken to address issues of segregation and unequal pay.

Box 2: Positive and Negative Developments under the Equal Opportunities Pillar

	Positive developments	Negative developments
Segregation	Initiatives include incentives or programmes aimed at diversifying the occupations or training	Most measures aimed at the unemployed, but male-dominated job sectors not

	<p>programmes entered by the unemployed or by women returners; programmes designed to influence initial choices of education, training and career; schemes to increase women's representation in IT occupations; positive action programmes, particularly in public services; and some limited incentives for employers to diversify occupations (for example, rebates on social security in Spain if employers offer women permanent contracts in jobs in which they are underrepresented). Equality plans in Sweden and Finland should address segregation.</p>	<p>fairing well at this level, so desegregation may not be productive. Limited measures aimed at addressing vertical segregation (e.g. almost no attention paid to the long hours culture). Women not seen as a potential source of easing skill shortages in IT and issues of skill shortages in women's job areas e.g. nursing not addressed. Equality plans in Sweden and Finland appear to be a promising idea for addressing segregation but implementation is low, an issue not addressed in the NAPs. Little attention is paid to reducing the costs of segregation through pay policies to provide for equal pay for work of equal value.</p>
Pay	<p>In Sweden and Denmark new laws introduced to give compulsory access to wage data by gender at enterprise level. Expanded interest in workplace equal pay reviews especially in the public sector. Some initiatives by trade unions with respect to job evaluation (e.g. Germany). New law in France requiring compulsory collective bargaining on occupational equality between women and men. National minimum wages introduced in Ireland and the UK with beneficial impacts on women.</p>	<p>Most countries have limited initiatives to new studies. Little attention paid by member states to gender pay issues in NAPs; most of the momentum has come from the Commission (gender pay gap included in structural indicators for Broad Economic Policy Guidelines from 2002) and Belgian presidency adopted new indicators for monitoring progress, but little evidence of take up at national level or by social partners.</p>
Reconciliation	<p>Leave arrangements have generally been expanded, in length of time and to cover more needs (e.g. care of sick/elderly adults, sick children) and with more attention paid the involvement of fathers (including offer of longer family leaves if fathers participate).</p>	<p>In some case (e.g. Spain and Austria) the expansion of leave is feared to be reinforcing women's role as carers. Limited development of paid leave is inhibiting take up of leave by fathers.</p>
Care provision	<p>Almost universal improvements in childcare facilities, even for member states with good provision already (for example</p>	<p>More attention to the provision of places than to affordability issues; monitoring of achievement of stated targets</p>

	moves to more flexible provision). Many of the initiatives in countries where childcare provision has been extremely limited.	not very evident; limited evidence of expansion of other forms of care provision.
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3. Limitations of EES/OMC

While the EES undoubtedly has served to put equal opportunities issues higher up the political agenda, the now rather lengthy experience with this process has served to reveal a number of shortcomings and limitations, some of which may not be susceptible to resolution, either because of a lack of political will or because of the presence of contradictory objectives. These problems can be classified under four headings. First there is the problem of definition or lack of definition attached to the objectives of a more gender equal society. Second there is the issue whether the pursuit of the EES as currently developed is compatible with the achievement of gender equality, or whether there are irresolvable conflicts in approach and objectives. Third there is the extremely important issue of change and developments at the political level in member states and that can be expected to be reflected at EU level and fourth there is the continuing problems of a lack of expertise among policymakers, commentators and politicians concerning the development of a gender perspective on the European socio-economic system.

3.1. Towards a more gender-equal European society- but what does such a society look like?

One of the benefits of the OMC is held to be the possibility for member states to combine their own traditions and approaches with the movement towards common EU wide objectives. On that basis it may therefore be regarded as hardly surprising that there are many definitions, implicit and explicit, within the member states' National Action Plans as to what constitutes either equal opportunities or greater gender equality. Some member states implicitly adopt the model of a dual earner dual carer society as the objective, while others –for example the Netherlands-see the one and a half earner model- that is where women combine wage and domestic work through part-time jobs as the objective. Still others- for example Spain- focus more on allowing women to continue with their care responsibilities with extended leaves, and the UK focuses on the sovereignty of choice, whereby the advantages of diversity in working time is stressed, without reference to the constraints that women may face in a context where their partners 'choose' to work extended hours. The problem with this apparent free for all is not that there is one straight-jacketed model that has to be adopted immediately by all member states but that the absence of any discussion of what gender equality actually means allows member states extreme freedom in presenting their policies as promoting gender equality. Under these conditions the peer review process effectively breaks down as there is no clear set of criteria against which the policies can be assessed. In particular there is no agreement that a more

gender equal society must involve change in men's and not just in women's behaviour; instead the focus is almost entirely on women, whether it is on promoting the male model for women to aspire to, or a different model- as in the one and a half earner model favoured in the Netherlands.

The 'freedom' offered to member states to set their own objectives within the OMC also has negative impacts on subsets of the EES strategy. For example the guidelines require member states to ensure that women are represented in active labour market policies according to their share of the unemployed but leave it up to member states to determine the definition of the unemployed. Thus states that restrict their definitions to those able to claim benefits on grounds of unemployment- thereby effectively ignoring all women returners who want to work but cannot find work- are deemed to fall within the policy guidelines. If gender mainstreaming and gender equality objectives are to have any serious impact on policymaking they must be used to challenge outdated and inappropriate ways of conceptualising the labour market. Unless this challenge is extended to the definitions and policies adopted by member states under the guise of subsidiarity it will remain a policy tool without teeth.

3. 2. Is the goal of equal opportunity for women and men compatible with or potentially in conflict with the European Employment Strategy, as currently formulated?

One of the characteristics of the EES, along with most other governmental or pan-governmental programmes is that there is no attempt to analyse the stated objectives for any implicit contradictions or tensions between the various elements. Equal opportunities is thus asserted as compatible with the other goals of the EES but, despite the principle of gender mainstreaming, there is no systematic analysis of the dangers to be avoided in order to enhance compatibility. From the analysis presented above, the changes that have come about associated with the dual development of the employment strategy and gender equality objectives are those where there is clear evidence of compatibility- in particular, where promotion of equal opportunities is treated as synonymous with improving the overall employment rate or increasing labour market flexibility. Where gender equality requires substantive change in the organisation of the labour market-with respect to pay, working time or other issues, where employers need to take action- there is very limited evidence of change. Indeed one can argue that equal opportunities is being pursued as an input into the European Employment Strategy and not as an objective in its own right. This economic justification for equal opportunities has come to dominate over the human rights and social justice argument. This does not mean that there are no benefits to women from this approach- in particular the new emphasis on childcare facilities will bring concrete improvements to the infrastructure- but it is important to be clear that these would not be being promoted if they were not seen as compatible with the employment objectives. Where further progress- for example on equal pay- requires action to change the behaviour of employers and indeed trade unions, the EES is in effect powerless, as there is no general consensus that the EES should 'intervene' in areas deemed the prerogative of social partners and in particular of management. Trade unions appear to be either too weak or not interested in developing gender equality policies. The decision to leave change within the adaptability pillar up to social partners has in many areas meant in practice leaving change up to employer discretion. Issues such as working time, pay, job segregation (in contrast to, for

example, educational choices and segregation) have attracted very limited attention. The EES is in fact primarily concerned with the social and legal infrastructure and the characteristics and behaviours of the labour supply; it has very little to say either about what currently happens or should happen within the skin of organisations or about distributional issues- such as the appropriate level of minimum wages. These are both critical areas for gender equality.

This limited approach to the role of government and pan-governmental policy-making leads also to a failure to analyse some of the contradictions within its own approach. The focus, for example, on promoting low taxes on low paid jobs is not framed within a more general policy approach designed to ensure the inclusion of all workers within social protection or the maintenance of adequate tax revenues to sustain the social services that facilitate women's entry to work. These are arguably much bigger issues for women than the rate of general taxation. Indeed with the exception of Germany (which has maintained its income splitting tax system which does create strong financial incentives to non participation) research suggests that the impact of non individualized taxation on female participation is at most weak (Vermuelen et al. 1994). Much more important in creating disincentives are household-based means-tested benefit systems, but these issues have yet to be addressed in most countries. Instead there are moves in a number of cases towards in-work benefits as a means of promoting participation in low paid work . Belgium is planning an individualized approach (Marage and Meulders 2001) but the UK and France have opted for household based approach with strong disincentives for female participation among couple households. This did not stop the UK scheme being cited as a best practice example of equal opportunities policy within the peer review of the EES. There are therefore still contradictory forces at work in tax and benefit reform, at both the EU and the member state level.

Within the guidelines on flexibility there are injunctions to combine flexibility with security, but there is no explicit analysis of the potential contradictions between flexibility to meet employer requirements and flexibility to facilitate reconciliation of work and family life. These two opposing types of flexibility are just presumed to be potentially compatible, and it is clear that if there were to be a conflict that the former would be prioritised over the latter. Where there are attempts to address the issue of gender equality within the flexibility strategy, these are rooted in particular developments at the national level. For example, in France under the socialist government, the implementation of the 35 hour week was much more sensitive to gender issues in its second than its first phase, reflecting the greater emphasis on gender mainstreaming within French public policy after 1999 (Silvera 2000, 2001). The second phase removed the fiscal incentives within the policy to create part-time jobs for in France the promotion of part-time work is regarded as undermining women's integration on an equal basis in the labour market. Instead the new law provided increased opportunities to move from part-time to full-time work.

The twin focus on job quality and full employment within the new guidelines could do something to focus attention on potential conflicts, but the main quantitative targets still apply to the full employment objective and there is little within the guidelines on job quality to point to the potential contradictions with gender equality if 'modernisation' is pursued in particular directions. The increased focus on social inclusion- both within the EES and as the social inclusion process develops maturity-

should in principle alert policymakers to some of the potential contradictions between elements of the EES and the related objectives of promoting social inclusion and gender equality. There is, however, a continuing danger that the approach to social inclusion will focus on the household level only, without reference to issues of individual entitlements and rights nor the fact that households are not stable entities, such that the socially excluded – lone parents, poor pensioners etc- may at some stage have been part of an apparently ‘socially included’ household. In a context of increasing economic and family instability, more attention needs to be paid to individual rights, an approach more consistent with the gender equality perspective than the primarily household-based approach to poverty and social inclusion. This need has been recognised in principle in the NAP/Inc guidelines where there is a requirement for gender mainstreaming, but the member states have so far proved reluctant to adopt this perspective.

3.3. Sustaining commitment to gender equality in a context of political cycles and political spin.

The third and possibly most important problem in developing the equal opportunities agenda is its critical dependence on a political will to implement the agenda. The most obvious level at which that political will is critical is at the member state level; it is here that there have been very obvious swings in commitment dependent upon the political persuasion and objectives of the government in power and their perceptions of the possibility and desirability of making changes. The commitment to the equal opportunities agenda at the Commission level has remained somewhat more steadfast but the perception of the commission of what is possible within the EES is also dependent upon the political will of the member states as manifest in the Council. It is in fact worth noting that over recent years the presidencies of the Council have added to the momentum behind gender equality issues but it remains to be seen whether an end to rotating presidencies may result in less activity on these issues. Member states in charge of the presidency may have been rather keen to develop equal opportunities initiatives, to make their own mark on the EU equal opportunities agenda, and may also be susceptible to political lobbying at the member state level to take some action in this field. The examples of Austria and France are instructive in this matter. Both member states took significant steps during their presidencies to promote gender issues; in Austria the outcome was the inclusion of the gender mainstreaming guideline, in France the presidency called for and adopted proposals for better indicators on reconciliation of work and family life. These presidencies also coincided with the height of activity at the national level in promoting gender mainstreaming. The subsequent change in government in Austria brought these national developments to an effective halt (Ruberly et al. 2001) and the change in government in France in 2002 may yet also lead to some reversals of the gender mainstreaming process that was underway. The main role of the EU is in fact in placing equal opportunities and gender mainstreaming firmly on the policy agenda. This establishes equal opportunities as one of the list of options that internal political parties and leaders may decide to adopt for whatever reasons and ends. When the member state is in the centre of European during a presidency, there is likely to be more attention paid, even at national level, to EU objectives.

Implementation of new approaches to policy making take time and evaluations of the impact of recent commitments to gender mainstreaming is complicated not just

because of volatile political conditions but also because many of the policies have not yet been implemented and are only in the planning phase. There is a further more general issue and that is the difficulty of acquiring anything other than positive perspectives on the progress made with respect to policy development and implementation. National Action Plans only tend to report positive developments and even evaluations of policies are only likely to be reported where these support rather than critique the government's chosen policy approach. This is not in any way surprising, given that National Action Plans are overseen and effectively the responsibility of active politicians who are only keen to present the positive side of the policies. These political dimensions are not however given sufficient consideration in the formulation of the open method of coordination approach. There needs to be more independent assessment of the claims made in the National Action Plans, drawing on published work by acknowledged experts within the member state who have subjected the policy approach to critical analysis. This function is provided by the EGGE group of experts with respect to equal opportunities policies but is rather more lacking in other areas. This approach is also of course more effective in member states with strong traditions of policy-orientated social science research. In other cases there are relatively few independent sources of information on implementation or effects of the stated policies.

3. 4. Limited knowledge/ understanding on part of policymakers at EU/member state level

The fourth barrier we can identify to the full implementation of the equal opportunities agenda lies in the lack of both awareness of equal opportunities issues and developed expertise in implementation and analyses of this perspective among both policymakers and political and economic analysts. Despite the gender mainstreaming requirement, equal opportunities remains compartmentalised and has not been mainstreaming into general analyses of the EES or the social inclusion process. Even in book project such as this, there are remarkably few references to the gender dimension within the chapters not focused on gender issues. There is particular reluctance to address issues related to male behaviour and to continue to regard gender issues as only concerning women- and therefore apparently a minority interest. This approach leads to only partial and narrow perspectives on the changing nature of labour market and society. To what extent can the issues of skill shortage the role for migrant workers be considered without an understanding and analysis of women's' labour market participation patterns and issues of gender segregation on the demand side of the labour market? And how can the prospects for reemployment for the unemployed in active labour market programmes be assessed without consideration of whether the problem is a shortage of jobs for unskilled workers or the creation of low skilled jobs designed for second income earners not dependent on their wage for their full living costs? Yet the discussion of active labour market policies on the one hand and skill shortage problems on the other remain a largely gender free zone.

In addition to the lack of general interest and awareness there are problems with respect to specific expertise in analysing developments with respect to equal opportunities or the use of indicators or benchmarks to assess progress. Two examples

can be cited from the Joint Employment reports that provide the official review of the NAPs and progress towards achieving stated objectives. In one case Greece was commended for achieving a closure of the gender employment gap, but without reference to the fact that this was only achieved through a fall in the male employment rate. Similarly changes in the segregation index were used to indicate progress in desegregating labour markets, without these changes being decomposed into effects related to structure and labour force change and into changes in the gender shares within occupational categories. Unless the EU raises its game in its analysis of the interrelations between equal opportunities objectives and labour market statistics, the result is likely to continue to include the use and misinterpretation of misleading indicators.

4. Recent developments and future prospects

So far we have primarily been discussing the development of gender mainstreaming and gender quality action under the first phase of the European Employment Strategy. We now need to confront the issue of whether the momentum that was identified during that phase is now spent, perhaps in line with other aspects of the EES (Goetschy 2001), or whether there are grounds for optimism that the adoption of gender mainstreaming in the context of the open method of coordination provides a basis for a continuing process within the policy making agenda of both member states and the European Union. Such an optimistic conclusion could be reached even if there was evidence of currently a retreat from new initiatives or full implementation of the current policy. Provided gender mainstreaming and gender equality remained clearly within the portfolio of policies promoted by the EU, the possibility or likelihood might be that this policy approach would be taken up again by agents in the member states, when this suited their particular political interests. The likelihood of returning to gender mainstreaming would of course be enhanced the more that women's voices became stronger within the policy making process, either as members of the policymaking elite or because the need to address women's concerns was recognised as an increasingly important matter for public policy. It is notable, for example, that even the Conservative party in the UK has begun to recognise that women are no longer willing to choose motherhood over employment and that more may need to be done to meet women's concerns if the birth rate is not to fall further within the EU.

A survey of recent developments in the EU provides several grounds for both pessimistic and for optimistic outcomes. On the optimistic side, the so-called peer review of EES provide clear confirmation of the importance of the equal opportunity and gender mainstreaming aspects of the strategy. To cynics that could be taken as an indication of the rather weak overall impact of the EES but it is notable that seven countries chose to include equal opportunities as one of the main strengths of the strategy. Furthermore the actions under a number of presidencies have added weight to the strategies being pursued within the EES, by calling for more action, more information and statistics in a number of areas with respect to gender equality. A report on gender gaps is currently being prepared by the Commission in response to the request for such a paper under the ? presidency. If we turn to projected future developments there is a clear trend towards a streamlining and integration of a number of processes. First of all there is the synchronisation of the EES with the Broad Economic Policy Guidelines, requiring reports on both aspects of economic

policy at the same time. This integration, as we suggest below brings dangers, but it also brings the opportunity for the wider application of gender mainstreaming principles. This has already begun with the inclusion of the gender pay gap as one of the structural indicators under the BPEG. There was initial opposition to the inclusion of this as a structural indicator but its eventual acceptance further reinforces the EU's commitment to gender equality (and not just high female employment rates). Another positive development is the consolidation of the social inclusion process with the second round of national action plans in the summer of 2003. The guidelines for these action plans, in line with those for employment, stress the need for a gender mainstreamed approach. Just as the promoters of the employment strategy have come to realise the centrality of women's employment issues for the overall objectives, a similar argument can be made for the social inclusion strategy- that unless gender issues are taken seriously there can be no effective development of a European social inclusion strategy. Women constitute a disproportionate share of the poor particularly among the older poor and women's' poverty has a particularly deleterious impact on the welfare of children. The possibilities for the development of a gender sensitive analysis may also be argued to be enhanced by the integration of the employment and social inclusion process by the specification of social inclusion as one of the overarching objectives of the new phases of the employment strategy. This brings us to the new phase of the EES and its new guidelines. Here again there can be grounds for optimism. The new strategy remains committed to the principles of gender mainstreaming, even if it only mentions this process under guideline six of the new strategy. Furthermore it reiterates the targets set respectively at Lisbon and Barcelona with respect to women's employment and to childcare provisions. Furthermore it adds the targets to achieve a substantial reduction in the gender gaps in employment, unemployment and the pay gap by 2010. The commission's proposals to require a commitment to eliminating the gender gap in unemployment and halving, at the member state level, the gender pay gap by 2010 were rejected by Council in favour of these weaker versions, but a commitment to a substantial reduction is at least something, in principle. The three overarching objectives of full employment, improving job quality and productivity and promoting social inclusion also fit very well with the different needs of women in different parts of the European Union. In some member states as a whole and some regions of other member states the key concern is to generate more employment opportunities for women. In other member states such as the UK there is significant progress in employment rates but much more limited progress on the job quality front. In regions such as the South of Italy one key concern is to promote social inclusion and here greater opportunities for women in the labour market could promote such developments.

Thus there is a lot in principle to be optimistic about. Yet pessimism is perhaps the more rational approach. The new EES no longer has equal opportunities as one of its four pillars; instead it is one guideline out of ten. The commitment to gender mainstreaming is not mentioned in the overall introduction but only under guideline 6. The changes to the structure of the EES do not call for a change in approach but by making the commitments to gender equality that much less visible, they also allow member states to evade and ignore this aspect of the EES. What matters in the EES is member states' perceptions of what is important. It is clear that the qualitative targets associated with the employability pillar led to much more concentration on the first pillar than on other pillars. Similarly downgrading equal opportunities to one guideline in ten allows member states to interpret it as having lost political

importance. Similar problems can be found in the social inclusion strategy where there is very limited gender mainstreaming in practice of the policies included in the national action plans (Rubery et al. 2003 forthcoming). Despite the integration of gender mainstreaming through the text, there is little evidence yet that policymakers have taken this requirement seriously. Further risks come with integration with the Broad Economic Policy guidelines as here the risk is that the employment process will be seen as secondary to the overall economic strategy. As gender mainstreaming and equal opportunities is only beginning to be integrated into the BEPG, there is a danger that this momentum will be halted if the EES itself becomes a less important independent force within EU politics. Finally there is the general swing to the right within the member states which is posing general problems for the more progressive aspects of the EES. Under these conditions perhaps the best the EU can do is hold the line, keep the requirements for gender mainstreaming and equal opportunities specified within the overall employment and social inclusion strategies and wait for the next turn of the political pendulum before a new push can be expected towards gender equality.

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