

## **GENDER PERSPECTIVES IN EUROPEAN INTEGRATION THEORIES**

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## **Chapter 10: GENDER PERSPECTIVES**

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### **Introduction**

Gender refers to the socio-cultural meanings given to masculinity and femininity and to the complex and varying relations between the two.<sup>1</sup> Applying gender perspectives, therefore, both to the rich patterns of history and to the theories constructed to order and explain them, means identifying these changing meanings and examining their causes and effects. Gender relations are rooted in perceptions of difference and structured inequality and have over long periods of time led to many women being disadvantaged. As a result most of the texts cited in this chapter take a concern with the situation of women as their starting point.

Increasingly, however, it has become clear that the particular forms of disadvantage that women face cannot be adequately examined without taking account of the complexity of gender relations and the varied positions of men. Use of the term gender also makes it possible to take a broader view of differences and identities and to ask 'not only the woman question'. Thus there has been a gradual move across a range of disciplines from women's studies to gender studies.

The term 'gender perspectives' is intended to include a spectrum of approaches and interventions. As Cynthia Weber implies, gender is not a variable that can be included or excluded at whim in theoretical constructs. Rather, it is a viewpoint that can alter not just the scope of theory but the concepts upon which it is based (Weber 2001: 89). The overall argument of this chapter, therefore, is that gender perspectives create a viewpoint rather than a theory (in the narrow scientific sense of that term) and that without sensitivity to this viewpoint any general theory attempting to explain European integration will be partial and misleading. The aim of taking such a stand is to give visibility to values and situations normally ignored or marginalized, thus helping to create more inclusive and better grounded histories and theories.

The relation between gender perspectives (a framework for analysis) and feminism (a politics of women's emancipation) requires explanation. Feminist approaches and interventions provide a large part of the history and substance upon which gender perspectives build; they also make explicit the focus upon women and change. Sandra Whitworth in her 1994 study of feminism and international relations discusses three varieties of feminism: liberal feminism (concerned with equality and the equal representation of women), radical feminism (foregrounding violence against women and sexual politics) and post-modern feminism (deconstructing the category 'woman' and emphasising diversity). Gender perspectives, by twisting the lens a bit, blur these distinctions while opening the way to examine gender relations more broadly and engage with work on men and masculinity. Whitworth suggests a fourth version of feminism that she herself prefers. This might be called 'critical theory

feminism' combining the insights of Critical Theory (discussed in more detail later in this chapter) with a gendered feminist politics. I am not keen on labels, but if I had to choose one, this would be my preference also.

This chapter falls into four parts. The first surveys empirical and theoretical work on women and gender as this has developed within or been applied to European integration studies; the second assesses why most theorising on European integration is resistant to this material and what the possibilities are for change. These accounts are followed by two case studies demonstrating the significance of gender analysis in the EU context. The final section assesses these trends and considers options for the future.

### **Developing Perspectives**

Gender perspectives in the field of European integration studies have developed out of a complex intermingling of activism among women, policy development and scholarly analysis, mediated by different time frames and changing material conditions. Characteristic of these perspectives are scepticism about appearances and surface reality, a concern with power relations, and the pursuit of transformation.

There are in general three overlapping stages through which greater awareness among women about their situations enters into academic discourse. These are: identifying sex discrimination, generating material and research, and challenging fundamental concepts (Lovenduski 1981). There is no inevitability about reaching the third stage. The sequence for gendered accounts of and perspectives on European integration follows this pattern.

#### *Identifying sex discrimination*

The set of events which sparked off the sequence, and which remains emblematic of feminist campaigning, began in the late sixties in Belgium. In this period, campaigns for equal pay by women in the arms factories near Brussels, the determination of women lawyers to use European law for the benefit of women, and unrest among Belgian airhostesses came together to bring pressure on the European institutions. The result was the famous Defrenne cases in the European Court of Justice, which in 1976 led to the activation of Article 119 of the Treaty of Rome on equal pay (now Article 141) and the adoption of a series of implementing Directives.<sup>2</sup>

What these cases made clear was that Article 119 had the same legal effects as other Treaty articles. However, where other articles (even if contentious) were implemented through negotiation between existing political elites, Article 119 had been ignored until it was invoked by women who at that time were either outside the formal political system or marginalised within it. The overlapping interests of women with very different situations and class positions helped to make this breakthrough possible. The sequence of legislation that followed illustrated many of the key characteristics of European law and policy. Based on the notion of 'equal treatment', a concept already in use to remove barriers to trade, its main purpose was to reduce discrimination in the labour market, which was holding back the entry of women. While this was clearly an advance, the effect was to separate off and treat differently the economic role of women, while leaving their domestic role, and gender relations more broadly, unexamined. This was an early indication of the way in which social and political issues were neglected as a result of the EU's formation as primarily an economic community and single market. The (constructed) distinction between the economic and the social, and the different treatment given to each, has remained at the core of EU policy

making. It continues to affect the EU's women's rights/gender equality policy, despite important modifications.

The substance of the women's rights policy, and the case law it produced, began to take effect towards the end of the seventies. This was just at a time when the experiences of second wave feminism were producing insights and forms of analysis which began to problematise the whole question of what came to be called gender relations. This caused vivid debate particularly among women across the US and Western Europe. The identification and critique of sex discrimination was at its height.

### *Generating material*

For a while little attention was paid to this new European policy on women's rights, either by women generally or by EC analysts for whom it fitted no known parameters. Women lawyers were the first to take it seriously, in particular Eliane Vogel-Polsky in Belgium and Rights of Women (ROW), a collective of feminist lawyers based in London. The initial objective was to inform women about the new rights they were acquiring. But the material collected sparked off debate and analysis from a feminist perspective on the meaning of equality, and on the implications for women of distinctions between the public and the private<sup>3</sup>.

During the 1980s feminist theorising began in a more sustained way to expose gender relations and investigate how assumptions, norms and hidden structures created and perpetuated women's disadvantage. One example is Carole Pateman's classic study *The Sexual Contract* (1988). In this, she takes apart the idea of the social contract, which in modern society is seen as governing relations between the individual and the state, to reveal the unequal and unmentioned sexual contract embedded within it. This can be seen as an important step in revealing gender relations (although this term is not used) in order to explain and ultimately transform women's subordination.

Meanwhile, the publication of material on women in politics was increasing across Europe (Randall 1987). This highlighted the activities of women politicians, documented the overall absence of women in formal politics and expanded the definition of politics to include the more grassroots-type involvements of women. Soon after, this analysis was projected to the European level providing useful comparative material and a study of how women's exclusion from public policy diminished debate and reduced the likelihood of effective implementation (Lovenduski 1986). Despite the lack of polemics and the scholarly nature of this work, it remained for the time being on the sidelines as far as both political science as a discipline and politics as a profession were concerned.

In the early eighties I was teaching courses on European integration at Coventry University after a considerable period of involvement in the women's movement. I had read about the Defrenne cases in the women's press and wondered how they came about. When this was neither elucidated nor referred to in the work then current on European integration, I had to research it for myself. What I discovered was of interest to women but (as I realised later) also revealing about EC political processes and relevant to theorising about European integration (Hoskyns 1985). However, because I was at that time publishing in feminist or activist journals this material did not readily find its way into mainstream thinking about the EC.

Gradually, work developed which involved examining in detail the women's rights policy and legal infrastructure emerging at EC level and analysing the involvement of women and

women's political behaviour in this context. The main focus was on the public sphere. Doing this detailed work began to expose some of the socio-cultural and institutional forms that entrenched women's disadvantage but also provided opportunities for change. Studies in a comparative vein, which focused on the work experiences of women and their daily lives across Europe, were also under way. The statistical base and the extent of comparative material, in certain policy areas, were strengthened by the activities of the European Commission's Equal Opportunities Unit, which funded research and set up expert networks.

Parallel to this, campaigning and research was taking place on a much broader range of issues concerning women in Europe, which one might sum up under the term 'sexual politics' (Elman 1996). Part of this concerned issues such as abortion, sexual harassment and domestic violence – all matters urgently in need of regulation. The other part concerned the more hidden side – pornography, prostitution, trafficking, violence against women and labour exploitation. The aim here was to expose corruption and connivance and give some dignity and protection to the women involved. As Cynthia Enloe has shown in her classic studies of international relations and gender, such phenomena and the connections they have to mainstream society are generally ignored both by practitioners and theorists (Enloe 1989).

Highlighting these issues made clear the diversity of women's situations in Europe. This coincided with the critique by black women of the false universalism and ethnocentric nature of much of white feminism. The attempt by various women's organisations at European level to publish a study giving space to the critical voices of black and ethnic minority women showed how controversial a project this was, and how little political space there was in the European system for debate on these issues (Williams 2003). There is now much more material available on race relations and migration in Europe, a significant part of it dealing with or incorporating the experiences of women (Kofman et al 2000).

The emphasis on diversity and identity is one of the reasons for the use of the plural in the title of this chapter. There is no longer, if there ever was, a single gender perspective that can be applied to the EU. By the early nineties, these multiple disruptions had created a much more fragmented setting for gender politics and campaigning, at EU level as elsewhere.

### *Challenging concepts*

As can be seen from the above (which even so mentions only a small selection of what is available) a broad range of material now exists documenting the situations of women in the EU and establishing different points of view. The move from documenting women to studying gender relations is an organic and gradual one and in the process more complex analyses have been developing which both *deepen* and *broaden* the gender debate. While these are not co-ordinated (and not necessarily coherent), they create a level of knowledge and understanding that can challenge the concepts and assumptions underpinning academic analysis, and through this influence policy. The dangers of co-option, of being accepted without inducing change, remain strong.

As far as *deepening* goes, one of the main contributions has been the increasingly detailed discussion of the relation between employment and caring. This has been conducted primarily by sociologists and lawyers and provides a telling critique of EU measures and the continued emphasis on the employment situation of women. Such analyses make clear that until the issue of 'who does the caring' is moved centre stage in policy debate, and deeply rooted assumptions about paid and unpaid work are reconsidered, talk of gender equality remains grounded in an imbalance that is reproduced in legal texts and welfare regimes

(Luckhaus 1990). In respect of the EU, much of this debate has centred on analysis of the equal treatment rulings of the European Court of Justice (ECJ). Where once the Court was praised for its protection of the pregnant worker, its application of the 'dominant ideology of motherhood', which still sees caring as the main responsibility of women, has come under increasing attack (McGlynn 2000). The Court on many occasions has shown itself reluctant to use the equal treatment provisions to encourage or legitimise the role of men in caring. However, a small breakthrough occurred in 2001 when in *Griesmar* the Court for the first time ruled that a French provision which gave pension credits for caring only to mothers, should be extended to fathers also.<sup>4</sup> Whether the Court will continue in this direction is by no means clear, but the context in which it takes these decisions is being subtly altered.

Another example of *deepening* concerns the analysis of migration policy. Louise Ackers, working from the situation of internal women migrants in the EU (that is female EU citizens moving from one member-state to another), shows how both the assumptions in the EU's free movement of labour policy and the lack of convergence in EU welfare systems affect women migrants severely and diminish their rights as citizens. The policies are thus innately gendered without this fact being recognised or remedied (Ackers 1998). Annie Phizacklea, dealing with general theories of migration, shows that neither orthodox theories assuming push/pull factors and rational choice, nor structural theories based on models of dependency and capital logic, can deal adequately with the situation of third world women on the move. A more sensitive theoretical stance is needed to understand what happens to migrant women's diverse motives and identities as these meet up with host country assumptions and changing regulations. She suggests (and this has relevance for the EU, see 'Constructing Theories' below) that host country assumptions about women's place in the private sphere and in service, help to explain why many women migrants to the EU end up in marginal jobs, as servants and sex workers (Phizacklea 1998).

The above examples tackle theory and policy directly, using approaches that are critical both of concepts and of the policies deriving from them. Another strand of work, and this seems more common within political science, uses existing theories and methods but pushes them to include material of direct relevance to women and gender. One example of this is Sonia Mazey's account of the development of the EU women's rights policy, using a model of policy framing and advocacy drawn from policy studies. The fact that she finds a different trajectory here than in other policy areas (the European level having a strong influence on national agendas rather than the reverse) adds a new element. (Mazey 1998). Bretherton and Sperling attempt something similar in their study of women's networks and the EU using a framework drawn from policy network analysis. They state clearly that they find the framework inadequate and suggest ways in which it could be broadened to provide a more inclusive model (1996). Perhaps the strongest example of this trend is in comparative politics where, using and expanding conventional methodologies, Stetson and Mazur have collected a wide range of comparative material on women and the state, much of concerning the EU (1995). These examples seem likely to proliferate. Their impact on the mainstream of political studies is still limited.

*Broadening* is suggested by moves from more narrow sectoral studies and from issues dealing specifically with women towards consideration of the EU as a totality, and of the gendered structures and practices embedded in it. Jo Shaw has attempted this in EU legal studies, arguing that not only the women's rights policy but also the constitutionalising and constitutive aspects of EU law need to be brought into gender analysis (2000). Similarly, Lena Hansen sees the EU as a functioning polity and examines the restraints on 'gendered subjectivities' that its totality sustains (2000). Studies of this kind begin to tackle or at least question the underlying assumptions, structures and flows upon which the EU is based and

which are often disguised in public discourse. What seems to be lacking so far is a 'gendered political economy' approach to the EU. Diane Elson's study of gender and macroeconomics gives some indication of how this might proceed. She sees as crucial the revaluing of the social in relation to the economic, and the recognition that economies cannot function without the social assets that are for the most part produced outside both the private and public spheres, namely in the household. Such a revaluing has implications for theories about the individual and the market and presents a challenge to embedded assumptions about the roles of men and women (Elson 2000). Gender analysis along these lines has started in the development field (Bakker 1994; Rai 2001). Elements for such an approach to the EU already exist (Conroy 1997; Rees 1998; Rubery 1998; Wiener 1998) but have not yet been drawn into a coherent whole. Were this to be done, it is likely that resistance would be considerable.<sup>5</sup>

### *The policy context*

Over the years the scope of the EU's women's rights/gender equality policy has increased, partly at least as a result of some of the activities and analyses discussed above. This has not gone as far as some would like, but it has been in the direction of giving more consideration to diversity and to the non-market role of women. There are directives on pregnancy, part-time work and parental leave and soft law measures on sexual harassment, childcare, trafficking and violence against women. Article 141 (ex 119) now incorporates a legal entitlement to positive action. All of these measures have been watered down in negotiation and are patchily applied at national level (EUSA Review Forum, 2002). Also significant has been the adoption in 1997 of what is now Article 13 of the EC Treaty extending the scope of the EU's anti-discrimination remit to include a wide range of criteria, in particular race and ethnicity.

The main change in recent years has, however, been the adoption of 'mainstreaming' as the organising principle for the gender equality policy at EU level. This promises that a gender dimension will be incorporated into all policies of the EU. Furthermore, the commitment is 'constitutionalised' by being included in Articles 2 and 3 (2) of the Treaty, which set the main objectives of the Union. Neither the reasons for nor the implications of this shift in approach are yet clear. In some ways it can be seen as a diversionary tactic, giving the Commission 'a good story to tell', without much need to implement. On the other hand, where women are ready to act, or protest, they have a greater legitimacy. In reality, rather than offering solutions, mainstreaming provides multiple new sites on which gender battles can be fought (Pollack & Hafner-Burton 2000; Mazey 2001).

Despite mainstreaming, high profile acts of the EU still tend to be taken without much regard for gender or the appropriate representation of women. This is true of the Commission's 2001 Governance White Paper, which makes no mention of gender, and the composition of the important Convention for the Future of Europe with only a tiny proportion of women members (Shaw 2001; European Women's Lobby 2002).

Much change has taken place in the gender debate in the EU over the past thirty years. However, actions like these betray the fact that core concerns and many of the core policy makers remain largely untouched. In these areas gender is a marginal issue and women still relative outsiders in the public sphere. Can integration theories help to explain this situation or are they themselves compromised?

## Constructing Theories

Thirty years of study of women and gender have provided a wealth of empirical material and analysis that can help to explain and illuminate the various processes at work within the EU. Strongly formulated gender perspectives have been developed. These can be applied to the EU but they do not, I would argue, constitute a gender theory of the process of European integration. A challenge is thus presented to the more general theories of European integration to make use of this material, and to be open and sensitive to a wider range of viewpoints. This means not ghettoising or ignoring gender and other critical perspectives but seeing them as contributing continuously to the debate. Since theory constitutes as well as explains the questions it asks (and those it does not ask) such openness is important.

What would a gender-sensitive theory be like? In the first place it would have to be one that started with social relations rather than with reified and abstract concepts like state and nation. This would be a way of filling in 'the black box' between the individual and the state, which is present in many existing theories. Openness about norms and values would also be important and recognition that however objective and neutral scholars try to be, certain assumptions (and not least those about gender) influence the way they think and write. It would also need to be one that sought to theorise change, transformation and power, and had a broad definition of the political. As Steve Smith makes clear, one of the main reasons why rationalist international relations theory cannot deal adequately with the EU is its restricted notion of politics (2000: 33). One test of this broader definition would be the extent to which the criminality, violence and sexual exploitation which underpin much of European prosperity come within the scope of analysis (Locher and Prügl 2001). Phizacklea's reworking of migration theory from a gender perspective, discussed above, gives some indications of how this might be done (1998).

All this presents a challenge to existing theories though change is taking place. Much of the early debate about integration was more to do with closing off than opening up and it is discouraging to find that Ben Rosamond's otherwise excellent book on theories of European integration makes no mention at any point of either women or gender (2000). Nevertheless, an approach from gender has a great deal to say about the role of theory in the European integration process, and by switching the focus suggests new lines of enquiry. In particular, it brings the imbalance between the social and the economic in EU policy making into focus, puts the emphasis on democratic legitimacy and forms of participation, and prioritises the analysis of power relations. These concerns raise a number of questions about the part that integration theories have played not only in explaining but also legitimising certain key aspects of the EU's development and history. Bearing these questions in mind I shall now briefly examine the way theorising about European integration has developed and what changes are taking place. This process starts right at the beginning when Ernst Haas 'invented' neo-functionalism to explain and interpret the workings of the European Coal and Steel Community (ECSC) and the ideas of Jean Monnet.

### *Interpreting neo-functionalism*

The details of neo-functionalist theory are set out elsewhere in this volume. What is of interest here is its ethos and influence. Neo-functionalism has a social dimension and sees policy-making as a process - it should therefore be possible to include gender thinking within its frame. Despite these positive aspects, however, neo-functionalism has ended up explaining and thus implicitly often promoting a bureaucratic, technocratic model of policy-making in



the EU, which from the beginning separated the social from the economic. This not only excludes gender but also any concern with democracy. There are a number of reasons for this trajectory, at least in the early stages, most notably the fact that what Altiero Spinelli called 'the substance of politics' was lacking in relations between the six founder member states (1966:4-7). One could argue convincingly (and many have) that in post-war Europe the only way integration could be initiated was through elite contact on low-key economic issues relying on 'a vague but permissive public opinion' (Haas 1968: xii). However, what neo-functionalism failed to do was problematise this situation or consider its implications.

As it is now clear, no real attempt was made after this to construct 'the substance of politics' although at the time Spinelli, Monnet and Haas anticipated that this would happen. When I had the opportunity to interview Haas in 1996, I asked him about this, my concern as a feminist being to discover how characteristics so inimical to a gender sensitive EU had come to be embedded. In response, he made a number of illuminating comments. In particular, he made clear that in the 1950s public pressure was 'off' the ECSC because the acute welfare needs of people were being dealt with at national level. 'This was the necessary response', he said, 'concern for integration was not populist and there was no pressure for it to be so'. He also commented that although Monnet's initial idea was to involve trade unions and other social groups in the ECSC process, it became clear that trade unions (and presumably even more so other social groups) could not take advantage of the opportunities being offered. Thus European integration, by the time he came to study the process, 'was a very elitist enterprise'.<sup>6</sup>

These comments make clear that even in the 50s the separation of the economic from the social in EC policy making was well underway. This was consolidated as governments began to appreciate the convenience of taking transnational economic decisions by bureaucratic means, while meeting social need at national level. At the same time, the imbalance in the capacity to respond to the new process was also evident. Economic interests were far more able to organise and respond than were popular forces. Thus ideology and politics were embedded in the process, even this early on.

Here then are some of the phenomena which taken together started to construct the EU in certain ways. They are still highly relevant today. Gender perspectives help to reveal and highlight these phenomena, if only because women are particularly disadvantaged by the distancing of the social from the economic, and at the same time likely to be among those who find transnational participation difficult due to lack of resources and exclusionary practices.

### *From intergovernmentalism to critical theory*

One of the assumptions of neo-functionalism was that given the right circumstances, bureaucratic co-operation in economic and technical matters could bring about profound political change discreetly and without any widespread political mobilisation or ideological debate. Such an analysis was challenged very quickly by those who thought it underestimated the resilience of the nation state, and its complexities. Stanley Hoffmann was one of the first to argue in this way, spawning a long line of intergovernmentalists giving centrality to the 'high politics' role of the state (1966).

Thus was born in theory terms a long lasting conflict between neo-functionalists and intergovernmentalists, pitting supranational institutions and processes against national entities and governments. In the eighties, this supposed dichotomy exerted a hegemonic influence

over explanations of European integration, squeezing out other possible questions and paradigms. Despite the seeming conflict, both theories were (and are) fundamentally uncritical of the process of integration in the sense that they do not acknowledge its endemic contradictions.

During the same period more political-economy approaches to European integration could be found in the work of neo-Marxists like Ernest Mandel and Stuart Holland but these were ignored in mainstream theorising (Mandel 1967; Holland 1980). Also ignored was the growing impact of Critical Theory in the field of international relations. Critical Theory meets at least some of the criteria which gender analysis requires and has great relevance for the study of the EU. That it is not one of the theories included in this book is symptomatic of the neglect with which it has been treated in European integration studies.

Critical Theory springs from the Frankfurt School and was pioneered in the 1930s by among others Theodor Adorno and Max Horkheimer. Its best-known contemporary exponents are Jürgen Habermas and, within international relations, Robert Cox. Critical Theory takes issue with what are termed 'traditional theories' both for their assumption that theorists can be neutral observers and for their empiricism and concentration on knowledge that can be 'proved'. For Critical Theory, all facts and those uncovering them are historically and socially produced and no situation or aspect of society is immutable. Most importantly, Critical Theory looks to improve the human condition and seeks out the possibilities for transformation in existing situations and processes (Hoffmann 1987). The work of Habermas is particularly relevant to this book since he is concerned with political theory and communication and has sought to address the complexities of the EU.

Here then is a set of characteristics that comes near to those listed at the beginning of this section. However, there is little in Critical Theory that shows a sensitivity to gender and Nancy Fraser, among others, has taken Habermas to task for his gender blindness and failure to incorporate into his work a sufficiently subtle view of gender relations. This means that his model is 'bound to miss important features of the arrangements he wants to understand' (Fraser 1995: 35/36). Despite this, the concern of Habermas with public space, participation and communication and his clear-sighted dissection of the EU as a polity, make him a theorist worth engaging with. Noting that in the EU there is 'an ever greater gap between being affected by something and participating in changing it', he attributes this to the separation of the economic from the social and to the way people are being turned into clients (1992: 9-11). These are perceptions which resonate sharply with the direct experience of women engaging with EU processes.

The generally subversive approach of Critical Theory and its commitment to change are characteristics both feminism and gender analysis can make use of. Whitworth uses 'critical theory feminism' to good effect in her studies of international institutions and gender (1994). Critical Theory (though in a more neo-Gramscian form) continues to challenge thinking about the EU with its analysis of disciplinary neo-liberalism, transnational class formation and hegemonic forms of control. Current theories of European integration are taken to task for their bland acceptance 'that market forces are the expression of an inner rationality of universal human nature, that is held to be the essence of 'the realm of freedom' in political affairs' (van Apeldoorn et al, forthcoming 2003). The absence of attention to gender in this new wave of theorising has been highlighted by a collection of essays drawn together under the title *Towards a Gendered Political Economy* (Cook et al 2000). This is an important book with much in it of relevance to EU gender studies.

### *The governance turn and social constructivism*

The last decade has seen great change in theorising about the EU. Critical Theory, post-modernism, globalisation, developments in the EU itself, have all had their effect. The most important of these changes has been the switch to analysing governance rather than explaining integration and the application of techniques and methods from comparative politics and policy analysis as well as from the discipline of international relations. Considering the EU as a complex policy arena has finally decentred neo-functionalism and intergovernmentalism and added more nuances to the supranational/national dispute. It also for the first time allows issues to do with legitimacy and democracy to be set centre stage.

Within this more open context, partial theories like policy network analysis, new institutionalism, and multi level governance (all of which are discussed elsewhere in this volume) jostle and interact. This creates a situation where there is more possibility of making connections between, for example, the economic and the social in EU decision-making, or between the life experiences of different groups within European society. In this situation, gender perspectives and feminist interventions are more likely to have space and resonance.

Against this trend, there are still serious attempts in theorising as well as in practical politics to preserve the separation between the economic and the social and to hide the implications of this from political scrutiny. In theoretical terms this trend is represented by the idea of the 'two-level game'. This terminology, while apparently addressing the relationship of international and national policy making, in fact reifies the separation of the two, and furthermore expects that different criteria (especially as concern democratic accountability) will be applied to each. Andrew Moravcsik, whose liberal intergovernmentalism is discussed elsewhere in this volume, is a prime exponent of this view (1993, 2002) as is, from a different perspective, Giandomenico Majone (1998).

Such accounts are more than descriptive and explanatory, they are also constitutive. Moravcsik's assertion that lobbying should be taken account of at national level and included in the 'preferences' of individual states denies the fragmented nature of state interests and the transnational identity of many social groups. By failing to identify the imbalances in the existing system, such theories continue to support the elite nature of European economic decision-making, conveniently ignoring the fact that those furthering particular economic interests will always have the capacity to act internationally. Such theories pay no attention to the gendered consequences of these arrangements.

Social constructivism is the latest theoretical approach to be applied to European integration. This approach, although it comes in many versions, works across disciplines and brings a far wider range of phenomena into consideration than is customary in international relations (Christiansen et al eds. 1999). Social constructivist accounts deal particularly with identity formation, the process of socialisation and the importance of discourse in shaping and setting limits to what is achievable. Like Critical Theory, these accounts are not limited to 'facts which can be proved' and recognise that theories are affected by time and place and that scholars contribute to what they are explaining. Perhaps most important they link the social, political and international and see international processes as embodying and being formed out of social relations.

The extent to which these theories embody gender perspectives is as yet by no means clear. However, what is clear is that by endorsing the link between the social and the international they lift the lid on a whole range of materials and approaches previously discarded and

deemed irrelevant. This undoubtedly makes it more possible for gender perspectives to enter the mainstream (Locher and Prügl 2001). Women academics who have been writing on gender issues in the EU context for many years are now beginning to identify themselves as social constructivists (Mazey ed. 2000).

However, what seems at the moment to be lacking in the social constructivist armoury is a sustained theory of power or even a concern with its distribution. Since gender is an important signifier of power and powerlessness, this is a crucial omission for gender analysis. Feminists in the past have sought to theorise power as having a constructive as well as a competitive side and to consider 'power to' (enabling) as well as 'power over' (coercive) (Squires 1999: 39-45). Many would also be nearer to Foucault in seeing power everywhere, and capable of access and use in all kinds of diverse situations. The level of macro and systemic power, however, remains a crucial element and gender perspectives have an important role to play in revealing these dimensions (Allen 1996). Such depictions, rather than power expressed only as an aggregate of capabilities, need to be theorised with regard to the EU.

This overview of theories suggests that although theories of European integration have shown little awareness of gender, they have in fact been highly gendered. The EU they have helped to construct is one which, despite the policy initiatives, in its overall shape has disadvantaged many women and partially at least deprived them of a voice. This is as a result of the continuing separation of the economic from the social and the absence of effective democratic control and popular participation. Features which were expected to be temporary were allowed to become formative. Theories which could have highlighted this situation and considered its implications were by and large silent on these issues.

What effect might it have if both theory and practice at the European level were more sensitive to gender perspectives and the experience of women? The next two sections examine first the current EU debate over legitimacy and then the enlargement process from this point of view.

### **Case Study 1 – The Legitimacy Debate**

The EU legitimacy debate really only took a public form in 1992 when the Danish population rejected the Maastricht Treaty by a vote of 50.7 to 49.3%. Before 1992 Haas's 'permissive public opinion' was assumed to be still in existence with popular loyalty primarily satisfied at the national level. Since then, there has been continuing concern about how a more favourable view of the EU can be created and if possible the permissive consensus re-established. The dilemma is that the European Parliament, which is supposed to represent the democratic element, is neither well known nor trusted by the bulk of the populations. What people do trust (or are at least familiar with) are the national political systems. Thus popular dissent tends to manifest itself in votes (in member states where these are required) against extending the powers of the EU. The problem for those in power is how to satisfy a larger proportion of the population while not disrupting too far the current forms of decision-making or preventing further development. In these referenda and elsewhere there is a distinct and continuing gender gap, with fewer women than men willing to support extensions to the EU's competence.

These are problems which could have been identified earlier had more attention been paid to the attitudes of women and to the experience of EU policy-making on gender issues. For this

was a policy which unusually for the EU addressed a mobilised constituency. And although those women involved in and knowledgeable about the EU policy were small in number, the women's networks did at their most complete stretch from decision-makers and experts through to trade unions and grassroots organisations. There was also shown what one might call 'a capacity for participation'. Despite this, the gender policy never aroused great enthusiasm among women in a broad sense and was never able to 'deliver' women for the EU enterprise. If this is taken as a test case of the way EU as an institution affects broader publics, then there would seem to be three main reasons why the expected consolidation of support failed to take place. These are: the limitations of the policy itself, the blockages put in the way of genuine participation and the failure of EU leaders to provide a compelling 'vision' of the EU's purpose and ethos.

The limitations of the policy have already been discussed. Suffice to say here that despite certain achievements, the policy in legislative terms has only in the most grudging way moved beyond equality in the labour market. Indeed, Brigitte Young argues that it has never moved beyond what 'disciplinary neo-liberalism' demands of women (2000). It is also the case that important elements in the Commission have not been consistently proud of this policy or used it as an example to be followed. This kind of ambiguity (now repeated in attitudes to mainstreaming) means that the EU as an entity has never in a high profile way been able to reach out to women on the basis of the gender policy.

### *Participation*

On the issue of participation, Sue Cohen, an activist with the UK Single Parents' Action Network has made a telling critique. Involved from 1985 to 1994 with the EU Poverty Programme and a member of European Anti Poverty Network she describes the mixture of excitement, privilege and frustration that she and other grassroots women felt with their participation in EU projects. The Commission consulted widely and numerous workshops were held on the subject of 'social solidarity' but it was only gradually that they became aware of the limits to the dialogue, the exclusions that were taking place and the lack of political outcomes. 'If the Union is to become more participatory and democratic', she writes, 'then political knowledge and action will need to be informed by grassroots activists as well as corporatised agencies, by work in the home as well as paid employment, by the private as well as the public'. (Cohen 2000: 13). Marks and McAdam show that while many social movements have adjusted their activities to the EU level 'no uniform structure of political opportunities has developed, or even shown signs of developing' (1996: 103).

These situations lead to what has been called 'the return to the national'. The norm in the gender policy field is for the Commission to supply materials, organise studies and workshops, and then when people become enthusiastic to direct them back to the national level to lobby and bring pressure. This may be realistic in tactical terms, but it is an admission that there is no open political system that can accept a popular transnational input.

Does this matter? In a sense it is all part of the 'two-level game' and the argument would be that such enthusiasms should be part of national politics and if cogent will be taken on board in state preferences. Inevitably, however, such treatment discourages popular involvement in the EU and unbalances decision-making. It also puts off key activists and in the long run encourages people to feel attachment only to the nation state. In a globalised world this may in the end prove counter productive.

## *The image of the EU*

The Danish referendum in 1992 and subsequent referenda have highlighted the gender gap in support for the EU. These together with evidence from *Eurobarometer* surveys have been carefully analysed by Ulrike Liebert. Though the situation varies from country to country, the evidence shows that gender gaps over support for the EU have existed in all member states at least since 1983. Her conclusion is that for the most part women are wary of the EU, not because they are apolitical or lack information, but because they have different political interests. She also points out how little attention has so far been paid to this gender gap in mainstream public opinion or policy analysis. She feels her job is to 'illuminate the neglected part of the story' (Liebert 1999: 231).<sup>7</sup>

Liebert argues that the move to a greater emphasis on gender equality in the Amsterdam Treaty (1997) was an attempt to meet this dissatisfaction among women as well as a response to pressure from the Scandinavian governments. However, she expresses strong doubt as to whether this can now have the desired effect. Hansen sees it as a difficult problem for women activists at this stage to make up their minds whether they want a more participatory and open EU or on the contrary whether they should endorse the return to the national and try to keep what they can within the system they understand (2000).

Some would argue that both of these alternatives ascribe too much power to the EU and that what feminist thinkers and activists should be doing is devising alternative visions and opening up new political opportunities. One such attempt is the feminist notion of a 'transversal politics' which links people in diverse situations and attempts to establish a common space between them. Developed by Cynthia Cockburn and Nira Yuval-Davis in their work on women in conflict situations, these ideas are now encapsulated in the phrase 'rooting and shifting'. This conceptualisation of politics envisages people who are 'rooted' in particular memberships and identities, 'shifting' to a situation of exchange with those in different circumstances (Yuval-Davis 1997; Cockburn 1998).

'Rooting and shifting' can be seen as a political response to current trends. These are particularly evident in the EU where people are sceptical of the EU's capacity to protect them in the face of global insecurities. 'Rooting and shifting' acknowledges that people wish to keep their local identities but tries to construct an affective politics beyond this. Though developed as a way of conceptualising women's campaigning in a globalised world, it could equally well serve as a guiding principal on which to build EU citizenship.

### **Case Study 2 – Enlargement**

Enlargement provides a striking case study for the salience of gender perspectives. Not only is it proving to be a traumatic and often painful process for women in the applicant countries, but it raises many questions for women in the existing EU. It is also an important test bed for the validity of mainstreaming as a method of policy delivery. Self-awareness is required to do research in these circumstances and relations between western feminist academics and colleagues in East and Central Europe (ECE) have often been fraught. Some better connections are now being made and studies are emerging which both give space to the views of ECE women and also reveal much about the nature of the enlargement exercise and how this shapes and is shaped by gender relations.

#### *Gender works*

Gender studies of the enlargement process take many forms and reveal different layers of meaning. Four examples of recent work illustrate the complexity.

The first is a piece by Dubravka Ugrešić, which appeared in the *European Journal of Women's Studies* (1998). This describes in vivid terms the emotion invested in the new relationship between East and West in Europe and in the process of enlargement. The breaking of the old stereotypes and established roles appears as highly destabilising as is the new emphasis on ethnic identity and border controls. Ugrešić points out that the exclusions in place, now that entry to Western Europe is a possibility, are greater and more demeaning than in the cold war period. Then, when populations were firmly corralled behind walls and curtains, East Europeans could be seen as victims of the European 'other' and made welcome. Now in many ways they constitute a threat. Though Ugrešić does not refer to gender in her account, this is the kind of telling, personal analysis which gender research gives prominence to and takes seriously.

The mood of mixed emotions, irony, and threat in Ugrešić's piece needs to be borne in mind when reading the study by Charlotte Bretherton of mainstreaming gender equality in the enlargement process (2001). She uses Simon Bulmer's distinction between ideas and interests, to show how in the enlargement negotiations ideas (supportive of gender equality) come up against interests (reflected in already institutionalised male dominance). Thus there is already a conflict at EU level over mainstreaming which resonates and can intensify gender conflict in the ECE.

In the European Commission, DG Enlargement has been one of the most reluctant of all the DGs to take on board the requirements of mainstreaming. Social policy in general has been down-played in the enlargement negotiations and gender equality forms only a small part of this remit. Bretherton attributes this disregard to the fact that enlargement is seen as 'high politics' and thus assumed to be beyond any concern with gender disparities or social relations. It is also the case as we saw earlier that mainstreaming tends to be ignored in the core areas of EU activity.

As Bretherton points out, mainstreaming could have been of great help to ECE women faced with bewildering turns and unpredictable governments. In particular, it would have been useful to have gender monitoring in the allocation of money and useful also if issues relating to gender discrimination had been raised in the detailed meetings between EU and ECE officials which were part of the pre-accession screening. On the contrary, the sub-liminal message was given time and again that these issues were not important.

Without this broad commitment to mainstreaming, what was left was the need for ECE countries to comply with the EU's gender equality legislation, which formed part of the *acquis communautaire*. Most of this legislation, as we have seen, concerns equality in the workplace. However, Peggy Watson's careful examination of the situation of women in the ECE countries before and after 1989 suggests that generalising equal opportunity policies from west to east and assuming that the underlying problems of women are the same is a strategy with many dangers. Sexual difference was not experienced as a source of political inequality under communism, and even now, when unemployment, criminality, masculinism and class differences are on the rise, it is still not seen as the main determinant. Many men also suffer from frustration and unemployment and women are now more likely to identify with class positions than gender (Watson 2000). This suggests that a much more nuanced and targeted gender policy was required from the EU for the ECE countries – something that could have been forthcoming through mainstreaming had it been sensitively applied.

Susan Gal and Gail Kligman make similar points in their book *The Politics of Gender After Socialism* (2000). This study is the result of intense collaborative work and examines in detail the post socialist situation from the perspective of gender using insights from discourse and

cultural theory as well as more traditional social science approaches. The results demonstrate how continuity and change interact and people reposition themselves and reinterpret phenomena in new situations. This is a study that probes the interstices and argues convincingly that without an adequate theorisation and understanding of gender, the overall situation in the ECE countries will be misrepresented and misunderstood.

All of these studies contribute important findings to the study of enlargement. Many of them may be unpalatable to those in authority on both sides. Nevertheless, paying attention to these nuances can reveal pressure points and give early warning of changes taking place.

## **Outlook**

It is hard to evaluate exactly where we are in terms of the success or otherwise of gender perspectives in influencing study of the EU and the development of theories. Certainly progress has been made and far more material is now available. The arena for theorising has opened up and significant gender material is beginning to be used in the European politics mainstream (Pierson 1998; Cram 2001). On the other hand, both the core of EU policy-making and many of the key concepts in theorising European integration remain virtually untouched.

One sign of progress is that gender research has now moved out from a prime concern with the EU's gender policy and legal instruments towards a broader consideration of the gendered nature of the EU as a polity and the ramifications of this. I would argue, however, that this has not gone far enough and that more of an engagement with the EU's fundamental economic structure and ethos – a political economy approach in other words - is required. Neither core values nor the essence of policy making are likely to change without this. To mount this challenge would mean gender theorists in areas such as international political economy and gender and development taking the EU seriously, and Critical Theorists including more centrally the gender viewpoint.

As far as theory is concerned, it is interesting that there has been far less engagement by feminists with integration theory than with the 'parent' discipline of international relations. In that field, feminist interventions were regarded as so disruptive that a defence had to be mounted, by Robert Keohane, among others (1989). This involved a paternalist attempt to tell feminists what kind of theorising was and was not acceptable. Things have not yet reached that level on the European front and indifference is still the main weapon used against any likely incursions. There are a number of possible reasons for this: firstly, the EU is an 'uncertain entity' and therefore its politics and how to address them are unclear, secondly, there is a less obvious North/South dimension in its operations, and thirdly, gender interventions in respect of the EU came when European integration theories were already opening up towards governance and constructivism. As a result, a smoother engagement was possible. However, it should be remembered that feminists in international relations were beginning to attack the rationalist/market forces assumptions in the discipline and therefore threatening its foundations. Were this to happen in respect of integration theory then a much stronger response could be expected.

The use of the term gender is now well established in the field of European integration studies. It is also the accepted term for EU policy. While the academic justifications for its use are strong the implications for policy are still uncertain. The use of the term 'gender equality' suggests a broader remit for EU policy and the possibility of action in some key areas of gender relations. On the other hand, it is also strangely depoliticising and obscures



what was the cutting edge of the women's rights policy – its commitment to a better deal for women. This illustrates the dilemmas inherent in politics and theorising around gender: advances towards the mainstream can easily lead to dilution. In the present climate, however, there seem to be possibilities for an engagement between gender perspectives, Critical Theory and some aspects of social constructivism. These theories taken together have the potential to challenge the basic premises of the integration process and expose its inherent contradictions in a way that other theories do not.

## Guide to Further Reading

### *Primary Work*

Elman, A. ed. (1996). Sexual Politics and the European Union. (Oxford, Berghahn Books). Brings issues such as pornography, abortion politics and sexual trafficking within the scope of European studies

Hoskyns, C. (1996). Integrating Gender Women, Law and Politics in the European Union. (London, Verso) A detailed history of the EU's gender policy to the mid-90s paying special attention to the agency of women

Liebert, U. (1999). "Gender Politics in the EU - the Return of the Public'." European Societies 1(2): 197-239. Uses public opinion and policy analysis methods to dissect the reasons for the gender gap in support for the EU.

Mazey, S. ed (2000). "Special Issue: Women, Power and Public Policy in Europe." Journal of European Public Policy 7(3). Collection of articles demonstrating new links between gender analysis and social constructivism.

### *Other Primary Works*

Bretherton, C. (2001). "Gender Mainstreaming and EU Enlargement: Swimming Against the Tide?" Journal of European Public Policy 8(1): 60-81. Useful analysis of mainstreaming in a contested area.

Cohen, S. (2000). Social Solidarity in the Delors Period. Democratising the European Union - Issues for the Twenty First Century. C. Hoskyns and M. Newman. Manchester, Manchester University Press. Thoughtful discussion of why effective participation in EU processes is hard to achieve for grassroots movements.

EUSA Review Forum (2002) "Progressive Europe? Gender and Non-Discrimination in the EU" EUSA Review 15/3. Nicely contrasting views from Mazey, Shaw, Elman and Mark Bell on the current state of EU policy in these areas.

Hansen, L. (2000). "Gendered Communities: the ambiguous attraction of Europe". International Relations Theory and the Politics of European Integration. M. Kelstrup and M. C. Williams. London, Routledge. Brings a consideration of gender into the EU legitimacy debate.

Locher, B. and E. Prügl (2001). "Feminism and Constructivism: World's Apart or Sharing the Middle Ground." International Studies Quarterly 45: 111-129. Comes down on sharing the middle ground though with some reservations.

Mazey, S. (1998). "The European Union and Women's Rights - From the Europeanization of National Agendas to the Nationalization of a European Agenda." Journal of European Public Policy 5(1): 131-52. Theorises the EU women's policy and sets it within the policy analysis frame.

Mazey, S (2001) Gender Mainstreaming in the EU – Principles and Practice. European Dossier Series, London, Kogan Page. Brief and succinct overview of and introduction to the policy and its implications.

Phizacklea, A (1998) “Migration and Globalisation: a Feminist Perspective” The New Migration in Europe K. Koser and H. Lutz, London, Macmillan. Important article demonstrating a feminist reworking of mainstream theory.

Young, B. (2000). “Disciplinary Neoliberalism in the European Union and Gender Politics.” New Political Economy 5(7): 77-98. A critical theory approach to gender politics in the EU.

#### *Main critiques*

Jones, A. (1996). “Does 'Gender' Make the World Go Round? Feminist Critiques of International Relations'.” Review of International Studies 22(4): 405-29. Argues that gender is a variable which must include concern with the interests of men as well as women.

Keohane, R. (1989). “International Relations Theory: Contributions of a Feminist Standpoint'.” Millennium 18(2): 245-53. Classic lecture from IR scholar on how feminists should ‘do feminism’ in IR

#### *Additional works*

Alsop, A, Fitzsimons, A. and K. Lennon (2002) Theorizing Gender. Cambridge, Polity Press

Cook, J, Roberts, J and G. Waylen (2000) Towards a Gendered Political Economy. London, Macmillan

Rai, Shirin M. (2002) Gender and the Political Economy of Development. Cambridge, UK, Polity Press

Rees, T. (1998). Mainstreaming Equality in the European Union: Education, Training and Labour Market Policies. London, Routledge.

Squires, J. (1999) Gender in Political Theory London, Polity Press

Whitworth, S (1994) Feminism and International Relations. London, Macmillan

Weber, C. (2001). International Relations Theory: a critical introduction. London, Routledge. (Ch 5 on gender).

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## NOTES

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<sup>1</sup> The meaning of gender and its relation to biological sex has been much debated. In general, insights from biology and psychoanalysis, as well as the social sciences, would suggest that sexual identities are more ambiguous and less 'given' than was previously assumed. For a full account of these debates and others around gender see Alsop, Fitzsimons and Lennon *Theorising Gender* (2002).

<sup>2</sup> Gabrielle Defrenne was an airhostess with the Belgian airline Sabena. She was forced to retire at 40 with minimal severance pay and loss of pension entitlements. For an account of why Article 119 was included in the Treaty see Hoskyns (1996) pp 52-57.

<sup>3</sup> The binary divide between the public and the private has served many purposes most of them to the disadvantage of women. Many would now argue for a tripartite division: the public, comprising state activity including economic regulation and a public sphere for debate and action; the private, including economic exchange in the market and the actions and activities of civil society; and the domestic or familial, comprising the household in both its economic and social functions. See Squires (1999) pp. 24-32.

<sup>4</sup> ECJ Case C-366/99, *Griesmar*, judgement 29 November 2001. See also ECJ Case C-476/99, *Lommers v Minister van Landbouw*; judgement 18 March 2002. Here the Court acknowledges that a measure (in this case places in a nursery reserved for women members of staff) 'whose purported aim is to abolish a *de facto* inequality, might nevertheless also help to perpetuate a traditional division of roles between men and women'.

<sup>5</sup> As part of a gender mainstreaming initiative, a seminar was held in October 2001 on Gender and the EU's Broad Economic Policy Guidelines. Cogent papers by women economists apparently received a rather negative response from Commission officials.

<sup>6</sup> Interview, San Francisco, 3 September 1996.

<sup>7</sup> More detail on the Danish referendum from a gender perspective is given by Heather MacRae (2001) She uses this material to argue that integration cannot proceed effectively unless more attention is paid to gender and to national and cultural difference in the member states. For Macrae, a feminist approach to integration deconstructs boundaries and conceptual categories and broadens debate.