

Gender democracy

Dream or reality for Europe?

Gender equality is an essential component of a just and democratic society. RECON therefore asks how Europe's democracy fares when it is put under the gender spotlight. By directing the research on gender politics in the EU to the critical area of democracy, RECON has explored an understudied field.

What is the status of gender equality and gender democracy within the enlarged European Union? Are there significant differences in the various regions of Europe? What level(s) of governance is (are) the most relevant for the rectification of injustice and elimination of gender inequality? What kind of policies should the EU pursue in order to sustain gender democracy at all levels?

RECON has examined the EU's approach to gender equality, central institutional arrangements, important policy outcomes, and member states' and EU-level democratic practices from a gender equality perspective. An original concept of gender democracy has been developed and utilised to describe in ideal terms what is required to effect a gender-equal, gender-sensitive democracy in which the perspectives, interests and representatives of women are fully included and recognised.

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Selected findings

- **The European Parliament is a more gender-inclusive institution than the Council**
- **Gender equality arguments are often countered and overridden by those of business-oriented groups**
- **The transposition of an EU directive on gender equality often results in national politics overriding the EU dimension**
- **Conformity by member states to EU law on gender equality may be superficial**
- **The EU plays a general progressive role in the field of gender equality and anti-discrimination policies**
- **When a country moves beyond the minimum gender equality threshold set by the EU, the EU effect decreases and may even turn into a negative effect**
- **Encouraging the inclusion of women's civil society voices in the decision-making process would strengthen gender democracy in the EU**



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Read more on the findings in the following pages

More details and publications from the research field 'Gender, Justice and Democracy', including all RECON reports and working papers mentioned in the below, are available at:
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The quality of democracy

RECON has tested the state of EU democracy through a ‘gender audit’ of decision-making processes at both EU and member state levels.

The democratic quality of EU decision-making processes on gender equality has been assessed from the development of a proposal for a directive in the European Commission to its implementation at the national level. This research interrogates a democratic decision-making process along three dimensions:

Representation: The issue in question is critically examined by qualified and affected members of the community; *Accountability*: The process takes place in a public site, typically a parliament; and *Responsiveness*: Appreciation for, and understanding of, the positions of the other participants are expressed by all.



Read more

‘Gender, justice and democracy in the European Union’, Yvonne Galligan, in *Rethinking democracy and the European Union*, Eriksen/Fossum (eds), Routledge, 2011

‘Gender equality in the European Union’, Sara Clavero/Yvonne Galligan, *RECON Online Working Paper 2010/23*

‘Assessing gender democracy in the EU’, Yvonne Galligan/Sara Clavero, *RECON Online Working Paper 2008/16*

In general, RECON finds that the representation of arguments for gender equality risks being excluded and/or marginalised when economic, labour and business interests take part in the debate. The accountability of participants for their positions was often weaker than expected both in terms of reason-giving to other participants and in terms of explanation of positions to supporters, members or constituents. Because of inadequacies in representation and accountability, in part shaped by political and institutional practices, responsiveness to gender injustice is patchy. A committed central authority (government, the Commission) can facilitate responsiveness, but only up to a point.

The process highlights both the potential and limits to gender democracy in practice. Importantly, though, it identifies areas that can be strengthened, in particular the inclusion of women’s civil society voices in the democratic process.

Improving EU decision-making

Negotiation between the European Parliament and the Council can result in policy gains for gender democracy.

RECON has compared the EU decision-making processes leading to two gender directives, the *Goods and Services Directive* and the *Recast Equality Directive*. Findings suggest that the European Parliament is a more gender-inclusive institution than the Council. From a gender point of view, the democratic quality of the EU’s decision making is improved under the co-decision procedure, in which the directly elected European Parliament has to approve EU legislation together with the Council. But the impact of gender equality claims are often countered and overridden by the claims of business-oriented groups.

Superficial conformity to EU law

Democratic processes at national level are not found to serve female citizens and their claims well. Studies of national transpositions of the *Goods and Services Directive* show that the European agenda is often overridden by domestic national politics, and that there is a deep and systematic exclusion of women and women’s interests from decision-making processes that directly affect them.

In *Hungary* and *Poland*, decision making was marked by institutional buck-passing. Gender equality was of marginal interest to successive governments, yet the insurance industry’s claims were taken seriously. This led to only a limited, legalistic transposition in line with the provisions.

Austria's corporatist political arrangements framed the issue in labour market terms, thus restricting its scope. A culture strongly dominated by male interests among corporatist partners resulted in little meaningful inclusion of women's groups and perspectives. The transposition was used as a means of introducing wide-ranging policy changes, which shifted the law in a conservative direction.

In *Spain*, the government also used the implementation of this Directive as a vehicle for other issues. A wide-ranging gender equality law was introduced addressing other issues, such as gender quotas for political representation. Although the outcome could be described as advancing gender equality, the process itself fell short in aspects of gender democracy since women's civil society spokespersons were only to some extent engaged in shaping the law.

The pattern of slow transposition of EU directives in *Greece* continued in this case. Institutional inertia led to a rushed process during which the government's gender equality office and others sought to extend the directive to cover the media and education. Women's civil society groups had little say in the formulation of the Act, which was pushed through to avoid proceedings in the European Court of Justice.

In *Lithuania* the transposition process was generally framed as a technocratic matter. Women's civil society groups were largely absent from relevant forums, which is probably an ongoing effect of at least three factors: a focus by women's groups on localised actions rather than on national lobbying; competition for project-led funds, from which gender equality issues were excluded; and limited awareness of the relevance of gender mainstreaming by relevant officials.

These studies show that national transposition of a European law is shaped by the cultural disposition towards gender equity issues and claims. Hence, conformity to EU law in this instance is largely superficial.



Read more

Deliberative processes and gender democracy: Case studies from Europe, Yvonne Galligan (ed.), RECON Report 16, 2011

The EU's gender equality effect

The EU plays a general progressive role in the field of gender equality and anti-discrimination policies. However, when a country moves beyond the minimum threshold, the EU effect decreases and may even turn into a negative effect.

The country studies emphasise the EU's significance for the introduction of equality legislation and a state feminist apparatus in member states as a result of the principle of direct effect – EU directives and court decisions must be transposed into member state law – and other relevant mechanisms, from 'shaming and blaming' to deliberation and learning.

However, by leaving real equal opportunities legislation and policies to member states, the EU has only a *limited positive effect* on the level of radical reforms. The EU effect decreases by setting only a minimum equal treatment standard, as in the case of Spain. When a country moves beyond the minimum threshold, the EU effect may even turn into a negative one, as the cases of Greece and Hungary testify to. Spain and the EU-level perform better than the other cases studied. There are two main reasons for that: institutionalised access points where women's equality claims can be expressed alongside those of other interests, and a commitment to gender equality, and gender justice, as a norm among central political actors.

Additional research

'Gender justice in the EU', Cathrine Holst, *RECON Online Working Paper 2008/18*

'Gender identity in a democratic Europe', Nora Schleicher, *RECON Online Working Paper 2010/06*

'Equal pay and dilemmas of justice', Cathrine Holst, *RECON Online Working Paper 2011*