# Researching Gender Democracy in the European Union

## Challenges and Prospects

Yvonne Galligan and Sara Clavero

**RECONSTITUTING DEMOCRACY IN EUROPE**

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**Abstract**

This paper outlines a research programme for the study of democracy in the European Union (EU) from a gender perspective. It takes as its point of departure the recent turn to deliberative democracy in the field of EU studies, and more particularly, the claim that these theories can provide a response to current debates on the problem of the democratic deficit within this complex polity. The paper then discusses the relevance of deliberative democracy to research on gender in the EU and the main challenges that arise in trying to operationalise its main theoretical tenets. Drawing on feminist revisions of deliberative democracy theory, as well as on previous applications of these theories to empirical research, the paper proposes a set of indicators that can be used for an assessment of gender and democratic deliberation in this supranational arena.

## Introduction

The question of whether the European Union (EU) suffers from a 'democratic deficit' has been the subject of intense debate among EU scholars. While these concerns date back to the late 1970s (Marquand 1979; Meny 2002), in later years the literature on this subject has grown exponentially.

Discussions on the democratic deficit are quite diverse in relation to their understanding of the problem and the solutions proposed. Diversity of perspectives notwithstanding, it is possible to identify a common contention among them: that EU integration has eroded the capacity of European citizens to exert public control over their own affairs while the establishment of supranational structures has failed to compensate for this loss of control. In a nutshell, democratic deficit arguments highlight, *inter alia*, the dominance of EU executive power and its isolation from national parliaments; the weakness of the European Parliament vis-à-vis the power of member state governments in the Council; the absence of a European party system and the 'subjective' distance between citizens and the European Union (Weiler 1997; Majone 1998; Katz 2001; Moravcsik 2002). On further scrutiny, these arguments reveal that the EU democratic deficit has both an institutional and a structural dimension: On the one hand, it is a problem that derives from inadequacies in EU representative structures, as these leave important gaps in the channels of accountability between citizens and their representatives at the EU level. On the other hand, it is a problem associated with the absence of a European 'demos', which casts a shadow over the possibility of forging a democracy at the EU level. Institutional analyses propose reform at the supranational level aimed at strengthening the channels of accountability between citizens and EU institutions, structural-based critiques advocate strengthening democracy at the national level as it is only here that bonds of solidarity and a 'we' feeling can be forged (Follesdal and Hix 2006; Goodhart 2007). In sum, the proposed solutions to the EU democratic deficit vary between replicating the structures of representative democracy at the supranational level and strengthening the power of representative structures of the member states vis-à-vis the supranational layer of EU governance.

Another view of the democratic deficit at the heart of the EU's claim to rule suggests that the use of democratic standards to assess the legitimacy of EU governance amounts to a category mistake since the EU functions mainly as a regulatory entity with limited competences and resources. According to this position, the legitimacy of regulatory bodies derives from their ability to solve problems effectively and to protect the rights and interests of citizens (output legitimacy) rather than from the fact that decisions are subject to popular control through authorisation and accountability mechanisms –i.e., that decisions should ultimately be accountable to the voters or their elected representatives (input legitimacy). In sum, regulatory institutions are "non-democratic" insofar as their functioning precisely requires an insulation from majoritarian politics. According to Majone (1998), too much democratic input at the supranational level (e.g., an EU dominated by the European parliament or a directly elected Commission) would undermine the EU's neutrality and its efficiency in protecting the long-term interests of EU citizens. Given this, EU governance should be assessed by non-majoritarian, technocratic, standards encompassing technical expertise, transparency, clear mandates, objectives and decision-making procedures,

and ex-post monitoring. In this context, the role of civil society organisations in the EU decision-making process is to act as providers of relevant information and expertise rather than as political actors influencing outcomes. (Majone 1998).

However, when examined from a gender perspective, the EU democratic deficit debate appears to be exclusively focused on the principle of popular control, while the principle of political equality – another core democratic value and the main focus of feminist thinking on democracy – is very rarely taken into consideration. The input-focused side of the EU democratic deficit debate views representative democracy as the ideal model for realising the principle of popular control, and therefore assumes that political equality will automatically be fulfilled once the inadequacies in the EU representative system are rectified. By contrast, the regulatory, or output-focused side of the debate divorces the principle of equality (not only political equality, but also economic and social equality) from that of popular control. Though the regulatory perspective also tends to sideline issues of gender equality, it endorses idea that, in order to promote and to safeguard equal rights between European women and men (as well as the rights of minorities) in all areas of life, the pursuit of equality needs to be ring-fenced from normal democratic processes (Lord 2007). In other words, the effectiveness of the EU in developing a body of equality legislation and other policy measures aimed at the eradication of gender inequalities has been made possible precisely because it is an entity which has been protected from 'input democracy'.

Despite the absence of gender perspectives on EU democratic deficit debates, feminist scholars have yet to fully engage with the questions they raise and, more particularly, with their gender dimensions. Nonetheless, a handful of scholars have criticised the model(s) of EU democracy defended by the different sides of the debate, expressing their discontent with the gender implications of these model(s). For example, there are studies on gender and citizenship in the European Union that draw on feminist critiques of representative democracy as constituted and practiced in the nation-state, to highlight the political inequalities which would result from a direct transposition of this form of democracy to the supranational level. Guerrina (2007) advocates the incorporation of a gender perspective to the EU democratic deficit debate, as this would reveal that

> The political blindness to the shortcomings of liberal democracy at the national level has been transposed to the European level. The assumption that EU member states have achieved equal representation and have exhausted their potential for democratic governance continues to hide the failures of liberal democracy, and has ultimately served to reinforce gender power hierarchies and division currently at work within national politics
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> (Guerrina 2007: 28-29)

A the same time, the technocratic model of the EU, which conceives it as a regulatory form of governance promoting 'Pareto-efficient' outcomes has also been the subject of criticism by some feminist scholars. These scholars emphasise the political nature of struggles for gender equality. While acknowledging the need for expert and informed decision-making in matters pertaining to gender equality, they warn that, shorn of mechanisms of authorisation and accountability, there is a danger that elite conceptions of gender equality may marginalise certain gender interests from the political agenda, privileging some forms of gender relations over others (Schmidt-Gleim and Verloo 2003; Squires 2007: 5).

In sum, these scholars emphasise the need for a feminist engagement with questions of democracy in the EU. However, a focus on the degree, nature and scope of gender democracy in the EU requires that these questions are empirically investigated. For these purposes, we need to set up an analytical framework which allows us to assess the democratic quality of EU institutions and decision-making from a gender perspective. This is what this paper sets out to do. In building up this framework, the paper draws on the criteria of deliberative models of democracy for two reasons. First, these models have provided a valuable tool for feminist thinking on democracy, illuminating issues of inclusion, recognition and group difference to a fuller extent than aggregative models of democracy. Second, in recent years deliberative democracy has been the subject of increasing attention by EU scholars. These scholars see deliberative democracy as providing a promising framework for the study of democracy and democratic legitimacy in the post-national setting of the European Union, since it abstracts the idea of democracy from the limitations of the nation state (Neyer 2006: 782).

The paper proceeds as follows. Section one critically reviews the literature on gender equality in the European Union, making a case for the establishment of a research agenda that incorporates the concept of democracy – or, more specifically, the concept of gender democracy – in this field of research. Section two spells out the main tenets and criteria of deliberative democracy and feminist appropriations and criticisms of this model. This section also describes the advantages resulting from applying a particular version of this model (democratic deliberative supranationalism) to the study of gender democracy in the EU. Section three provides a set of empirical indicators that can be derived from the normative standards of democracy provided by deliberative democracy theory. These indicators are an essential element for empirically assessing the quality of democracy in the EU from a gender perspective. Finally, the paper finishes with some concluding remarks indicating the potential, as well as the limitations, of this analytical framework for future research in the field.

## Gender and democracy in the European Union: A critical review

Most feminist research on democracy originates in a criticism of liberal democracy as conceptualised and practiced in modern nation-states. At a general level, feminist critics have exposed the abstract individualism of liberal democracy which, being blind to gender differences, has led to women's exclusion from structures of political representation and participation. At the same time, it has enabled men to use formal democratic processes to perpetuate gender injustice and to preserve privilege (Phillips 1993). At a more specific level of explanation, these patterns of women's political exclusion and the reinforcement of gender inequalities in social, economic and political life - which the scholarship has often seen as constituting liberal democracies' gender democratic deficit (Marques-Pereira and Siim 2002: 173) - have come about in two ways. First, because formal democratic processes in liberal democracies take abstract individual interests and majority rule as the primary material for political decision-making, social groups who are either in numerical minority or have been marginalised due to a history of structural disadvantage (e.g., women) are rendered invisible. Second, because in liberal democratic practice political decisions are not in need of justification beyond the rationale of the voting procedure itself, the experiences and interests of dominant groups in society (e.g., men) become universalised and established as a norm, resulting in a phenomenon which Iris Young

(1990: 58-59) termed 'cultural imperialism' – a situation in which the dominant group(s) in society project their own experiences, interests and perspectives as representative of humanity, while those of marginalised groups are silenced or at best forced to be articulate in the languages of the dominant groups (Young 2000: 141-142).

Women's exclusion from democratic structures of representation and participation has generated a vast amount of empirical research, though gender inequalities in parliamentary representation represent one of the most identifiable areas of scholarship in this field. This work looks at the factors that shape women's access to legislatures, such as electoral systems, party recruitment practices and political culture as well as the institutional measures aimed at redressing women's political under-representation (Norris and Lovenduski 1993; Dahlerup 2005). A second strand of research on gender and political representation examines the relationship between women's representation in parliamentary assemblies (descriptive representation) and gender-sensitive and women-friendly policy outcomes (substantive representation). This strand of research explores the questions of when and how the representation of women's interests occurs, what interests are represented and who represents those interests (Thomas 1994; Swers 2002; Childs 2006).

More recently, the scholarship on gender and politics has expanded its original focus on women in parliaments to examine the role of state bureaucracies in redressing gender inequalities in society and advancing women movement's goals. Under the rubric of 'state feminism' this research looks at the conditions under which women's policy agencies within government structures facilitate effective linkages between women movements and state responses to women's movement goals (Stetson and Mazur 1995; Outshoorn and Kantola 2007). However, in contrast to research on women's legislative representation, the scholarship on state feminism has rarely been attuned to questions of gender, representation and democracy. Indeed, it is only recently that gender and politics scholars have begun to view the emergence of women policy agencies as a development in women's political representation (Lovenduski 2005; Squires 2007) or, more generally, as part of a wider process of democratisation of the liberal state (Rai 2002).

Since the emergence of gender mainstreaming in the 1990s, state feminism research has turned considerable attention to this strategy. Gender mainstreaming represents a new development in gender equality policy, as it aims to incorporate a gender perspective in all government policies. In so doing, responsibility for implementing gender equality is taken out of the confines of women's policy agencies and spread across government. However, this research has made few, if any, conceptual links between gender mainstreaming and democracy. This may seem surprising, especially given the fact that one of the founding documents of gender mainstreaming in Europe made a clear connection between gender mainstreaming and broader democratic concerns when it stated that this strategy involves a broad range of actors in policy making and thus "might help reduce the democratic deficit that characterises many current democracies" (Council of Europe 1998: 15). Several scholars have traced the disconnect between gender mainstreaming and democracy to the indeterminacy of the concept and the ascendancy of an 'expert-bureaucratic' understanding of gender mainstreaming, whereby this strategy is viewed as technocratic process that is primarily carried out by experts in bureaucratic settings. Expert-bureaucratic versions of gender mainstreaming view the role of women's organisations mainly as providers of information and expertise (through mechanisms of consultation) rather than as

political actors mediating between women's interests in society and political elites (Squires 2005). This conception of gender mainstreaming and the roles of various actors in the process closely resembles the regulatory governance perspective on EU affairs.One major advantage of expert-bureaucratic understandings of gender mainstreaming is that they are easily applicable to empirical research, in contrast to other understandings which view gender mainstreaming as a democratic process that fosters the participation of a broad and inclusive range of actors in policy-making. One problem with these versions of gender mainstreaming is their lack of specificity, so that it is not clear how it can be operationalised (Squires 2005, 2007).

Nonetheless, the gaps in gender and democracy research are made all the more evident when we turn our attention to research that focuses on the EU level. Much of the research in this field has concentrated on EU policy on gender equality and gender mainstreaming, seeking to explain the relative success of the EU in bringing about far-reaching gender equality policies "whereby the Community delivered a shock to national policy systems" (Mazey 1998: 131). In general terms, the development of EU gender equality policy is credited to the activism of women's strategic advocacy networks[1] and to the political opportunities afforded by the Commission – an institution which is viewed as an 'opportunistic entrepreneur', seeking to increase its own power, influence and legitimacy as a supranational body through the establishment of partnership alliances with women's interests in civil society[2] (Hoskyns 1996, Pollack 1997; Mazey 1995, 1998, 2002; Pollack and Hafner-Burton 2000; Ellina 2003).

Yet, in exploring the evolution of EU policy on gender equality, this scholarship rarely addresses gender issues in relation to political representation and participation. For example, little attention has been paid to women's political representation in EU supranational institutions; where the lack of research on women in the European parliament is especially worthy of note (for exceptions, see Vallance and Davies 1986; Abels 1998; Footitt 2002 and Krook 2006). Thus, in one of the very few studies available on women's representation in the European Parliament, the author noted two features characterising most of this research. The first is a focus on women as an interest group pushing for change through formal political channels, and the second is a tendency to situate women at the periphery of an already established (and often undefined) political space:

> What is interesting about much of the work we have reviewed is its relative failure to position women in the centre of the space of Europe. In most cases, women are seen as interpolating themselves (via equality legislation and parallel activism) in an already existing political space, operating as one of the many groups in the multilevel system of the EU
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> (Footitt 2002: 27)

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[1] Usually composed of women's transnational organisations, femocrats working inside the Commission, women MEPs and feminist academics.

[2] These accounts rely on a principal-delegate model to the EU. Under this model, supranational institutions are seen as agents of member state governments in the Council. This results in a 'bureaucratic drift', whereby the empowered agent possesses policy preferences distinct from its principals and makes use of its delegated powers to pursue those preferences. The role of the Commission in pursuing its own interests against the Council has been put forward to explain the success of some gender equality policies. One example is the Commission's skilful interpretation of Treaty provisions in its attempts to circumvent the British veto on a variety of social directives during the 1980s (Ellina 2003, van der Vleuten 2007).

Second, although the literature on women's transnational organisations has burgeoned in recent years (Cichowski 2002; Zippel 2004), this research has rarely addressed the role of these organisations in democratising the EU polity (for exceptions, see Williams 2003; Rolandsen-Agustin 2007). Finally, there are other aspects of the EU 'gender democratic deficit', such as gender differentials in voting behaviour at European elections, or gender gaps in support for European integration, which remain relatively unexplored (for exceptions, see Liebert 1997, 1999; Nelsen and Guth 2000 and Banducci and Netjes 2003, Banducci 2005).

The lack of research on gender and democracy in the EU has not gone unnoticed. A variety of authors have called attention to the excessive focus on gender mainstreaming, contending that the sidelining of questions concerning gender, democracy and representation at this level of governance has created important gaps in the scholarship on gender in the EU (Banducci 2005: 4; Krook 2006: 1). However, given that issues of democracy have represented a central theme in feminist political research, the question arises as to why these issues have been left virtually untouched in gender research on the EU polity.

A review of the literature suggests that a major difficulty may derive from inadequacies in applying to the supranational arena a model of democratic politics that has traditionally framed research on gender and politics at the nation-state level. If we make the assumption that democracy as organised in the EU closely mirrors the fully-fledged democratic systems that have been developed over a long period of time in EU member states– i.e., a majoritarian parliamentary model of democracy, where political decisions reflect the preferences of the majority of citizens and their elected representatives in parliament – then it becomes evident that the EU is a 'deficient' democracy or, at best, a democracy that is still in the making (see introduction above). To begin with, EU institutional arrangements are quite distinct from those existing in member states. Contrary to the centrality of parliaments in member states, where all political decisions rely on a decision of parliament or are assumed to conform to it (Crum 2005: 455), the European Parliament (EP) jointly shares legislative power with the Council through the co-decision procedure although the Council continues to retain full legislative power in many areas of EU competence[3]. On the other hand, there is not a single 'EU government'. Instead, executive power in the EU highly dispersed[4], so that the capacity of the EP to scrutinise the executive and to render it accountable is quite limited. Furthermore, though the power of legislative initiative is almost exclusively reserved to the European Commission, this institution is not 'elected' by the EP. Its members are appointed by the national governments represented in the Council.

The distinctiveness of the EU institutional make-up has implications for the indicators of gender democracy that could be used in empirical research at this level of governance, as those used in research at the national level derive from a model of democracy that is not easily transposed to the supranational level. An added difficulty

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[3] In these areas the EP, though the consultation procedure can only issue an opinion. These include: asylum and immigration; police and judicial cooperation in criminal matters; discrimination on the grounds of sex, race or ethnic origin, religion or political conviction, disability, age or sexual orientation; tax provisions; economic policy; agriculture and transport.

[4] Executive power in the EU is shared between the Commission, the Council and independent agencies such as the European Central Bank.

for researching issues of gender and democracy in the EU is that the 'EU experiment' is quite unique in many respects, since it has no other supranational comparator (Meny 2002: 10)[5]. In this context, it seems that the most natural fallback option for researchers is to give up on questions of gender democracy in EU studies (at least for the time being). However, there are two other research directions that can begin to prise open the black box of gender justice in EU democratic decision-making processes.

The first option is to reject the idea that EU decisions in matters pertaining to gender are non-democratic, as the standards of democratic decision-making in this area are fulfilled at the national, rather than the supranational level. This option informs a recent study of the evolution of EU gender equality policy (van der Vleuten 2007). The main innovation of this study is the conceptualisation of the European Union as a multi-tiered political system in which decision-making involves a multiplicity of actors and institutions at the subnational, national and supranational levels, each of them defending their own interests. However, this is a system where actors and institutions enjoy varying degrees of decision-making power and where member states play a prominent role. In giving member states a prominent position in EU decision-making, van der Vleuten's account is able to set aside questions concerning the democratic status of policy outcomes in relation to gender equality. Since, in her view, the main actors in EU decision making are the national governments in the Council, and since these governments are democratically controlled by their own national parliaments, the question of 'gender democracy' in relation to the EU requires that we primarily look at the national, rather than the supranational, layer of the multi-tiered system. Thus, though her account acknowledges the role of supranational institutions and transnational organisations, these institutions are viewed as parts of the multi-tiered system which, in some circumstances, can act to 'sandwich' the preferences of national governments to produce unintended, yet mostly positive,[6] outcomes in relation to gender equality.

An important aspect of this account is its reliance on a rational-choice approach for understanding the way in which the different actors involved in EU decision-making interact with one another. Thus, political actors in EU decision-making are self-interested actors who engage in bargaining from fixed positions and in strategic action (forcing or striking deals), with the goal of maximising or optimising their interests. In van der Vleuten's (2007: 14) words:

> We need to assume that actors are rational actors. (….) [This] assumption supposes that actors act as if they order the options they have at their disposal according to the perceived 'costs and benefits' of each option, and that they will prefer the option with the highest perceived benefits or lowest costs.

This account has a number of advantages. First, it provides an answer to a variety of questions that have been raised with regard to the evolution of gender equality policy in the EU. Second, her account is also able to predict when an EU policy proposal on

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[5] However, Fossum (2006) rejects the idea that the EU cannot be compared to any other democratic polity. In his view, although the EU cannot be compared with any of its Member States – as they are intrinsic part of it and its transformation –it can compare with other similar polities, such as Canada.

[6] Thus, according to van der Vleuten, non-state institutions (supranational and transnational) have played a key role in ensuring lasting progress in gender equality policy (2007: 178). In this regard, she alludes to the European Parliament, an institution characterised for being particularly women-friendly.

gender equality is likely to have a successful outcome. According to her rational-actor model, this will happen when the European Commission is in a position to put a strong proposal on the agenda while Member states are sandwiched by simultaneous pressure at the supranational and subnational (civil society) levels (van der Vleuten 2005).[7]

However, one problem with this account is that it focuses too much on EU policy outcomes and too little on EU institutional design and the input side of democratic decision-making. This focus on policy outcomes renders the success of EU gender equality policy a matter which may or may not be sustained in the future. As a result of this, the account raises a number of new questions to which it is not equipped to provide answers: Does the EU institutional architecture ensure that women's interests are represented in policy-making? Does it include mechanisms that guarantee that actors involved in decision-making in relation to gender equality are accountable to European women citizens? These are pertinent questions to ask; especially given the EU competence to issue policies on gender equality that affect the lives of millions of European women and men.

The inadequacies of van der Vleuten's otherwise helpful analysis leads us to a second option for addressing questions concerned with gender democracy in the EU. This option consists in developing an alternative model of democracy for the EU which differs in key respects from those traditionally used in studying gender democracy in the nation-state. In the next section, we argue that a model that draws on deliberative democracy has important advantages over others, both in normative and in empirical terms. One the one hand, it can illuminate questions concerning gender justice and democracy that other models leave unanswered, and on the other, it provides a promising lens through which to empirically assess the democratic quality of EU decision-making in matters of gender equality.

## Deliberative democratic supranationalism and gender

In recent years, deliberative democracy has received increasing attention in EU studies, drawing on the work of Jurgen Habermas (1985, 1998) and his theory of communicative action in particular. According to this theory, political actors do not simply bargain based on fixed preferences and relative power as presented by rational-actor analyses. They also engage in argumentative rationality, questioning their own preferences and remaining open to the power of the more convincing argument. From this perspective, EU politics is viewed as a practice in which actors aim towards a common understanding through argumentation. This requires that interests and preferences are open to challenge and, thus, to change (Risse 2000). Thus, deliberative democracy approaches to the EU break away from a tradition of looking at EU politics from a rational-choice standpoint.

Deliberative democracy approaches to the EU, have also made innovative contributions to the EU democratic deficit debate by questioning many of the assumptions that are at the basis of the democratic deficit schools of thought (Pollack 2005).

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[7] For a more detailed account of the conditions determining successful outcomes of gender equality proposal, see van der Vleuten 2007: 14-23.

According to deliberative democracy theory, what makes a political decision democratically legitimate is not that it has majoritarian support, but rather that it has been critically examined by "qualified and affected members of the community" through a reason-giving practice. In other words, a legitimate decision is one that can be consented to after withstanding scrutiny by those that are bound by it (Habermas 1998). Yet, for deliberation to be democratic, the requirement of rationality, while essential, is not sufficient since, in order to conform to the democratic principles of political equality and popular control, deliberation must be public and it must also be inclusive (Young 2000: 21-26). This entails, first, that deliberative practices must be open, that is, that they are conducted publicly and in full view of all affected members of the community. Second, it entails that deliberative practices must include, on equal terms, all affected members of the community. And third, it entails that decisions must be justified to all affected members and are accepted by all in a free and non-coercive debate. (Gutmann and Thompson 2004: 3-7; Eriksen and Fossum 2002: 402; Neyer 2006).

According to its main defenders, the application of deliberative models of democracy to the study of the EU has a number of strengths when compared to other approaches. First, it is contended that deliberative models of democracy are able to break the conceptual link between democracy and the nation-state. As already noted above, a feature shared by the different versions of the EU democratic deficit debate is that they take the nation-state as a template, equating democracy with its core institutions and procedures and with an idea of sovereignty as territorially-bounded and sustained by national identities (Eriksen and Fossum 2000: 6). By contrast, deliberative approaches[8] do not tie the concept of democracy to a particular territory, or to a values-based community based on a common ethnicity or nationality, but regard the existence of diversity and difference as being conducive to democracy rather than an obstacle to it. In a similar vein, deliberative approaches do not tie the concept of democracy and democratic legitimacy to a particular organisational form (e.g., majoritarian parliamentarianism) or procedure (aggregation of interests through voting), both of which are commonly found in liberal nation states but are much less in evidence at the supranational level of EU governance.

At the same time, deliberative approaches also distance themselves from arguments proposing that EU legitimacy does not derive from its democratic nature, but rather from its efficiency in solving common problems that member states can no longer deal with on their own (Majone 1998; Moravcsik 1998). This view is criticised by the defenders of deliberative democracy on the grounds that it is premised on a "consequentialist notion of legitimation" (Eriksen and Fossum 2004: 439). However, democracy cannot be defined in terms of 'output' efficiency alone, because this is an insufficient condition to call a government democratic: even a technocracy or a benign dictatorship might succeed in aligning policy outputs with citizens preferences (Lord 2007). Given this, those who adhere to a consequentialist notion of EU legitimation are held to be open to the idea that the EU is non-democratic. For deliberative democracy supporters, the consequentialist thesis is not acceptable on normative grounds, especially given the expanding decision-making power that supranational institutions have been granted over the past few years (especially since the Maastricht Treaty). In other words: if the European Union make policies that affect the lives of

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[8] This approach distances itself from civic-republican versions of deliberative democracy, which rely on the idea of a *res publica* based on common values.

millions of women and men, then the democratic principles of public control and political equality must apply to this decision-making arena.

Deliberative democracy has been a valuable tool for feminist political scholars, who see in this model a more substantive theoretical framework for examining issues of inclusion, recognition and group difference. One of the central demands of feminist activism has been for an increased political representation of women – not as individual citizens, but as members of a distinctive, historically oppressed, social group. The main argument put forward to justify this claim is that the political exclusion of women undermines the principle of political equality implied by the ideal of a democratic polity. In theorising this demand, feminist scholars have drawn on deliberative democracy to present their case, because it avoids the trap of essentialising women and women's interests to which rationality-based arguments are prone. As we have seen, deliberative democracy criticises a conception of democracy that reduces the act of representation to the representation of pre-given, unchanging interests and that conceives of government as engaged in their aggregation. Rather, the idea behind deliberative democracy is that interests are not pre-given but are rather 'found' through a collective process of argumentation and reflection about what is best for the polity as a whole. This framework can avoid the charge of essentialism, as it views women's interests as being 'undetermined' before the process of representation begins,[9] and articulated through a process of group deliberation through which initial interests may be transformed (Phillips 1995; Mansbridge 1999; Young 2000; Weldon 2002).

Nonetheless, feminist perspectives on deliberative democracy still need to justify claims for an increased representation of women as a group. If the idea of 'common interests' no longer forms the basis upon which these claims are justified, then what does? With regard to this question, the work of Iris Marion Young (2000) has been particularly influential. She argued that what distinguishes women as a social group is not 'fixed interests' but a social perspective; i.e., a set of shared experiences that are tied to women's structural position in a society that has been historically dominated by the male norm. Unlike interests, a social perspective does not contain any specific content, but rather determines the set of questions, kinds of experience, and assumptions with which deliberation begins, rather than the conclusions to be drawn (ibid.: 136-137).

Despite its purported advantages, feminist scholars have also raised important reservations about deliberative democracy. They warn that this model is not necessarily a panacea for women's empowerment, drawing attention to some aspects of deliberative democracy that need to be clarified (Phillips 1995; Sanders 1997; Young 2001). The core criticism of deliberative democracy is its blindness to the existence of gender power relations in society. According to these critics, once the notion of gender-power relations and gender justice is incorporated into deliberative democracy, a number of issues arise.

First, given the current context of gender inequality in politics, a view of deliberation as a practice taking place among political élites easily elides into an exercise where the participants are those representing the dominant groups in society and, therefore,

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[9] This applies to all social groups which have been historically silenced and marginalised. As a result of such history of marginalisation, the interests of these groups are uncrystallised (Mansbridge 1999, Young 2000).

where structurally disadvantaged groups are excluded. Thus, for deliberation to be democratic it has to be inclusive of disadvantaged groups.

Second, even if inclusiveness is laid out as a condition of deliberation, attention must be paid to what counts as 'rational' argument. Since standards of rationality are historically 'male standards', other forms of communication, such as life stories, may be discounted as not being properly 'deliberative'. In addition, even if women conform to male standards of rationality and they are given equal opportunity to speak, their views may be disregarded.

Third the requirement of consensus characterising deliberative democracy may result in an inability of deliberation to recognise difference. In this respect, many feminist theorists have detached themselves from civic-republican conception of deliberation (based on an idea of the 'common good'), appealing instead to a notion of 'objective judgement' - that is, a decision which is arrived at after all differences have been confronted (Young 2000). Nonetheless there are other scholars who eschew the idea that consensus and agreement should be a goal of deliberation, arguing instead that consensus will always exclude the views and interests of some social groups. These authors view deliberation as an open-ended practice, where decisions are always open to revision (Mouffe 2000). In sum, feminist criticisms of deliberative democracy are a good reminder that there is no model or form of democracy that will automatically eliminate gender inequalities in the political realm unless these inequalities are explicitly addressed.

Feminist perspectives on deliberative democracy can provide a fruitful framework for studying gender and democracy in the EU context. First, they can provide a novel account of EU gender equality policy, moving away from technocratic understandings of decision-making in this arena. It thus offers a space to address issues of accountability, inclusiveness and responsiveness that expert-bureaucratic versions of gender policymaking have traditionally left untouched. Second, because deliberative democracy is not tied to a particular organisational form of democracy, this model can be applied to different sites of women's political representation (not just parliaments) both at the supranational and the national level, facilitating comparative studies. Third, the capacity of deliberative democracy to deal with difference (including differences among women) means that this model is particularly suitable for investigating the representation of women's issues in a polity where there is a significant variation of women's interests. Fourth, feminist versions of deliberative democracy are able bridge the existing divide in the gender and politics literature between women's political representation and participation, since both are regarded as an integral part of deliberative politics. Thus, in assessing gender justice and democracy in the EU, they pay attention at the gender composition of institutions, access of civil society groups to those institutions and gendered patterns of voter turn out in elections. Finally, feminist versions of deliberative democracy, in looking at multiple sites of deliberation and decision making in the EU can help to identify those elements in the EU institutional design that facilitate or obstruct the advancement of women's interests in this multi-level polity.

However, while the value of deliberative democracy for exploring issues of political representation and participation from a gender perspective has been suggested by a number of scholars, these ideas remain highly theoretical and, therefore, have yet to

be applied in empirical research. One of the problems is the lack of operationalisation of the main principles of deliberative democracy. When politics is understood as the competition of pre-fixed interests and democracy as a mechanism for their aggregation and representation, the level of women's legislative seat-holding provides a ready measure of 'gender democracy' in a given democratic state. However, there are no equivalent 'ready' indicators for empirically assessing the quality of gender democracy from a deliberative democracy perspective, as these have yet to be developed. In other words, this model remains primarily theoretical, with very few concrete articulations or practical features linking the principles of deliberative democracy with 'really existing democracies' and the institutions and procedures that are required to realise those principles (Squires 2005).

## Indicators of gender democracy

### The question of operationalisation

How do the ideals of deliberative democracy apply to 'really existing democracies'? While there is a broad consensus over what these ideals are, empirical research on deliberative democracy is still in its infancy (Steenbergen et al., 2003). Yet, this empirical research has begun to provide answers to questions such as the role played by political institutions in forging democratic deliberation; the contextual factors that are conducive to deliberative politics and the impact of democratic deliberation on the quality of policy processes and outcomes (Batchiger and Steiner 2005). Most of this research has mainly focused on domestic settings, especially legislatures (Steiner et al. 2004), though there are a few studies available that focus on other political arenas, such as international governance (Johnstone 2003; Nanz and Steffek 2005) and the European Union (Joerges and Neyer 1997; Magnette 2004; de la Porte and Nanz 2004; Naurin 2007)[10]. In general, empirical deliberative democracy treats the main assumptions of this theory as hypotheses to be tested in the real world of politics, although there are a few studies which use the normative criteria of deliberative democracy as a 'yardstick' against which the democratic quality of political decision-making in a given political system can be assessed (Nanz and Steffek 2005; Stie 2007).[11]

While empirical research on democratic deliberation has started to yield some interesting results, this research is still to adopt a gender perspective. As of now, studies revealing the occurrence of democratic deliberation in a given political system do not give us a measure of the extent to which democracy in that system is 'engendered' (though for an exception see Walsh 2003). For example, there are several studies on deliberative democracy in the EU focusing on the Convention on the Future of Europe, as this is widely seen as a deliberative body, inclusive of a diversity

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[10] Empirical studies on deliberation in the EU have provided some evidence that decision makers at the supranational arena often engage in deliberative modes of interaction, rather than intergovernmental 'hard bargaining'. These studies have looked at a variety of EU institutions and processes, such as the comitology committees (Joerges and Neyer 1997); the Constitutional Convention (Magnette 2004); the Open Method of Coordination (de la Porte and Nanz 2004) and the Council of the EU (Naurin 2007).

[11] Evidence of the presence of deliberative modes of interaction among political actors does not automatically render these processes democratic, since democratic deliberation requires not only that participants adhere to the logic of arguing but also that the principles of public control and political equality are observed: "If deliberation is non-inclusive and if citizens do not have the chance to affect the formulation of a policy, deliberative governance can at best be deliberation for the people, but can hardly suffice the criterion of being deliberation by the people" (Neyer 2006: 782).

of actors and interests. Given its deliberative nature, these studies focus in the extent to which participants in this process engaged in deliberative exchanges, justifying their views and preferences in the context of a public debate. However, gender analyses of the Convention reveal a very different picture. For example, in their analysis, Leon et al. (2003) present data uncovering the extent to which the involvement of women in the Convention was relatively minimal and low-level. First, only 17.14% of Convention members were women; and female presence among observers at the Convention was even lower (15.38%). Second, there was a virtual absence of women in top positions, since there were no women in the presidency of the Convention (which was composed of three men) and only two women at the presidium (15.38%), which controlled the Convention agenda. These findings signal to the persistence of gender inequalities in politics independently of whether the system is underpinned by aggregative or deliberative principles or ideals and reveal how deliberative institutions and processes can also give rise to significant gender democratic deficits.

Empirical studies of gender and deliberative democracy have a variety of aims. Some engage in testing a variety of hypotheses on gender and democratic deliberation that have been put forward by feminist deliberative theorists – e.g., that deliberative capacities and attitudes are gender-related and, therefore, that the gender composition of deliberative settings is a factor that influences the occurrence and the quality of deliberation[12] (Mendelberg and Karpowitz 2007; Grunenfelder and Batchinger 2007). Others use the normative criteria of deliberative democracy in order to carry out a feminist assessment of democracy and democratic practice in a given polity. In this current study, the normative criteria of deliberative democracy are used as a yardstick with which to assess the quality of democracy in the EU from a gender/feminist perspective. To this end, we follow the four criteria of deliberative democracy spelled out by Young: inclusion, political equality, reasonableness and publicity (2000: 23-25). In operationalising these criteria we draw, on the one hand, on existing empirical research on democratic deliberation in various political settings (national, supranational, international), paying particular attention to how these studies 'translate' the general principles of deliberative democracy into a set of observable indicators. On the other hand, we draw on existing feminist research on democracy and democratic practice. Thus, in focusing on the gender dimensions of democracy, our indicators are distinct from those previously developed in empirical studies of deliberative democracy, as the aim is not to examine, in general terms, the occurrence and the quality of deliberation in political institutions, nor is it to evaluate the democratic performance of a political system from a deliberative perspective. Rather, our indicators are designed to assess the extent to which deliberative sites of EU decision making recognise gender differences and the diversity of voices, interests and perspectives that derive from those differences.

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[12] Most empirical studies on gender and democracy have focused on gender differences in deliberative behaviour in national parliaments. Mendelberg and Karpowitz (2007) have shown that the quality of deliberation changes with the gender composition of the group, with female groups more oriented toward consensus, equality, intimacy, self-disclosure and conflict-avoidance, although this evidence contradicts the findings of another study which show no evidence of a link between the quality of deliberation and the gender composition of participants in deliberative settings (Grunenfelder and Bachtiger 2007). This research on gender justice and democracy in the EU is interested not so much in how institutions facilitate gender deliberation but in whether women's presence is changing institutions, forging a more deliberative style of politics.

In deriving the indicators of gender democracy in the EU from the principles of deliberative democracy, we are guided by two provisos. The first one is that these indicators must be grounded in feminist democratic theory. The second proviso is that they must have general applicability – given the multi-level nature of the EU polity, these indicators should be applicable to a variety of deliberative sites (beyond parliamentary institutions) at different levels governance (not only suprananational, but also national and subnational arenas).

In order to provide a measure gender democracy in the EU, our indicators take into consideration both institutional arrangements and practices, with a view to assessing the extent to which political institutions in the EU facilitate gender democracy and deliberative practices conform *de facto* to the general democratic principles of public control and political equality.[13] The units of analysis of our assessment study are thus both political institutions in the EU and the discourses and practices taking place within those institutions.[14]

In our study, we derive a series of indicators from each of the criteria of deliberative democracy with the aim to provide an overall 'measure' of gender democracy under each of those criteria. Although these indicators are a mixture of quantitative and qualitative, we quantify all our results through scaling; that is, for each individual indicator of gender democracy, we develop an ordinal scale (including those indicators designed to assess the quality of debates, where a mechanism of coding is used) We then aggregate measures into overall scores for *each* of the criteria of deliberative democracy. In quantifying our results, we follow other democratic assessment studies (e.g., Freedom House), as well as a number of empirical studies of deliberative democracy (Steenbergen et al 2003; Nanz and Steffek 2005). One major advantage of this method of assessment is that it allows us to compare scores of gender democracy among different democratic institutions and democratic practices at different levels of EU governance, helping us to identify which institutions and institutional arrangements facilitate gender democracy as opposed to those that do not, as well as identifying which political debates (with respect to, for instance, issue content, framing and actors involved) are more amenable to gendered deliberation. However, in contrast to the above studies, we do not aggregate scores under each of the criteria into an overall measure of gender democracy. Mindful of the limits of aggregation, we follow other democratic assessment studies (Beetham et al. 2002) in that we take into account the idea that different deliberative democracy norms cannot be maximized simultaneously, as there may be trade-offs between them (e.g., publicity and political equality), and that the prioritisation of some norms over others is context-related (Beetham 2004).

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[13] Here, we draw on a distinction between democracy as a legitimation principle – comprising a set of normative standards – and democracy as an organisational principle – comprising a set of institutional norms and structures (Eriksen 2006). An empirical assessment of democracy from a deliberative perspective requires that these two principles are linked.

[14] This approach acknowledges the importance of institutions, taking into account the idea that forging a democratic system in general (and a gender democracy in particular) requires that democratic ideals are 'translated' into a set of institutional arrangements, designed for the fulfilment of those ideals in practice. In addition, it is able to identify those institutional factors that act to obstruct or to facilitate it and to suggest policy recommendations that provide answers to 'how' questions.

## Principles of deliberative democracy and indicators of gender democracy

Inclusion

According to Young, the criterion of inclusion dictates that all the people affected by a decision must be included in the process of political deliberation and decision-making. In modern polities, inclusion is commonly achieved through political representation, as the presence of all affected by decision-making processes (direct democracy) is unfeasible. When coupled with norms of political equality, the criterion of inclusion allows for maximum expression of interest, opinions and perspectives relevant to the problems or issues for which a public seeks solutions.

In feminist democracy theory, inclusion represents one of the most important principles of democracy. In the empirical literature on gender and democracy, the most common measurement of inclusion is the proportion of women's representatives in parliament vis-à-vis men representatives. This focus on women's parliamentary representation is tied to the fact that most empirical research in this field has taken the liberal nation-state as a unit of analysis, where parliaments represent the main institutions of collective decision-making, and where the main mechanism of inclusion is the holding of free legislative elections whereby citizens periodically elect their representatives. This mechanism of inclusion, however, does not ensure gender equality in political representation. Thus, in redressing these inequalities, election procedures may include formal or informal provisions for achieving a greater gender balance in the composition of legislatures, such as constitutional electoral quotas, voluntary party quotas, awareness campaigns, training programmes and so on. However, when we move away from the nation-state context to the supranational context, additional indicators of inclusion need to be taken into consideration. The reason being that, in these contexts, institutional arrangements do not mirror those in nation-states. For example, in the European Union, legislative power is not concentrated in the European Parliament, so that direct elections only decide one half of the Union's legislature. Given this, the principle of inclusion needs to be achieved through other institutional means, such as the provision of institutionalised access for women's civil society organisations (plus other actors mediating between women citizens and representative elites) to deliberative arenas. (Nanz and Steffek 205: 369).

However, the presence of institutional arrangements aimed at the inclusion of women's interests in deliberation and decision-making does not give us, on their own, a measure of the extent to which the principle of inclusion is realised in practice. For example, electoral laws may include quota provisions aiming at reaching a gender-balance in the composition of parliaments, though in real-life democracies some of these provisions may deliver disappointing results (e.g., because women candidates are placed at the bottom of electoral lists, or because political parties choose to perpetuate male-gendered bias through payment of monetary penalties). Similarly, political institutions may grant right of access to civil society organisations representing women's interests in decision-making arenas, though these arrangements do not necessarily entail access of a broad range of groups representing a diversity of women's interests in the polity. For this reason, beyond those indicators assessing the presence of institutional arrangements for inclusion, our indicators of inclusion also incorporates others designed to measure the extent to which the principle of inclusion is actually realised in practice.

*Indicators of inclusion*
1. The main decision-makers in deliberative settings are popularly elected or else are directly accountable to an elected body.
2. There are provisions for attaining a balanced representation of women and men in decision-making arenas.
3. Civil society organisations representing gender/women's interests have institutionalised access to decision-making arenas.
4. There are arrangements in place aimed at ensuring that a wide variety of gender interests in civil society have access to deliberative settings.
5. There is a balanced representation of women and men in political deliberation and decision-making
6. There is a balanced proportion of women and men in voter turn-out at elections

## Political equality

This principle dictates that participants in deliberation and decision-making processes should be included on equal terms – that is, all have equal rights and effective opportunities to express their interests and concerns in a free debate, where no participant is in a position to coerce or threaten others into accepting certain proposals or outcomes.

As we have seen, one of the main feminist concerns about deliberative democracy is that the inclusion of women in deliberative settings is a necessary yet not a sufficient condition of democracy, since democracy also requires that women have equal rights and effective opportunities to express their interests and perspectives in those settings. Since women constitute a subordinated group in society, the fulfilment of the equality principle requires special measures to redress asymmetrical gender power relations, to ensure that women are provided with effective opportunities for participation. One measure for promoting equal participation in political deliberation and decision-making is to adapt political institutions to the needs of women (e.g., with regards to meeting times, holidays, etc.)[15]. Another measure is to set up dedicated deliberative spaces prior to decision-making. According to Mansbridge (1991), patterns of oppression make it unlikely that some groups (such as women) are able to articulate their differences in a society where the male norm has been universalised. In these contexts, women's interests remain uncrystallised unless they are able to 'retreat' in order to deliberate among themselves. Institutionally, this can be achieved by the creation of dedicated deliberative spaces, such as parliamentary committees on women's rights or women's policy agencies in government bureaucracies. Third, achieving gender-balance in leadership positions is another requisite for political equality. Empirical research provides ample evidence that this contributes to redressing asymmetrical power relations between women and men and facilitates the articulation of women's interests. This research shows that women's position in key parliamentary committees constitutes an important factor for the advancement of women's interests in decision-making (substantive representation), while the absence of women from these committees inhibits their efforts to enact

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[15] For example, the Scottish parliament has committed to working family friendly hours and breaking for recess at times that coincide with school holidays.

policy change. Though these studies seldom adopt a deliberative perspective[16] they show that when the majority of leadership positions are occupied by men, women and women's views are excluded and discounted (Swers 2002).

However, an assessment of political equality needs to focus its attention not only on equality between women and men, but on equality among women themselves. The tendency of white feminism to universalise women's interests and to efface differences among women has been widely reported and analysed in the literature. Therefore, we also need to examine the extent to which the diversity of women's voices and interests are given equal access to political deliberation.

One of the main problems in measuring political equality from a gender perspective is that prejudice and privilege are difficult to detect in a democracy assessment, as the gender power imbalance may be hidden under a veil of 'reasonableness'. We will get back to this point later.

*Indicators of political equality*
7. There is gender balance in leadership positions of the organisation (committee chairs, party executive)
8. There are gender-friendly provisions in place to facilitate women's participation in political deliberation (childcare facilities, meeting schedules, holidays)
9. Gender interests are discussed in a formally assigned deliberative setting prior to decision-making
10. Civil society organisations representing women's interests are granted equal access to deliberation and decision-making arenas.
11. Women's interests and perspectives are considered in political deliberation among representative elites.

## Publicity

The principle of publicity dictates that interaction among participants must form a public in which people hold one another accountable. This entails that, when participants are speaking, they are answerable to a plurality of others with a diversity of views, experiences and interests. This principle also requires that participants in a public debate explain their particular experiences, interests, proposals, in ways that others can understand, as well as putting forward reasons for their claims in ways that others recognize could be accepted, even if they disagree with those claims and reasons. In other words, participants "speak with the reflective idea that third parties might be listening" (Young 2000:25).

In encouraging participants to articulate their positions clearly, offering reasons and justifications for their views, publicity promotes public participation in political deliberation, facilitating public opinion-formation, public scrutiny and accountability. It also encourages participants to replace the language of private interests with the language of public reason.

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[16] These studies often share an idea of politics in terms of "imposing individual of group preferences against the will of the majority".

Empirical studies of democratic deliberation often operationalise publicity in terms of the visibility of the formal processes of decision-making. Visibility is measured in terms of the degree of availability and accessibility of relevant information and documents to all relevant actors (i.e., European, national and local, as well as civil society and interested citizens) at all stages of the policy process. In representative democracies, the requirement of publicity is important because in these political systems, decision-making power is the prerogative of elected representatives rather than the general public. In this context, a measure of publicity is the degree to which different positions are communicated in competitive politics, in a way that is easily understandable, so that the public can get an overview of the choices and alternatives available. However, with the development of new forms of governance, non-elected and 'informal' representatives (government officials and civil society organisations and networks) are acquiring increasing power and influence in political decision-making. In such cases, the requirement of publicity can provide substitute procedures of accountability beyond competitive elections. The media (national, European) plays a crucial role in opinion formation and therefore contributes to the fulfilment of the publicity principle. In the absence of traditional features of representative democracy in the EU (e.g., adversarial parties competing for office, EU wide political parties) as well as other mechanisms such as a European-wide media, civil society organisations fulfil an important role in EU democracy.

The issue of accountability becomes especially pertinent in relation to the representation of women's political interests as this is an area where, arguably, non-elected representatives (such as femocrats, women's organisations and informal advocacy networks) are acquiring an increasingly influential role in political deliberation and decision-making. The question is how and to what extent these organisations and informal networks can substitute for the democratic accountability of decision-makers whose mandate is derived, either directly or indirectly, from the people. Given the problem of accountability, there should be access to information about the objectives, mission, activities and governance structure of these organisations in different languages, through annual reports, minutes and draft documents of governing body meetings.

*Indicators of publicity*

12. Women's organisations and the public have access to policy proposals on gender-sensitive issues
13. Political parties/groups clearly articulate their positions on gender equality and justice in electoral programmes
14. There are open sessions, live broadcasts or minutes available after sessions on gender-sensitive issues
15. There are mechanisms for rendering decision-makers accountable for upholding equality commitments (e.g., gender audits)
16. Women's organisations seeking influence in political decision-making make their aims, objectives, strategies and activities widely available to the public.
17. The media inform the public about gender equality issues and policies in the EU

## Reasonableness

The principle of reasonableness dictates that participants come to a discussion with an open mind. They express a willingness to listen to other participants, treating them and their views with respect. They do not assert their own interests above all others or insist that their views cannot be subject to revision. On the contrary, in the context of disagreement or dissent, they show a disposition to understand other participants' interests and opinions through a process of argumentation (asking questions, providing reasons, etc.) and are ready to change their initial interests if these are shown to be incorrect or inappropriate. Although deliberation will not necessarily end in agreement, participants enter the discussion with the aim of reaching consensus; yet with an understanding that these agreements and decisions should be in principle open to challenge.

The principle of reasonableness is probably the most controversial among feminist scholars, including those who are generally supportive of deliberative democracy. Therefore, these criticisms need to be taken into account when deriving gender-sensitive indicators from this principle. One challenge facing feminist researchers in operationalising reasonableness is that lack of recognition and respect for women's voices may be quite difficult to detect, as prejudice and privilege often have very subtle manifestations that are easily concealed under a veil of rationality. In other words, women's voices may be easily discredited on seemingly democratic grounds. Formal equal access and opportunities to deliberative settings is not enough; as Sanders notes (1997: 349):

> Deliberation requires not only equality in resources and the guarantee of equal opportunity to articulate persuasive arguments but also equality in "epistemological authority", in the capacity to evoke acknowledgement of one's arguments.

This means that our indicators measuring recognition and respect of women's interests will only detect a violation of the deliberative principle of reasonableness when there are explicit negative statements about women's groups and their demands, or when their arguments are openly ignored or degraded. A second challenge for feminist researchers in this field is that the indicators of reasonableness must allow for the possibility that, when oppressed groups are aware of unequal power relations in a male-dominated politics, they may take confrontational attitudes before seeking consensus in the pursuit of 'the public good'. For this purpose, we construct an indicator that taps into the content of justifications that representatives of gender interests provide for their demands in the course of political deliberation. This indicator aims to assess whether appeals are made in terms of narrow group interests, in terms of the public good, or both. A third challenge for researchers is that, even if participants engage in a reason-giving exercise, we need an indicator that is able to distinguish between bargaining and arguing because, at the observable level at least, participants may provide reasons for their statements in both cases. In other words: cooperative consensus-seeking behaviour is as compatible with bargaining as with arguing (Naurin 2007: 8). Given these challenges, assessments of reasonableness will heavily depend on how researchers interpret the debates being examined. Nonetheless, the subjective nature of this exercise can be partly eased by establishing clear codes and by deploying more than one coder, so that the results of this exercise can be compared between coders, and disagreements discussed.

*Indicators of reasonableness*

18. Political institutions and institutional norms facilitate deliberation as the principal mode of interaction among actors, over bargaining and/or aggregation
19. Participants in deliberation show respect for the groups affected by the decision and recognise their needs and interests
20. Representatives of gender/women's interests provide justifications of their demands during deliberative processes
21. Arguments provided by representatives of women/gender interests are acknowledged and considered in the course of deliberation

## Concluding remarks

This paper has outlined an analytical framework by which to assess the democratic quality of EU institutions and decision-making practices from a gender perspective. The paper takes current debates on democracy in the EU as a starting point, highlighting the lack of feminist engagement in these issues so far, and draws attention to the resulting intellectual gap that this lack of engagement on the part of feminist scholars generates. The aim of this paper is to redress this gap in the literature by developing an analytical framework that includes a set of empirical indicators for assessing the extent to which democracy in the EU is an 'engendered' democracy; i.e., a democracy that is sensitive to unequal power relations between women and men. This analytical framework is theoretically informed by deliberative democracy and, more specifically, by recent applications of this model to the study of EU politics. The empirical indicators of gender democracy are derived from the four normative criteria of democratic deliberation, as spelled out by Iris Marion Young: inclusion, political equality, publicity and reasonableness. Drawing on feminist thinking and criticisms of 'mainstream' democratic theory and practice, each of these indicators are discussed in turn. One of the main novelties of this framework is that it moves beyond a traditional focus on women's political representation in parliamentary settings – indeed, one of the criteria that guided the design of indicators of gender democracy is their applicability in assessments of gender democracy in a variety of decision-making arenas at different levels of governance (i.e., supranational as well as national).

The analytical framework developed in this paper opens up a new direction in research on gender and democracy in the EU. Inevitably, however, this framework also suffers from a variety of limitations. The first limitation is that the indicators of gender democracy developed in this paper do not capture non-observable features of political deliberation and decision-making which may, in very subtle ways, hamper the democratic principle of political equality. As critics of deliberative democracy have pointed out (Sanders 1997; Young 2001) nonverbal communication, or tone of voice, are 'invisible' factors that defeat the principle of equality even in contexts where there is formal compliance with institutional mechanisms and procedures aimed at realising this principle in practice. A second limitation of this framework is that some of the normative principles of deliberative democracy from which our indicators are derived may give us a poor measure of the extent to which democracy in the EU is 'engendered'. Thus some of these normative principles may clash with others in the pursuit of a gender democracy. For example, the requirement of reasonableness (and the search for consensus on issues related to the 'public good')

may act undermine the level of responsiveness of women's representatives towards gender-based interests (Phillips 1995). In the same vein, the principle of publicity may undermine responsiveness, especially in contexts where decision-making requires a considerable amount of expert knowledge.

A third limitation of our analytical framework concerns the objectivity of our measures of gender democracy since these ultimately depend on value judgements about what counts as optimal versus poor performance in relation to gender democracy. For example, there are a variety of provisions for attaining a greater gender balance in deliberative settings - awareness raising, training, compulsory or voluntary quotas - yet the task of assigning each a score is predicated upon value judgements about conceptions of equality, justice and fairness as well as judgements of how best to achieve those goals. These are highly contested concepts: because there is no agreement among feminists on what gender democracy should look like, and how this should be achieved, we are aware that our framework for assessing gender democracy is open to future criticism and re-evaluation. And last, but not least, the contestability regarding the application of democratic norms to the European Union also represents a limitation to our framework. Such limitation refers to the lack of agreement about the 'right' level of democratic governance in the EU, that is, how far democratic norms should be applied through the medium of the national arena or how far they should be independently constructed through the EU arena itself (Lord 2007). Given these caveats, developing indicators of gender democracy in the EU is task that cannot be carried out independently from a more general idea of democracy in the EU. In the face of this, our framework assumes that democratic norms should apply to the supranational as well as the national layers of EU governance, though it leaves open for empirical investigation the question of which democratic standards are fulfilled by each level.

In sum, our analytical framework is guided by the belief that an assessment of gender democracy in the European Union does not have to wait until these theoretical/normative questions are answered and that empirical research will greatly help clarify these questions.

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# Appendix – Indicators and measuring scales

## Inclusion

1. The main decision-makers in deliberative settings are popularly elected or else are directly accountable to an elected body

    0. Decision-makers neither popularly elected nor directly accountable to an elected body
    1. Decision-makers non-elected but directly accountable to an elected body
    2. Decision-makers popularly elected

2. There are provisions for attaining a balanced representation of women and men in decision-making arenas.

    0. No provisions
    1. Support provisions (awareness-raising; training)
    2. Institutional provisions (quotas)
    3. Both support and institutional provisions

3. Civil society organisations representing gender/women's interests have institutionalised access to decision-making arenas.

    0. No right of access
    1. Right of access as observers
    2. Right to speak and to submit documentation

4. There are arrangements in place aimed at ensuring that a wide variety of gender interests in civil society have access to deliberative settings.

    0. No arrangements of this kind
    1. Yes, observable arrangements in place

5. There is a balanced representation of women and men in political deliberation and decision-making

    0. less than 20 per cent
    1. 80/20
    2. 70/30
    3. 60/40

6. There is a balanced proportion of women and men in voter turn-out at elections

    0. There is a gender gap of 10 per cent points or higher
    1. The gender gap between 5-9 points
    2. There is no significant gender gap (less than 5 points)

## Political equality

7. There is a gender balance in leadership positions of the organisation

   0. less than 20 per cent
   1. 80/20
   2. 70/30
   3. 60/40

8. There are gender-friendly provisions in place to facilitate women's participation in deliberative arenas

   0. No provisions in place
   1. There are formal provisions to support childcare and caring commitments (gender-friendly meeting hours, breastfeeding and childcare supports, etc.)

9. Gender interests are discussed in a formally assigned deliberative setting prior to decision-making

   0. There is no formally assigned deliberative setting to discuss gender interests prior decision-making
   1. There is a formally assigned deliberative setting to discuss gender interests prior decision-making (e.g., committee on women's rights and gender equality)

10. Civil society organisations representing women's interests are granted equal access to deliberation and decision-making arenas.

    0. Access is restricted to majority gender interests
    1. Both majority and minority interests have access, but on unequal terms
    2. Both majority and minority interests have access, on equal terms

11. Women's interests and perspectives are considered in political deliberation and decision-making among representative elites.

    0. The interests and perspectives voiced by women's organisations are not discussed at all
    1. Decision-makers justify their positions with reference to concerns raised by women's organisations
    2. The interests and perspectives voiced by women's organisations are incorporated into the deliberative agenda.

## Publicity

13. Women's organisations and the public have access to policy proposals on gender-sensitive issues

    0. No access to documentation
    1. Access to background documents only
    2. Access to both background documents and policy documents

14. Political parties/groups clearly articulate their positions and proposals on gender equality and justice in electoral programmes/manifestos

    0. No mention of positions/proposals on gender equality
    1. Inclusion of positions/proposals on gender equality is diffused and included under other aims
    2. There is a specific section on positions/proposals on gender equality
    3. Gender equality positions/proposals are mainstreamed throughout

15. There are open sessions, live broadcasts or minutes available after sessions on gender-sensitive issues

    0. None of the above available
    1. One of the above available
    2. Two of the above available
    3. All three available

16. There are mechanisms for rendering decision-makers accountable for upholding equality commitments (e.g., gender audits)

    a. No mechanisms in place
    b. Yes, accountability mechanisms in place

17. Women's organisations seeking influence in political decision-making make their aims, objectives, strategies and activities widely available to the public.

    0. Information only available upon request
    1. Information available on websites, but only partial
    2. Websites provides exhaustive information about the organisation

18. The media inform the public about gender equality issues and policies in the EU

    0. No media coverage of gender equality issues and policies
    1. There is media coverage on gender equality issues and policies, but only from one particular standpoint
    2. Media coverage on gender equality clearly reflects the plurality of voices and perspectives on these issues

## Reasonableness

19. Political institutions and institutional norms facilitate deliberation as the principal mode of interaction among actors, over bargaining and/or aggregation

    0. Voting constitutes the principal decision-making procedure
    1. Voting procedures apply only in cases where no consensus has been reached
    2. Discussions are always finalised through the arrival of consensus among participants

20. Participants in deliberation show respect for the groups affected by the decision and recognise their needs and interests

    0. Participants show no respect towards groups affected by the decision (e.g., negative remarks)
    1. Participants show neutrality towards the groups affected by the decision
    2. Participants show recognition for the groups affected by the decision

21. Representatives of gender/women's interests provide justifications of their demands during deliberative processes

    0. Representatives of women's interests give no reason for their demands (no justification)
    1. Representatives of women's interests provide reasons for their demands but no linkages (inferences) between reasons and demands are made (incomplete justification)
    2. Representatives of women's interests provide reasons for their demands providing complete inferences between them (complete justification)

22. Arguments provided by representatives of women's interests are acknowledged and considered in the course of deliberation.

    0. Arguments are ignored or degraded
    1. Arguments are acknowledged but no positive or negative statements are given about them
    2. Arguments are acknowledged and explicitly valued

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