Gender and European External Relations: Dominant Discourses and Unintended Consequences of Gender Mainstreaming

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The commitment of the EU to gender mainstreaming has been the subject of much debate since its introduction in the Amsterdam Treaty (Guerrina, 2005; Kantola, 2010). Leaving aside controversies about the nature and overall impact of the EU as a gender actor, equality between men and women is a well established legal principle at the European level. On the basis of this, it has been argued that the EU is a policy entrepreneur in the field of gender, particularly in relation to the operation of the Single Market. From this position it is therefore fair to expect that the EU, as a normative actor, should consistently facilitate the inclusion of a gender dimension in all its areas of activity, thus demonstrating its commitment to mainstreaming.

However, over the last ten years there have been a number of critical junctures where the EU failed either to extend or consolidate these norms. The Constitutional Convention and the process of Enlargement are two examples of key moments in the evolution of the organisation where other economic and political imperatives took precedence. This, it has been argued, was the result of consistently locating equality at the lower end of the political spectrum and policy agenda. Gender equality/mainstreaming has been included and operationalised only when of needed to fulfil higher level political and economic priorities. This practice has ultimately entrenched the assumption that equality is a secondary interest, arguably introduced into the integration process as a result of functional spill over (Guerrina, 2005; Bretherton, 2002, Hoskyns, 1996). Unsurprisingly therefore, much of the research produced so far has been on the nature and scope of equality policies, their impact on wider EU objectives and national priorities, and the overall trajectory of the

1 organisation and the role of its constitutive parts in promoting equality and gender
2 mainstreaming more generally.

3

4 Two questions that have largely been overlooked by the gender literature relate to the
5 nature of Europe's external relations and the nature of values. The wider literature on
6 normative power Europe (Whitman, 2011; Scheipers & Sicurelli, 2007; Nicolaidis &
7 Howse, 2002; Manners, 2000) highlights the importance of culture, identity, and
8 values in determining the EU's position in the international order. Given the location
9 of gender policies at the nexus between culture, politics, and well established legal
10 obligations, it is important to call into question how – if at all – the principle of
11 equality has shaped Europe's outward facing activities. In respect of values, the
12 question that has most salience here is whether equality is treated by the EU as a
13 universal value or an EU "common" value, the latter situation therefore speaking to
14 the EU's identity.

15

16 This article starts to address this gap by testing the EU's commitment to gender
17 mainstreaming and thus equality through the prism of external relations. The analysis
18 presented here brings together two distinct bodies of literature. Looking at current
19 debates about the EU as a normative actor, we assess the impact of the EU's gender
20 blindness in external relations on its own identity and its ability to act as a norm
21 entrepreneur. By engendering the concept of normative power Europe we present two
22 interrelated arguments: 1) the EU has the resources to "be" a powerful normative
23 actor; 2) it does not use this power to its fullest capacities in relation to gender and the
24 promotion of equality more generally. The ENP will be used as a case study for our
25 argument as it provides a useful testing ground for: a) the EU's capacity for

1 manoeuvre in an international setting and, b) not simply its efficacy as a gender actor
2 in the external dimension, but its *commitment* to efficacious gender action.

3

4 The ENP provides a useful starting point for the analysis of external relations,
5 particularly given its links to enlargement and the power relations that define the
6 relationship between the EU and third countries. Our analysis is less concerned with
7 clarification of the policy on gender than with understanding what effect the decision
8 to move from an underlying principle of “Conditionality” to “Joint Ownership” may
9 have, or can be expected to have, on the ability of the EU to impact positively on
10 shaping gender norms outside the boundaries of the Union and also on its own
11 reputation, or even its identity. In this context, can the “Joint Ownership” of the ENP
12 be said to reflect a reduction in commitment to gender equality not only outside the
13 EU, but within it too?

14

15 The article opens with a discussion of the overall aims of mainstreaming as a policy
16 tool for gender equality in Europe. We recognise the ambiguous nature of
17 mainstreaming as a concept and a strategy, therefore our analysis concentrates on
18 European rhetoric about the importance of equality and gender, as highlighted by the
19 various policy programmes and communications issues of the European institutions.
20 We then move on to a critical review of current debates about the EU’s role as a
21 normative actor in international affairs. Drawing on the work on normative power
22 Europe, we look at the hierarchies of norms included in this concept, and the relative
23 position of equality/gender within this particular theoretical model. Section three
24 provides an overview of the ENP, whereas section four develops this discussion with

1 a detailed analysis of the impact of gender mainstreaming and gender norms on this
2 policy area and National Action Plans (NAPs).

4 **Mainstreaming & External Relations: variable impact of a radical policy tool**

6 This section will demonstrate the importance of equality as a norm within European
7 discourse. It is important to establish the position of this principle within the process
8 of European integration because it will provide a platform for our ultimate argument
9 that scrutiny of the ENP reveals not just a distinction between Europe's "*being*" and
10 Europe's "*doing*" in the external dimension (Schmidt, 2003, Howorth, 2000) **but**
11 **even a retreat from "being" in respect of equality**. Although, EU policies have had
12 an uneven impact on gender norms and substantive equality, there is little doubt that
13 the principle of formal equality has long been a core value of European integration,
14 both in rhetorical and policy terms. In the field of employment, equality between men
15 and women is one of the most developed areas of European policy action. So much
16 so, that in the case of social and employment policy, the EU has been a leader in
17 promoting formal equality. For instance, on the back of Article 119 (Treaty of Rome),
18 the Commission and the ECJ have, over the years, successfully expanded the remit of
19 equality within European integration (Kantola, 2010; Guerrina, 2005; Hoskyns, 2003).
20 The adoption of the principle of Mainstreaming in 1998 was supposed to take this
21 commitment a step further to allow a gradual expansion of equality, as a norm, to all
22 areas of policy action, therefore consolidating the position of equality as a core value
23 of the process.

1 The incorporation of the principles of mainstreaming in the Treaty of Amsterdam was
2 supposed to signify a shift in the way gender policies were going to be developed and
3 implemented. In very basic terms, it was supposed to push for the inclusion of a
4 *gender dimension* to all policy areas (Mazey 2001; Hoskyns, 1996; Hafner-Burton &
5 Pollack, 2000). The aim of this approach is to engender a change in the way policy
6 actors view and understand gender norms and structures. As Bretherton (2002: 6)
7 explains,

8 gender mainstreaming [...] reflects analysis of the roles and behaviours not
9 only of women, but also of men; and of the interaction between them. It
10 implies that men, as well as women, will need to adapt. Gender focused
11 approaches do not merely seek to add women to a particular context; they seek
12 to change the context itself.

13
14 It is thus thanks to the inclusion of this principle that European institutions have been
15 forced to engage in a discussion about gendering foreign policy and external relations.

16

17 A number of scholars (Bretherton, 2002; Walby, 2005; Squires, 2005) have drawn
18 attention to the transformative potential of mainstreaming. Jasquot (2010: 128)
19 explains,

20 the institutionalisation of gender mainstreaming as the main organising
21 principle of gender equality policy has contributed to the thematic expansion
22 of this policy, thus invading the limits of Community intervention to the
23 sphere of work and the labour market only.

24
25 Challenging the presumed invisibility of gender in high politics (i.e. economic policy,
26 foreign policy, security policy) is a necessary step to provide space for issues that tap
27 into traditional power structures and social hierarchies (Walby, 2005; Jasquot, 2010).

28

29 In the early days, mainstreaming was thus expected to revolutionise the way European
30 and national actors conceived equal opportunities. However, ten years after the
31 concept first appeared at the Beijing conference, Judith Squires (2005) warned against

1 the lack of clarity and purpose entrenched within this strategy. She identified lack of
2 ownership as one of the main shortcomings of mainstreaming as a political/policy
3 tool. Jasquot (2010: 120) develops this analysis further, posing three important
4 questions: 1) Does it help to consolidate the overarching aims of the European gender
5 regime? 2) Does it challenge the pervasive nature of power hierarchies? 3) Does it
6 empower women to become political actors? When applied to the external dimension,
7 this line of questioning speaks to reflexivity and norm diffusion, both of which are
8 deemed to be necessary for the EU to operate as a normative actor. Reflexivity is
9 treated here as consistency between the internal and the external planes (Nicolaidis
10 and Howse in Scheipers and Sicurelli, 2007).

11

12 Mainstreaming is particularly helpful for the analysis presented here as it provides a
13 framework against which the overall policy objectives and political commitment of an
14 institution can be tested. As Bretherton (2002: 6) explains, ‘mainstreaming is ... a
15 long-term comprehensive strategy for achieving gender equality’; and the way it is
16 implemented or deployed draws attention to an institution’s biases, political
17 commitment and core norms.

18

19 It is too early to draw any final conclusion about the long term impact of the
20 programme initiated under the auspices of the Year of Equal Opportunities for All
21 (2007), though the increasing focus on soft policy measures as opposed to hard/legally
22 binding laws challenges the very foundations upon which the European equality
23 agenda has been built. Moreover, the welcome increase in breadth of issues covered –
24 domestic violence, trafficking, as well as equality of opportunities in the broadest
25 possible sense – has not been matched by an increase in the visibility or prominence

1 of gender on the agenda. This consideration applies to both the actual implementation
2 of policies and transposition of the overarching values and objectives at the national
3 level (Beveridge & Velluti, 2008; Squires, 2005). Given the importance of reflexivity
4 in shaping the role of the EU as an external actor, we find this development to be of
5 particular concern, as it waters down the internal norms and creates room for internal
6 challenge.

7

8 The *Roadmap for Gender Equality (2006-2010)* is supposed to reiterate this wider
9 approach to equality, and in many ways it represents a reaffirmation of well rehearsed
10 arguments. It identifies six priority areas: 1. Economic independence; 2
11 Reconciliation between work and family life; 3. Representation in decision making; 4.
12 Gender based violence; 5. Gender stereotypes; 6. Promoting gender norms in external
13 relations. The last three priority areas represent the main departure point from
14 previous policies and *should* provide a re-articulation of the normative foundation of
15 the EU's role as an external actor. We say *should*, because of the shift currently under
16 way in the context of internal policies, which could have the unintended consequence
17 of making it easier to sideline gender/equality, despite being presented as a
18 foundational norm of the process. Given this internal shift, we should perhaps not be
19 surprised if in the external dimension too we were to see a sidelining of gender
20 equality issues. The internal and the external thus become mutually reinforcing in
21 shaping the hierarchy of values.

22

23 Despite the substantial progress of the last 60 years, there have also been critical
24 junctures where gender – and equality more generally – were forced to take a
25 backseat. This was the case for instance during the process of Treaty Reform and

1 Enlargement. In relation to the accession process Bretherton (2002) argued that the
2 EU ‘was swimming against the tide’, drawing attention to the fact that the new
3 members were laggards in the areas of gender and equality. In fact, it is not only at the
4 (new) Member State level that equality has not been a major preoccupation. In the
5 case of Treaty Reform, Hoskyns’s (2003) work on the Constitutional Convention
6 highlights the very sparing consideration given to the application of the principle of
7 substantive – or even symbolic – representation and equality. The under-
8 representation of women in the Convention serves to highlight the inadequacy of
9 mainstreaming as applied to such processes as well as the low status attributed to
10 social issues and social policy. All of this ultimately points to a hierarchy of values
11 within the EU. The high-low politics binary becomes crystallised in this process,
12 forcing gender/equality to the bottom of the policy agenda.

13
14 The evidence from the enlargement process certainly does not provide a particularly
15 promising basis from which the EU could take an active role in promoting equality in
16 the ENP. Despite the EU’s formal commitment to gender mainstreaming, the absence
17 of detailed consideration about the *laissez faire* approach of the new members to the
18 implementation of the gender *acquis* crystallised the distinction between high and low
19 politics. There is a substantial degree of consensus amongst feminist critics: the EU
20 failed to fulfil its Treaty obligations during the enlargement process (van der Molen &
21 Novikova, 2005; Bretherton, 2002; Steinhilber, 2002). In addition to this, the
22 increasing challenge to “core” feminist policies in some Central and Eastern European
23 states coupled with the increasing social conservatism of ECJ judges poses a
24 significant challenge to the EU’s role as a gender actor.

1 As a matter of fact, in the context of enlargement, ‘the topic [gender/equality between
2 men and women] has not been mentioned at all outside the field of employment and
3 social policy’ (Steinhilber, 2002: 2). Bretherton’s (2002) work supports these
4 findings, arguing that the Commission adopted a minimalist approach during the
5 accession negotiations, as it was believed to be a more manageable way to deal with
6 the complex social, political and economic pressures underlying the enlargement
7 process. The decision to push ahead with enlargement despite the failure of accession
8 states to implement fully the gender *acquis* ultimately set out the framework within
9 which gender/equality policies will/are being negotiated post-enlargement
10 (Bretherton, 2002; van der Molen & Novikova, 2005: 145). We therefore contend that
11 the failure of European institutions to promote well established gender norms during
12 the negotiations highlights the selective nature of Europe’s normative role in external
13 affairs. The consequences have already been felt internally and should have served as
14 a warning of what can happen when a principle of pragmatism is applied at the
15 expense of founding, value-related principles. Even if it could be convincingly argued
16 that values are best learned from within and that the enlargement process was thus
17 something distinct, the same cannot be said for the ENP, designed in part precisely to
18 keep the partner countries *out*. Arguably, therefore, it is all the more important that in
19 the ENP the EU does not permit a dilution of its – and others’ – commitment to
20 values, whether common or universal. Instead, that principle of pragmatism has been
21 extended beyond the territory of the EU itself, unsurprisingly given the temporal
22 proximity of the Enlargement and Neighbourhood Policies.

23
24 The establishment of equality between men and women as a foundational norm and
25 gender mainstreaming as an ideational norm play out well in the context of normative

1 power Europe. Two issues need to be raised at this point that relate to reflexivity. In
2 its role as ideational norm, mainstreaming can be used in two ways. On the one hand
3 it can be used to crystallise the boundaries between ‘us’ and ‘them’ – thus speaking to
4 Europe’s identity; on the other it can raise expectations in relation to the capacity of
5 normative power Europe to lead change both inside the EU as well as in the
6 neighbourhood. Yet, the EU’s recent record in relation to enlargement points to an
7 expectation-reality gap. Whereas mainstreaming might be a useful ideational norm to
8 fulfil a “higher” policy agenda, its effectiveness as a policy tool for promoting
9 equality in all policy areas is in question. This conclusion is significant both in
10 relation to current debates about EU’s identity – which is increasingly cast against that
11 of the other – and mainstreaming as a tool for feminist lobbying.

12

13

14 **Intended and Unintended Consequences: What Kind of Normative Actor is the**
15 **EU?**

16 This section will develop the argument presented before by establishing a lens for
17 gendering external relations. For the purpose of the analysis presented here, we treat
18 intentions as bound up in objectives, based on actors’ assessments of threat and
19 opportunities. These assessments are further based on assumptions and
20 preconceptions regarding the availability of choices and the actual nature of those
21 choices. Here we focus on the limits of the EU's intentions, arguing that the
22 organisation's choices remain founded firstly, on the idea that the internal and the
23 external can be differentiated and therefore treated differently; and secondly, on the
24 idea that a line can be drawn between high and low politics. Such foundations, we
25 argue, act as severe constraints upon the EU's ability to act as a norm entrepreneur

1 both in respect of those it considers to be 'other' than itself, but also in respect of its
2 own sense of self, i.e. its very identity.

3

4 There is a growing body of literature looking at the role of the EU as a normative
5 actor. This includes Manners's (2000; 2002) and McCormick's (2007) contributions,
6 which highlight the impact of norms-setting on the EU's identity as an
7 external/international actor, as well as those more critical of a normative policy
8 emphasis (Haukkala, 2008, Christou, 2010). The nature of these norms is particularly
9 important as it derives from the founding Treaties and provides the parameters for
10 international action, which is less dependent on hard military power and more on soft
11 advocacy based on socialisation and sharing of best practice. Focus on human rights,
12 democratisation and solidarity provide more argumentation in support of this strategy,
13 whereas Europe's economic power is meant to provide the incentives necessary to
14 support the spread of these values to third countries (Manners, 2000; McCormick,
15 2007). If norms are the cart, economic power is the horse. The question is, has the EU
16 put the cart before the horse?

17

18 According to the Preamble to the Lisbon Treaty, equality, along with freedom,
19 democracy and the rule of law, is a universal value. However, in Article 1a, it also
20 refers to equality as a "common" value:

21 The Union is founded on the values of respect for human dignity,
22 freedom, democracy, equality, the rule of law and respect for human
23 rights, including the rights of persons belonging to minorities. These
24 values are common to the Member States in a society in which
25 pluralism, non-discrimination, tolerance, justice, solidarity and
26 equality between women and men prevail. (European Commission,
27 2007a)

28

1 Putting aside the difficulties for the conduct of external relations that come with this
2 conflation of universal values with common values, it is clear that equality is a core
3 norm for the EU. Article 1a therefore provides us with excellent reason to treat
4 mainstreaming as evidence of normative power Europe. Assuming that Leino and
5 Petrov are correct, “values provide the Union with a purpose and a mission” (2009:
6 655), it is in this context that Lerch and Schweltnus (2006) argue that what is
7 particularly important are the arguments used to justify policy action. This is
8 something we will come back to in our discussion of the ENP, particularly in relation
9 to the shift from “Conditionality” to “Joint Ownership”. If this transition represents a
10 watering down of the EU’s power in relation to the partners, its ability to promote
11 core norms through argument becomes both harder and more necessary.

12

13 Manners’s pioneering work in the area of normative power Europe is a useful starting
14 point for our analysis. He refers to six ways in which EU norms can be “diffused” and
15 from which the EU’s normative power stems (Manners, 2002: 244-45): 1) contagion,
16 whereby the EU leads by example; 2) informational, which is the outcome of
17 “strategic communications, such as new policy initiatives”; 3) procedural, stemming
18 from an institutionalising process; 4) transference, such as exchange, be it related to
19 trade, aid or other means and where there are “substantive or financial means”
20 attached; 5) overt diffusion, i.e. the result of the EU’s presence; and finally 6) cultural
21 filters, which refers to the construction of knowledge and identity through learning
22 processes. Of these norms the most important for our discussion are: contagion, overt
23 diffusion and cultural filters.

24

1 The ENP gives the EU a presence in the partner countries and is therefore a policy
2 area in which contagion in respect of equality could be possible. We can go further
3 and say that *because* equality of opportunity is such a well established legal norm and
4 one of the most developed areas of European social policy, the EU *should* be a
5 powerful values actor and indeed a norm entrepreneur (Scheipers & Sicurelli, 2007,
6 emphasis added). Within its geographical boundaries (i.e. internally) the EU has been
7 an important actor in promoting equality between men and women. It has achieved
8 this by establishing specific principles entrenched within the Treaties and wide
9 ranging secondary legislation that provide a set of minimum standards for the Single
10 Market (Guerrina, 2005). But *if* “civilian power rests on the synergies between the
11 [EU’s] *being*, its political essence, and its *doing*, its external actions” (Nicolaidis and
12 Howse, 2002: 771) and *if* the EU is a normative power, then we would also expect
13 these principles to be promoted externally (see Scheipers and Sicurelli (2007) for
14 well-developed arguments on reflexivity). Browning and Christou (2010) have
15 developed this analysis further, arguing that identity must be examined not only from
16 an inside-out perspective but also an outside-in perspective. We agree that identity
17 building is a mutually constitutive process. Much attention has been paid to how with
18 the ENP the EU seeks to construct a stable border region for itself by encouraging the
19 building of stable democracies, thus potentially having an impact on the partner
20 countries’ identity, but less attention has been paid to the effects upon the EU of that
21 interaction. Given that we might now be seeing a retreat from some of the EU’s
22 norms, it is all the more important that we understand the impact of the ‘outside’ on
23 the ‘inside’ since it may serve to reinforce that very retreat.
24

1 As the literature on rhetorical entrapment has demonstrated (Schimmelfennig, 2001),
2 the EU's identity as a normative actor was first *threatened* by the states of central and
3 eastern Europe and then *strengthened* when the EU Member States lived up to their
4 own rhetoric and enlarged to these former Warsaw Pact countries and soviet
5 republics. For, “[o]nce caught in the community trap, they can be forced to honor
6 identity – and value – based commitments in order to protect their credibility and
7 reputation as community members” (Schimmelfennig, 2001: 77). This entrapment
8 argument has been influential in helping us understand the processes by which the
9 EU's normative identity might be more deeply consolidated. However, little or no
10 work has focused on what happens when the EU is *not* held hostage to its own values
11 and principles. In this article, we show first of all that the move from conditionality to
12 joint ownership within the ENP has reduced the capacity of the EU to bring about
13 change within the partner countries. This finding is neither original nor controversial
14 (see, for example, Bechev and Nicolaidis, 2010: 480). However, we also argue that in
15 rejecting the more conditional approach, there have been two (or three) intended and
16 one unintended consequences. The achievement of three objectives is sought through
17 the ENP: 1) to bring about an end to enlargement; 2) to ensure the security of the
18 EU's borders and territory; 3) to overcome perceptions that the EU is an imperialistic
19 power. On the first of these, the EU has sent as clear a signal as possible about what it
20 considers its outside edges to be. It is less clear that it has achieved a greater measure
21 of security as a result of the policy (see, for instance, Christou, 2010) but the potential
22 for achieving security remains. On the question of the third, the EU has tried to
23 answer criticisms that it seeks to act as a hegemonic, civilising power (Bicchi, 2006).
24 While the lack of shared debate over values has been referenced as evidence of a
25 continued attempt at hegemony (Haukkala, 2008), Lavenex (2008) has shown that

1 under certain conditions, the ENP has the built-in capacity to eliminate hierarchical
2 policy arrangements in favour of creating a horizontal basis for policy reform. These
3 are the intended outcomes of this strategy. However, these three objectives have the
4 unintended consequence of releasing the EU from the need to press further in respect
5 of adhering to its own norms. In this we move beyond the by-now familiar arguments
6 that say without the carrot of accession, any conditionality in the ENP is ineffective.
7 Even in those instances where a clear space has existed for the EU to act as a norm
8 entrepreneur in its neighbourhood through Manners's (2002: 244-45) informational
9 and procedural methods, the EU has not done so. Even more disturbingly, it has also
10 had the unintended outcome of reducing the pressures on the EU to be a normative
11 actor in its internal doings. In short, it avoids being held to account. On the face of it,
12 this may be an unintended but nevertheless desirable outcome of the process; deeper
13 consideration suggests otherwise.

14
15 Side stepping resistance to core values in order to achieve less contentious policy
16 priorities may have detrimental effects in respect of identity consolidation. After all, if
17 Schimmelfenning can argue that rhetorical entrapment has positive effects in respect
18 of the identity building process, the counter argument must surely be that success in
19 avoiding entrapment can have a diluting effect on core values, such as equality.
20 Bretherton's (2002) work on the absence of a gender dimension to the enlargement
21 process essentially makes this argument. What we see is that rhetoric matters only
22 when others hold an actor to that rhetoric. At the point, however, where conflicting
23 rhetorical narratives are permitted (i.e. joint ownership), it is far less likely that either
24 actor will be held hostage to what it says.

1 What much of the literature on gender and the EU has pointed out is the inconsistent
2 way in which the EU has operated as a norm entrepreneur in the field of equal
3 opportunities. Its most visible actions have been in those areas, like employment, that
4 have helped to establish and consolidate the position of the Single Market. It could
5 easily be argued that this is an example of functional spill-over and bureaucratic
6 politics rather than a meaningful commitment to promoting substantive equality
7 (Guerrina, 2005). This is also consistent with recent reports of a retreat in the field of
8 gender equality (Lohmann, 2007; Rangelova, 2002) and is evidenced additionally by
9 our analysis of the ENP below. The role/position of the EU as a gender regime is thus
10 in constant flux, with its actions in the field of external relations becoming
11 increasingly important as an illustration of current trends (Walby, 2005; Walby, 2004;
12 Lombardo & Meyer, 2008; Hoskyns, 1996). This is in marked contrast, however, to
13 earlier periods when the EU was said to project a utopian image of itself that was
14 inconsistent with its own reality. The argument about the EU's need to adopt a
15 reflexive approach to its policy and to 'bring the outside world back in', may well
16 have had unintended gender consequences (Nicolaidis and Howse, 2002: 769). As our
17 examination of gender issues within the ENP shows, in the context of an already
18 worrying environment for equality (and gender equality most particularly), bringing
19 the outside in may mean a reinforcement, rather than a mere reflection, of the
20 apparent internal reversal from commitments to promoting and developing equality.
21 This conclusion has important implications for the impact of mainstreaming as a
22 political and policy tool as well as for the EU's identity as a norm entrepreneur. If
23 mainstreaming is an ideational norm, then equality between men and women needs to
24 be at the heart of European identity. However, if mainstreaming is more akin to
25 rhetoric than reality, then the principle itself is likely to be used in a functional way to

1 support higher policy/political objectives than to achieve substantive change. In the
2 context of the ENP we therefore need to assess if, and how, it has been used to define
3 the boundaries of the outside and the “other”.

6 **Defining the “Outside”: the European Neighbourhood Policy**

8 We talked earlier about the three main objectives of the ENP for the EU. Whether in
9 the short term or the long term, there can be little doubt that the ENP largely marks
10 the outside edge of the EU. Developments since the inception of the ENP, such as the
11 establishment of the Eastern Partnership (EaP) in 2009 and the revision of the
12 Barcelona Process into the form of the Euro-Mediterranean Partnership (EuroMed),
13 have only served to underline this further. The EU’s policy towards its neighbours is
14 quite distinct from that applied towards those states which acceded to membership in
15 2004 and 2007. The conditionality of the accession process requires (even if only
16 notionally) that those who want to come inside behave like those already there. Joint
17 Ownership sends quite a different message, a conciliatory one about the co-existence
18 of differences, but a message about otherness, nonetheless. While the EU is guided by
19 long-standing principles relating to rights, democracy, peace, equality, rule of law,
20 etc, and requires that all its Member States adhere to these principles, it does not
21 require that states external to its territory act in the same way. Thus Schimmelfennig
22 has argued that: “in the international sphere, the liberal order is characterized by the
23 democratic peace and multilateralism” (2001:59). This he opposes to the domestic
24 sphere where the underlying principles are more numerous and the identity more
25 concrete. We agree that the tests for external actors are far less restrictive than those

1 for internal actors. Thus, the EU acts on a logic of distinction between the internal and
2 the external.

3

4 Under the ENP, National Action Plans are drawn up between the EU and each partner
5 country. These set out the priorities for action, also providing the framework for
6 implementation of the “deliverables”. The Communication from the Commission on a
7 Strong European Neighbourhood Policy (COM (2007) 774 final) speaks of
8 differentiation as a result of the inclusion of quite different countries within one
9 policy. Obviously, such differentiation can relate to a number of issues, including
10 interests dictated by differing geographical locations, resource bases etc. However, we
11 focus particularly on those aspects that suggest the EU commits to an exceptionalist
12 understanding of political culture and it is the unintended consequences of this
13 approach that is of most interest to us here.

14

15 The overarching objectives of the ENP were set out in the original Commission
16 *Communication on Wider Europe* (European Commission, 2003), which established
17 the framework for this particular policy area. The formal objectives specified in the
18 communication are: 1. to “enhance relations ... on the basis of shared values”; 2. ‘to
19 develop a zone of prosperity and friendly neighbourhood – a ring of friends’; 3.
20 promote reform, sustainable development and trade. It is clear from these objectives
21 that the primary intention of the EU was to address some of the challenges posed by
22 enlargement. In particular it sought to demarcate borders and therefore limit the scope
23 of future enlargement as well as address a new range of concerns caused by new
24 external borders with states of a less known quantity that could potentially become a
25 destabilising force for the new enlarged Union. This preoccupation with security

1 permeates most of the Commission's key documents and the NAPs. References to
2 organised crime, human trafficking, migration and border management amongst
3 others, are a regular feature of most official documents – national and European
4 (Kelley, 2006). Clearly, a rhetoric of security is not entirely compatible with a rhetoric
5 of norms, or at least the latter is more easily interpreted as just and solely that:
6 rhetoric. However, that does not negate the fact that integration relies on a wider
7 environment in which uncertainty and the instability that often ensues can be
8 minimised.

9

10 NAPs are the primary delivery mechanism for the ENP. They are drawn up between
11 the EU and each partner country and set out the priorities for action, also providing
12 the framework for implementation of the “deliverables”. Action takes place in a
13 number of broadly common spheres such that we can identify 6 key areas of activity,
14 namely 1) political dialogue and reform/cooperation; 2) economic and social reform
15 and development; 3) trade, market and regulatory reform; 4) Cooperation in JHA; 5)
16 Transport, Energy, Information Society and Environment; 6) People to people
17 contacts. The Communication from the Commission on a *Strong European*
18 *Neighbourhood Policy* (European Commission, 2007b) speaks of differentiation as a
19 result of the inclusion of quite different countries within one policy, citing the
20 examples of Israel, Morocco and Ukraine as reflections of the extent of the diversity
21 that exists in the NAPS (see European Commission 2007c, 2007d, 2007e).

22

23 An interesting feature of the original ENP, as outlined in the 2003 Communication,
24 was the focus on conditionality. This principle sought (and seeks) to provide
25 incentives to partner states by focusing on the gains available to them through

1 economic integration with the EU. These benefits, however, were linked with an
2 expectation of ‘concrete progress, demonstrating shared values and effective
3 implementation of political, economic and institutional reforms’ (European
4 Commission, 2003). In addition, the partner countries were also expected to align
5 domestic legislation with the *acquis*. By 2004, however, emphasis on conditionality
6 was less prominent whereas the principle of “Joint ownership” was stressed instead. It
7 is true that conditionality was still there, just diluted (Browning and Christou, 2010;
8 Bechev and Nicolaidis, 2010), for the promise of access to EU markets is contingent
9 upon adherence to certain conditions, primarily relating to human rights, good
10 governance etc (Bechev and Nicolaidis, 2010: 476). However, there is a clear
11 difference between conditionality and joint ownership as the 2004 Communication
12 shows when it states that ‘joint ownership of the process, based on the awareness of
13 shared values and common interests, is essential. *The EU does not seek to impose*
14 *priorities or conditions on its partner*’ (emphasis added; European Commission,
15 2004). The Commission certainly does not overstate the extent of differentiation
16 between partner countries and therefore responses on the ground are quite variable. In
17 Lebanon, for instance, NGOs are perceived by the government to have a significant
18 role to play in filling the gaps left by state action, especially in the social field. Thus
19 the EU’s role has been one of cooperating with NGOs and building fora through
20 which they could build projects together targeted at strengthening civil society, to
21 improve its internal governance and to increase its voice in policy-making (interview
22 with Commission official, 2010). In Jordan, by contrast, policy dialogue between civil
23 society and government is much less present and there the EU’s role with NGOs has
24 taken on a more supportive nature, especially on Human Rights issues (interview with
25 Commission official, 2010).

1

2 Even more worryingly, it seemingly removed any need for the EU to use its resources
3 to assist in democratisation processes. Following the Orange Revolution in which the
4 Ukrainian public expressed a clear preference for a democratic future, the EU had a
5 window in which to help Ukraine establish a functioning democratic regime without
6 being accused of trying to impose democratic values on an unwilling state. Instead of
7 taking the opportunity to deepen relations with Ukraine and to invest more resources
8 there the EU did little more than add in a few more measures to the extant NAP
9 (Haukkala, 2008: 1615). This chimed well with the objectives of avoiding further
10 enlargement and accusations of imperialistic behaviour but it also had the effect of
11 freeing the EU of the need to act as a norm entrepreneur to anything like its fullest
12 extent.

13

14 Joint Ownership can be construed as evidence of a learning process post-Enlargement
15 and a rejection of postcolonial development practices. This shift in discourse
16 represents to some extent a degree of policy learning, whereby European institutions
17 seek to avoid repeating some of the negative effects of the EU's enlargement policy,
18 as well as some of the most common criticisms it has faced in respect of its
19 relationships with third countries (see Allwood in this issue in relation to
20 Development Policy). In her work looking at the intersection of knowledge and
21 understanding between the EU and Romania, for instance, Negoita (2010)
22 demonstrates the unintended consequences of policies that are founded on an
23 imprecise understanding of local conditions – on both sides. Negoita sets out a range
24 of criteria that should be followed in order to avoid negative outcomes from policy.
25 The first is that local conditions must be borne in mind for the “goal should not be to

1 create replicas of Western institutions but to spur local innovation that takes
2 advantage of successful institutional logics” (Negoita, 2010: 111). She argues that
3 policy has to develop incrementally in order to take account of and be able to respond
4 to the unexpected. Final conditions are that policy be made and implemented by
5 experienced individuals, that policy be knowledge-based, underpinned by shared
6 interests and that there be some capacity to experiment. Joint Ownership certainly
7 facilitates such an approach and therefore can be said to represent an example of
8 successful learning. It is reflected in process too where Commission officials in
9 delegation in partner countries work closely with governments and local NGOs and
10 see their primary task as the need to increase not only commercial contacts but also
11 their people-to-people exchanges within the PCs (interview with Commission official,
12 Sept 2010).

13
14
15 The focus of the Commission’s work on socialisation, joint ownership and
16 conditionality is particularly interesting given the diverse nature of the countries
17 included in this policy. To return to Negoita’s (2010) criteria, the ENP would seem to
18 provide a framework through which the imposition of an unsuitable model would be
19 impossible and recognition of unintended and undesirable consequences can be said to
20 have driven the shift from conditionality to Joint Ownership first set out. The answer
21 to the big question that Kelley (2006) posed - “will it work without the promise of
22 membership?”- seems very clear in 2012: No. This is all the more relevant in the
23 context of a gender sensitive critique of dominant discourses entrenched within this
24 particular sphere of action.

1

2 **Gendering the ENP**

3 In order to evaluate the impact of the ENP's socialisation process, and thus the EU's
4 role as a norm entrepreneur in the area of gender, it is important to think about
5 Lombardo & Meier's (2008: 103) discussion relating to gender policy framing at the
6 EU level.

7 [W]hat are the problems and solutions, to what extent are they gendered, what
8 roles do they attribute to their subject, where are the problems and solutions
9 located – in the organisation of labour, intimacy, or citizenship – and who has
10 a voice in speaking or in being spoken about in the policy texts.

11

12 The issue relating to gender framing in the ENP is a complex one as it brings into
13 question the issue of culture, dominant values and hegemonic structures. Recognising
14 that the principle of gender equality established at the European level seeks to
15 promote formal equality and the increasing use by European political leaders of the
16 principle of equality to define the parameters for membership of the polity, we
17 conclude that it is essential to evaluate the way in which it has been deployed, and
18 how it has been received.

19

20 To summarise, the ENP was intended to operationalise three key objectives. Firstly, it
21 was supposed to send a clear message about what constituted its borders (Browning
22 and Christou, 2010: 111) and therefore to manage expectations in respect of future
23 enlargements (although see Bechev and Nicolaidis, 2010, for arguments that suggest
24 this was not necessarily the intention and that for some partner countries the ENP
25 functions “as a de facto *short-term* substitute for accession” [emphasis added] (2010:
26 478)). Secondly, it sought to help stabilise the EU's new borders by “encouraging”
27 those on the outside to become more like it (Barbe et al, 2009; Bicchi, 2006). Finally,
28 it endeavoured to continue to consolidate the EU's role as a peaceful, non-

1 imperialistic, actor through a policy built on joint ownership. This process reinforces
2 the EU's identity while strengthening its position vis-a-vis others through a process of
3 othering (Browning and Christou, 2010: 112). Our examination of the ENP suggests,
4 however, that unintended consequences in respect of identity are felt by the EU, as
5 evidenced by the retrenchment of formerly well-established values. At the same time,
6 lack of capabilities is likely to lead to criticism of how the EU builds up unrealistic
7 expectations (Hill, 1993; Hill, 1998).

8

9 Clearly, in its policy of differentiation, the EU made a decision not to confront
10 'culture' and what they consider it should be, despite the fact that when dealing with
11 gender issues, there is a clear necessity to do precisely this. This is not to say we do
12 not recognise the problems or have sympathy with them. After all, the EU does not
13 have the luxury of being able to 'push' a political system into failure mode, as one
14 might a computer system, in order to understand the myriad possible consequences
15 better than it does at the outset. However, in the post-Soviet experience, there is
16 already evidence to show not only that an uncoupling of gender issues from religious
17 and ethnic issues is necessary, but that it is possible.

18

19 In the context of the analysis of the role of the EU as a normative actor, culture,
20 becomes a particularly contentious and important issue to address. Clearly, culture,
21 like identity, is not fixed. And gender roles/structures are constantly mediated through
22 cultural filters. As Johnson's (2007) work shows, gender and cultural issues – in this
23 case religion – can be disentangled. In her study of three states, she reveals how the
24 most religious of them has the most highly developed women's protection projects.
25 Johnson focuses particularly on the patriarchal aspects of Russian society which she

1 attributes to the Orthodox religion and shows that exceptionalist arguments are
2 contradicted by the evidence that shows that “the three countries that have significant
3 Orthodox populations have more developed domestic violence politics” (2007: 393).
4 What she reveals as most important is how issues are framed. Thus when seeking to
5 protect the family from domestic violence, activists were most successful in doing so
6 when they could frame arguments in such a way as to link them to extant beliefs on
7 “protecting the family”. She cites Weldon’s admonition to avoid arguments that
8 attribute policy preferences to cultural preferences (2007: 392). In line with Cowan
9 (2006), Johnson essentially argues that culture is not fixed and that measures exist to
10 bring about desirable change. Yet, this approach may well have long-term unintended
11 consequences in terms of crystallising hegemonic gender hierarchies within the
12 family, therefore potentially undermining arguments that favour a wider approach to
13 gender equality.

14

15 Thus, for the EU, while Joint Ownership provides for what we agree is a necessary
16 and positive process of knowledge exchange, it does not mean that there is no scope
17 to impact negatively upon another aspect, in our case, attitudes towards gender. Our
18 argument here is that in its attempt not to be seen as post-colonial, the EU runs the
19 risk of ‘reifying’ culture or at least of legitimising inequalities on the basis of cultural
20 ‘difference’ – even where those claims to ‘difference’ are not acceptable or
21 defensible. The risk of threat to its identity as a normative actor is palpable. There is
22 little sense though that the EU understands the risk to its own sense of identity and/or
23 perceptions thereof.

24

1 Indeed, it is evident that its work in delegation reflects the functionalist logic that
2 characterised the early years of its own existence. In answer to a question about
3 whether the EU's identity as a values actor was threatened by its failure to articulate
4 clearly its own view of what it is and therefore what it considers others to be, a
5 Commission official responded firstly that the EU's values are anchored fairly
6 strongly to the Declaration on Human Rights and such things and that Human Rights
7 (HR) is a key area of policy dialogue. Therefore he saw little threat in respect to that.
8 When further prompted to consider whether there were instances where the EU
9 attempted to assist partner countries with achieving an agreed priority that relates to a
10 value system and was met with resistance the response was that there was always
11 movement in the right direction, but acknowledged this might be slow. In response to
12 a question whether that implied work was underpinned by an overt emphasis on
13 practical, even functional issues rather than values, he agreed, saying it is difficult to
14 get the "buy-in" if the focus is on functional versus "lofty" ideas, that talk about
15 values, which would be met with understanding nods but not much else (interview
16 with Commission official, 2010). It is clear too that this approach meets with
17 successes. For instance, work on a criminal investigation project in Lebanon took a
18 functional approach to the securing of defendants' rights. The EU role consisted of
19 working with police to help improve investigative processes in order to produce
20 material proof of a crime and so to reduce reliance on confessions (interview with
21 Commission official, 2010). The official went on to say that their job was to work on
22 tools, help key personnel within states to do their jobs better, that they were often
23 already aware of their shortcomings but that once work on tools began, methods could
24 be addressed and then the finalities come. He added: "But of course, like in any
25 human communication, when you make the person believe that it is his idea, or that it

1 *is his idea in the end, you just guide him to find it*” (Interview with Commission
2 Official, 2010)

3

4 Such ideas reflect both functional logics and the attempt to overcome the colonial
5 past. Additionally, it is evidence of learning of the type that Negoita advocates. We
6 therefore fully acknowledge its reasonable intentions. However, there remain
7 questions about an approach that has three consequences. Firstly, it leaves little space
8 for the EU to take credit but much room to take blame. Secondly, and just as
9 importantly, it permits partner countries to adhere where and when they want and to
10 cast important issues such as equality in narrow terms. In the same interview, for
11 instance, it became clear that women’s equality was framed primarily around the
12 impact on economic and intellectual development of partner countries by the
13 exclusion of women from work. Thirdly, it operates on such a long-term strategic
14 basis that it sends negative messages about the priority given to achieving equality for
15 women versus other objectives. This we see as a missed opportunity for the EU to
16 exploit its true potential as a norm entrepreneur but consider too that the ultimate
17 consequences for the EU’s identity and its capacity as an actor will be severe.

18

19 Therefore, while the ENP gives the EU scope to ‘culturally contextualise’ (Pelkmans,
20 2007:885), our concern here is that it collapses ideas on gender into ideas on culture
21 and entangles them in such a way as to make gender a frame of reference that lies
22 outside the capacity of the EU to support women’s groups in ENP states without
23 belying the very underpinnings of the European Neighbourhood Policy. Failure to
24 acknowledge and confront difference can lead to suspicion (Pelkmans, 2007). This
25 speaks to a lack of openness and transparency that is supposed to underpin

1 democracies and interaction between democratic and partner states. This is where we
2 consider a good deal of danger lies for the EU, at the very least it is unproductive as a
3 strategy. The essence of Pelkmans's argument is that, if actors do not behave in a
4 manner consistent with their own professed values, they run the risk of being accused
5 of an attempt to 'deceive' (2007: 892).

6

7

8 It is worth pointing out one final, somewhat depressing, point about the ENP. Here we
9 see that in terms of concrete policies, the equality dimension of ENP looks as if it
10 focuses predominantly on improving women's access to employment, which only
11 adds to the body of evidence that suggests the EU's primary logic for extending equal
12 rights to women is an economic one. Thus we see full reflexivity - since this mirrors
13 internal EU processes – which in respect to gender equality at least, suggests the EU
14 is not the normative actor it purports to be.

15

16 **Conclusions: the Retreat from Mainstreaming**

17 This article has sought to assess the role of normative power Europe in the context of
18 current analysis of the EU's achievements as a gender regime. Our analysis has shown
19 that the enduring distinction between high and low politics, entrenched within the
20 EU's external relations agenda, ultimately has an impact on both its own identity and
21 its role as a gender actor. But if normative power Europe can withstand the retreat of
22 mainstreaming, what does that say about the position of both foundational and
23 ideational norms?

24

1 A retreat from those very norms which have established its – even if only self-
2 expressed – normative personality risks much for the EU. Relatively little is made in
3 the literature of, for instance, the threat that Russia represents to wider notions of what
4 it is to be European (for one such perspective, see Christou, 2010). This is perhaps
5 because at the moment Russia does not represent a credible threat. However, if the EU
6 continues on its present trajectory in relation to its own adherence to its norms, Russia
7 could begin to look like a more viable challenger. The more immediate danger lies
8 within the EU itself. At the time of writing, it is far from fanciful to think of the EU as
9 facing a time of crisis that is not wholly related to the financial crisis. The Far Right is
10 making political inroads across much of Europe and even centrist political discourse
11 displays a worrying tendency to emphasise the differences, rather than commonalities,
12 between Member States. Such patterns are likely to become further entrenched the
13 more that functionalism and pragmatism triumph over values and norms. Haukkala’s
14 insistence that, “the Union should consider a neighbourhood policy that is based less
15 on heavy normative convergence and harmonisation and more on tangible cooperation
16 with more modest rhetoric and clearer material incentives” (2008: 1618) fails to take
17 into account the effect on the EU’s identity. This is not to say that we argue against
18 more material incentives but these must not be at the expense of an externally-directed
19 rhetoric which reinforces an internally-directed normative identity.

20

21 Our analysis also reveals how the distinction between high and low politics persists
22 and has an impact on how gender is mainstreamed within external relations. The ENP
23 is primarily, as the intentions we have identified show, about what are commonly seen
24 as issues relating to high politics (state sovereignty and security). However, the ENP
25 functions at the level of low politics (economic and other non-survival orientated

1 issues) and high politics areas remain outside its remit. The distinction between the
2 two political areas is difficult to maintain in today's globalised and interdependent
3 world. Environmental policy, for instance, must originally have been seen as a matter
4 of low politics but the threats to survival posed by climate change, has shown the
5 futility of such dichotomies. The same can be said of economics, where a state's
6 sovereignty, if not its very survival, is contingent upon its competitiveness in the
7 world markets. Further than this, however, we argue that gender equality as
8 operationalised by the EU is confined to the area of low politics and does not
9 transcend the barrier between the high and the low. Even where we see evidence that
10 gender is a focus of policy within the partner countries, this focus is largely in relation
11 to employment issues alone. Thus, equality is construed in narrow and limited terms
12 and gives something of a lie to the EU's expressed commitment to mainstreaming,
13 even if this expression is not always to be found in policy terms.

14
15 Lukes argues that one of the basic functions of the social scientist must to be reveal
16 what social institutions, by their very nature, make opaque (2006: 7). The same is true
17 of policy. It is by reason of the capacity of social institutions and policy to impact
18 noticeably upon our lives that the task becomes all the more urgent. Our “concern
19 must be with both the ‘institutional’ and the ‘brute’ realities of social life and, most
20 particularly, with the zone of interaction between them” (Lukes, 2006: 8). If, through
21 the ENP, the EU reduces expectations in relation to women’s rights – within the EU –
22 how does this affect its ability to promote gender issues in other fora? It is important
23 too to think about the effect on EU Member States – how far do reduced expectations
24 extend to individual actors? Effects are felt in a further direction, by having extensive
25 and deep commitment to women’s rights within the EU, the EU has set a high

1 standard of expectations re interest groups and social movements – and this confers
2 extensive, wider obligations. Lack of parity between domestic and external arenas can
3 cause legitimacy problems at home as well as abroad.

4

5 Our work suggests that there is much that still can be done in order to understand the
6 ENP. We have shown that a range of actors both internal and external to the EU have
7 a role to play but in order to understand fully why mainstreaming is ineffective we
8 would need to spend more time considering the differences between the Directorates
9 General themselves. A further question that requires clarification relates to whether
10 the EU actively understood how it had been held hostage to its own rhetoric and
11 whether with the ENP it sought to avoid further entrapment. Thus, more work on
12 intentions is needed. Thirdly, while we have linked our own findings on retrenchment
13 to the work that shows enlargement has had a negative impact on the EU's
14 commitment to gender equality, more work needs to be done to answer the question of
15 whether the EU understands this and whether it intends to act to counter this trend.

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