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

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

This article starts to address this gap by testing the EU’s commitment to gender
mainstreaming and thus equality through the prism of external relations. The analysis
presented here brings together two distinct bodies of literature. Looking at current
debates about the EU as a normative actor, we assess the impact of the EU’s gender
blindness in external relations on its own identity and its ability to act as a norm
entrepreneur. By engendering the concept of normative power Europe we present two
interrelated arguments: 1) the EU has the resources to “be” a powerful normative
actor; 2) it does not use this power to its fullest capacities in relation to gender and the
promotion of equality more generally. The ENP will be used as a case study for our
argument as it provides a useful testing ground for: a) the EU’s capacity for
manoeuvre in an international setting and, b) not simply its efficacy as a gender actor
in the external dimension, but its *commitment* to efficacious gender action.

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

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

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

This section will demonstrate the importance of equality as a norm within European
discourse. It is important to establish the position of this principle within the process
of European integration because it will provide a platform for our ultimate argument
that scrutiny of the ENP reveals not just a distinction between Europe’s “being” and
Europe’s “doing” in the external dimension (Schmidt, 2003, Howorth, 2000) but
even a retreat from “being” in respect of equality. Although, EU policies have had
an uneven impact on gender norms and substantive equality, there is little doubt that
the principle of formal equality has long been a core value of European integration,
both in rhetorical and policy terms. In the field of employment, equality between men
and women is one of the most developed areas of European policy action. So much
so, that in the case of social and employment policy, the EU has been a leader in
promoting formal equality. For instance, on the back of Article 119 (Treaty of Rome),
the Commission and the ECJ have, over the years, successfully expanded the remit of
equality within European integration (Kantola, 2010; Guerrina, 2005; Hoskyns, 2003).
The adoption of the principle of Mainstreaming in 1998 was supposed to take this
commitment a step further to allow a gradual expansion of equality, as a norm, to all
areas of policy action, therefore consolidating the position of equality as a core value
of the process.
The incorporation of the principles of mainstreaming in the Treaty of Amsterdam was supposed to signify a shift in the way gender policies were going to be developed and implemented. In very basic terms, it was supposed to push for the inclusion of a *gender dimension* to all policy areas (Mazey 2001; Hoskyns, 1996; Hafner-Burton & Pollack, 2000). The aim of this approach is to engender a change in the way policy actors view and understand gender norms and structures. As Bretherton (2002: 6)

explains,

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

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

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

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

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

In the early days, mainstreaming was thus expected to revolutionise the way European and national actors conceived equal opportunities. However, ten years after the concept first appeared at the Beijing conference, Judith Squires (2005) warned against
the lack of clarity and purpose entrenched within this strategy. She identified lack of ownership as one of the main shortcomings of mainstreaming as a political/policy tool. Jasquot (2010: 120) develops this analysis further, posing three important questions: 1) Does it help to consolidate the overarching aims of the European gender regime? 2) Does it challenge the pervasive nature of power hierarchies? 3) Does it empower women to become political actors? When applied to the external dimension, this line of questioning speaks to reflexivity and norm diffusion, both of which are deemed to be necessary for the EU to operate as a normative actor. Reflexivity is treated here as consistency between the internal and the external planes (Nicolaidis and Howse in Scheipers and Sicurelli, 2007).

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

It is too early to draw any final conclusion about the long term impact of the programme initiated under the auspices of the Year of Equal Opportunities for All (2007), though the increasing focus on soft policy measures as opposed to hard/legally binding laws challenges the very foundations upon which the European equality agenda has been built. Moreover, the welcome increase in breadth of issues covered – domestic violence, trafficking, as well as equality of opportunities in the broadest possible sense – has not been matched by an increase in the visibility or prominence
of gender on the agenda. This consideration applies to both the actual implementation
of policies and transposition of the overarching values and objectives at the national
level (Beveridge & Velluti, 2008; Squires, 2005). Given the importance of reflexivity
in shaping the role of the EU as an external actor, we find this development to be of
particular concern, as it waters down the internal norms and creates room for internal
challenge.

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

Despite the substantial progress of the last 60 years, there have also been critical
junctures where gender – and equality more generally – were forced to take a
backseat. This was the case for instance during the process of Treaty Reform and
Enlargement. In relation to the accession process Bretherton (2002) argued that the EU ‘was swimming against the tide’, drawing attention to the fact that the new members were laggards in the areas of gender and equality. In fact, it is not only at the (new) Member State level that equality has not been a major preoccupation. In the case of Treaty Reform, Hoskyns’s (2003) work on the Constitutional Convention highlights the very sparing consideration given to the application of the principle of substantive – or even symbolic – representation and equality. The under-representation of women in the Convention serves to highlight the inadequacy of mainstreaming as applied to such processes as well as the low status attributed to social issues and social policy. All of this ultimately points to a hierarchy of values within the EU. The high-low politics binary becomes crystallised in this process, forcing gender/equality to the bottom of the policy agenda.

The evidence from the enlargement process certainly does not provide a particularly promising basis from which the EU could take an active role in promoting equality in the ENP. Despite the EU’s formal commitment to gender mainstreaming, the absence of detailed consideration about the laissez faire approach of the new members to the implementation of the gender acquis crystallised the distinction between high and low politics. There is a substantial degree of consensus amongst feminist critics: the EU failed to fulfil its Treaty obligations during the enlargement process (van der Molen & Novikova, 2005; Bretherton, 2002; Steinhilber, 2002). In addition to this, the increasing challenge to “core” feminist policies in some Central and Eastern European states coupled with the increasing social conservativism of ECJ judges poses a significant challenge to the EU’s role as a gender actor.
As a matter of fact, in the context of enlargement, ‘the topic [gender/equality between men and women] has not been mentioned at all outside the field of employment and social policy’ (Steinhilber, 2002: 2). Bretherton’s (2002) work supports these findings, arguing that the Commission adopted a minimalist approach during the accession negotiations, as it was believed to be a more manageable way to deal with the complex social, political and economic pressures underlying the enlargement process. The decision to push ahead with enlargement despite the failure of accession states to implement fully the gender *acquis* ultimately set out the framework within which gender/equality policies will/are being negotiated post-enlargement (Bretherton, 2002; van der Molen & Novikova, 2005: 145). We therefore contend that the failure of European institutions to promote well established gender norms during the negotiations highlights the selective nature of Europe’s normative role in external affairs. The consequences have already been felt internally and should have served as a warning of what can happen when a principle of pragmatism is applied at the expense of founding, value-related principles. Even if it could be convincingly argued that values are best learned from within and that the enlargement process was thus something distinct, the same cannot be said for the ENP, designed in part precisely to keep the partner countries out. Arguably, therefore, it is all the more important that in the ENP the EU does not permit a dilution of its – and others’ – commitment to values, whether common or universal. Instead, that principle of pragmatism has been extended beyond the territory of the EU itself, unsurprisingly given the temporal proximity of the Enlargement and Neighbourhood Policies.

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

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

This section will develop the argument presented before by establishing a lens for
gendering external relations. For the purpose of the analysis presented here, we treat
intentions as bound up in objectives, based on actors’ assessments of threat and
opportunities. These assessments are further based on assumptions and
preconceptions regarding the availability of choices and the actual nature of those
choices. Here we focus on the limits of the EU’s intentions, arguing that the
organisation's choices remain founded firstly, on the idea that the internal and the
external can be differentiated and therefore treated differently; and secondly, on the
idea that a line can be drawn between high and low politics. Such foundations, we
argue, act as severe constraints upon the EU's ability to act as a norm entrepreneur
both in respect of those it considers to be 'other' than itself, but also in respect of its
own sense of self, i.e. its very identity.

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

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

The Union is founded on the values of respect for human dignity,
freedom, democracy, equality, the rule of law and respect for human
rights, including the rights of persons belonging to minorities. These
values are common to the Member States in a society in which
pluralism, non-discrimination, tolerance, justice, solidarity and
equality between women and men prevail. (European Commission,
2007a)
Putting aside the difficulties for the conduct of external relations that come with this conflation of universal values with common values, it is clear that equality is a core norm for the EU. Article 1a therefore provides us with excellent reason to treat mainstreaming as evidence of normative power Europe. Assuming that Leino and Petrov are correct, “values provide the Union with a purpose and a mission” (2009: 655), it is in this context that Lerch and Schwellnus (2006) argue that what is particularly important are the arguments used to justify policy action. This is something we will come back to in our discussion of the ENP, particularly in relation to the shift from “Conditionality” to “Joint Ownership”. If this transition represents a watering down of the EU’s power in relation to the partners, its ability to promote core norms through argument becomes both harder and more necessary.

Manners’s pioneering work in the area of normative power Europe is a useful starting point for our analysis. He refers to six ways in which EU norms can be “diffused” and from which the EU’s normative power stems (Manners, 2002: 244-45): 1) contagion, whereby the EU leads by example; 2) informational, which is the outcome of “strategic communications, such as new policy initiatives”; 3) procedural, stemming from an institutionalising process; 4) transference, such as exchange, be it related to trade, aid or other means and where there are “substantive or financial means” attached; 5) overt diffusion, i.e. the result of the EU’s presence; and finally 6) cultural filters, which refers to the construction of knowledge and identity through learning processes. Of these norms the most important for our discussion are: contagion, overt diffusion and cultural filters.
The ENP gives the EU a presence in the partner countries and is therefore a policy area in which contagion in respect of equality could be possible. We can go further and say that *because* equality of opportunity is such a well established legal norm and one of the most developed areas of European social policy, the EU *should* be a powerful values actor and indeed a norm entrepreneur (Scheipers & Sicurelli, 2007, emphasis added). Within its geographical boundaries (i.e. internally) the EU has been an important actor in promoting equality between men and women. It has achieved this by establishing specific principles entrenched within the Treaties and wide ranging secondary legislation that provide a set of minimum standards for the Single Market (Guerrina, 2005). But *if* “civilian power rests on the synergies between the [EU’s] *being*, its political essence, and its *doing*, its external actions” (Nicolaidis and Howse, 2002: 771) and *if* the EU is a normative power, then we would also expect these principles to be promoted externally (see Scheipers and Sicurelli (2007) for well-developed arguments on reflexivity). Browning and Christou (2010) have developed this analysis further, arguing that identity must be examined not only from an inside-out perspective but also an outside-in perspective. We agree that identity building is a mutually constitutive process. Much attention has been paid to how with the ENP the EU seeks to construct a stable border region for itself by encouraging the building of stable democracies, thus potentially having an impact on the partner countries’ identity, but less attention has been paid to the effects upon the EU of that interaction. Given that we might now be seeing a retreat from some of the EU’s norms, it is all the more important that we understand the impact of the ‘outside’ on the ‘inside’ since it may serve to reinforce that very retreat.
As the literature on rhetorical entrapment has demonstrated (Schimmelfennig, 2001), the EU’s identity as a normative actor was first threatened by the states of central and eastern Europe and then strengthened when the EU Member States lived up to their own rhetoric and enlarged to these former Warsaw Pact countries and soviet republics. For, “[o]nce caught in the community trap, they can be forced to honor identity – and value – based commitments in order to protect their credibility and reputation as community members” (Schimmelfennig, 2001: 77). This entrapment argument has been influential in helping us understand the processes by which the EU’s normative identity might be more deeply consolidated. However, little or no work has focused on what happens when the EU is not held hostage to its own values and principles. In this article, we show first of all that the move from conditionality to joint ownership within the ENP has reduced the capacity of the EU to bring about change within the partner countries. This finding is neither original nor controversial (see, for example, Bechev and Nicolaidis, 2010: 480). However, we also argue that in rejecting the more conditional approach, there have been two (or three) intended and one unintended consequences. The achievement of three objectives is sought through the ENP: 1) to bring about an end to enlargement; 2) to ensure the security of the EU’s borders and territory; 3) to overcome perceptions that the EU is an imperialistic power. On the first of these, the EU has sent as clear a signal as possible about what it considers its outside edges to be. It is less clear that it has achieved a greater measure of security as a result of the policy (see, for instance, Christou, 2010) but the potential for achieving security remains. On the question of the third, the EU has tried to answer criticisms that it seeks to act as a hegemonic, civilising power (Bicchi, 2006). While the lack of shared debate over values has been referenced as evidence of a continued attempt at hegemony (Haukkala, 2008), Lavenex (2008) has shown that
under certain conditions, the ENP has the built-in capacity to eliminate hierarchical policy arrangements in favour of creating a horizontal basis for policy reform. These are the intended outcomes of this strategy. However, these three objectives have the unintended consequence of releasing the EU from the need to press further in respect of adhering to its own norms. In this we move beyond the by-now familiar arguments that say without the carrot of accession, any conditionality in the ENP is ineffective. Even in those instances where a clear space has existed for the EU to act as a norm entrepreneur in its neighbourhood through Manners’s (2002: 244-45) informational and procedural methods, the EU has not done so. Even more disturbingly, it has also had the unintended outcome of reducing the pressures on the EU to be a normative actor in its internal doings. In short, it avoids being held to account. On the face of it, this may be an unintended but nevertheless desirable outcome of the process; deeper consideration suggests otherwise.

Side stepping resistance to core values in order to achieve less contentious policy priorities may have detrimental effects in respect of identity consolidation. After all, if Schimmelfenning can argue that rhetorical entrapment has positive effects in respect of the identity building process, the counter argument must surely be that success in avoiding entrapment can have a diluting effect on core values, such as equality. Bretherton’s (2002) work on the absence of a gender dimension to the enlargement process essentially makes this argument. What we see is that rhetoric matters only when others hold an actor to that rhetoric. At the point, however, where conflicting rhetorical narratives are permitted (i.e. joint ownership), it is far less likely that either actor will be held hostage to what it says.
What much of the literature on gender and the EU has pointed out is the inconsistent way in which the EU has operated as a norm entrepreneur in the field of equal opportunities. Its most visible actions have been in those areas, like employment, that have helped to establish and consolidate the position of the Single Market. It could easily be argued that this is an example of functional spill-over and bureaucratic politics rather than a meaningful commitment to promoting substantive equality (Guerrina, 2005). This is also consistent with recent reports of a retreat in the field of gender equality (Lohmann, 2007; Rangelova, 2002) and is evidenced additionally by our analysis of the ENP below. The role/position of the EU as a gender regime is thus in constant flux, with its actions in the field of external relations becoming increasingly important as an illustration of current trends (Walby, 2005; Walby, 2004; Lombardo & Meyer, 2008; Hoskyns, 1996). This is in marked contrast, however, to earlier periods when the EU was said to project a utopian image of itself that was inconsistent with its own reality. The argument about the EU’s need to adopt a reflexive approach to its policy and to ‘bring the outside world back in’, may well have had unintended gender consequences (Nicolaidis and Howse, 2002: 769). As our examination of gender issues within the ENP shows, in the context of an already worrying environment for equality (and gender equality most particularly), bringing the outside in may mean a reinforcement, rather than a mere reflection, of the apparent internal reversal from commitments to promoting and developing equality. This conclusion has important implications for the impact of mainstreaming as a political and policy tool as well as for the EU’s identity as a norm entrepreneur. If mainstreaming is an ideational norm, then equality between men and women needs to be at the heart of European identity. However, if mainstreaming is more akin to rhetoric than reality, then the principle itself is likely to be used in a functional way to
support higher policy/political objectives than to achieve substantive change. In the
context of the ENP we therefore need to assess if, and how, it has been used to define
the boundaries of the outside and the “other”.

Defining the “Outside”: the European Neighbourhood Policy

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

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

The overarching objectives of the ENP were set out in the original Commission Communication on Wider Europe (European Commission, 2003), which established the framework for this particular policy area. The formal objectives specified in the communication are: 1. to “enhance relations … on the basis of shared values”; 2. ‘to develop a zone of prosperity and friendly neighbourhood – a ring of friends”; 3. promote reform, sustainable development and trade. It is clear from these objectives that the primary intention of the EU was to address some of the challenges posed by enlargement. In particular it sought to demarcate borders and therefore limit the scope of future enlargement as well as address a new range of concerns caused by new external borders with states of a less known quantity that could potentially become a destabilising force for the new enlarged Union. This preoccupation with security
permeates most of the Commission’s key documents and the NAPs. References to organised crime, human trafficking, migration and border management amongst others, are a regular feature of most official documents – national and European (Kelley, 2006). Clearly, a rhetoric of security is not entirely compatible with a rhetoric of norms, or at least the latter is more easily interpreted as just and solely that: rhetoric. However, that does not negate the fact that integration relies on a wider environment in which uncertainty and the instability that often ensues can be minimised.

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

An interesting feature of the original ENP, as outlined in the 2003 Communication, was the focus on conditionality. This principle sought (and seeks) to provide incentives to partner states by focusing on the gains available to them through
economic integration with the EU. These benefits, however, were linked with an 
expectation of ‘concrete progress, demonstrating shared values and effective 
implementation of political, economic and institutional reforms’ (European 
Commission, 2003). In addition, the partner countries were also expected to align 
domestic legislation with the \textit{acquis}. By 2004, however, emphasis on conditionality 
was less prominent whereas the principle of “Joint ownership” was stressed instead. It 
is true that conditionality was still there, just diluted (Browning and Christou, 2010; 
Bechev and Nicolaidis, 2010), for the promise of access to EU markets is contingent 
upon adherence to certain conditions, primarily relating to human rights, good 
governance etc (Bechev and Nicolaidis, 2010: 476). However, there is a clear 
difference between conditionality and joint ownership as the 2004 Communication 
shows when it states that ‘joint ownership of the process, based on the awareness of 
shared values and common interests, is essential. \textit{The EU does not seek to impose 
priorities or conditions on its partner}’ (emphasis added; European Commission, 
2004). The Commission certainly does not overstate the extent of differentiation 
between partner countries and therefore responses on the ground are quite variable. In 
Lebanon, for instance, NGOs are perceived by the government to have a significant 
role to play in filling the gaps left by state action, especially in the social field. Thus 
the EU’s role has been one of cooperating with NGOs and building fora through 
which they could build projects together targeted at strengthening civil society, to 
improve its internal governance and to increase its voice in policy-making (interview 
with Commission official, 2010). In Jordan, by contrast, policy dialogue between civil 
society and government is much less present and there the EU’s role with NGOs has 
taken on a more supportive nature, especially on Human Rights issues (interview with 
Commission official, 2010).
Even more worryingly, it seemingly removed any need for the EU to use its resources to assist in democratisation processes. Following the Orange Revolution in which the Ukrainian public expressed a clear preference for a democratic future, the EU had a window in which to help Ukraine establish a functioning democratic regime without being accused of trying to impose democratic values on an unwilling state. Instead of taking the opportunity to deepen relations with Ukraine and to invest more resources there the EU did little more than add in a few more measures to the extant NAP (Haukkala, 2008: 1615). This chimed well with the objectives of avoiding further enlargement and accusations of imperialistic behaviour but it also had the effect of freeing the EU of the need to act as a norm entrepreneur to anything like its fullest extent.

Joint Ownership can be construed as evidence of a learning process post-Enlargement and a rejection of postcolonial development practices. This shift in discourse represents to some extent a degree of policy learning, whereby European institutions seek to avoid repeating some of the negative effects of the EU’s enlargement policy, as well as some of the most common criticisms it has faced in respect of its relationships with third countries (see Allwood in this issue in relation to Development Policy). In her work looking at the intersection of knowledge and understanding between the EU and Romania, for instance, Negoita (2010) demonstrates the unintended consequences of policies that are founded on an imprecise understanding of local conditions – on both sides. Negoita sets out a range of criteria that should be followed in order to avoid negative outcomes from policy. The first is that local conditions must be borne in mind for the “goal should not be to
create replicas of Western institutions but to spur local innovation that takes
advantage of successful institutional logics” (Negoita, 2010: 111). She argues that
policy has to develop incrementally in order to take account of and be able to respond
to the unexpected. Final conditions are that policy be made and implemented by
experienced individuals, that policy be knowledge-based, underpinned by shared
interests and that there be some capacity to experiment. Joint Ownership certainly
facilitates such an approach and therefore can be said to represent an example of
successful learning. It is reflected in process too where Commission officials in
delegation in partner countries work closely with governments and local NGOs and
see their primary task as the need to increase not only commercial contacts but also
their people-to-people exchanges within the PCs (interview with Commission official,
Sept 2010).

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

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

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

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

To summarise, the ENP was intended to operationalise three key objectives. Firstly, it was supposed to send a clear message about what constituted its borders (Browning and Christou, 2010: 111) and therefore to manage expectations in respect of future enlargements (although see Bechev and Nicolaidis, 2010, for arguments that suggest this was not necessarily the intention and that for some partner countries the ENP functions “as a de facto short-term substitute for accession” [emphasis added] (2010: 478)). Secondly, it sought to help stabilise the EU’s new borders by “encouraging” those on the outside to become more like it (Barbe et al, 2009; Bicchi, 2006). Finally, it endeavoured to continue to consolidate the EU’s role as a peaceful, non-
imperialistic, actor through a policy built on joint ownership. This process reinforces the EU’s identity while strengthening its position vis-a-vis others through a process of othering (Browning and Christou, 2010: 112). Our examination of the ENP suggests, however, that unintended consequences in respect of identity are felt by the EU, as evidenced by the retrenchment of formerly well-established values. At the same time, lack of capabilities is likely to lead to criticism of how the EU builds up unrealistic expectations (Hill, 1993; Hill, 1998).

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

In the context of the analysis of the role of the EU as a normative actor, culture, becomes a particularly contentious and important issue to address. Clearly, culture, like identity, is not fixed. And gender roles/structures are constantly mediated through cultural filters. As Johnson’s (2007) work shows, gender and cultural issues – in this case religion – can be disentangled. In her study of three states, she reveals how the most religious of them has the most highly developed women’s protection projects. Johnson focuses particularly on the patriarchal aspects of Russian society which she
attributes to the Orthodox religion and shows that exceptionalist arguments are
contradicted by the evidence that shows that “the three countries that have significant
Orthodox populations have more developed domestic violence politics” (2007: 393).
What she reveals as most important is how issues are framed. Thus when seeking to
protect the family from domestic violence, activists were most successful in doing so
when they could frame arguments in such a way as to link them to extant beliefs on
“‘protecting the family’”. She cites Weldon’s admonition to avoid arguments that
attribute policy preferences to cultural preferences (2007: 392). In line with Cowan
(2006), Johnson essentially argues that culture is not fixed and that measures exist to
bring about desirable change. Yet, this approach may well have long-term unintended
consequences in terms of crystallising hegemonic gender hierarchies within the
family, therefore potentially undermining arguments that favour a wider approach to
gender equality.

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

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Indeed, it is evident that its work in delegation reflects the functionalist logic that characterised the early years of its own existence. In answer to a question about whether the EU’s identity as a values actor was threatened by its failure to articulate clearly its own view of what it is and therefore what it considers others to be, a Commission official responded firstly that the EU’s values are anchored fairly strongly to the Declaration on Human Rights and such things and that Human Rights (HR) is a key area of policy dialogue. Therefore he saw little threat in respect to that.

When further prompted to consider whether there were instances where the EU attempted to assist partner countries with achieving an agreed priority that relates to a value system and was met with resistance the response was that there was always movement in the right direction, but acknowledged this might be slow. In response to a question whether that implied work was underpinned by an overt emphasis on practical, even functional issues rather than values, he agreed, saying it is difficult to get the “buy-in” if the focus is on functional versus “lofty” ideas, that talk about values, which would be met with understanding nods but not much else (interview with Commission official, 2010). It is clear too that this approach meets with successes. For instance, work on a criminal investigation project in Lebanon took a functional approach to the securing of defendants’ rights. The EU role consisted of working with police to help improve investigative processes in order to produce material proof of a crime and so to reduce reliance on confessions (interview with Commission official, 2010). The official went on to say that their job was to work on tools, help key personnel within states to do their jobs better, that they were often already aware of their shortcomings but that once work on tools began, methods could be addressed and then the finalities come. He added: “But of course, like in any human communication, when you make the person believe that it is his idea, or that it
is his idea in the end, you just guide him to find it” (Interview with Commission Official, 2010)

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

Therefore, while the ENP gives the EU scope to ‘culturally contextualise’ (Pelkmans, 2007:885), our concern here is that it collapses ideas on gender into ideas on culture and entangles them in such a way as to make gender a frame of reference that lies outside the capacity of the EU to support women’s groups in ENP states without belying the very underpinnings of the European Neighbourhood Policy. Failure to acknowledge and confront difference can lead to suspicion (Pelkmans, 2007). This speaks to a lack of openness and transparency that is supposed to underpin
democracies and interaction between democratic and partner states. This is where we consider a good deal of danger lies for the EU, at the very least it is unproductive as a strategy. The essence of Pelkmans’s argument is that, if actors do not behave in a manner consistent with their own professed values, they run the risk of being accused of an attempt to ‘deceive’ (2007: 892).

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

Conclusions: the Retreat from Mainstreaming

This article has sought to assess the role of normative power Europe in the context of current analysis of the EU’s achievements as a gender regime. Our analysis has shown that the enduring distinction between high and low politics, entrenched within the EU’s external relations agenda, ultimately has an impact on both its own identity and its role as a gender actor. But if normative power Europe can withstand the retreat of mainstreaming, what does that say about the position of both foundational and ideational norms?
A retreat from those very norms which have established its – even if only self-expressed – normative personality risks much for the EU. Relatively little is made in the literature of, for instance, the threat that Russia represents to wider notions of what it is to be European (for one such perspective, see Christou, 2010). This is perhaps because at the moment Russia does not represent a credible threat. However, if the EU continues on its present trajectory in relation to its own adherence to its norms, Russia could begin to look like a more viable challenger. The more immediate danger lies within the EU itself. At the time of writing, it is far from fanciful to think of the EU as facing a time of crisis that is not wholly related to the financial crisis. The Far Right is making political inroads across much of Europe and even centrist political discourse displays a worrying tendency to emphasise the differences, rather than commonalities, between Member States. Such patterns are likely to become further entrenched the more that functionalism and pragmatism triumph over values and norms. Haukkala’s insistence that, “the Union should consider a neighbourhood policy that is based less on heavy normative convergence and harmonisation and more on tangible cooperation with more modest rhetoric and clearer material incentives” (2008: 1618) fails to take into account the effect on the EU’s identity. This is not to say that we argue against more material incentives but these must not be at the expense of an externally-directed rhetoric which reinforces an internally-directed normative identity.

Our analysis also reveals how the distinction between high and low politics persists and has an impact on how gender is mainstreamed within external relations. The ENP is primarily, as the intentions we have identified show, about what are commonly seen as issues relating to high politics (state sovereignty and security). However, the ENP functions at the level of low politics (economic and other non-survival orientated
issues) and high politics areas remain outside its remit. The distinction between the
two political areas is difficult to maintain in today's globalised and interdependent
world. Environmental policy, for instance, must originally have been seen as a matter
of low politics but the threats to survival posed by climate change, has shown the
futility of such dichotomies. The same can be said of economics, where a state's
sovereignty, if not its very survival, is contingent upon its competitiveness in the
world markets. Further than this, however, we argue that gender equality as
operationalised by the EU is confined to the area of low politics and does not
transcend the barrier between the high and the low. Even where we see evidence that
gender is a focus of policy within the partner countries, this focus is largely in relation
to employment issues alone. Thus, equality is construed in narrow and limited terms
and gives something of a lie to the EU's expressed commitment to mainstreaming,
even if this expression is not always to be found in policy terms.

Lukes argues that one of the basic functions of the social scientist must to be reveal
what social institutions, by their very nature, make opaque (2006: 7). The same is true
of policy. It is by reason of the capacity of social institutions and policy to impact
noticeably upon our lives that the task becomes all the more urgent. Our “concern
must be with both the ‘institutional’ and the ‘brute’ realities of social life and, most
particularly, with the zone of interaction between them” (Lukes, 2006: 8). If, through
the ENP, the EU reduces expectations in relation to women’s rights – within the EU –
how does this affect its ability to promote gender issues in other fora? It is important
too to think about the effect on EU Member States – how far do reduced expectations
extend to individual actors? Effects are felt in a further direction, by having extensive
and deep commitment to women’s rights within the EU, the EU has set a high
standard of expectations re interest groups and social movements – and this confers extensive, wider obligations. Lack of parity between domestic and external arenas can cause legitimacy problems at home as well as abroad.

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