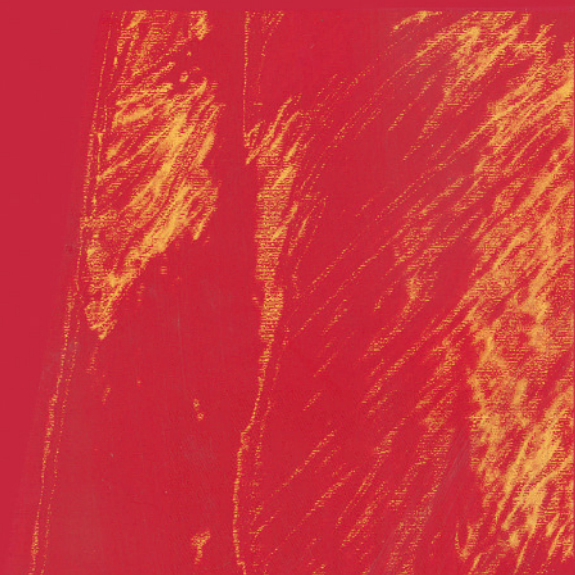


Women's Rights in Europe
Series Editors: Christien L. van den Anker,
Audrey Guichon, Sirkku K. Hellsten and Heather Widdows

Women's Citizenship and Political Rights



Edited by
Sirkku K. Hellsten, Anne Maria Holli
and Krassimira Daskalova



Women's Citizenship and Political Rights

Women's Rights in Europe Series

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Women's Citizenship and Political Rights

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Foreword

This series is a timely initiative to counter the mounting opposition and challenge to the progress made thus far in transforming mainstream human rights discourse from a feminist perspective. Expansion of the concept of human rights to address violations experienced by women due specifically to their sex has considerably altered international and domestic law and demystified the public/private distinction that justified women's subordination.

The Convention on the Elimination of All Forms of Discrimination against Women, adopted in 1979 by the United Nations General Assembly, was an important step in the recognition of the universality of human rights, a view that became officially endorsed at the Vienna World Conference on Human Rights in 1993. Also referred to as the International Bill of Rights of Women, the Convention has been ratified by 180 member states. Yet, after over quarter of a century since the adoption of the Convention and the numerous human rights instruments that followed, what remains universal is the gross violation of women's rights worldwide.

Notwithstanding the notable progress achieved in the advancement of women in the past decades, women in all parts of the world still face obstacles in accessing rights, such as the rights to education, health, political participation, property and to decide over matters related to their sexuality, reproduction, marriage, divorce and child custody, among others. Women's bodies are the zones of wars and the sites of politics and policies as revealed in the armed conflicts around the world, transgressions over their reproductive and sexual rights, trafficking, dress codes as well as immigration and refugee policies, etc. Even in countries where traditional patriarchy is transformed, as in the European experience, gender-based discrimination and violence against women continue to persist in modified, subtle and discrete forms.

In many of the countries in the European region, where human rights standards and institutions are in place, women's formal political participation is still extremely low, reproductive rights are an area of continuous contestation and struggle, social entitlements are at risk and single mothers and minority and immigrant women are at the greatest risk of poverty. We need to learn more and understand how gender hierarchies are reproduced under diverse conditions and in different places. The books in this series promise to do that. They illustrate the need for

increased attention from researchers, NGOs and policy-makers throughout Europe for these instances of violations of women's rights.

This series comes at a time when the EU process of enlargement has shown that respect for women's rights within different regions in Europe is diverse. It is fascinating to see that specific rights for women are protected better in some countries than others while it may also be the case that in the same region other rights for women are less well observed. By illustrating these trends and inconsistencies, this series allows for comparison across the region as well as for reflection on the policy gaps across Europe.

The four books cover the areas of trafficking, political participation, social entitlements and reproductive rights in detail, from a multidisciplinary perspective and with contributions from activists, professionals, academics and policy-makers. State-of-the-art debates are reflected upon and burning issues in women's rights are brought together in one series for the first time. The depth of the arguments, coverage of recent developments and clear focus on their implications for gender equality are most commendable aspects of the series. The books push forward the agenda for all of us and remind us that women's rights are not protected equally and intrinsically. In fact, the contributions confirm that we still have a way to go to achieve women's equality in contemporary Europe.

This unique and compelling collection is a must for everyone striving for rights, equality and justice!

Yakın Ertürk
*Human Rights Commission
 Special Rapporteur on
 Violence against Women, its
 Causes and Consequences*

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We thank the European Commission for funding the NEWR project under its 5th Framework Programme.

We hope that this series of books will contribute positively to the debate on women's rights and to improving the lives of all women in Europe.

With regard to this book, *Women's Political Rights and Citizenship*, we would like to thank those activists and researchers from various parts of Europe who participated in the workshops on this topic and shared their thoughts about current problems, future challenges and suggestions for remedies with us. Unfortunately, the participants are too numerous to name but it is they who made this whole project possible. In particular we are grateful to the many activists and NGO representatives who gave up their valuable time to enlighten academics about the burning issues in women's political rights, political participation and citizenship across Europe. These on-the-ground perspectives were invaluable in determining the content and issues, which this book addresses.

We are also most grateful to the institutions that hosted these workshops, the University of Birmingham, the University of Helsinki and the University of Sofia.

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Francophonie, with Bérengère Marques-Pereira, Academia-Bruylant, 2005; and *Vrouwen vertegenwoordigd, Wetstraat gekraakt? Representativiteit feministisch bekeken*, with Karen Celis, VUBpress, 2004. She has published in *Party Politics*, *European Political Science*, *Acta Politica*, *Res Publica*, *Tijdschrift voor Sociologie*, *Ethiek en Maatschappij* and in edited volumes.

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List of Abbreviations

ACAS	Advisory, Conciliation and Arbitration Service
ACE	Accelerated Christian Learning
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CEHR	Commission for Equality and Human Rights
CRE	Commission for Racial Equality
CSGE	Centre for the Study of Global Ethics
DFID	UK Department for International Development
DRC	Disability Rights Commission
DTI	Department of Trade and Industry
EC	European Community
ECJ	European Court of Justice
EEC	European Economic Community
EOC	Equal Opportunities Commission
EPZ	Export Processing Zone
EU	European Union
EWL	European Women's Lobby
ICERD	Convention on the Elimination of All Forms of Racial Discrimination
IMF	International Monetary Fund
JHP	Southeast European Joint Project (an initiative of the Centre for Democracy and Reconciliation in Southeastern Europe)
MEP	Member of the European Parliament
MP	Member of Parliament
NEWR	Network of European Women's Rights
NGO	Non-Governmental Organisation
NYTKIS	Coalition of Finnish Women's Associations for Joint Action
PAET	Policy Appraisal for Equal Treatment
RNGS	Research Network on Gender, Politics and the State
SEWA	Self-Employed Women's Association
UK	United Kingdom
UN	United Nations
UNIFEM	United Nations Development Fund for Women
WAVE	Women Against Violence Europe
WEDO	Women's Environment and Development Organisation
WEU	Women and Equality Unit

WHO	World Health Organisation
WID	Women in Development
WIEGO	Women in Informal Employment: Globalising and Organising
WPA	Women's Policy Agency
WU	Women's Unit

Introduction

Sirkku K. Hellsten, Anne Maria Holli and Krassimira Daskalova

This book is part of a four-volume series based on the findings of a three-year project, the Network for European Women's Rights (NEWR), funded by the European Commission 5th Framework. The objective of NEWR was to study women's rights in Europe across four sub-themes: trafficking; reproductive rights; political participation; and social entitlements. NEWR has set up a thematic network on the topic of women's rights as human rights by bringing together expertise and encouraging dialogue across disciplines and among the countries of Eastern and Western Europe. Launched in October 2002, it is a continuous source of information and a platform capable of influencing the policy-making process, especially in Europe. The project is led by the Centre for the Study of Global Ethics (CSGE), University of Birmingham, together with nine partners across Europe: the University of Siena, the University of Amsterdam, the University of Bremen, the University of Deusto, the University of the Basque Country, the University of Helsinki, the University of Sofia, Panteion University and the University of Latvia.

This volume on Women's Rights in Europe focuses on the NEWR theme of political participation and citizenship. Its purpose is to disseminate the NEWR findings and to convey a sense of the challenges and opportunities for gender justice and active citizenship in integrating Europe. It is based on the identification of the burning issues of women's political participation and citizenship that were raised during the project networking and research. The issues were identified as:

1. Equality discourses and the importance of a normative debate.
2. Globalisation and state transformation.
3. Forces of resistance.
4. The impact of different waves of EU accession talks.

5. Accountability and implementation strategies.
6. Alliances with other equal opportunity, so-called vulnerable groups.
7. The impact of changes in the representation of women on the political/policy agenda.
8. The generation gap in the feminist movement in the 1990s.
9. Access to resources; economic and power structures.

The chapters that follow deal with and bring together these issues, discussing them from both theoretical and empirical points of view.

The theme of this book, women's political participation and citizenship in Europe, is extremely broad and multi-layered, particularly in a time of political and economic transition in Eastern Europe and the related expansion of the European Union (EU). Before we can evaluate which strategies work best in promoting women's equal political participation and full citizenship we need to analyse the concepts of citizenship, political participation, feminist discourses and gender equality. Thus, discussion of women's political participation and citizenship calls for both theoretical and empirical political analysis of concepts such as equality, gender, citizenship, democracy, discrimination, feminism and many others, as well as of political and social institutions and attempts to reform them. Understanding the current status of women's political participation and citizenship in Europe also requires that we pay attention to the role and position of the multiplicity of actors relevant to the field, such as supranational and governmental bodies, political parties, non-governmental organisations, civil society and other formal organisations, such as administration, education and women's movements, as well as informal networks.

The enlargement of the EU has allowed activists and academics to confront some of the 'false rhetoric' of gender equality that prevailed under socialist regimes, to compare women's position under different political and economic orders, and to reconsider the burning issues related to attempts to achieve gender equality across Europe. The comparative studies and increasing collaboration between the formerly socialist Eastern and Central European countries and Western Europe has created the opportunity to bring into discussion and under new evaluation various national gender equality machineries, on the one hand; and on the other, it has brought the disparities in gender policies back onto the agenda of political debates in various parts of Europe as well as within the political organs of the EU.

Strategies for improving women's position are various and differ between European countries. Gender mainstreaming is a central pillar of

European policies on gender equality; quotas are the subject of highly contested debates, often linked to their misuse throughout history; and the recourse to adopting positive action measures is not provided for – let alone in use – in many countries across Europe. The variety of means available for achieving gender-equal political participation reflects how far we are from full equality between women and men in politics.

Part I of this volume focuses on the theoretical framework related to political participation and women's rights as human rights. Feminist theorists have argued for the gendered nature of citizenship. This is also the standpoint supported by Shirin M. Rai in Chapter 1, 'Dilemmas of Political Participation'. Rai shows that feminist theorising on citizenship has been looking for ways to overcome the shortcomings of the concept by reconceptualising citizenship from a more encompassing perspective, developing ideas on how to include gender in democratic theorising or how to develop new theories of democracy with a feminist face. In order to find a solution more comprehensive understandings of citizenship are required, notably social citizenship and ideas of deliberative democracy. Rai notes that European politics is increasingly reflective of the dilemmas and challenges of the politics of citizenship. On the one hand, there are ongoing debates about the relationship between the nation-state (the traditional site conferring citizenship) and the regional and supranational institutions of the EU. There are concerns about identities and accountabilities, borders and regulations. On the other hand, there is an acknowledgement of the expanded sense of Europe and expanded citizenship thereafter, and how this links to the wider world. Rai discusses how participation has been a language of both inclusion and exclusion; of a vibrant civil society as well as a dysfunctional politics. She reflects on the complexity of the issues of citizenship and political participation, particularly with regard to the differences among women, engagements with institutions of power and the experience of participation they have. Her conclusion is that political participation is an important measure of the confidence that women have in the development of states and polities, but it is not quantifiable without taking into account the changing context of our global society.

In Chapter 2 Ute Gerhard expands the theme of citizenship by studying 'European Citizenship: A Political Opportunity for Women?' She presents historical models of citizenship across Europe and shows how the inclusion and exclusion introduced by Rai have actually worked in European political history. Gerhard notes that the forces of 'globalisation' in their various forms (e.g. immigration, trafficking in women, transnational corporations, neoliberal reconfiguration of welfare states)

not only challenge the boundaries between the national and the transnational, the local and the global, the economy and politics, but also point in a variety of ways to theoretical and practical problems, gendered and ethnicised injustice among them, embedded in our understandings and practical application of 'citizenship' as a right and an enabling precondition for participation. Gerhard focuses on Europe as a community of law with respect to women's gains and losses, and discusses whether European citizenship might be an option for women. Here the question is whether and how far the Draft Treaty establishing a Constitution for Europe reconsiders women's rights. This aspect will be of interest in order to discuss the European integration process as a political opportunity for the empowerment of women.

The idea of European citizenship has developed together with the formation and enlargement of the EU, but has remained a top-down concept with which individuals have not established spontaneous connections. From a gender perspective, the building of the EU has also contributed to a certain extent to gender equality, and even if some critiques suggest that progress in that field is exclusively enjoyed by working women, today European citizenship has extended beyond its previous limitation to the economic sphere. This extension allows for women's multiple constitutive identities and divergences to be expressed, while contributing to the creation of a certain European sphere made of a 'multiple, layered system of rights, obligations and loyalties'.¹ However, European citizenship cannot be prejudicial to the level of social protection of a given country since it will remain a national prerogative.

In Chapter 3, 'Can Feminism Survive Capitalism? Challenges Feminist Discourses Face in Promoting Women's Rights in post-Soviet Europe' Sirkku K. Hellsten discusses the problem of achieving solidarity between European women, by focusing on the paradoxes that feminist discourses face in relation to the promotion of women's rights in today's Europe. She notes that the various feminist approaches in Eastern as well as Western Europe are embedded in their particular historical and socioeconomic frameworks and sometimes appear incompatible and unable to work together in current European political and economic practice. Particularly in transitional societies, this makes the situation for women's rights advocacy confusing, to say the least. Post-socialist feminism faces a dilemma whether to continue to believe in the values of socialist solidarity, whether to grapple with individualist liberal values from within the liberal feminist framework (and by engaging in related NGO projects), or whether to be post-Soviet, post-socialist and postmodern altogether by declaring all 'the great stories dead' and turning to more anarchistic feminist approaches.

Hellsten argues that the various Western formulations of feminism, for their part, need to be clear in their normative agenda and avoid turning into a flagship for liberal democracy, which acts as a Trojan horse to smuggle in individualist and capitalist values to replace the remnants of egalitarian ideologies, which – after all – originally provided the most powerful ideological critique of capitalist injustice and its negative impact on women's rights. Her main claim is that women's rights advocates need to redirect their focus on the wider structural issues, such as the future directions of liberal democracy and its economic policies. While it might be essential to teach women across Europe how to survive capitalism, it is at least as important to unite – rather than assimilate – women's movements in the region, and the world as a whole, in order to have more influence on local and global economic policies and move in a direction in which equality and social justice, rather than gender issues alone, are the common goals of all the parties of interest: men and women across Europe.

In Chapter 4 Barbara Einhorn expands on the theme of 'Citizenship, Civil Society and Gender Mainstreaming: Complexities of Political Transformation in Central and Eastern Europe'. She focuses on three crucial issues impacting on women's political participation in the region, fifteen years since the end of the Cold War: 1) the multiple levels of social, economic and political transformation constituting both the context and opportunity structures of political change; 2) contestations about the analysis of the situation, particularly the relevance of Western feminist theories; and 3) debates about the most appropriate strategies for achieving gender-equitable political participation. Einhorn shows that while involvement in civil society and NGOs has long been women's most common platform for political engagement and change, it is problematised in post-Soviet Europe. In the former socialist countries, women's NGOs flourished after the fall of communism and throughout the 1990s. In the Balkans, although perceived as non-feminist, women's organisations provided the most efficient space for women's empowerment. Yet the process that fostered the creation of all these women's organisations was not without problems. Women's NGOs and grass-roots activist groups now tend to fill the vacuum created where the state has withdrawn from public service provision. This has created a 'trap' for women, which at least in part derives from the idealisation of civil society, which followed the fall of state socialism. Civil society was seen as the epitome of democratic space, which had been lacking earlier, by both dissident activists and (primarily male) theorists within the region, and by Western analysts and international donor agencies.

Both Einhorn and Hellsten point out that limited funds mean that women's NGOs are rarely able to initiate large-scale projects, but instead concentrate on voluntary work or social services through a framework of programmes initiated by Western donors, who also bring in liberal ideology which tends to undermine and diminish the local feminist discourses and set aside local attempts to use the socialist and communist concept of equality to promote social justice that treats women as equal to men. Financial investments by international donors have contributed as much to the mushrooming of women's organisations as to their shift in mandates or downright dissolution: for example, international aid has facilitated the involvement of many women in the 'reconstruction' effort, especially in post-conflict zones. There is an 'NGO-isation' of feminism or, in other words, the 'co-option of the feminist agenda by the interests of the state'.² Women's NGOs, however, tend to be unstable and often permeable entities facing many difficulties in financing and organisation. They have difficulties in maintaining their identity and keeping their profile, while trying to adjust to donors' expectations. The sustainability of women's NGOs is at considerable risk in many post-Soviet societies and many of them dissolve after the completion of a particular project and after exhausting the funds available to them. Thus, women's organisations in these countries today are often subjected to constraints that threaten their very nature and existence. Paradoxically at the same time 'NGO-isation' is taking space and women's labour and time away from more traditionally 'political' efforts, e.g. participation in parties or directly feminist organisations. This is a burning issue in the former socialist countries (where women's political representation declined after the transition) as well as in many Western countries in the context of welfare state reconfiguration and downsizing (such as in the Nordic countries). The basic question is: are women 'cheated' into participating as grass-roots service-providers, without a say in the formulation of public policies and the larger issues of the society they live in?

In Chapter 5 Hege Skjeie explores the complexities and debates surrounding the discourses on gender equality. Her chapter, "Gender Equality": On Travel Metaphors and Duties to Yield', reveals that even in those European countries, and particularly in Scandinavia, in which equality is considered to be at a high level, there is a persistent pattern of patriarchy which continuously demands gender equality to yield in the face of other societal values, and lately also of other human rights and equity issues, such as issues relating to religious or cultural rights. Skjeie also points out that, particularly in the Nordic countries (Finland,

Sweden, Norway, Iceland and Denmark), there has been a tendency to be over-optimistic about 'being almost there' when it comes to gender equality when in reality all these countries still have a long way to go to achieve gender-neutral social justice. She identifies the 'travel metaphor of equality'. This refers to the state of affairs in the Nordic countries where women's organisations, and society at large, admit that while some problems might remain, they certainly are well on their way to gender justice. Consequently, since these countries can see that the goal is in sight, they feel there is no need to take more radical action. Instead, feminists in the region can compare their achievements among each other ('Who is the closest to the goal?') – and against those countries that still have a longer way to go (particularly the newly independent, transitional post-Soviet countries). Skjeie points out that it is often overlooked that, despite optimistic enthusiasm, the goal of gender equality in fact appears to recede in the process of trying to reach it, and that women's rights, to an increasing degree, are now made to yield in favour of other human rights issues related to religious freedom, cultural integrity or ethnic identity.

In contrast to the theoretical focus adopted in Part I, Part II presents empirical research concerned with more concrete problems and barriers to women's political participation and full citizenship and strategies to improve them. The problems appear in many guises, ranging from outdated and patriarchal attitudes apparent at individual, institutional and cultural levels to the existence of exclusive political structures (for example, in electoral systems, political recruitment, the organisation of political and administrative institutions and political processes) and ideologies that do not fully accommodate women as participants or gender as a legitimate concern in policy-making. Challenging these barriers to women's citizenship has been a central strategy for feminist activism and scholarship since the rise of second-wave feminism in the 1960s, and even before.

However, the reforms achieved by women's efforts are also bound to be compromised by a major historical challenge to their permanent character; namely, that political institutions and contexts are in a constant state of flux as a result of *other* demands and external pressures, too. In these processes, women's achievements may be lost, if not by intention, then by neglecting to pay attention to their preservation. In a way, the challenge of politics lies in its contingent nature; that institutions and political contexts do not stay fixed but are re-created continuously. This demands careful analysis by all of us to be aware of what the changes imply for women's citizenship. This is especially true today, as