

**Women's Civic and Political Participation
in the Czech Republic and the Role of European Union
Gender Equality and Accession Policies**

Hana Hašková, Alena Křížková, eds.

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Občanská a politická participace žen v České republice a role evropské politiky genderové rovnosti a politik vstupu ČR do EU

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Autorky

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Abstrakt

Tyto Sociologické texty přináší zprávu o politické a občanské participaci žen a reprezentaci jejich zájmů v české společnosti v rámci procesu demokratizace a vstupu do EU.

V první části publikace se autorky zabývají tím, do jaké míry jsou ženy a ženské zájmy reprezentovány v rámci politických institucí a občanských organizací i aktivit, jež se podílejí v demokratických společnostech na procesu politického rozhodování. Největší pozornost je věnována zastoupení žen a prosazování jejich zájmů v rámci celostátní politiky a v neziskovém sektoru, a to především v období po roce 1989, nicméně v tematickém kontextu období předrevolučního. Kromě toho je sledována současná míra účasti žen a praktiky, které mají posilovat reprezentaci zájmů žen v rozhodovacích procesech, také na úrovni lokální politiky, v rámci odborů a soudnictví.

V druhé části Sociologických textů je nedostatečná politická a občanská participace žen v české společnosti nahlížena optikou genderové rovnosti a rozšiřování EU jako dvou z nejvýznamnějších témat současné politiky EU. V této části publikace je prezentována analýza dokumentů, které vznikaly v rámci vyjednávacího procesu o vstupu ČR do EU. Diskurzivní analýza politických dokumentů postihuje na jedné straně významy, které jsou připisovány politice genderové rovnosti v politice a rámcových dokumentech Evropské unie. Na druhé straně pak přináší genderově senzitivní komparaci dokumentů, prostřednictvím nichž komunikovala Česká republika a EU s cílem sladit legislativu ČR s legislativou EU.

Klíčová slova

ženy v České společnosti; občanská participace žen; politická participace žen; ženy v systému soudnictví; ženy v odborech; ženské neziskové organizace; rovné příležitosti mužů a žen; rovné zacházení; kvóty; politiky genderové rovnosti; rozšiřování EU; legislativa rovnosti a proces vstupu do EU

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Abstract

This volume of *Sociological Papers* delivers a report on the political and civic participation of women and the representation of their interests in Czech society as part of the processes of democratisation and the accession of the Czech Republic to the European Union.

In the first part of the publication the authors look at the degree to which women and women's interests are represented within the framework of the governmental institutions and civic organisations and activities which take part in the process of political decision-making in democratic societies. The greatest attention is devoted to the representation of women and the assertion of their interests in governmental, parliamentary and party bodies and policies, and within the NGO sector, with an emphasis on the period after 1989. In addition, the current degree of women's participation, as well as the measures intended to strengthen the representation of women's interests in decision-making processes, are observed at the level of local politics, in trade unions, and in the judiciary.

In the second part of the publication, the insufficient degree of political and civic participation by women in Czech society, is examined from the perspective of gender equality and EU enlargement, important issues in current EU policy. The Czech Republic is used as an example, and an analysis made of the documents relating to the country's entry into the EU which emerged out of the negotiation process. A discourse analysis of the policy documents pinpoints those meanings that can be ascribed to the gender equality policies in the policies and general documents of the European Union, and from the perspective of gender issues a comparison is made of documents used for the purpose of communication between the Czech Republic and the EU during the process of bringing Czech legislation into alignment with that of the EU.

Key words

women in Czech society; women's civic participation; women's political participation; women in the judiciary; women in trade unions; women's non-governmental organisations; equal opportunities for men and women; equal treatment; quotas; gender equality policies; EU enlargement; equality legislation and the Czech accession to the EU

Partizipation von Frauen am politischen und zivilgesellschaftlichen Leben in der Tschechischen Republik und die Rolle der europäischen Politik der Gender-Gleichheit und des tschechischen EU-Beitritts

Hana Hašková, Alena Křížková, Herausgeberinnen

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Abstraktum

Diese soziologischen Texte berichten über die politische Partizipation der Frauen, ihre Partizipation als Bürger und die Repräsentation ihrer Interessen in der tschechischen Gesellschaft im Rahmen der Prozesse der Demokratisierung und des Beitritts zur EU.

Im ersten Teil der Publikation beschäftigen sich die Autorinnen damit, inwieweit Frauen und ihre Interessen im Rahmen politischer Institutionen und bürgerlichen Organisationen mit ihren Aktivitäten, die sich in demokratischen Gesellschaften ebenfalls an politischen Entscheidungen beteiligen, repräsentiert sind. Die größte Aufmerksamkeit ist der Vertretung der Frauen und der Durchsetzung ihrer Interessen im Rahmen der gesamtstaatlichen Politik und des Non-Profit-Sektors gewidmet, und zwar hauptsächlich für den Zeitraum nach 1989, wenn auch thematisch im Kontext der Zeit vor der Revolution. Darüber hinaus wird das aktuelle Maß der Beteiligung von Frauen beobachtet sowie die Praktiken, die die Repräsentation ihrer Interessen in den Entscheidungsprozessen auch auf lokaler Ebene, im Rahmen von Gesellschaften und im Gerichtswesen stärken sollen.

Im zweiten Teil der soziologischen Texte wird die ungenügende politische Beteiligung und ungenügende Beteiligung an Bürgerbewegungen in der tschechischen Gesellschaft aus der Sicht der Gender-Gleichheit und der EU-Erweiterung, den beiden zur Zeit wichtigsten Themen der EU-Politik, betrachtet. Dieser Teil der Publikation bietet eine Analyse von Dokumenten, die im Rahmen der Verhandlungen zum tschechischen EU-Beitritt entstanden sind. Die diskursive Analyse politischer Dokumente zeigt auf der einen Seite den Stellenwert, die die Politik der Gender-Gleichheit in der Politik und den Rahmendokumenten der EU hat. Auf der anderen Seite erbringt sie einen gender-sensitiven Vergleich der Dokumente, mittels derer die Tschechische Republik mit der EU mit dem Ziel kommunizierte, die Legislative der Tschechischen Republik der EU anzugleichen.

Schlüsselbegriffe

Frauen in der Tschechischen Republik; Partizipation der Frauen in bürgerlichen Bewegungen; politische Partizipation der Frauen; Frauen in der Judikative; Frauen in Gewerkschaften; Frauen in Non-Profit-Organisationen; gleiche Möglichkeiten für Männer und Frauen; Gleichbehandlung; Quoten; Politik der Gender-Gleichheit; EU-Erweiterung; legislative Gleichbehandlung und der Beitrittsprozess zur EU

Introduction

Hana Hašková and Alena Křížková

This study “Women’s Civic and Political Participation in the Czech Republic and the Role of EU Gender Equality and Accession Policies” presents the results of the initial stages of research in two projects that share a common subject: the civic and political participation of women in connection with the process of the accession of the Czech Republic to the EU. The projects meet thematically in situating their subject in the process of EU enlargement, and within this process analysing the political participation of women in the creation of policies for the equality of men and women.

The first project, “Enlargement, Gender and Governance: The Civic and Political Participation and Representation of Women in EU Candidate Countries”, considers the broader contextual issues associated with women’s political and civic participation and the representation of their interests, and the political and the socio-civic shape of society after 1989. In the initial stage of the project, the basic results of which are presented in this study, the focus was mainly on tracing the share of women engaged in political and civic activities after 1989, but doing so in the context of the political and civic participation of women before the ‘velvet revolution’.

The second project, “Constructing Supranational Political Spaces: The European Union, Eastern Enlargement and Women’s Agency”, studies in depth the role of women in the formation of women’s political strategies and women’s issues in the process of EU Eastern enlargement. The initial stage of the project consisted of an analysis of gender equality policies within EU policy as a whole and of the general EU documentation designed to legitimise this policy. This also involved a gender-based comparison and analysis of the EU and Czech documents used for the purpose of communication between the Czech Republic and the EU during the process of bringing Czech legislation into alignment with that of the EU.

The two projects concur in their point of departure, which is that there is insufficient participation by women in government and in the formation of civil society. The equal participation of women in all spheres of social, political, economic and cultural life has been widely recognised as a requirement of democracy, citizenship and human rights. Feminist scholars have challenged the conventional constructions that tend to obscure women’s capacities to act (Dietz 1987; Young 1989; Phillips 1998). The questioning of the meaning of politics, rights, and power as evident in scholarship has forced the paradigm to shift away from normative political theory (Phillips 1998) and has led to the rejection of the assumption of male dominance (i.e. male control of politics) and the relegation of women to the “private sphere” (Boroque and Grossholtz 1984). Feminist scholars have questioned the public-private divide, especially in their call for the recognition of the permeability of the boundaries that will “give us new insight into the process of [the] political exclusion” of women (Phillips 1998:7), and they have challenged the meaning of interests, difference, experiences, justice, and equality (Diamond and Hartsock 1981; Mohanty 1991; Pringle and Watson 1992; Yuval-Davis 1997; Phillips 1998). This critique has highlighted the urgent need to recognise that for women the political means something different than a narrow focus on functional aspects (Regulska 1998; Regulska 2001).

In the CEE countries, before 1989, women had little power to influence the political decision-making process or to control the terms of their employment, and their role as mothers or workers was often de facto privileged over that as independent agents (Einhorn 1993). Women’s agency, which is still not well established, demands what Benhabib (1996) called

a “differentiated universalism”, where women’s rights and women’s participation in politics is a part of a global, universal picture of human rights issues and democratisation, but it must also be addressed as a particular issue within each specific context (Regulska 2001).

The exclusive focus on formal political participation, while understood conventionally as the only avenue to exercising political power, has been increasingly rejected by women worldwide, on both theoretical and practical grounds. In Central and Eastern Europe, this disillusionment stems to a large degree from the fact that despite drastic regime changes after 1989, women have not found significant opportunities in formal political structures to challenge the new political systems. While research has pointed out numerous constraints, a few seem particularly significant: 1) the introduction of multi-party elections; 2) the reluctance of political parties to place women on the electoral list; 3) the lack of interest among women in male-dominated “high” level politics, as demonstrated in their reluctance to run for political office (politics is foreign and of little immediate interest); 4) the existence of stereotypes regarding the electorate’s attitudes towards women politicians (men often do not want to vote for women, and women are often also reluctant to elect women); 5) the re-emergence of patriarchal values and the relegation of women to the private sphere; 6) the belief that women’s issues are not pressing enough and do not deserve immediate attention while a stable democratic system still needs to be developed; 7) the lack of political experience, knowledge, and awareness among women; and 8) the lack of networks and informal ties that would provide women with necessary support systems. (Lovenduski and Norris 1993; Graham and Regulska 1997; Jaquette and Wolchik 1998; Regulska 1998; Regulska 2001; Rueschemeyer 1998; Antic-Gaber 1999; Fuszara 2001)

The purpose of the first part of this study, “Patterns and Strategies of Women’s Civic and Political Participation in the Czech Republic”, which stems from the work in the first project “Enlargement, Gender and Governance: The Civic and Political Participation and Representation of Women in EU Candidate Countries”, is to observe the degree of participation of women and the representation of their interests in the Czech Republic within the framework of political and civic institutions, organisations and activities since 1989. Although the focus of interest is on the period after the Velvet Revolution, the authors attempt to situate their analyses also in the context of the political and civic participation of women before the year 1989 as well. The first stage of the project is to a considerable degree descriptive. It presents a summary of quantitative-type data on the civic and political participation of women in the Czech Republic, and also summarises the information and data acquired from other selected and similarly oriented studies of the political and civic participation of women in the Czech Republic. In specific terms, in this study the authors focus on the representation of women in national and local politics, on observing the situation surrounding the rise of governmental bodies designed to ensure gender equality, on the representation of women in the justice system and the influence of trade unions on the position of women in the labour market, and on observing the progress of women’s non-governmental organisations and other women’s activist groups in Czech society. This initial stage of the project will proceed to a deeper analytical phase of research, which will be based on an analysis of in-depth interviews with representatives of Czech women’s non-governmental organisations, with representatives of organisations in the Czech NGO sector that are involved in redistributing EU funds, with local Czech feminist academics and feminist artists, with women who were active in democratisation movements before 1989, and with state officials responsible for gender equality enforcement. At present these interviews are being conducted and submitted to preliminary analyses.

West European scholars have given significant attention to the construction of the EU's gender framework (Hoskyns 1996; Hantrais 2000), women's formal political participation (Lovenduski 1998), citizenship and women's migration (Ackers 1998; Kofman et al. 2000); EU sexual policies (Elman 1996), and women's daily practices and the diversity of their experiences (Garcia-Ramon and Monk 1996). This is not unexpected, as the focus on women-centred policies was exhibited by the EEC as early as 1957, when Article 119 on the application of the principle of equal pay was established as a part of the Treaty of Rome. Since then, EEC and subsequently EU policy-makers have initiated and supported a great amount of gender-related legislation, projects, research, lobbying, networking, and training activities. (See, for example, Holland 1993; Hoskyns 1996; the reports of the European Commission 1997, 1998a, 1998b, 1999a; Commission of the European Communities 1999; Hantrais 2000). While initially concerns over equal pay dominated the agenda, subsequently, in the 1990s, gender equality and mainstreaming became a frequently reiterated commitment (Commission of the European Communities 1995; European Commission 1995; Stratigaki 2000; Regulska 2001).

In the second part of this publication, "Policy Initiatives and Tools to Promote the Participation of Women and Gender Equality in the Process of the Czech Republic's Accession to the European Union", a range of documents on gender equality and enlargement issued by EU and by Czech state institutions is analysed. Here the study investigates what ideas and representations cluster around the documents and what meanings are mobilised in specific contexts. The first section, "European Union Gender Equality Policies: Key Concepts and Policy Tools", explores the meanings and legitimising frameworks that cluster around the concepts and policy tools of equal treatment, equal opportunities, gender equality and gender mainstreaming, and the different contexts in which they are applied. The next section, "EU Enlargement and Gender Equality: Perspectives of the European Commission on the Accession Progress of the Czech Republic", investigates the meanings and legitimising frameworks of EU enlargement and gender equality from the perspective of the EU. Focusing particularly on the Regular Reports on the Czech Republic's Progress towards Accession and the Commission's Annual Reports on Equal Opportunities for Men and Women, it examines whether and where gender equality concerns have been compartmentalised and contained in accession documents, and where and how enlargement has been deemed relevant in equal opportunities documents. The final section, "Czech Accession Documents and Gender Equality", explores two series of annually updated Czech state documents on accession-related tasks and policies that deal with gender equality. Here the focus is on the Czech National Employment Action Plans and the evaluation of these as an example of gender mainstreaming, and the annual Priorities and Procedures of the Government towards Enforcement of Equality between Men and Women as a National Action Plan in gender equality policies. A crucial question is whether those documents remain behind or move beyond the EU gender equality agenda.

The Project "Enlargement, Gender and Governance: The Civic and Political Participation and Representation of Women in EU Candidate Countries" – The Theoretical Foundations and the Research Process

The project "Enlargement, Gender and Governance (EGG)" is led by Yvonne Galligan and Amanda Sloat from the Centre for the Advancement of Women in Politics and the Institute of Governance, Public Policy and Social Research at Queen's University Belfast. Hana Hašková from the Institute of the Sociology of the Academy of Sciences of the Czech Republic co-ordinates Czech research team in the project. The project was awarded a research grant (no. HPSE-CT-2002-00115) by the European Commission's Fifth Framework Programme for

the period of December 2002 – December 2005. It is a ten-country comparative research project that brings together academics from all ten of the Central and Eastern European Countries (CEEC) that will become EU members in 2004 and 2007: Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia.

The main objective of the EGG project is to analyse the extent to which representative institutions and other organisations (such as political parties, trade unions, NGOs and social movements) enable women's participation and representation in political decision-making and governance in EU candidate countries. By looking at how the history of communist rule has affected the current political position of women, the project aims to provide recommendations to the Commission and candidate country governments in order to underpin effective future policy-making.

EGG is distinguished by its emphasis on government and civil society, as there has not yet been a systematic analysis devoted solely to gender and enlargement, the civic and political participation of women in CEECs, or the effectiveness of attempts by the Commission and candidate country governments to legislate on gender equality.

At the beginning of the project three main research questions were established: To what extent and in what ways have the twin forces of democratisation and preparation for EU accession influenced women's civic and political participation in the candidate countries? To what extent and in what ways are women's civil associations embedded in the equality policy framework in the candidate countries? Are there specific strategies that could be adopted to enhance women's contribution to governance?

The project thus aims to trace, map and analyse the contribution of women's political and civic organisations to governance in the CEECs as they evolve through democratisation and EU integration. It focuses on analysing the extent to which institutions encourage or inhibit women's representation and participation in discussing and determining policies and actions in which women have direct and indirect interests. It plans to identify areas where women's participation is weaker and to assess why it is like that. It will evaluate women's influence on the adoption and implementation of current Commission and national government policies, such as gender mainstreaming and the implementation of the EU equality *acquis*. Furthermore, it will concentrate on identifying new forms of gender discrimination and segregation in post-communist countries and assessing the measures required to address these problems. Last but not least, it aims to evaluate whether effective monitoring bodies have been established to ensure the enforcement of this legislation.

The main working hypothesis of this project is that women are under-represented in European representative institutions and associated groups (political parties, trade unions, NGOs and social movements). There are many reasons for this gender gap, but a contributing factor is that the importance of women's contributions to building a sustainable democracy is under-recognised in the development of democratic institutions and practices. Furthermore, women's participation and influence is likely to proceed slowly after candidate countries obtain EU membership unless a range of measures designed to enhance women's participation in democratic institutions and governance are developed and implemented.

The danger is that as democratic governance evolves in the CEECs, representative institutions are likely to give preference to masculine norms, values and practices over gender-sensitive norms, values and practices. This has the effect of creating a democratic deficit and excluding women and women's needs, interests and perspectives from governance. The hypothesis will be developed within the context of an examination of economic and social patterns of change affecting women's status and social roles since 1989.

The Project “Constructing Supranational Political Spaces: The European Union, Eastern Enlargement, and Women’s Agency” – The Theoretical Foundations and the Research Process

This comparative two-country project is directed by Joanna Regulska, Rutgers University (in co-operation with Magda Grabowska; Iva Popovičová) and teams from the Czech Republic: Academy of Sciences of the Czech Republic, Gender & Sociology department of the Institute of Sociology (Marie Čermáková, Hana Hašková, Alena Křížková), Charles University, Prague (Eva Kalivodová, Dagmar Lorenz-Meyer), Gender Studies, o.p.s., Prague (Lenka Simerská, Michaela Marksová-Tominová), and Poland: the University of Warsaw (Malgorzata Fuszara, Joanna Mizelińska). The research is funded by the National Science Foundation, USA, (grant no. BCS-0137954) and its partner institution in the Czech Republic – the Ministry of Education, Youth and Sports, in the KONTAKT Programme (grant no. ME 594), and is funded for the period 2002–2005.

This research seeks to contribute to an understanding of the ways in which political spaces are constructed and the role that the agency of traditionally marginalised groups plays in this process. It argues that the recognition of the existence of a new world order requires us to see political actions as involving a multi-layered web of interactions and as originating from and being articulated simultaneously in different sites across a variety of scales (Regulska 2001). It calls for a re-conceptualisation of the notion of politics and of the meaning of the political beyond the spatial.

The emergence of supranational forms, such as the European Union (EU), not only places the emphasis on governance and action beyond the nation-state, it also opens up new possibilities for the creation of different political spaces, from which alternative politics can be conducted by multiple actors at multiple sites. The European Union, as an institution operating on the supranational scale, provides a useful opportunity for an empirical examination of the creation of political space and the role that agency plays in its construction. This project examines the process of Eastern enlargement of the European Union and explores the ways in which women in two accession countries, the Czech Republic and Poland, have engaged as political actors in the construction of supranational political space (Regulska 2001). Particular attention is given both to the restrictions on what women can do (through an analysis of constraints like patriarchal political culture, legacies of socialist uneven development, the limitations of the EU’s primarily economic focus, and institutional rhetorical restrictions) and to what women do succeed in doing as a result of the new opportunities that have been created by EU enlargement and by the post-1989 transformations. Through an empirical and institutional analysis of processes, actions, and responses by women with regard to the EU and by EU institutions, and through the analysis of two different states, this research will provide an account of the ways in which agency is mobilised and competing interests are negotiated in the process of constructing political spaces.

This cross-national study applies a multi-method approach. Aiming to develop suitable conceptual tools and to construct theory, the project uses a grounded-theory approach, which allows for the systematic generation and analysis of data. The analysis identifies common and contradictory themes, codes them into conceptual categories, and, using the data, develops a theoretical framework. The research is divided into four stages, carried out simultaneously in the two countries – Czech Republic and Poland: 1) a textual analysis of documents reflecting preparations for EU accession, with special attention to a gender analysis of the EU discourses on Eastern enlargement; 2) data collection, through approximately 100 individual and 4 focus group interviews; 3) a textual analysis of empirical data using

ATLAS.ti, a computer program for the qualitative analysis of non-numerical and unstructured data; and 4) a final comparative analysis and theory construction, based upon the findings of the first three stages.

The results of the first stage are presented in this publication. The second stage of the research involves the development, testing, and refinement of the questionnaires, the conducting of approximately 100 individual and 4 focus group interviews in the two countries, tape-recording and transcribing the interviews, and importing these transcripts, field notes and participant feedback into the ATLAS.ti computer package. Face-to-face interviews are conducted with three groups: 1) leaders of NGOs in each of the participating countries (30 in each country); 2) national politicians and government officials who are engaged in the EU accession process (10 per country); and 3) EU representatives and EU-related women's NGOs (10 per country) (half of whom reside in the countries in the study and the other half in Brussels, Belgium). In addition, about six to eight NGO participants in the capital cities will be asked to participate in up to four repeat focus group discussions over the period of a year. Over the course of 2003 an entire series of interviews were held with representatives of Czech and Polish NGOs, and at the present time they are being analysed with the aid of the ATLAS.ti computer program for analysing quantitative sociological data.

This publication, in its breadth of scope and thematic focus, is the first such academic study of its kind in the Czech Republic. It is an attempt to describe the participation of women in political and civic processes during the transformation period and in the period leading up to the accession of the Czech Republic into the EU. Given that the aim of the team of authors was to provide the broadest possible overview of the subject, this publication is not an in-depth sociological analysis of the processes that have had an influence on the participation of women in politics and civic activities and on the way in which the issue of gender equality has evolved. A deeper analysis of the factors and mechanisms that have contributed and continue to contribute to the formation of "women's agency" is the goal for the next stages in both projects and further publications on this subject. The effort to describe in depth the factors, processes and agents involved in influencing the participation or non-participation of women in the political and civic life of society would certainly be a subject worthy of several publications devoted to particular topic areas. As the first and basic overview of the subject, this particular publication is targeted at all who are interested in the subject of women's participation in the Czech Republic's processes of democratising, transforming and preparing for accession into the EU and in issues of gender equality in Central Europe. For the non-Czech public in particular it may represent the first opportunity to become familiar with the situation in the Czech Republic as viewed from this perspective.

Part I.

**Patterns and Strategies of Women's Civic
and Political Participation in the Czech
Republic***

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1.1 Women's Participation in Formal National Political Structures

Petra Rakušanová

Both in the period of “real” socialism and today, the principle of equality among citizens has been one of the cornerstones of the constitutional system. However, the formal declaration of the principle of equality and its everyday reality or real implications are quite distant from each other, as we shall demonstrate in a sociological interpretation of data on the political and civil participation of women in the Czech Republic.

1.1.1 Parties

The political spectrum in the Czech Republic includes the following major political parties (from left to right) – the Communist Party of Bohemia and Moravia (*Komunistická strana Čech a Moravy, KSČM*) an offspring of the former Communist Party, which, unlike in the other post-communist countries, has not undergone transformation. In terms of membership, it is still the largest political party, holding between 10–15 % of the seats in Parliament. In Parliament, KSČM was a major opponent of the country's membership in NATO and the EU. The Czech Social Democratic Party (*Česká strana sociálně demokratická, ČSSD*), which currently forms the major part of the coalition centre-left government, reclaimed its independence in 1989 (after having been incorporated into the National Front run by the Communist Party for over forty years) and throughout the 1990s continued to grow to its current position.

At the centre of the political spectrum is the Christian Democratic Union – Czechoslovak People's Party (*Křesťansko demokratická unie – Československá strana lidová, KDU-ČSL*), which played an important role in forming coalition governments throughout the 1990s. It maintains a steady 10 % of voter support in the electorate.

There are two major parties on the right side of the political spectrum: the Civic Democratic Party (*Občanská demokratická strana, ODS*) – an offspring of Civic Forum (*Občanské Forum, OF*), this party, under the leadership of Václav Klaus, headed the economic reforms and formed several coalition governments between 1993–1998. Currently, ODS is a major opposition party that in the light of the next elections is enjoying high voter support. The party can be described as right-wing, moderately conservative, and euro-realist.

The liberal right is the least stable part of the political spectrum – several parties have occupied this space of the spectrum, often lasting no more than one election. At present this space is occupied by the Freedom Union – Democratic Union (*Unie svobody – Demokratická Unie, US-DEU*), currently a part of the coalition government. However, at the moment its representatives are not doing well. In the first two electoral terms there was also a right-wing nationalist political party: the Association for the Republic – Republican Party of Czechoslovakia (*Sdružení pro republiku – Republikánská strana Československa, SPR-RSČ*). Since 1998 it has failed to obtain voter support.

There are two different approaches to evaluating the participation of women in politics. The conservative approach emphasises the power of political identity, which is seen as more important than gender identity. Most of the right-wing political parties in the Czech Republic identify with this approach and are less active and flexible than left-wing parties in adopting measures to eliminate inequalities between men and women. The other approach is the liberal approach, which emphasises the possibility of a different, women's political culture.

To a certain extent, the current situation in the Czech Republic copies these theoretical approaches to the inclusion of women in politics. In addition to the ruling left-wing ČSSD, several smaller liberal political entities also advocate the equality of women and men (Humanistic Alliance/*Humanistická aliance*, the Green Party/*Strana zelených*, Road to Change/*Cesta změny*, Hope/*Naděje*).¹ However, these parties have not reached the required 5 % threshold in the elections. To date, no political party has yet put into actual practice a parity system of candidate nomination (alternating man-woman or woman-man).

In addition to the nomination of women on the candidate sheets, another indicator of liberal conservative polarisation is the issue of abortion or the legalisation of “soft drugs”. While the conservative parties – primarily the Christian Democrats and a portion of the Civic Democratic Party – advocate a ban on abortion, including the criminalisation of doctors breaching any such ban, and strict penalties for abusers of “soft drugs”, left-wing parties (the Social Democrats and the Communists) are rather liberal. The Freedom Union is strictly liberal on both counts and it was its minister who proposed the above-mentioned liberalisation of the drug policy.

Because men play a dominant role in the current political discourse, it is possible to see the rejection of politics by women as a rejection of the male political style rather than a rejection of politics as such. This may also be a reason why the issue of equal opportunities has not been a political issue for a long time in the Czech Republic. In the last parliamentary elections (June 2002), only the ruling Social Democrats mentioned the equality of men and women in its programme.

Political party statistics are hard to get, and data on female membership even more so. From the data available it is evident that women are most represented among Christian Democrats (approximately 52 %), the Communists (approximately 43 %) and the Civic Democrats (35 %). Among the parliamentary parties, women are least represented in the ruling Social Democrats (approximately 26 %). There is no data for the smallest parliamentary party, the Freedom Union (Havelková 2002a). The state contribution to political parties is provided according to the votes received in the elections and the number of seats acquired in elections, rather than estimates of the membership base. The published data on the number of members often has a psychological function – as an argument that reinforces the presentation of electoral preferences. The data, however, reveals that Czech women are willing to participate in politics. As a percentage of the entire population, women make up 40 % of those who declare a willingness to participate in politics (Havelková 2002a).

Let us now look at the leadership of political parties that have long been present in Parliament. If we look at the participation of women in the chief bodies of these parties, there are no great differences between left-wing and right-wing parties – women have a hard time penetrating into the narrowest circles of party leadership.²

¹ In this context it is important to mention the Movement for the Equal Rights of Women in Bohemia and Moravia (*Hnutí za rovnoprávné postavení žen v Čechách a na Moravě*), which ran in local and parliamentary elections in 1990. In the local elections, the movement ran separately. In the parliamentary elections to the Czech National Council and to the Federal Assembly it ran in co-operation with the Movement for Self-governing Democracy (*Hnutí za samosprávnou demokracii*). In the Czech National Council, the elected MPs succeeded in establishing the Commission for Family (Maříková, in Petrová et al. 1994: 47–49).

² The narrowest circle of party leadership is understood as the chairperson, three to five deputy chairpersons, the chairperson of the parliamentary party group, and the chairperson of the senate group, and sometimes also the General Secretary of the party and/or honorary chairperson, and the chairperson of the central arbitration or review commission.

In the Czech Social Democratic Party, the Christian Democratic Party, and the Civic Democratic Party, the narrowest leadership circles consist of eight members, only one of whom is a woman. Among the monitored parties, two women are present in the eight-member presidium of the Communist Party and there is no woman in the nine-member presidium of the Freedom Union - Democratic Union (the party had a deputy chairwoman during the previous term, and for some time also a chairwoman). A member of the presidium is usually not only a prominent and influential member of the party but also holds a prominent position outside the party structure. Among the ruling parties, these are usually female ministers; in opposition parties the female members are usually MPs or Senators (usually members of the presidium of the chamber and/or a prestigious committee).

A different strategy was taken by the Association for the Republic - Republican Party of Czechoslovakia, the radical nationalist party, who are no longer active in higher politics). The majority of the female members of this party were related to the head of the party (daughter, cousin, lover). After the electoral defeat of the Association for the Republic - Republican Party of Czechoslovakia in 1998, the conservative Civic Democratic Party seemed to have followed their cue by nominating an ex-beauty queen as second on the party list. In addition, another former beauty queen was appointed party spokesperson during the 1998-2002 electoral terms.

Here, it warrants mentioning that the model that is usually employed in Scandinavia - i.e. the larger the party leadership, the greater the representation of women - does not apply in the Czech Republic (Raaum in Bergqvist 1999, Skjeie in Karam 1998). In none of the monitored parties does the percentage of women in the wider leadership (e.g. the executive committee, national council or the republic conference) exceed 10 %.

Only a small number of the political parties are aware of the lack of female members in the party in general, and in the party leadership in particular. The solution to this situation is often based on a formally or informally organised female group within the party structure. Interestingly, similar, sometimes formal, structures for young party members are present in all the monitored political parties.

The group Social Democratic Women (*Sociálně demokratické ženy, SDŽ*), who define themselves as an interest movement within the Czech Social Democratic Party, is the only formally organised group of politically involved women in a political party that receives media coverage. Their programme concentrates on the issue of families, the resolution of issues related to the position of women in the Czech Social Democratic Party, and women's representation in the party bodies. The SDŽ has a regional organisational structure that copies the party structure. On an international level, the SDŽ is involved in the Socialist International of Women (SIW). Jana Moldova, the SDŽ chairwoman and a former MP for ČSSD, is one of the main initiators of the "Women's Shadow Cabinet". On 19 March 2002, she was appointed the chairwoman of the newly established "Council of the Government for Equal Opportunities for Women and Men". The position is non-remunerative.

From this description of the position of women in Czech political parties we could conclude that the situation is rather bleak. There are *some* provisions for the participation of women in political parties (such as quotas or targets) and their leadership positions, but more important is lack of political will and interest in the issue among Czech political parties. Consequently, women, for whom it is very difficult to succeed in the formal institutional structures, choose other, non-institutional, means to bring the issue into the public arena - such as through the civic organisation Watchbitch (*Hlídací fena*) or the Women's Shadow Government (*Stínová vláda žen*) - these activities will be described in more detail later in the text.

1.1.2 Parliament

During the period of state socialism, institutions such as the Parliament and government existed in Czechoslovakia, just as in democratic countries. Since 1969, when the federalisation of the country took place, dividing the power between the federal and the republic governments, there has been a bicameral parliament on the federal level (the Chamber of the People, with 200 members and the Chamber of Nations, with 150 members) and a unicameral parliament on the national level (the Czech National Council, with 200 members, and the Slovak National Council, with 150 members). However, there was no power sharing or balance of power among these institutions. The real hegemony lay neither with Parliament nor the government, but with the Central Committee of the Communist Party. The Czech Republic, established upon the dissolution of Czechoslovakia, also adopted a bicameral parliament (the upper chamber - the Senate with 81 members, and the lower chamber - the Chamber of Deputies, with 200 members).

Figures are provided here for the period between 1981 and 1992 for both the Czech National Council (*Česká národní rada, ČNR*) and the Federal Assembly (*Federální shromáždění, FS*), consisting of the Chamber of the People (*Sněmovna lidu, SL*) and the Chamber of Nations (*Sněmovna národů, SN*). This is due to the existence of the federative system in Czechoslovakia, which existed between 1969 and 1992. Figures are also provided for the period after 1993, when the independent Czech Republic came into existence, for the two chambers of the Czech Parliament - the Chamber of Deputies (*Poslanecká sněmovna, PSP*) and the Senate (*Senát*) - particularly given that the elections to these two bodies do not occur in the same year. There are elections of one-third of the Senate every two years, and therefore figures are also provided for the 2000 Senate elections, when elections to the Chamber of Deputies were not held. The very first Senate elections took place in 1996.

Table 1 documents the development of women's participation in the Parliament of the

Table 1. Members of Parliament by gender (1981-2002)

| | ČNR 81 | FS 81 | ČNR 86 | FS 86 | ČNR 90 | FS 90 | ČNR 92 | FS 92 |
|---------|-----------|----------|-----------|----------|-----------|----------|-----------|----------|
| N men | 142 | 250 | 145 | 247 | 178 | 269 | 181 | 274 |
| % men | 71.0 | 71.4 | 72.5 | 70.6 | 89.0 | 76.9 | 90.5 | 91.3 |
| N women | 58 | 100 | 55 | 103 | 22 | 81 | 19 | 26 |
| % women | 29.0 | 28.6 | 27.5 | 29.4 | 11.0 | 23.1 | 9.5 | 8.7 |
| Total | 200 | 350 | 200 | 350 | 200 | 350 | 200 | 300 |

| | PSP 94 | PSP 96 | Senate 96 | PSP 98 | Senate 98 | Senate 00 | PSP 02 | Senate 02 |
|---------|-----------|-----------|--------------|-----------|--------------|--------------|-----------|--------------|
| N men | 181 | 173 | 72 | 170 | 72 | 71 | 166 | 71 |
| % men | 90.5 | 86.5 | 88.9 | 85.0 | 88.9 | 87.7 | 83.0 | 87.7 |
| N women | 19 | 27 | 9 | 30 | 9 | 10 | 34 | 10 |
| % women | 9.5 | 13.5 | 11.1 | 15.0 | 11.1 | 12.3 | 17.0 | 12.3 |
| Total | 200 | 200 | 81 | 200 | 81 | 81 | 200 | 81 |

Source: Parliamentary DICE.

Note: All numbers are at the time of election.

Czech Republic. Although the total number of female MPs fell at the beginning of the 1990s,³ the situation is improving and we can see this trend in the Chamber of Deputies (the lower chamber of Parliament). This increase must primarily be attributed to the success of the left-wing political parties, which nominate women to electable positions more often than right-wing parties, in the elections to the lower chamber. In the current term, 22 women in the Chamber of Deputies represent left-wing parties (Social Democrats 10, Communists 12) and 12 represent right-wing parties (Civic Democrats 8, Christian Democrats 2, Freedom Union 2). The situation in the Senate is somewhat worse. There, women constitute only 11-12 %.

Moreover, female MPs and Senators are perceived by their male and female colleagues as less professional, and are identified with specific spheres, such as welfare policy, health care, education, culture and regional issues (Seidlová 2001). Consequently, in both chambers women occupy positions in less prestigious parliamentary committees, which fall within the "social sphere".

During the communist regime, following the example of the Soviet Union, quotas for women were established to ensure at least a 30 % representation of women in Parliament (in the Soviet Union, the quota for both the Federal Council and the State Duma was 33 %). Unlike East Germany, the quotas did not mean that seats were allocated to representatives of women's organisations, but rather, the stress was put on the representation of the interests of female workers and peasants (see e.g. Seidlová 2001; Šalamounová in Linek and Šalamounová 2001). In this regard, the communist ideology, which concentrated on the presentation of women as mothers and workers, remains embedded in the consciousness of Czech women as well as men.

Quotas were part of the political programme of the ruling Communist Party. However, it is interesting to note that these quotas were not fully met. Over the course of the 1980s, there was also a great educational gap between female and male MPs in Parliament. This attests to the fact that the quotas were abused in order to ensure a symbolic representation of women and "the rule of common people", but that they were not used for the purpose of supporting the participation of women in politics.

Also, women in politics represented not only the female population but also citizens with a lower working position, which again served to declare "the rule of common people". One of the results of this, however, was that, for example, in 1986, 40 % of male MPs had a university degree while only 7 % of female MPs had one. This is yet another reason to believe that the quotas were not used to strengthen the political participation of women, but instead, that there was a double use of the quotas - women were nominated not only as representatives of women but also as representatives of the working class in order for the defined quota to be met symbolically.

After 1989 these formal rules were abolished and the number of women in Parliament dropped significantly. As for internal party quotas, the Social Democrats are the only parliamentary political party that has adopted quotas for the participation of women in party bodies and on the candidate sheets.

At the Social Democratic party convention in 1999, the rules for nominating women were changed - until then, only women from the Social Democratic Women (*Sociálně demokratické ženy, SDŽ*) could be nominated. The change in the rules made it possible to nomi-

³ The rapid decrease in the number of female deputies can be seen as being the result of the abolished quotas.

nate any female member of the party regardless of her membership in the SDŽ. But when we look at the party positions, we can see that the quotas are not being fully met. Havelková (2002a) argues that among Social Democrats these quotas soon came to be regarded as maximum quotas instead of minimum quotas.

Phillips argues that “[c]hanging the gender structure of elected assemblies is a major, and necessary, challenge to the social arguments, which have systematically placed women in subordinate position; and whether we conceive of politics as the representation of interest or need (or both), a closer approximation to gender parity is one minimal condition for transforming political agenda” (Phillips 1995: 82). With regard to the political debate on this subject, Czech female politicians largely reject quotas, especially formal ones.

One of the reasons for rejecting quotas is the negative memory associated with quotas from the period of communism. An insufficiently developed political culture may be another reason. In addition to this, when presenting themselves in the Czech media female politicians stress the fact that they are first and foremost politicians, not women; they do this in order to survive politically. Recently, however, some changes have been seen in this respect, especially among the smaller political entities. In academic circles, there is discussion now on the introduction of internal party quotas as an efficient method of increasing women's political participation (Rakušanová 2002).

In contemporary Czech society, women must struggle with many obstacles if they want to play an active role in high politics. In this respect, the main problem seems to be not the small number of women in political parties – cca 26–52 % of political party members are women – but the fact that women still do not reach the upper echelons of party hierarchies, and thus they are likely to occupy a lower positions in the candidate selection.

Between 1996 and 2002, the percentage of women among the candidates for election to the lower chamber of the Czech Parliament increased (by a total of 6 %), as did the percentage of women among the elected MPs (by 2.5 %); the ratio between candidates and the elected, however, has been falling steadily (a drop of 6 %).

This can be interpreted in several ways: At first glance, it could be the effect of the electoral system of proportional representation, which is generally considered to be less permeable than the majority system (Sartori 2001). In this context, Norris (1985) also points to the fact that the participation of women in politics is higher if there are fewer electoral districts with more seats. Thus, the percentage of the elected per precinct increases, and at the same time women have a better chance of achieving electable positions. The only parliamentary party in the Czech Republic that takes gender into account in its construction of candidate sheets is the ruling Czech Socialist Democratic Party; nevertheless, even this party lags behind the goals it has set out. If we take a look at the outcome of the success rate of women in elections per district, we find that Norris's (1985) argument about the greater success rate of women in smaller precincts does not quite hold true in the Czech Republic. The factor of the size of the electoral precinct is secondary; the primary factor is the centralisation of the political party (primarily the contribution of the central party to the nomination process), the different regional political culture, the regional political climate and the position of the political party in the district.

Therefore, another argument seems to offer a more plausible explanation for the falling ratio of candidates to those elected to Parliament: while the number of women in the candidate sheets of individual political parties is growing, the increase is greater in political parties that do not reach the threshold for gaining entry into Parliament rather than in the parliamentary parties. Among other things, this is also documented in our analysis of political

parties in the 2002 elections. This analysis shows that in nine of the fourteen districts the number of women on the candidate sheets of non-parliamentary parties is higher than among parliamentary parties. Among the right-wing parliamentary parties, a decrease in the number of elected female candidates can be discerned – this applies, for example, to the Freedom Union (US) and Civic Democratic Party (ODS), where the number of female candidates fell by 3 % and 0.95 % respectively, between the 1998 and 2002 elections. The change is not large, but taking into account the party's positions on different issues, our expectation is that this is a dangerous trend.

Another persuasive argument explaining the falling ratio between those elected to Parliament and the candidates could be that the women are placed in lower positions on the candidate sheets of the political parties than the men.

There is a trend towards increasing percentages of women on the candidate sheets of political parties running for the Chamber of Deputies, both among parliamentary parties and those that have lost the elections. However, it is only possible to compare the candidate sheets since 1996 because older data is not available. The increase in the percentage of women on the candidate sheets may be a display of the awareness in the political parties of the necessity of including women on the candidate sheets, if for no other reason than to leave the voters with that impression.

1.1.3 Government

Before 1989 the Central Committee of the Communist Party was the main political body in the country, the one with the greatest political power. Women figured in the Committee only marginally (12 %). Based on the defined quota articulated in the political programme of the ruling Communist Party, female politicians were for the most part only symbols (tokens) of female representation in the political bodies.

The lowest percentage of women is found in the cabinet. The trend to exclude women from participating in the exercise of power is clear. Before 1989 there was not a single female minister in the cabinet. However, the change in the political system has not caused much change in this respect.

There have only been five women in six ministerial positions since 1990.⁴ Twice, a woman occupied the position of the Minister of Health, twice the position of the Minister of Justice, and once the positions of the Minister of Education and the Minister of Trade and Tourism. During the entire period, no women have held the position of Prime Minister or deputy prime minister. In the period between 1976 and 1989 there were no women ministers at all.

Generally, we can say that, as in Parliament, women in the cabinet occupy less prestigious ministries. The only exception to this rule was the two-year period when Vlasta Štěpová (Social Democrat) held the position of the Minister of Trade and Tourism. Vlasta Parkanová is the only woman who has been a member of the cabinet in two terms – both times in the position of the Minister of Justice. One of her terms, however, was only for five months in the semi-caretaker cabinet.

⁴ In addition, there was Květoslava Kořínková, who was chairperson of the Committee of Public Control and a member of the federal government headed by Prime Minister Marián Čalfa between 10 December 1989 and 27 June 1990. Nevertheless, it should be mentioned that this was a government formed before the first democratic elections and for this reason Květoslava Kořínková is not included in our account.

All of the five female ministers had a university diploma (three in law and two in medicine), while their male counterparts had mostly university diplomas from different areas of engineering and economics. One of the five female ministers was a Civic Democratic Alliance (ODA) member at the time of her two governmental terms, a party that came to be connected with several financial scandals in the second half of 1990s and subsequently became politically marginal. Today, she is still active in the highest political echelons of the ranks of the Christian Democrats, the home party of another female minister. Three female ministers have been members of the ruling Czech Social Democratic Party during their term in the cabinet. Two of them were or are also active in the presidium of their political party.

Alongside the low percentage of female ministers, there are also more women than men working in administrative positions at ministries (Havelková 2002a).

The lack of women in the Zeman government led to intra-party opposition and the formation of the "Women's Shadow Cabinet" by several Social Democratic female politicians in March 2000. This shadow cabinet officially enjoyed the support of the cabinet, but its coverage in the media was mixed, and in extreme cases it was even presented as a successful joke. Nevertheless, this action, taken by a few Czech female politicians, was completely unique in that the women's shadow cabinet positioned itself in opposition to most other Czech female politicians, who generally present themselves in public as politicians without any special interest in women's political issues and who emphasise in the media that they are not in any way related to feminist activities. This behaviour, however, should not be regarded as an anti-feminist attitude among Czech female politicians, but rather as a rational choice, an attempt to legitimise their political presence.

One of the by-products of this action was the establishment of the "Council of the Government for Equal Opportunities for Men and Women", established on 10 October 2001. After an initial period when the Council was headed by the Minister of Labour and Social Affairs, the Social Democratic MP Mgr. Jana Volfová, one of the activists of the "Women's Shadow Cabinet", was appointed to head the council. After she lost her position in the June elections, she was replaced by another female Social Democrat MP on 15 November 2002.

From the examination of the role of women in political parties, the Parliament and government, we can conclude that the higher the echelon of power the more difficult it is for women to gain entry. In general, among politicians, women are often regarded as less qualified than men (as demonstrated in the attitude of former Prime Minister Zeman). To enter a higher position, women first need to secure a strong standing in their own political parties, and high preferences among voters.

It could be said that although Czech people realise that women are inadequately represented in political life, and although they want women to be active in politics and they evaluate female politicians positively in comparison with other publicly active women, according to the data of the Institute for Public Opinion Research (*Institut pro výzkum veřejného mínění, IVVM*), no significant transformation has been witnessed in the understanding of the electorate as being an active force that can – through its vote – give a clear indication that it wishes to see the greater participation of women in politics, or even that political parties that do not have women in prominent positions on the candidate sheets are not acceptable.

Furthermore, female politicians (either as individuals or as part of formally or informally formed groups) must take courage to defend women's rights openly and clearly on the political scene. As for political parties, it is necessary to meet the defined party quotas and,

last but not least, also develop a gender-sensitive debate in Parliament concerning the importance and experiences surrounding the introduction of quotas in politics. In this regard, civic activities, such as Watchbitch, can be seen as a good sign as they, sooner than the political actors, have recognised the need to implement active approaches to the issue, such as cross-party networking of women on women-oriented issues,⁵ and political mentoring among junior and senior female politicians.

⁵ This is one of four arguments elaborated by Ann Phillips (1993), namely the question of “public” versus “women’s” interests, stressing that there is a multiplicity of interests, but that some issues, such as abortion, childbearing, or exposure to violence and harassment, may be counted as concerns shared by women.

1.2 Women's Participation and Representation in Local Politics

Alena Křížková and Lenka Václavíková-Helšusová

Local politics form a very important part of civil society. Municipal and regional governments and boards of representatives are the key aspects of local self-care. There is certainly appropriate power in the hands of local representatives, and therefore it is important to investigate the level of women's participation in this. Our focus is on the contemporary situation in this area.⁶

1.2.1 Women's Representation in Local Politics

Representatives of municipalities (*obec*) and districts (*kraj*) constitute the Czech political representation in the regions. Districts are the largest territorial administrative units (there are 14 in the Czech Republic) and they always contain a large number of municipalities. Decision-making powers are divided between the municipalities, the districts and the state.

Each district has an assembly (*zastupitelstvo*), elected by the district's citizens once every four years in the general elections. The number of members in the assembly is defined within the range of 45 to 65 representatives and determined by law according to the size of the district. The district representatives elect the district council (*krajská rada*) (9 or 11 members), along with the governor (*hejtman*) and his or her deputies (*náměstek*) (from 3 to 5 people). The governor and the deputies are also members of the council.

Citizens in each city or municipality also elect a municipal assembly (*obecní zastupitelstvo*) every four years. The number of representatives depends on the number of citizens living in the city or municipality. The smallest municipal assembly has nine representatives, the largest 55 (in Brno). The representatives elect the municipal or city council and also a mayor (*starosta*) or lord mayor (*primátor*) (in the case of statutory cities), and their deputies. The deputies and the mayor or lord mayor are also members of the council. (See the illustrations below for a complete overview.⁷)

As is the case in national politics, women in local politics are still in a serious minori-

Illustration 1. District political representation

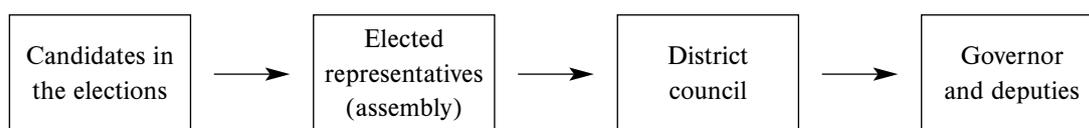
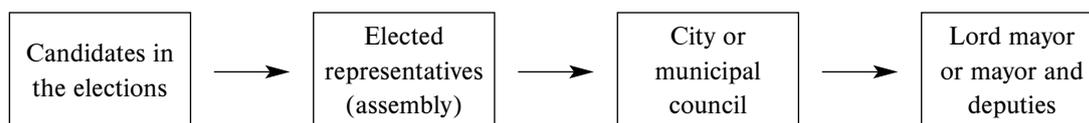


Illustration 2. The political representation of cities and municipalities



⁶ Women's participation in politics before 1989 was part of communist ideology and the specific power distribution described in Chapter One. Local women's participation depended on the political will and the artificial strategies of the Communist Party.

⁷ The arrows indicate the sequence of the election in the direction of higher positions in the district or municipality. Candidates to the assembly are elected by the citizens; the ensuing positions are elected by the members of the assembly.

ty compared to men. Nevertheless, their position in local politics is much better than at the central level. In some cities and some districts, women are a regular part of political representation on all levels, although they do not reach (or even approach) the percentage of men. As is the case in national politics, the higher the position in the power hierarchy, the fewer women there are, even in local politics.

One important difference regarding the participation of women in politics concerns the difference between the assembly and the council, whether at the district or municipal level. The composition of the assembly is largely given by the number of women nominated by political parties and their position on the candidate lists. To some extent, voters can influence the ranking of individual candidates by giving a priority vote. However, voters only rarely take advantage of this option. The councils and deputies of the governor or mayor are elected by the already elected representatives. The percentage of women in those positions therefore depends only on the will of the elected representatives and their ability to see the importance and qualities of women in the assembly for higher positions. This is the opportunity to get women into higher positions in local politics.

District political representation

In our analysis of representation in the districts, we have concentrated on the ratios of women on boards of representatives, in the district councils, and among the deputies of the governor. There is not a single female governor in any of the districts. The top leadership of districts is without exception dominated by men. As for female deputies of the governor, the position of women is slightly better, but in only one district did the percentage of women reach 50 % of the deputies to the governor. With respect to the ratio of the number of female-to-male representatives, on average 14 % of the members in district assemblies are women (between 7 % and 29 % in the individual districts). There are no women in four out of thirteen district councils, and it is not necessarily in those districts where the number of women on the board of representatives is lowest.

District political representation is made up of both women and men. However, women are represented in the candidate sheets to a lesser extent, and are more likely to occupy non-electable positions (they are there to fill the numbers).

Municipal political representation

In view of the high number of municipalities in the Czech Republic, we have limited our analysis to the "county towns". There are 72 county towns in the Czech Republic, which differ greatly with respect to population (ranging from 9357 to 388,899 inhabitants). In most cases, they form natural micro-regional centres. We used all of these county towns as our sample.

There is a definite scarcity of women in the highest position – that of the mayor or lord mayor (there are only four among the municipalities examined). The situation is better in the case of municipal councils, with women on average making up 13 % of the council members. The highest percentage of women council members in our sample was 44 % (in two towns). On the other hand, in 32 county towns there was only one woman in the council, and in 15 county towns there were no women, even though the councils had between 7 and 11 members.

In higher positions (deputy lord mayor and deputy mayor) the situation is even worse. In 40 municipalities there is no female deputy mayor or deputy lord mayor.

The average percentage of women in the local assemblies is 16 %, a very low propor-

tion, even though in some towns the percentage is quite high (the maximum figure, found in three county towns, is 33 %).

Although regional politics are more accessible to the general citizen in terms of the possibility for direct participation, women face more adverse conditions at the local political level; furthermore, women do not take as much advantage as they could of the possibility of participating at the local level. Thus, regional politics are first and foremost a male enterprise, and even in local politics men still participate much more than women. However, in some regions, a woman politician is considered to be a natural part of the local political milieu, and it seems that in such regions women in local politics may even succeed more easily than on the national level.

In order to illustrate the regional information even further, we conducted a secondary analysis of data acquired during the study entitled "Mayors of Towns and Municipalities in the Seventh Year of Self-Administration - ČR 1997" (*Starostové obcí a měst v sedmém roce samosprávy - ČR 1997*). In the sample of 519 mayors, only 8 % were women. The questionnaire concentrated on the issue of communal politics and the functioning of municipal offices. We looked for differences in attitudes and opinions among female and male mayors. Differences appear primarily in the perception of the importance of the individual problems that the mayors must address. The differences that were discovered, however, are very small and not statistically significant. It is far more likely that the opinions of men and women in the position of mayors are similar. This finding supports the conclusions of other studies conducted in the Czech Republic on populations of women who managed to penetrate the masculine world, whether in politics or management (e.g. Křížková and Václavíková-Helšusová 2002). The issue of causality - whether the masculine environment has an influence on women's opinions or whether it is primarily women with opinions similar to men's who penetrate these spheres - remains open.

It is possible to conclude that the local political representation is made up of men and women, but that their positions at the very start are unequal owing to the small proportion of women on the candidate lists of particular parties. Although local politics is closer to the people and provides easier opportunities to be involved and participate, women still hesitate to do so. The reasons are very complicated and complex, and range from a personal unwillingness to the many social obstacles created, not only by men, but also by women themselves.

1.2.2 The Promotion of Women and Equal Opportunities at the Level of the Municipalities

Activities related to the political and civic participation of women at the level of towns and municipalities are not common or well developed in the Czech Republic. Most often, if there is any such activity it results from the inclusion of the concept of equal opportunities in documents and mechanisms, as is required in relation to the EU accession process (especially at Labour Offices - the principle of observing equal opportunities in basic documents and opinions).⁸

At the level of towns and municipalities, no bodies have been established that would directly support the political and civic participation of women. The only exception to this

⁸ An analysis of the equality policy of the EU and its inclusion in the legislative framework of the Czech Republic as a condition of entry into the EU is provided by Dagmar Lorenz-Meyer in the second part (II) of this volume of *Sociological Papers* - "Policy Initiatives and Tools to Promote The Participation of Women and Gender Equality in the Process of the Czech Republic's Accession to the European Union".

rule is the City of Prague (the capital city) and Brno (the second largest city in the Czech Republic). In 2001 the director of the City Council of Prague established a Commission for Equal Opportunities for Men and Women. This commission meets twice a year and is meant to address cases of inequality, although, since its establishment no complaint has yet been lodged. At the same time, a working group for equal opportunities has been formed by those members of the Commission who are also employed at the City Council. The main responsibility of this working group is to provide training in the area of equal opportunities; the introduction of obligatory training in the area of equal opportunities for men and women for newly hired employees is one of its first successful achievements. Moreover, this group organises biannual seminars for the employees of the City Council and other municipal districts. With respect to the implementation of concrete measures, the problem is that the commission has no powers. At present, the commission is working on restructuring into an independent commission, which would have the power to implement approved changes and measures and could, possibly, also act as an advisory board with respect to grant applications to the European Social Fund, approved by the City Council. Brno, Vienna, Helsinki, Berlin and several other German towns are the partner cities of the City of Prague in this activity (unpublished interview with a Council member).

In 2001 the Department of Social Care of the Brno City Council expanded the range of its activities and came to include the issue of equal opportunities for men and women. Brno found inspiration in the City of Vienna and became especially involved in the MILENA women's network. The goal of this network is to create and maintain an international network of relations between women on a regional and local level. The following cities are involved in the network: Brno, Bratislava, Budapest and Vienna. In 2001 the City Council of Brno, in co-operation with the Gender Centre at Masaryk University in Brno, and with the Commission for Equal Opportunities of the City Council of Prague, organised a seminar with the goal of facilitating an exchange of experience and information in the field of gender equality and launching other co-operative activities. In 2002 another workshop took place, this time titled "Equality of Opportunities of Men and Women at the Level of Local Administration and Self-administration". The objective of the workshop was to debate the need for an equal opportunities advisory body and its inclusion in bodies of local administration.

The only activity that cities have performed with respect to the promotion of women and equal opportunities have been information seminars, and these seminars are infrequent at best. The seminars are organised in co-operation with non-profit organisations or educational facilities engaged in the study of gender equality. (For example, a public debate in Olomouc, Brno and Ostrava for mothers on parental leave, which was titled "The Role of the Mother in EU Countries - A New Opportunity for Men and Women in the EU").

Non-governmental organisations remain the main actors in the area of supporting awareness about gender issues in other Czech cities. A lack of information and the fact that this issue is not contained in the job description of any officer in these towns are the main obstacles to the lack of similar commissions or working groups in other Czech towns. Consequently, officers cannot take part in the workshops and seminars organised by other towns if they take place during working hours, even if they are invited.

Although a large number of women mayors take part in the meetings of women mayors that are organised once a year (in 2000 there were as many as 150 female mayors), the Czech media do not follow these meetings and only rarely does news of such meetings reach beyond the borders of the regional press. This is mostly due to the nature of the meetings (partly relaxation and partly working), and to the fact that they concentrate on education

and networking rather than on creating some kind of common political platform, action or document. This fact is well illustrated in a meeting of 200 women mayors in the Senate of the Czech Republic. One of the main items of information (published in the Public Administration journal) about this meeting was a statement saying that the women mayors had not adopted any resolution, nor did they plan to establish any special association.



The local level of female representation and the local support that women get is still very low. There are some exceptions, which are very important as a model or example of women's participation in politics, not only at the local level but also at the national level. Therefore, it is important to devote attention to local politics, however much most of the activities in support of women or equal opportunities for men and women are centred in the big cities. It would seem that there is a chance in the future for local woman politicians to play an important role. They are capable of becoming a serious part of national politics and putting their experience to use at the national level. This would be the best answer to the question of how women can be politicians.

1.3 The Institutional Framework for Equal Opportunities Enforcement

Marcela Linková

In this chapter, I will concentrate on examining the institutional framework for the implementation of equal opportunities in the Czech Republic. Before proceeding to the presentation and analysis of individual bodies and their activities, I will provide a framework for the institutional discourse of equal opportunities by examining the discourses of equality employed by the communist regime and the new liberal republic after 1989.

1.3.1 The Discourse of Equality before 1989

Since the beginning of the 1990s, the issue of equal opportunities for men and women has been regarded negatively in the Czech Republic, as an import from Western Europe which could threaten the Czech belief in the “complementary” roles and qualities of men and women. Furthermore, in the socialist ideology, individual rights and the satisfaction of individual needs acquired a collective character due to the fact that the opportunities for individual development were subordinated only to the development of society, and the promotion of individual interests in and of itself was perceived as unjust. Individual human rights were subordinated to collective rights. Thus, as Bozyk puts it: “...until the mid-1980s, in the East European countries human rights were interpreted in a selective way, with special stress being placed on equal opportunities for all members of society in their access to basic goods, such as food, clothing, and housing, and to social services such as health protection, education, or science. The above services were regarded as basic components of citizens’ rights. In this sense, the rising degree of satisfaction of the fundamental needs of society was identified with an increasing degree of realization of human rights” (Bozyk 1993).

In this respect, the collective and seemingly egalitarian ideology denied the existence of differences between individuals and various social groups. In reality, the ascription of individual rights was socially homologous (applied to white Czech men, and not to marginalised groups such as ethnic minorities, women or people with physical or mental disabilities). This homogenous egalitarianism continues to maintain inequality, not only between men and women, but also with respect to the Roma, handicapped people, etc., because the standard against which these groups are measured is the homologous social group of white Czech men.⁹

The socialist ideology had far-reaching consequences for the promotion of gender equality and the civic and political organisation of women aimed at promoting their position in society. The emancipation of women related to the second wave of feminism in the West was perceived as bourgeois ideology, hostile to a Marxism that promoted the rights of the genderless working class above all groups or interests.

1.3.2 The Institutional Framework and Discourse of Equal Opportunities after 1989

This denial of the unequal distribution of power in socialist society, and the perception of women’s and men’s roles as being complementary, were smoothly transformed after 1989 into “genderless” (gender-blind) individual rights rooted in the liberal ideology of self-promotion and meritocratic values. The rejection of feminism and the negative experience with

⁹ This is not to say, however, that the male population in the Czech Republic could be regarded as a unified and undifferentiated group. Social status, in particular, sexuality and background, are the main dividing lines among the male population.

state-imposed equality of the sexes¹⁰ was further enforced after 1989 with skewed reports concerning the enforcement of equal opportunities in the West.

This intellectual and ideological set-up was very effective in preventing the development of any debate concerning gender inequality or the establishment of a state body for a review of gender equality. Occasionally, though, articles appeared in the media after 1989 – usually in response to a newspaper report on a similar activity abroad – concerning the establishment of a ministry for women's issues or alternately a ministry for the family. The general tone of such reports or articles is usually negative and the establishment of such a ministry for gender equality or women's issues is perceived as useless. If such an institution is debated at all, it is the ministry for the family (this is related to the dramatic drop in the natality rate and other social and demographic developments perceived as threats to the nuclear family and the role of the mother).¹¹ The scepticism surrounding the establishment of a ministry for the family differs from that which surrounds the establishment of a ministry for gender equality, and the types of rhetoric employed in each of the two approaches stand largely in opposition to each other: while the opponents of the ministry of gender equality endorse biological essentialism and argue that it is not possible to impose equality between men and women, the opponents of the ministry of the family fear that such a ministry would act as a “ministry for an ideological control of the family”, as another instance of the state infringing on personal rights and preferences.

Moreover, as can be gleaned from the political programmes and opinions presented in the media, the political support for the institutional implementation of equality of opportunities is directly related to the political orientation of the political parties: on the left-right alignment, support for equal opportunities policies is concentrated in the left portion of the political spectrum, while the right and right-of-centre parties are sceptical towards state interference in these processes. The Christian Democratic Union – Czechoslovak People's Party (*Křesťanská a demokratická unie – Československá strana lidová, KDU-ČSL*) is also a staunch opponent of measures aiming at equal opportunities, and in family matters it supports the traditional division of labour and the traditional model of the nuclear family (with the father as the breadwinner and the mother as the housewife). A group of Christian Democratic women supports the establishment of a ministry for the family, but the rhetoric is again rooted in Christian Democratic values. Rather than examining the unequal position of women in the family and the resulting inequalities on the labour market, the argument for such a ministry stems from the perceived need to support existing families, and ensure an increase in the natality rate and the protection of children's rights (hence the opposition to abortion in this group).

The support for equal opportunities policies in the Social Democratic and Communist parties is not unified, as is clear from the process whereby the Government Council for

¹⁰ The socialist regime did nothing to ameliorate the unequal distribution of power between men and women. Equality was perceived as the approximation of women's roles in the public sphere to men's roles (showcases of the first female welder or the first female crane operator) without any actual change in the division of labour in the private sphere. Women continued to be the primary carers for children and bore the primary responsibility for housework and childcare. Thus, virtually all women had to devise strategies to deal with “the double burden”; despite the fact that women found ways to do so, such an unequal distribution of labour was considered unjust. Moreover, the communist regime abused the 8th March celebration of International Women's Day for its own ideological purposes.

¹¹ See, for example, the debate *Jak má stát podporovat rodinu, rodičovství a porodnost* (How should the State support the family, parenthood and natality), printed in *Literární noviny* on 21 October 2002, between Michaela Freiová, director of the long-term programme Family Values at the Civic Institute, and Tomáš Kvapil, MP and deputy chairman of the Christian Democratic Party.

Equal Opportunities for Men and Women (*Rada vlády pro rovné příležitosti mužů a žen*) was established. Moreover, it cannot be said that the implementation of equal opportunities policies is a priority political issue that could result in internal party divisions, nor is it an issue that party fractions use in internal party disputes.

Despite the negative attitudes towards any institutional support for the equal opportunities of women and men, Prime Minister Vladimír Špidla initiated the establishment of the Government Council for Equal Opportunities for Men and Women, despite opposition even from within his own party. The arguments he used in support of this body made it clear that the implementation of equal opportunities is related to the EU accession process, and the adoption of certain legislative measures was necessitated by the need to bring Czech law into alignment with the *acquis communautaire*.

Although at the beginning of the second half of the 1990s the Czech Republic had already pledged to fulfil the Action Plan of the Beijing Conference, and thus to establish institutions in support of women's rights, the government and state administration did not address women's issues until the end of 1997 (Čermáková et al. 2000). It was primarily the EU enlargement process that activated the institutional mechanisms that contributed to changing the gender contract, relations and differences. At the moment, the following institutions address the issue of gender equality:

Ministry of Labour and Social Affairs

Pursuant to Government Resolution No. 8/98, the Ministry of Labour and Social Affairs has been charged with a special competence to co-ordinate internal policy concerning the position of women in society. The Department for the Equality of Men and Women, which was established at the Ministry, issued a governmental resolution (No. 236/1998) titled "Priorities and Procedures of the Government for the Implementation of the Equality of Men and Women". Based on this document the efficiency of equal opportunities policies and the activity of state officers in the field of promoting equality for men and women is evaluated and annually updated. However, the quality of the report is questionable, given that the activities of NGOs are obviously being mixed together with the activities of state officers within the document, so that it masks the real activity (or inactivity) of state officers. The structure of the document is similar to the structure of the Platform for Action from Beijing. Other ministries are obligated to provide necessary co-operation and all ministries have been ordered to co-operate with women's NGOs.

Councils of the Government

Government Council for Equal Opportunities for Men and Women

This is a permanent advisory board of the government concerning equal opportunities policies. It was established under Government Resolution No. 1033 of 10 October 2001. Deputy ministers form a large portion of its members, along with representatives of NGOs, the Czech Statistical Office, and a delegation of employers and trade union representatives from the Council of the Economic and Welfare Agreement of the Czech Republic and others. It is only an advisory board, with no executive power.

By October 2003 the Council had convened three times. The initial meeting on 24 April 2002 was unique owing to the exceptional presence of deputy ministers, unlike at the meetings to follow. After the first meeting, the deputy ministers were often absent and/or were represented by other persons, either with or without a voting right. Representatives of

the Ministries of Finance, Health, Defense, Agriculture and the Interior were those most frequently absent.

A textual analysis of the agenda and the minutes of the meetings shows that the key issues of debate (other than the regular presentations of individual ministries' activities) are father's rights in child custody proceedings, the issue of women's shelters, and domestic violence. Discrimination on the labour market is another issue that comes up at the meetings. An analysis of the minutes of the meetings also shows that the importance of some issues (domestic violence, discrimination on the labour market, the training of state officials) is recognised, but the gender sensitivity of some Council members (mostly deputy ministers) is very poor. When debating issues where the "gender aspect" is not clear, there are displays of defensiveness and irony. Members of the Council who represent women's NGOs have repeatedly complained that the state institutions and ministries do not co-operate with women's NGOs.

Government Council for Human Rights

This is a government advisory board on human rights and basic individual freedoms. It was established under Government Resolution No. 809 of 9 December 1998. The board monitors the observation and implementation of the provisions laid out in the Constitution of the Czech Republic and the Declaration of Basic Rights and Freedoms, and other legal norms concerning human rights and basic freedoms. The Government Council for Human Rights (*Rada vlády pro lidská práva*) has the power to establish committees (e.g. the Committee for the Elimination of All Forms of Discrimination of Women). There is also an Office of Equal Opportunities for Men and Women. An analysis of the minutes of the meetings shows that organisational matters are debated most often, followed by the implementation of the Convention on the Elimination of All Forms of Discrimination of Women. Another issue that is mentioned more frequently is the rights of fathers in child custody proceedings and child visitation rights.

An analysis of the minutes of both these governmental advisory bodies shows that on the state level some progress has been made with respect to the perception of some issues. Domestic violence and pay discrimination on the labour market are the two issues that have lost their feminist label and are perceived today as "social problems". As a result, they can be legitimately debated in the media and, more importantly, on the institutional level. Other feminist issues, however, that directly involve the existing power structures and the division of power (e.g. quotas for leading positions), or the discourses stemming from women's rights, as presented at the meetings by representatives of women's NGOs, are often ridiculed and marginalised. Another related issue is the space given to the issue of father's rights in child custody proceedings. Without in any way desiring to underestimate the importance of this issue and the impact on the current situation of the father-child relationship, what seems interesting to me with respect to power relations is the fact that both the media and state officials quickly came to recognise this issue as a problem without, however, presenting the whole picture. The debates at both government councils, for example, do not in any way reflect the current gender contract of the Czech family. If we then presume that in most families women are the ones bearing primary responsibility for childcare and household chores and are involved in the daily operation of the household, then, if all else is equal, considerations regarding the child's best interests result in awarding custody of the child to the mother, as she is the one who has been caring for the child and providing primary emotional and physical sustenance. In my view, the quick penetration of father issues into the public discourse, as a direct out-

come of feminist arguments for women's rights, points rather to the appropriation of the equal rights discourse by the dominant power structure and ideology. In this sense, I continue to view the position of feminist discourse at the state level of equal opportunities policies implementation as insecure and definitely not grounded in the women's rights perspective.

Ombudsman (Public Protector of Rights, PPR)

The Office of the Public Protector of Rights was established under Act No. 349/1999 Coll., on the Public Protector of Rights. On the basis of a questionnaire sent to the office of the PPR during the realisation of Work Package 2 of the Enlargement, Gender and Governance project, it was discovered that the PPR has not received any submissions concerning gender equality, but that the PPR has addressed two cases which do fall within the power of the PPR. In these two cases, the office provided legal assistance, and explained and outlined a further course of action. The PPR deals only with the breach of law by state institutions, and therefore it can only address, for example, submissions concerning the Labour Offices (job vacancies for the unemployed). One employee is a member of the government council's Committee for the Elimination of All Forms of Discrimination of Women, but the Office of the PPR states that this employee would "like to take an active part in its [the Committee's] activities but the Committee has not convened yet". The Office of the PPR also submitted comments on the governmental bill for the Employment Act, which should address issues in this area in order to make the law enforceable. The PPR is also involved in the process of bringing Czech law into alignment with the *acquis communautaire*.

Gender Focal Points at the Ministries

In 2001 the position of gender focal points was established at each ministry. Pursuant to Item II/3 of Government Resolution 456/2001, all ministries are obligated to create one systemic job (one-half of the full-time equivalent, 4 hours per day) to take care of the equal opportunities issues within the areas of responsibility of each ministry. A brief questionnaire survey,¹² conducted again as part of Work Package 2 of the Enlargement, Gender and Governance project, among the gender focal points indicates that each ministry resolved this issue differently and thus that there is no systematic organisation or system of accountability (the gender focal points are dispersed among various departments and offices of the ministries). The level of activity at individual ministries greatly differs, with the Ministry of the Interior and the Ministry of Education, Youth and Sports being among the more active ones (domestic violence, gender equality in education, the issue of teachers and teaching materials). The Ministry of Trade co-operates with the Association of Female Managers and Businesswomen and concentrates on support for women's SMEs.

In answer to the question of whether the gender focal points carry out their activities from the feminist perspective of women's rights or rather from the perspective of the efficient utilisation of human resources and talents, the answer – when the gender focal point was able to answer at all – was that the perspective of efficient utilisation of human resources is

¹² A short questionnaire was distributed among gender focal points. Only four questionnaires were returned, which does not provide enough data to make any generalisations. The questionnaires received from the Ministry of Education, Youth and Sports, the Ministry of Trade and Industry, the Ministry of the Interior and the Ministry of Health of the Czech Republic indicate clearly that gender equality issues are not perceived as important by the ministries, the system of work is disorganised, and the co-operation with other departments within the ministries varies in quality.

employed because it is less controversial and in sync with the current approach of the European Union. As a result, this rhetoric is seen as more efficient in relation to the implementation of certain steps in the higher power echelons at the ministries. Furthermore, the gender focal points that answered are also not able to distinguish the difference between the two approaches and generally view the “needs of society” as the same as the “needs of women”. In this respect, the difference between the two approaches is not problematised. The gender focal point at the Ministry of the Interior expressed a concern about what would happen if more women wanted to penetrate the police force or the fire departments. In my opinion, this again confirms the view that the gender equality implementation at the state level is not perceived with respect to the current unequal distribution of power, and it leads me to believe that gender-blindness is rampant, even when active steps are being taken at the ministries, because such steps are instrumental (they try to improve the position of women within the existing power hierarchy without raising any issues about the unequal distribution of power as such). This issue is, however, far more complicated and relates to the general issue of the implementation of gender mainstreaming. In my opinion the current approach to gender mainstreaming contributes to enforcing the current gender stereotypes because the stress is laid not on women's rights and the inequality of power distribution and the obstacles women face in society, but rather on the contribution women can make to society.¹³

PHARE Twinning Project

In order to help the Czech Republic in the implementation of gender mainstreaming, the PHARE Twinning Project CZ 2001/IB/SO-01, “Improvement of the State Institutional Mechanism for the Performance, Implementation and Control of Equality of Treatment of Men and Women”, was launched on 1 August 2002, the only such project in the Czech Republic to date. The partner of this Twinning Project is Sweden, as the winner in a call for tender. The goal of the project is to propose, for the Czech Republic, a model of an institutional mechanism for ensuring the equality of men and women – to formulate, implement and enforce measures directed at achieving equality of opportunities and equal treatment of men and women on all levels (state – region – municipality). In August 2003 the project finished with the publication of its final recommendations report titled “Improvement of the Public Institutional Mechanism for the Introduction, Improvement and Control of Equal Opportunities Implementation for Men and Women”. The recommendations are long-term and short-term and concern state administration (ministries and state bodies responsible for gender equality implementation), self-administration (districts, municipalities), labour offices, and statistics, research and non-profit organisations dealing with gender equality. An independent chapter has also been dedicated to the issue of work-life balance and the possibility of establishing a separate ministry for equal opportunities or establishing a permanent structure within an existing institution (for example, the Ministry of Labour and Social Affairs). The establishment of gender focal points is recommended at all levels. With respect to research, it has been proposed an independent research institution be established that deals specifically with gender issues within the Academy of Sciences of the Czech Republic.

¹³ For a detailed discussion of this issue, see Červinková, A. Gender Mainstreaming/Mainstreaming Gender. In *Kontext*, 1-2/2003.

In sum, the Czech Republic has adopted gender mainstreaming¹⁴ as the main tool for implementing equal opportunities for men and women (see Government Resolution No. 456 of 9 May 2001). Despite the declared willingness to open and address the issue of gender equality under the pressure of the EU, there are great differences between individual state bodies with respect to the activity and perception of the importance of this issue and the measures taken. The Twinning Project mentioned above should provide clear guidance on the set-up of the state mechanism for implementing gender equality. The question is whether the final recommendations report mentioned above will be taken up by responsible bodies and decision-making structures in the Czech Republic and acted upon.

¹⁴ One of the existing definitions, and the one adopted by the Ministry of Labour and Social Affairs, is of gender mainstreaming as a procedure whereby all conceptual, decision-making and evaluation processes in all phases of preparation and implementation are subordinated to the assessment of equal opportunities for men and women and to their impact on men and women.

I.4 Women's Participation in the Judiciary

Alena Křížková

In the Czech Republic, all the highest placed institutions in the judiciary are located in Brno, the second largest city in the country. The goal of this chapter is to show the differences in the proportion of women in various bodies of the Czech judiciary and the changes that have taken place since 1989, and to propose some explanation for these changes.

I.4.1 The Supreme Court of the Czech Republic¹⁵

During the 1980s there were only two female judges at the Supreme Court of the Czechoslovak Republic. These two women resigned in 1989. The number of male judges was 30–35 during the 1980s. During 1990–1992, in the Czech-Slovak Federative Republic, there was only one female judge and approximately 25 male judges at the Supreme Court. As is clear from Table 2, the percentage of women among judges at the Supreme Court of the Czech Republic has gradually increased since its foundation in 1993 (8% are women), peaking at 25–28% between 1999 and 2000. Since then the number of women among judges at the Supreme Court has remained unchanged (see Table 2.).

The changes in the judiciary after 1989 affected the Supreme Court of the Czech Republic only with respect to its personnel. Its organisational structure and position were retained. It was the dissolution of the Czech-Slovak Federative Republic in 1993 that introduced a break because the system of federal and republic bodies and the power of the Supreme Court of the Czech-Slovak Federative Republic were transferred to the Supreme Court of the Czech Republic on 1 January 1993.

Since 2000 the Supreme Court of the CR has been chaired by a woman. The judges at the Supreme Court are divided into three colleges: civil law, penal law and commercial law.

The chairpersons of these three colleges are men. Of the twenty-two members of the civil law college, six are women. Of the seven judges of the commercial college, three are women, and of the eighteen members of the penal college, two are women (see Table 3).

Table 2. Percentages and numbers of women in the total number of judges at the Supreme Court of the Czech Republic between 1993 and 2003

| Year | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 |
|---------------------|------|------|------|------|------|------|------|------|------|------|------|
| Number of women | 2 | 3 | 7 | 14 | 14 | 14 | 15 | 15 | 14 | 14 | 14 |
| Percentage of women | 8 | 12 | 19 | 26 | 25 | 25 | 28 | 28 | 26 | 26 | 25 |

Source: Supreme Court of the CR 2003.

¹⁵ The Supreme Court of the Czech Republic primarily makes rulings on extraordinary remedial measures against rulings from courts of appeal, rulings on complaints concerning the breach of law, taking opinions on the interpretation of laws and other legal regulations, and rulings on the recognition and enforceability in the Czech Republic of rulings from foreign courts when so demanded by the law or an international treaty.

Table 3. Percentages and numbers of women in the total number of selected chief bodies of the Czech judiciary in 2003

| Body of Czech judiciary / position | Number of women holding the positions | Percentage of women in a given position |
|---|---------------------------------------|---|
| Supreme Court of the CR | | |
| Chairperson | 1 | 100 |
| Deputy Chairperson | 0 | 0 |
| Judges | 11 | 23 |
| Highest Administrative Court of the CR | | |
| Chairperson | 0 | 0 |
| Deputy Chairperson | 0 | 0 |
| Judges | 11 | 58 |
| Constitutional Court of the CR | | |
| Chairperson | 0 | 0 |
| Deputy Chairperson | 1 | 50 |
| Judges | 1 | 8 |
| Public Prosecutor's Office | | |
| Chief Public Prosecutor | 1 | 100 |
| Deputy of the Chief Public Prosecutor | 0 | 0 |
| Public Prosecutors | 19 | 44 |
| Czech Bar Association | | |
| Chairperson | 0 | 0 |
| Deputy Chairperson | 0 | 0 |
| Board of Directors | 0 | 0 |
| Control Council | 4 | 9 |
| Disciplinary Commission | 22 | 27 |

Source: Official portal of the Czech Judiciary 2003.

The Supreme Administrative Court of the Czech Republic

The Supreme Administrative Court of the Czech Republic, which, in terms of its agenda is strongly connected with the Supreme Court of the Czech Republic, was only established at the late date of 1993; women make up almost two-thirds of its judges. It is the body in the Czech judiciary with the highest proportion of women (see Table 3).

1.4.2 The Constitutional Court of the Czech Republic

The period between the publication of the Constitution in 1948 and 1968 was a time when the constitutional system did not take into account the existence of this body. A special situation occurred after the federalisation of Czechoslovakia in 1968 when the Constitutional Act on the Czechoslovak Federation presupposed not only the establishment of a federal Constitutional Court but also similar courts at the level of the two republics. None of these courts, however, was ever established, and the constitutional judiciary thus existed only "on paper". The moment of renaissance in the constitutional judiciary came in February 1991

when the Constitutional Act on the Establishment of the Constitutional Court of ČSFR¹⁶ was adopted. During the period of its existence (between 1991 and 1993), only one of the members of the Constitutional Court of ČSFR was a woman.

The Constitutional Court of the Czech Republic launched its activities on 15 July 1993 and continued the activities of the previous Constitutional Court of ČSFR. One of the deputy chairpersons of the current Constitutional Court is a woman. Of the other twelve judges of the Constitutional Court, only one is a woman. Since 1993 (when the Constitutional Court of the Czech Republic was established) only four women have held the position of constitutional judge. The current chairwoman of the Supreme Court of the Czech Republic served as a judge of the Constitutional Court of the Czech Republic for six years (see Table 3).

1.4.3 The Public Prosecutor's Office¹⁷

Between 1948 and 1993 this body was called the Public Attorney Generalship and it was the oversight body of state power. Public prosecutors are appointed by the Minister of Justice for an unlimited period of time; the proposal for appointment is submitted by the Chief Public Prosecutor. The exercise of any other profitable activity - with the exception of management of one's own property and research, pedagogical, publishing and art activities - is incompatible with the position of public prosecutor.

The Chief Public Prosecutor is a woman. Of the 43 public prosecutors, today 19 are women. The High Public Prosecutor and his two deputies are men (see Table 3). At the High Public Prosecutor's Office in Prague, there are 51 public prosecutors, 19 of whom are women. At the High Public Prosecutor's Office in Olomouc, there are 23 public prosecutors, 4 of whom are women.

The fact that in terms of the total mass of women in the judiciary women have always predominated and still predominate in the area of public prosecution, is due, firstly, to the security this position offers women who plan to have children, and secondly, the low salaries offered (up until 1997). Public prosecution has always been an area with a predominant number of women. Public prosecution could be called a "feminised profession" in the Czech judiciary because it has all the typical features of a feminised profession, such as low salaries and low prestige in comparison with the other professions (which is a consequence of as well as a cause behind the lower percentage of men in these professions), the security of the position (which attracts women), and it being governed by the state (which also gives women a greater chance of success). At the same time, the fact that this profession has become greatly feminised has definitely contributed to the stagnation of the salaries of public prosecutors.

1.4.4 The Czech Bar Association

Before 1989 the Bar Association in the Czech Republic was not very large. The number of advocates was only in the dozens. After 1989 the number of lawyers multiplied tenfold (for

¹⁶ This court consisted of twelve judges appointed by the President of the Republic upon a proposal from the Federal Assembly of the Czech-Slovak Federative Republic; the Czech and Slovak Republics each had six judges.

¹⁷ Public prosecution ensures the exercise of the State's right to prosecute people who have committed or are held to have intended to commit a crime. Public prosecutors file lawsuits in courts and represent the plaintiff in court proceedings.

example, in Prague there were approximately 1800 lawyers after the revolution). In 1991 the salary brackets increased greatly in the Czech Bar, and as a consequence many public prosecutors transferred to the Bar Association. Typical features of the Association are a high degree of independence in the organisation of work, time and clients, and also great prestige.

Up until 1997, at which time the salaries of public prosecutors were equalised to match those of lawyers (an increase of roughly 300 %), women in public prosecution had predominated greatly in comparison with the number of those in the Bar Association. After parental leave, returning to the Bar Association is very difficult, if not impossible. Given the fact that the salaries in these two areas have become equalised, public prosecution will now also be more advantageous financially for women; on the other hand, it will result in increasing competition from incoming men (the increasing number of men among public prosecutors is clear even now).

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The relatively high percentage of women in most of the judiciary bodies of the Czech Republic is likely due to the lower salary levels and the relatively low prestige of even such high positions compared to the other professions, such as the Bar Association or other political positions. The relatively large percentage of women in the judiciary bodies, and the fact that women are chairs of some of these bodies (Supreme Court of the Czech Republic, Public Prosecution), is often used by politicians and the media as an argument to prove the political and civil equality of opportunities for women and men, and that high positions are available to women.

1.5 Women's Representation in the Trade Unions

Hana Hašková and Petra Rakušanová

Trade unions have a long history in the Czech Republic. But if we compare the degree of organisation in trade unions before and after 1989, we see a significant drop, from almost 100 % of all employees organised in trade unions in the 1980s, to approximately 30 % at the beginning of the 21st century. The “almost 100 %” organisation of employees in trade unions before 1989 was the result of trade unions membership having “voluntarily obligatory” status and quite paradoxical because there was basically only one type of employer, and that was the state. The state owned almost all companies and institutions, with the exception of co-operatives. The drop in the trade union organisation after 1989 was due to people's negative reactions to collective associations and also due to the economic restructuring, especially privatisation (Maříková 2002).

1.5.1 The Position of Women in the Trade Unions

Along with the drop in the degree of organisation in trade unions after the Velvet Revolution, we have also seen a general abolition or restriction of some social measures that were in force before 1989. This closing down or restriction of social services led, e.g. to changes like the liquidation of nurseries and kindergartens provided by employers¹⁸ and reductions in the scope and the relative financial amount of benefits (such as financial contributions for summer camps for employees' children). This affected working parents, especially mothers, who, in the Czech Republic, assume the majority of the childcare responsibilities (e.g. Čermáková et al. 2000; Čermáková et al. 2002). However, not all of the former social services were seen as being of high quality. Also, depending on the prosperity of the sector, the prosperity of a particular company and the degree of trade union organisation, some trade unions have managed to implement new collective agreements containing additional employee benefits since 1989.

However, a gender-sensitive analysis of the function of trade unions shows that it is especially men and people over 45 years of age that are most commonly organised in trade unions. Women with small children are thus not among those who are frequently organised in trade unions. This is especially due to the gender-based character of the horizontal segregation of the labour market, as women are concentrated more than men in those sectors of the labour market which do not have strong trade unions (such as trades, restaurant services and other services). The range of benefits provided to employees' families or employed parents are thus small there as well. Conversely, the additional benefits provided to employed parents or their families are greatest in the industrial sector (this sector has the highest levels of trade unions organisation) (Maříková 2002). In industries where the organisation into trade unions is greatest (such as in the metalworking and mining industries) men traditionally predominate.¹⁹

Today, the Czech-Moravian Confederation of Trade Unions (*Českomoravská konfederace odborových svazů, ČMKOS*) is the largest and most influential trade union organisation

¹⁸ After 1989 there was a significant drop in the number of nurseries and kindergartens. The providers of these childcare facilities have differentiated, and the quality of the childcare facilities has differentiated as well. Only nurseries and kindergartens provided by employers disappeared almost completely.

¹⁹ According to the amendment to the Labour Code, which came into force on 1 January 2001, it is possible to establish not only trade unions but also employee councils. Employee councils have a similar function as the trade unions but can be established in enterprises with at least 25 employees. Trade unions can be established in enterprises with as few as three employees (Maříková 2002).

in the Czech Republic. There are no women in its four-member presidium. Studies on trade unions (e.g. Hašková and Linková 2002; Pleskot 2000) have shown that their attention since 1989 has concentrated primarily on the issue of employee sacking, failure to observe working hour regulations, and salaries (which are very low in the feminised sectors of the labour market). This situation to a large extent mirrors the demands of employees. Measures aimed at harmonising the work and family responsibilities of employed men and women have not, however, received much attention in the period after 1989. With respect to family-oriented policies, in addition to the above-mentioned interests, trade unions focus mainly on the issue of maternal and parental leave.

Issues concerning family-friendly forms of work did not appear on the trade unions' agenda until the end of the 1990s, even though forms of work such as flexible working hours, part-time work (only 10 % of employed women in the CR work part-time), home-working, teleworking, job sharing, etc., had been introduced, or their use intensified by the arrival of foreign employers in the Czech labour market and by the changes in the nature of work that occurred along with, for example, wider use of new technologies (such as computers). Though these forms of work could be considered family-friendly, their use might also give rise to other specific problems, such as low salaries, low job security, etc. (see e.g. Hašková and Linková 2002; Maříková 2002; Pleskot 2002).

Although the vast majority of both men and women in the Czech Republic are employed on a full-time basis and with a permanent contract, for a long time trade unions failed to establish the prohibition of chaining temporary contracts, which particularly put young women and mothers at risk. The law has changed recently, however. The abuse of chaining temporary contracts was monitored by trade unions, for example, in supermarket chains (which mostly employ women), and where trade union organisation is one of the lowest. This was also due to fact that some of these companies have tried to prevent trade unions from being formed at the workplace. But there have also been cases of teachers' temporary contracts being chained for ten months (the length of the academic year) in order to avoid paying them a salary during summer holidays.

1.5.2 The Trade Unions' Committee for Equality

It was mainly in connection with bringing the Czech Labour Code, the Act on Employment, and the Act on Salary and Pay into alignment with the *acquis* that the topics of gender discrimination, equal opportunities and equal treatment for men and women, gender equality, and sexual harassment began entering the discourse on labour. While some of the topics (especially gender discrimination on the labour market) have entered the public and media discourse and become perceived as social problems, others (especially sexual harassment) have entered the public and media discourse completely misunderstood. The media, the Czech public, as well as representatives often speak about this issue using a derogatory term, which is based on its aural similarity with the original English term "harassment"; the Czech term has scornful and deriding connotations, which completely obliterate the power aspect of sexual harassment.

On 6 June 2002, a Committee for Equality was also established in the Czech-Moravian Confederation of Trade Unions (*Českomoravská konfederace odborových svazů, ČMKOS*). This Committee has nineteen members, all of whom are women (unlike the zero representation of women among the leaders of the ČMKOS, which represent the individual trade unions). In the sphere of labour, the Committee concentrates on the implementation of equal opportunities in access to employment, the improvement of working conditions for

women, and equal remuneration for women and men. An integral part of their efforts is especially the implementation of gender mainstreaming into the basic programme documents of the Confederation and the individual trade unions. In addition to these activities, the Committee plans to create an effective framework for co-operation with the Ministry of Labour and Social Affairs, where a department has been established to address the issue of the equality of men and women. The Committee also participates in an International Confederation of Free Trade Unions (ICFTU) project titled "Support for the Policy of Equality of Men and Women in Trade Unions of Central and Eastern Europe", and in a three-year campaign of the ICFTU called "Trade Unions for Women, Women for Trade Unions", which started in 2002 (Narovcová et al. 2002). However, the Committee for Equality is only an advisory board of the ČMKOS and women working for the Committee do their work voluntarily, in their free time, and without any systematic financial support from the ČMKOS.

To sum up, after 1989 there was a significant drop in trade union organisation as a result of the negative reactions people exhibited towards collective associations, and owing to the economic restructuring and the fact that many private companies tried to prevent trade unions from forming in their workplaces. Due to the gender character of the traditional horizontal segregation of the labour market, women in particular are concentrated in those sectors of the labour market in which trade union organisation is lower. Even though there is a long tradition of full-time employed women in the Czech Republic, the changes that took place on the labour market after 1989 led to a higher level of unemployment (especially long-term) among women than men, to an increase in the gender pay gap, and to reduced benefits especially in several sectors which chiefly employ women. To a large extent the trade unions reflect the demands of employees in the topics they deal with, but they are not always successful in the tripartite negotiations between trade unions, employers and the government. Moreover, topics of gender discrimination, equal opportunities and equal treatment for men and women, gender equality, and sexual harassment did not enter the trade union discourses until the end of the 1990s, and only some of these topics are perceived as real social problems. Also, no institutionalised body for equality was established within the trade unions until 2002, and as a result it is still difficult to evaluate its real activities. It is clear, however, that the body consists of representatives of one gender only (women) and its activities are voluntary, unpaid and only advisory.

I.6 Women's Non-governmental Organisations and Women's Groups in Left- and Right-wing Social Movements

Hana Hašková and Marta Kolářová

I.6.1 Civil Society before and after 1989²⁰

When the Communist Party took over in 1948, civil society in the country became one of the greatest enemies of the regime because it supported the individual and group sovereignty of citizens. After 1948 the legislation pertaining to the right of assembly by citizens was modified and severely curbed. According to Potůček (1997), the number of non-profit organisations fell in 1948, from 60,000 to 683, and these organisations were incorporated into the unified National Front. The state also controlled and organised a number of leisure time activities for children, youth, adults and seniors. A further increase in the control of associations by the state occurred in the 1970s in reaction to the Prague Spring of 1968.

For a closer look at the civil organisations and informal networks that existed in communist Czechoslovakia, Kubik's (2000) classification of civil society in authoritarian regimes could be used. It has to be stressed, however, that there are many more, different classifications of civil society in state-socialist regimes.

According to Kubik there are four main types of organisations and informal networks:

Official associations or pseudo-civil society, understood as organisations fully controlled by the state, were supposed to pretend to carry out the functions of democratic civil associations. Organisations active during that period that meet this criterion include e.g. the Czechoslovak Union of Women (*Československý svaz žen, ČSSŽ*) and the League of Czechoslovak-Soviet Friendship (*Svaz československo-sovětského přátelství, SČSP*). Membership in these organisations was not formally obligatory, but informally it often brought its members benefits and services, which resulted in mass membership in these organisations. In 1984 the federal Czechoslovak Union of Women had, for example, more than one million members.²¹ Some of these organisations dissolved after the fall of communism, others – such as the Czech Union of Women (*Český svaz žen, ČSŽ*) – redefined their activities.

The second type of civil activity that existed under the authoritarian regime in this country were *networks anchored in informal economic activities*. These are characterised as networks based on quasi-legal, unofficial and mutually beneficial relations, which took on the character of a patron and a client. Today, experts cannot agree whether the legacy of these networks is the main obstacle to the consolidation of civil society or, conversely, the basis of civil society and the market economy.

The third type of organisations was "*opposition*" or "*dissidence*" groups. Their existence was often based on the principle of seeking gaps in the existing laws that would provide at least a partially official status for the organisation (e.g. Committee for the Defence of the Unjustly Persecuted (*Výbor na obranu nespravedlivě stíhaných, VONS*)). These groups had a very narrow membership base and often faced state persecution. The existence of informal support networks was crucial to their survival. However, they played a very important role in the creation of alternative sources of information and also helped change people's mentality.

²⁰ This section is written according to the information included in an unpublished paper written by Hana Hašková and Petra Rakušanová (2003).

²¹ Two years later, the Communist Party had approximately 1.3 million members (even after massive purging between 1969 and 1971, during which approximately one-half of its members were expelled).

The last type of civic organisation, according to Kubik (2000), was *organisations sponsored by religious institutions*. These organisations were able to survive only because the position of the church was tolerated. Many church representatives, however, were persecuted. Church organisations were also fragmented: on the one hand there was the Czechoslovak Association of Catholic Clergy (*Sdružení katolických duchovních "Pacem in Terris", PACEM*), which supported the regime, and on the other hand there were individuals and groups that provided aid to dissident groups and participated in the functioning of the underground educational system. After 1989, church organisations became actively involved in important charity events. It is true, however, that Czech society (unlike Slovakia) remains highly secularised.

While in 1989, before the fall of the communist regime, there were approximately 2,000 organisations (including individual organisational units of the National Front (*Národní fronta*), chambers, and interest organisations), in 1992 there were approximately 20,000 civil associations, and four years later the number reached 37,000 organisations. After the change in legislation in 1997, the number fell to 55 foundations, 695 foundation funds, and 560 public benefit corporations (Potůček 1997).

According to the survey "Consolidation of Democracy in Central and Eastern Europe 1990–2001", men generally play a more active role than women in interest, non-profit and political organisations. As for the civic engagement in leisure activity associations, sport clubs, and local associations, in all cases the participation of men is significantly higher than that of women. Women slightly but consistently outnumber men in religious associations and student organisations. As for the political and social movements, environmental organisations and professional associations, men slightly (but in the long run rather insignificantly) outnumber women. Between the revolutionary beginning of the 1990s and the year 2001, civic participation in the Czech Republic fell significantly. The fall in participation was more pronounced among women than among men.

1.6.2 Women's Non-governmental Organisations

Women's Non-governmental Organisations in the Czech Republic before 1989

The Czech Republic is among the countries featuring a long tradition of women's organisations. They started to develop in the 19th century and continued until the Second World War. Some of them resumed their activities shortly after the war period, until the long-term interruption by the communists in 1948. It might be summarised that before the communist era, Czech feminists were actively interconnected with international women's organisations and, along with them, addressed the issues of women's education and suffrage. Shortly after the declaration of the independent Czechoslovak Republic in 1918, all the faculties at the university and technical school were opened to Czech women. The new republic also acknowledged women's active and passive right to vote, both in the elections to the local councils (1919) and in elections to both houses of Parliament (1920). In 1923 the Women's National Council (*Ženská národní rada*) was established, and later (with the support of 70 women's organisations) strived to assert the rights of women within the legislative processes (Uhrová 1994). Senator F. Plamínková was one of the key women in the Czech women's movements before World War II. In 1942, she was executed by Nazis.

In 1946, the Women's Council (*Rada žen*) became the chief body representing women's rights; the Women's Council was headed by Dr. M. Horáková (executed in 1950 in a show trial for alleged treason and espionage). In 1950 the Women's Council (*Rada žen*) and the Union of Slovak Women (*Zváz slovenských žien*) joined to become the unified Czechoslovak

Women's Union (*Československý svaz žen, ČSSŽ*). The emergence of the Union was preceded by a stormy process of uniting and abolishing various women's groups and organisations. In the early years of the activities of the ČSSŽ it focused primarily on propagating the work of women in industry and agriculture, and on supporting communist policies. According to Sloat (forthcoming 2004), communist women's councils (such as the Czechoslovak Women's Union) were organised by communist parties in all Central and Eastern European Countries in order to symbolise the importance of women's issues under state socialism.

However, in Czechoslovakia even the ČSSŽ was dissolved under state socialism after 15 years of existence, to be replaced, following the Soviet model, by women's committees; these committees were set up as the auxiliary bodies of local National Committees. In 1967, however, the Communist Party once again convened the ČSSŽ congress and in connection with the federative organisation of the republic (1968) set up the Czech Women's Union (*Český svaz žen, ČSŽ*) (Uhrová 1994). ČSŽ has survived to the present. The current work of this organisation focuses, e.g., on programmes for rural women, but it also takes part in raising money from European funds.

To sum up, even though such topics as a woman's right to abortion or women's access to a wide range of paid jobs were raised in the Czechoslovak Socialist Republic, Czech women already living under the communist regime were completely unaffected by the international development of the second wave of feminism (e.g. Havelková 2002b). Such topics were introduced in a situation in which individual freedom was repressed and the right of assembly by citizens severely curbed (Havelková 2002c). This means that women could not articulate their aims by themselves in public discussions and could not articulate their view of governmental policies, which claimed to be liberating women through an emancipation project.

Legislative Position, Number and Character of Women's Non-governmental Organisations after 1989

New women's organisations began forming in the Czech Republic as early as 1990, and a few women's organisations (that existed before 1948) were also re-established at that time. The first ones included representatives of a wide range of interests and focuses: e.g. Association of Women Entrepreneurs and Managers (*Asociace podnikatelek a manažerek*), Single Mothers Club (*Klub osamělých matek*), Women's Commission in the Jewish Congregation (*Komise žen při židovské náboženské obci*), and many others dealing with a variety of different issues. Alongside these, non-governmental organisations connected with political parties, such as Social Democratic Women (*Sociálně demokratické ženy*) or Left-wing Women's Clubs (*Kluby levicových žen*) were established.

At the beginning of the 1990s there were already over 70 foundations with the status of women's NGOs in the Czechoslovak Federative Republic (Čermáková 2000). When the new Act on Foundations and Endowment Funds came into effect on 1 January 1999, all the organisations still registered as foundations had to re-register, either as a foundation, endowment fund, public benefit corporation or civic association. Foundations, however, had to invest an untouchable basic capital of a minimum of CZK 500,000 (today approximately EUR 16,700). Moreover, foundations and endowment funds were not allowed to undertake any activity on their own, apart from raising and providing money for certain activities to other organisations. However, the government decree of 1997 decided that money obtained from the National Property Fund would be distributed within the non-profit sector only to those organisations which remained foundations even after re-registering. This legislative change made the situation difficult for the majority of women's NGOs because they were not

included among those who received money from the National Property Fund (with the exception of the Czech Women's Union (*Český svaz žen, ČSŽ*)) (Marksová-Tominová 1999).

Today, the women's organisation Gender Studies (*Gender Studies, o.p.s., GS*) publishes a register of Czech and Slovak women's non-governmental organisations. The Ministry of Labour and Social Affairs of the Czech Republic and National Contact Center - Women and Science (*Národní kontaktní centrum - Ženy a věda, NKC*) use the information from this register in their own registers of Czech women's and gender equality-focused NGOs. Using information from these registers, as well as information from a database of Czech NGOs (run by the Non-Profit Organisation Information Centre) and a directory of asylum shelters and maternity centers, we have found 59 women's organisations (we have been able to contact 45 of them by phone), 134 maternity centres²², 60 asylum shelters aimed at helping mothers and pregnant women, and 21 projects aimed at supporting women's rights or gender equality but addressed by non-profit organisations whose main object of activity is different and which are not contained in the databases of women's organisations.

Among the organisations registered in databases of women's organisations, only a small portion of them defines their activities as feminist. This is due to prejudices surrounding the term "feminism" prevalent in Czech society (Čermáková 1995; Šmejkalová 1998). Some organisations that are focused mainly on promoting women's rights and/or gender equality issues accept being called a "women's organisation", but some others do not attach their identity primarily to the group of "women's NGOs". Duffy (2000) explains that owing to the humiliation of the women's movement under the communist regime, many new women's groups have given priority to associating themselves primarily with a group other than women (family, community). Based on the interviews with NGOs that focus mainly on women's rights and/or gender equality, it may be said that the members of such organisations may argue against including the NGO among the group of "women's NGOs" because the NGO does not exclude men from its activities. This means that these members use the term "women's NGO" in terms of membership rather than in terms of ideas and activities.

Chaloupková (2002) categorises Czech women's organisations according to following issues: health and health care, violence against women, family and caring for children, professional development of women and the position of women on the labour market, environmental protection, and finally, organisations that deal with the position of women in society in general.²³

According to her, it is also possible to differentiate women's NGOs by the degree to which they strive to provide information and mobilise the general public and the degree to which they strive to influence decision-making institutional mechanisms. In principle, we can distinguish between those whose activities focus on 1) service functions, i.e., help and assistance for specific groups of women (for example, self-help associations of women with cancer) or professional aid and consulting for selected groups of women (for example, victims of domestic violence), and 2) participatory functions, i.e., awareness raising, education and

²² These centres are self-help clubs of parents, especially mothers on parental leave. In addition to leisure time activities for children, some also organise educational courses to facilitate the return of mothers to the labour market after the parental leave. In 2001 they came together under an umbrella organisation with the goal of promoting family values and equal opportunities for men and women. However, most maternity centres concentrate on programmes for children only and therefore cannot be understood as women's organisations.

²³ As part of the project "Enlargement, Gender and Governance" the authors are currently continuing to deepen the analysis of topics to women's non-governmental organisations.

promotion of gender sensitivity among the general public, creation of spaces for the participation in public formulation of women's issues and in decision-making mechanisms that are supposed to address these issues. However, this division of organisations into service and participatory organisations must be understood only as a descriptive instrument, as two ends of a scale along which individual organisations are posited.

Mobilising the public and changing its viewpoints can occur in different ways. Some Czech women's NGOs are active in influencing media discourse and introducing gender studies into the education of students and professionals. Gender-educated professionals are then sometimes expected to also be a bridge between an NGO and a state institution; they are expected to communicate with decisive organisations about specialized work because they are recognised as the "real" experts. Some Czech women's NGOs try to establish discussion platforms between state organisations and NGOs dealing with the same topic; some try to create umbrella associations of women's NGOs and other women's activists for discussions with state organisations – the long-term activity of these umbrella organisations is seen as necessary for them to be widely recognised as permanent discussion partners; a few well-known activists have penetrated into state organisations and lobby there; some women's organisations and academic feminist activists co-operate on commenting on state documents or, e.g. creating "shadow reports" on the fulfilment of the "Priorities and Procedures of the Government towards Enforcement of Equality between Men and Women".

It is accepted by women's non-governmental organisations that communication between the women's non-governmental sector and the state administration has developed somewhat during the accession negotiations. But at the level of the state administration this communication personally affects only those (and not all of those either) who have been appointed to the positions established with the explicit goal of implementing equal opportunities policies and, consequently, co-operating with the women's non-governmental sector. The increase in communication is thus rather a result of the formal necessity to co-operate that has arisen because of the EU accession process. At the same time, "the good exceptions" are not neglected. However, these do not have any power to implement important political changes. Generally, women's non-profit organisations tend to criticise governmental bodies for lacking the expertise, for being inflexible, and for being unwilling to co-operate, but they also understand that the existence of these political bodies is crucial for the implementation of gender equality policies. Therefore in general they are willing to co-operate with them, but criticise the unequal relationship between the non-governmental and governmental sectors (see Hašková et al. 2004 forthcoming).

Public Opinion on Women's Non-governmental Organisations

In the first half of the 1990s, politicians, the media, and men and women in general did not often raise the issues of women's rights and gender equality. Although the situation has changed to a certain extent, newly established women's organisations are still unable to attract the female population. According to Čermáková et al. (2000), most of them exist as organisations of up to ten active women. However, the Czech Union of Women (*Český svaz žen, ČSŽ*), and several associations that were established based on a political affiliation, are exceptions. ČSŽ's exceptional position is based on the fact that it takes advantage of its network of supporters created before 1989.

Moreover, the general population is not aware of the organisations that are active in the area of women's rights and gender equality issues. According to a survey conducted by Taylor Nelson Sofres Factum (*Výsledky výzkumu veřejného mínění o rovnosti mužů a žen*

Table 4. Evaluation of the Usefulness of Feminists and Non-governmental Institutions for the Protection of Women's Rights - Comparison of Men's and Women's Attitudes (%)

| institutions/activists | useful | | not useful | |
|--------------------------------|--------|-------|------------|-------|
| | men | women | men | women |
| non-governmental organisations | 47.7 | 59.9 | 22.9 | 15.5 |
| feminists | 27.6 | 40.6 | 48.1 | 36.6 |

Source: *Výsledky výzkumu veřejného mínění o rovnosti mužů a žen. (Results of Public Opinion Research on the Problem of Equality of Men and Women). 2002.*

Table 5. Evaluation of the Usefulness of the Existence of the Media, Schools, Feminists, Non-governmental and State Institutions for the Protection of Women's Rights by Czech Citizens (%)

| institutions/activists | useful | | not useful | |
|--|-------------------|---------------|-------------------|-----------------------|
| | definitely useful | rather useful | rather not useful | definitely not useful |
| schools and other educational institutions | 39.5 | 37.8 | 9.0 | 2.8 |
| media | 25.4 | 44.9 | 16.3 | 3.1 |
| non-governmental organisations | 14.1 | 40.0 | 15.5 | 3.8 |
| state institutions | 13.6 | 34.9 | 27.6 | 7.7 |
| feminists | 9.7 | 24.6 | 25.0 | 16.4 |

Source: *Výsledky výzkumu veřejného mínění o rovnosti mužů a žen. (Results of Public Opinion Research on the Problem of Equality of Men and Women). 2002.*

2002), only two out of ten people (regardless of sex) are able to provide an example of such an organisation. Given this fact, approximately one-quarter of women and 30 % of men in the sample said that they could not evaluate the contribution these organisations make to the enforcement of women's rights due to a lack of information on their activities.

When naming any Czech women's organisations, most people indicated the Czech Union of Women (*Český svaz žen, ČSŽ*), a women's organisation that functioned in a different form before 1989. They also mentioned the White Circle of Safety (*Bílý kruh bezpečí, BKB*) - which is involved in addressing the issue of domestic violence, and the South Bohemian Mothers (*Jihočeské matky*) - an environmental organisation. Paradoxically, some members of the latter two organisations do not agree on defining their organisations as "women's organisations".²⁴

The marginal position of women's non-profit organisations, however, does not correspond to the importance of their activities. Often, they fill in the gaps that should be filled by educational institutions and the state.²⁵ This corresponds with the fact that in the area of

²⁴ On the other hand, there are less known but active NGOs that define their activities as feminist and deal with topics similar to those dealt with by the two mentioned NGOs.

²⁵ A typical example is the issue of domestic violence, an issue that was completely overlooked until the 1990s when it was opened for the first time by women's non-governmental organisations. These organisations pointed to the tabooed but actual existence of domestic violence in Czech families, the non-existence of legal provi-

women's rights the general public has less confidence in state institutions than it does in non-governmental organisations. However, women's groups that claim to be called 'feminist' are rejected the most by the Czech population. Close to 50 % of men and more than one-third of women consider feminist groups fighting for women's rights to be useless, and another one-quarter in both groups do not know what to think of such groups. This is because 'feminism' has negative connotations in Central and Eastern Europe. Many interpret it as an anti-family, anti-child and anti-feminine ideology. Many associate it with unwanted state interventions and see it as a means for women to gain positions and advantages unjustly (Gal and Kligman 2000; Einhorn 1996; Brethertom 2001).

Property Relations of Czech Women's Non-governmental Organisations

As mentioned above, several women's non-governmental organisations (that existed in the country before 1948) were re-established after the Velvet Revolution. These re-established organisations then claimed their rights to property that had been owned by the pre-1948 organisations.

This was the case, for example, of the Czech Women's Club (*Ženský klub český, ŽKČ*), which operated before the Second World War and then again from 1945 until 1948. In the 1930s, the building of the Czech Women's Club was opened in Prague on Ve Smečkách Street. The building was constructed for the use of women's clubs according to plans designed by a female architect who did not claim any salary for the work. Money for the building was gathered from grassroots sources. In 1990, this club was registered again and at the same time the building was re-claimed. The restitution case concerning the building lasted until 1996, when the government issued a decision whereby organisations seeking to have their property returned had seven weeks to file their claim. Although the claim for the building had by then already been filed at many official places, the ŽKČ representatives were not notified of this new deadline and did not respond in time. Although there was a demonstration organised in support of the ŽKČ property claim, the building has not been returned to them (Marksová-Tominová 1999).

According to Marksová-Tominová's study (1999), other women's organisations have shared similar fates. The Young Women's Catholic Association (*YWCA*), for example, did not win back any of its real estate. Before the Second World War, debts forced the YWCA to transfer the property to the state, coupled with a right of use; however, after 1989 this right of use was not respected. Similarly, even the Women's Educational Club Vesna (*Ženský vzdělávací spolek Vesna*) was not able to reclaim its ownership rights from the past.

Sources of Funding of Women's NGOs and Their Connection to International Networks

The variety of financial resources used by the Czech women's non-profit sector has increased over the last decade. Although in the first half of the 1990s women's non-profit organisations often depended on one financial source (whether on a foreign foundation which funded the

sions that would address this issue, the insufficiency of protective measures for victims of domestic violence, the shocking lack of awareness among the general public as to what to do when faced with domestic violence, and the inappropriate behaviour of the police when investigating these cases. Their activities not only stirred some discussion in the media, but they also helped to some extent to correct some of the above-mentioned problems. Another example is gender education: Almost to date only non-governmental organisations promote gender equality education programmes in primary and secondary education.

Czech organisation continuously for several years, or on Czech state funds), today organisations have to combine various types of sources of funding. There is basically not one women's non-governmental organisation in the Czech Republic funded solely from a single source. The most important sources of financing for women's non-profit organisations are the following: 1) State resources of the Czech Republic – e.g. ministries and other budgetary institutions; 2) the European Union – calls for project proposals organised directly by the European Commission or financial support from EU programmes managed by intermediary organisations selected by the state through grant competitions; 3) other foreign sources – foreign governments, foundations or other organisations (women's non-governmental organisations either apply abroad directly or there is an intermediary organisation that opens grant programmes and competitions for the foreign institution in the Czech Republic); 4) own resources – e.g. membership fees; and 5) commercial enterprises – e.g. sponsorship gifts, advertising.

Representatives of women's NGOs generally feel that the volume of available sources of funding is decreasing. It is argued that funding of non-profit organisations, provided by the State through individual ministries, has been cut drastically. Also, for some NGOs the financial support provided by the "parent" organisations (whether Czech or foreign) was reduced substantially. Initially, these "parent" organisations funded some Czech organisations as projects and during the launch period covered all the operating costs of these new organisations.

The dependence of a number of Czech women's NGOs on foreign financial sources is one of the reasons why they are highly concerned about the changes in accessibility of EU (and also other foreign) funds during and after the process of the Czech Republic accession to the EU. As the process of democratisation and EU accession has passed, the opportunities for Czech NGOs to secure funding from foreign sources have been changing. The changing conditions surrounding financial sources have made the situation difficult for some NGOs.

With the Czech Republic's accession to the EU, many women's NGOs see new opportunities for building contacts and funding their activities. However, the majority of women's NGOs feel unprepared to apply for this type of support. At the same time, some women's NGOs have voiced criticism of state institutions because in several cases these institutions have neglected to prepare the ground for using these funds. The present and near future have been termed an interim phase by many women's NGOs because the support from sources of funding used in the past is being restricted or abolished, and at the same time organisations are not able to take advantage of funding from newly available sources.

At the moment, most Czech women's organisations receive funding from grant projects, and this has dramatically changed the nature of time, thematic, personnel and "networking" co-ordination within the organisations. Much effort is spent on preparing project applications and searching for potential grant competitions. Also, the thematic orientation of organisations is not solely up to the choice of its members; it is sometimes necessary to change the topics slightly according to the thematic areas of the open competitions. According to Gal and Kligman (2000), NGOs in such a situation are less effective in promoting their own agenda for change because they have to modify their agenda according to the viewpoint of the foundation – source of money. Moreover, it is also argued that the relationship between Eastern European NGOs and foreign foundations might be influenced by the fact that foreign organisations do not always fully understand the context and needs in the Eastern European country (Sloat 2004 forthcoming).

The situation of Czech women's NGOs illustrates that even though foreign funds are distributed by a national agency in the Czech Republic, these do not necessarily meet the specific needs of the country. Marksová-Tominová (2003) uses the example of EU funding to

demonstrate this: “the fact, that the allocation of (EU – *author's note*) funds has been done mostly by Czech agencies, which are not gender sensitive at all, made it difficult for Czech women's NGOs to apply for this type of funding”. To illustrate the gender-blindness of Czech officers who are charged with distributing EU funds among Czech NGOs, she cites several cases, e.g. “One of the two Czech agencies distributing EU funds since the beginning of 1990s, the National Training Fund (*Národní vzdělávací fond, NVF*), has just recently published a draft document on the strategy of human resources development for the Czech Republic. This 53-page document does not mention gender issues at all. This agency will remain working as distributors of the funds even after the accession and it is question, how it can become gender sensitive, if there isn't any pressure from the EU” (Marksová-Tominová 2003).

Due to the lack of grassroots resources and that the money received from national institutions has been insufficient, many Czech women's NGOs have had to focus on foreign financial support. This has remained one of the conditions for starting and maintaining activities among many Czech women's NGOs. Thus, international networking has also been very important.

This kind of important meeting of representatives of women's NGOs in the Eastern and Western blocs took place as early as 1991. It involved the connection of the Czech women's non-governmental sector to the Network of East-West Women (NEWW), which supports women's organisations in the post-communist countries. In 1995, the representatives of women's NGOs participated in the “World Conference on Women” in Beijing. Members of Gender Studies (*Gender Studies, o.p.s., GS*) were involved in founding the Karat Coalition – a network of women's organisations from Central and Eastern Europe. Within the coalition, they worked on the “Beijing+5 Process” (Simerská 1999) and then became involved in projects dealing with women and EU accession. Czech women's organisations have also joined other women's international networks and international networks connecting NGOs with other foci.

Umbrella Women's Organisations and Activities

Despite the general perception of civic activities of women's NGOs in the CR as fragmented and mutually divergent, many women's NGOs have proven that they are able to come together under umbrella organisations, in spite of the fact that they may differ greatly in terms of their members, property, organisational structure, legal status, regional location, thematic focus, strategies or even acceptance of feminism as their ideological basis.

For example, as early as 1990, the Women's Council (*Rada žen*) was established as an association of women's organisations and initiatives aimed at supporting the fulfilment of the “Convention on the Elimination of All Forms of Discrimination Against Women” (CEDAW). In 1993, the Women's Council dissolved. In the same year, the Democratic Alternative (*Demokratická alternativa*) was founded by smaller right-wing women's organisations in order to create a counterbalance to the large, left-wing oriented Czech Women's Union (*Český svaz žen, ČSŽ*) established in the 1960s (Marksová-Tominová 1999). Several umbrella organisations were also created because of their shared thematic focus. In 1998, the Association for Equal Opportunities (*Asociace pro rovné příležitosti ARP*) was established as a civic umbrella association of several independent experts and more than twenty women's NGOs with different focuses but a similar date of foundation: after 1989. The association aims to support the implementation of equal opportunities for men and women in their participation in political and public life. The association annually comments on the document “Priorities and Procedures of the Government in Promoting Equality of Men and Women” (*Priority a postupy vlády při prosazo-*

vání rovných příležitostí mužů a žen). In lobbying, it has co-operated with the Union of Catholic Women (*Unie katolických žen*) (which has a different programme) and with ČSŽ (which starts from an historically different position); these three groups issued a joint statement appealing to the government to establish a “Government Council for Equality of Women and Men” (*Rada vlády pro rovnost mužů a žen*). Also of importance is that representatives of the ARP have been elected into governmental structures. However, for a long time the ARP had no financial support, which partially explains why its activity has been very limited.

The civic association Gender Studies (*Gender Studies, o.p.s GS*) works unofficially as a platform for liberal Czech women's NGOs. The centre was set up in 1991 in the flat of the dissident feminist sociologist Jiřina Šiklová.²⁶ Among the co-founders were several other female university pedagogues and researchers. One of the great successes of the GS has been the introduction of gender studies at Czech universities and the establishment of a library for gender studies in the Czech Republic.²⁷ However, these activities would not have been possible without major foreign financial support (Simerská 1999).

Although from the preceding text one could consider Czech women's NGOs to be a good example of well-organised and active NGOs, the situation is not that clear. There is competition between women's NGOs within the country, which makes it sometimes hard for them to co-operate instead of competing with each other for funds. Active links between women's non-governmental activities are more likely to survive when they are based on similar themes, however. Alliances that draw together important fractions among the Czech women's non-governmental sector, e.g. in order to enforce the establishment of an institution or to adopt an international document, are only temporary, or their activities are intermittent.

The aforementioned examples of the established umbrella organisations reveal some of the basic fractions in the Czech non-governmental sector between, e.g. a number of “liberal” women's NGOs that were created after 1989, Christian-oriented women's groups, and the Czech Women's Union which was created in the pre-1989 period. Some representatives of women's NGOs, however, suppose that after the change in financing non-governmental organisations expected after the accession of the CR to the EU (the need to create large-scale projects), far greater emphasis will be placed on creating networks of co-operation among organisations.

1.6.3 Women's Groups in Left- and Right-wing Social Movements²⁸

Social movements, as a network of informal interactions between individuals and groups sharing a collective identity and involved in political or cultural conflicts (Diani in Znebežánek 1997: 29), only began to function in the Czech Republic after the fall of communism

²⁶ In 1992, GS was officially registered as a non-profit, non-governmental organisation, and two years later moved from Šiklová's flat. Gender Studies publishes its own papers, provides an information service on the activities of Czech women's organisations, organises lecture series, provides Internet discussions on gender issues and an Internet magazine offering information relating to feminism and gender issues. It also provides a collection of historical materials and works by activists from the Czech Women's movement of the late 19th and early 20th centuries.

²⁷ University education in gender studies was initiated in the early 1990s, mainly as an activity of GS. However, the first institutionally-based compact study programme in gender studies was only opened in the year 2000/2001, at the Faculty of Philosophy of Charles University in Prague in the Social Work Department.

²⁸ This chapter is based on the forthcoming master's thesis of M. Kolářová, which should be published at Charles University in 2004.

at the beginning of the 1990s. Participation in social movements differs from activities in non-governmental organisations in the following aspects: it is less formal, is based on volunteers, and there is a loose membership. Women participate in all forms of social movements right across the broad political spectrum. This chapter focuses mainly on movements of radical left-wing groups and the extreme right wing, covering female activities on both ends of the political spectrum.

Women's Groups within the Radical Left-Wing Movement

The radical left-wing, or 'anti-capitalist movement' (since 1998 also called the 'anti-globalisation movement'), is comprised in the Czech Republic of anarchist, anarchist-communist, socialist, radical environmental, and anarchist-feminist groups (Bastl 2001). Although the movement professes equality as its main value, the representation, position and role of women in the movement are not equal to that of men. The average representation of women is around 20%, and that number varies according to the type of group. Organisations focused mainly on class war (anarchist-communist, socialist) and organisations using violent techniques (anti-fascists) have very few women. Leaders of mixed (male and female) groups are always men. The division of activities in anti-capitalist movements copies the gender division of labour in society at large – and this is a universal characteristic that also appears in other social movements (West and Blumberg 1990). Women get more involved in groups that are supportive and care-oriented. Women therefore form the majority in groups such as Food Not Bombs (an anarchist group preparing food for the homeless and at demonstrations) and in groups of medical personnel who treat the wounded at conflict demonstrations. Women are also active in movements of groups promoting animal rights and groups campaigning against war.

However, women are the most active in groups that reflect gender topics (an autonomous direction of anarchism, anarchist-feminist and socialist female groups). But substantial conflicts occur even among the radical left-wing female groups: while socialist women's groups reject feminism because they understand class oppression as primary and therefore superior to the oppression of women, anarchist-feminist groups endorse feminism directly. Separate female and feminist groups within the anti-capitalist movements usually originate from the same root: as a response to the sexist behaviour of men in the movement, and from the need of women to emphasise the gender issue within the movement (compare West and Blumberg 1990: 17, 21).

In the 1990s there were several feminist and female groups in the Czech left-wing movement: in the years 1995–1996, the female anarchist group Luna (*Luna*) published the magazine "Esbat" and organised several cultural events and lectures. In 2000, a group of girls endorsing the movement Riot Grrrls began to issue the magazine "Bloody Mary" and they have continued with this occasional activity up to the present. A better known group, the Feminist Group of March 8th (*Feministická skupina 8. března*), was founded in 2000. This group organises annual celebrations of "International Women's Day" and also organises demonstrations against the organisation Movement for Life (which promotes restrictions on abortion accessibility). The group also organises lectures and issues two magazines. In 2001, the Socialist Alternative of Women (*Socialistická alternativa žen*) separated as a group from the socialist organisations and issued an information bulletin. Another left-wing women's group established the magazine the "Socialist Voice of Women". These activities of socialist women were sporadic, and ceased altogether in 2002.

Women's Groups within the Radical Right-Wing Movement

In the Czech Republic the radical right-wing movement is made up of neo-Nazi, fascist, nationalist and right-wing skinhead organisations (Fiala 1998). The participation of women in these groups is even lower than in the left-wing radical movements, with only about 5 % of the members being women, on average. This might be partly due to the violent activities, but primarily because the ideology does not acknowledge the equal standing of women, mainly relegating them to the roles of mothers and supporters of men. Women get involved in the movement usually through their partners or brothers, and are often viewed only as sexual objects. The leaders of such movements are usually only men.

Nevertheless, separate female groups have also appeared within the radical right-wing movements and have issued their own magazines. (Several issues of the women's magazines "Freya" and "Walkýra" were published in the mid-1990s). However, these right-wing women's groups concentrate usually on humanitarian activities and do not question the traditional woman's role as defined by the movement (compare Blee 2002). Currently, there is a Women's Union (*Svaz žen*) operating within the organisation Knights of the Sun Circle. They are oriented around providing support for imprisoned members of the movement.

Academic Feminism, Women's NGOs and Anarchist Feminists

The participation of women in radical social movements in the Czech Republic is low even though feminist activities develop within the radical left-wing social movement. At present, it is particularly the anarchist-feminist stream that is active, but it has only a few, occasionally active members. It co-operates minimally with women's NGOs and defines itself in opposition to streams of liberal feminism (which it ascribes to women's NGOs) and academic feminism (which it regards as being reformist).

Anarchist-feminism can be understood as an activist stream of the women's movement in the Czech Republic, one which has developed after ten years of development and some co-operation between academic feminists and women's non-profit organisations. Development within the activist stream (separation from the radical left, criticism aimed at the current women's movement) runs parallel to the processes in the origin and formation of the second wave of the feminist movement in the West in the 1960s and 1970s (compare Ryan 1989). In its practice and rhetoric, the activist Czech anarchist-feminist stream has not advanced into the third wave of feminism, marked by an emphasis on diversity among women.

It may be concluded that women have played an important part in the process of the democratisation of society and the development of civil society in the Czech Republic. They participate both in different social movements as well as activities focused directly on the promotion of women's position in society. Although women mostly participate in activities supporting human rights and democratic values, a very small portion also perform activities that are clearly undemocratic, as demonstrated by the radical right-wing movements.

After the Velvet Revolution, several women's non-governmental organisations that existed before 1948 were re-established and new women's non-profit organisations were established. However, women's organisations are usually unable to attract a larger portion of the Czech population and the population is usually not aware of their activities.

The ideological starting points as well as the activities of women's organisations span a very wide spectrum. They differ with respect to the degree to which they strive to help spe-

cific groups of women, provide information and mobilise the general public, and influence decision-making institutional mechanisms. We might also distinguish between organisations according to their thematic focus and group identity. The fact that there is no consensus among the members of several organisations that focus of supporting women and women's position in the society about their group identity (feminist/ women's/ other) may be partly explained through the negative prejudices towards feminism and the distrust directed towards the earlier ideological project of emancipation.

With respect to financial sources of women's non-profit organisations, it may be concluded that although in the first half of the 1990s women's NGOs often depended on one financial source (whether foreign or Czech), today organisations have to find more sources of funding. At the same time, international networking and foreign financial support have been very important for Czech women's NGOs since the beginning of 1990s.

Pinder (1994) writes that if the transition to democracy is to be successful, civil society must be strongly in control of the government. According to Gal and Kligman (2000), civil society should not be seen as institutions and organisations alone, but also in terms of the way that they produce an ideological foundation that affects the boundaries between state and non-governmental organisations. Czech women's NGOs recognise this responsibility and try to develop strategies to influence decisive institutions of the state as well as other social mechanisms that maintain gender inequalities in the society. Mutual co-operation between women's NGOs is limited, however, and even though communication between the non-governmental and governmental sector has increased, this is mainly due to the formal necessity to cooperate which has arisen as a result of the process of the accession of the Czech Republic to the EU. It may be concluded that after more than ten years of building civil society in the Czech Republic, women's NGOs are rather weak with respect to their impact on overall social relations and their influence on political decisions.

An even weaker impact on politically decisive processes and social relations may be ascribed to other women's groups, which began appearing especially during the second half of the 1990s as an activist stream in the Czech women's movement. In particular, anarchist-feminist and socialist women's groups surfaced as activist groups of mainly young female students. They distance themselves from women's NGOs as well as feminist academics and are not willing to cooperate with the state bodies. These left-wing women activists are involved in humanitarian activities, but are also oriented towards issues of equality among men and women in society. However, their numbers and activities are very small in comparison with women's NGOs. There are also women's groups active in the radical right-wing movement, but their activities do not challenge the traditional conception of a woman's role, and in any case cannot be viewed as democratic. By forming these women's groups, however, they are reacting to the low position women occupy in this social movement.

Part II.

**Policy Initiatives and Tools to Promote
the Participation of Women and Gender
Equality in the Process
of the Czech Republic's Accession
to the European Union***

Dagmar Lorenz-Meyer

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II.1 Introduction

While key actors in the European Union may not be aware of the specific patterns and strategies of the civic and political participation of women in Central and Eastern Europe, the lack of women's representation in key positions of power and decision-making in the old and new Member States has been relatively widely publicised. Within the EU, the Third Medium-Term Action Programme on Equal Opportunities between Women and Men (1991-1995) was the first instrument to focus on equal participation of women and men. In 1996 the European Council Recommendation 96/694/EC called on EU Member States to take specific action to increase the number of women in decision-making bodies. Equal participation of men and women has since been considered 'a key element in the achievement of real equality between the sexes' (CEC 2000a, 5), and its systematic promotion is one of the five strategic objectives under the current Community Framework Strategy on Gender Equality (2001-2005). Both the European Commission and the European Parliament have set targets to increase the participation of women from the current 28 % in the Commission and 32 % in the Parliament, to 40 % and 50 %, respectively. The European Parliament explicitly endorses the use of quotas as a transitional measure to bring more women into decision-making positions.

In the context of EU enlargement, the Commission's Annual Reports on Equal Opportunities and the Regular Reports on Progress towards Accession have included statistics on the low representation of women in the acceding countries' parliaments and governments. Furthermore, the Commission's Directorate General Enlargement (DG Enlargement) that co-ordinates the work of the European Commission under the pre-accession strategy¹ has committed itself to inserting a gender equality perspective in the 'accession driven' activities 'institution and capacity building' and 'investment' for strengthening regulatory infrastructure, which are funded under the PHARE programme (CEC 2001a). The government of the Czech Republic, for its part, has asserted in its recent National Action Plan for Employment (which is part of its Accession Partnership) that '[o]ur objective is to create a society in which men and women have equal opportunities, rights and duties in all important aspects of life' (Government of the Czech Republic 2002, 57).

Yet, the proclamation of the European Commission that '[g]ender equality is an integral part of the enlargement process' (CEC 2000b, 24) and the role of the European Union as a regional and global actor and catalyst for gender equality and the full social and political participation of women has been put into question both within and outside the EU. The United Nations Economic and Social Council, for example, has admonished that the 'gender dimension of the transition process has got little attention at policy levels in all [candidate] countries [although] ... women and men unevenly participated in its costs and benefits' (UN Economic and Social Council 2002, 1). Central, Eastern and Western European women's organisations and gender equality experts have voiced concerns that in the process of EU enlargement gender equality remains divorced from economic policies and are dealt with exclusively in the context of employment and social policy, and that even in this field there is an absence of systematic assessment and evaluation of progress (e.g. European Parliament, Committee of Women's Rights and Equal Opportunities 2000, Advisory Committee on Equal Opportunities between Women and Men 2002; Steinhilber 2002, Lohmann 2002).

¹ The Pre-Accession strategy refers to all mechanisms in and through which the accession of the candidate countries to the European Union is achieved. It consists of the definition and development of Accession Partnerships and Association Agreements, which are evaluated and updated on an annual basis.

Against this background the following three chapters examine in detail a range of documents on gender equality and enlargement policies issued by EU and Czech state institutions between 1998 and 2002. I shall argue that a good understanding of how concepts and policy tools are used in these two (overlapping and intersecting) policy areas is indispensable for the critical assessment, dissemination and possible transformation of existing and new policy tools that promote the equal participation of women and men. Particular emphasis will be put on the variety and sometimes inconsistency of meanings of gender equality, as well as on signs that critical and potentially transformative elements have been compartmentalised, isolated and contained. Ultimately such knowledge is necessary for ensuring the applicability and efficiency of gender equality policies within and across cultures.

The chapters are organised as follows. The first chapter, 'European Union gender equality policies: key concepts and policy tools', explores the meanings and legitimising frameworks that cluster around the concepts and policy tools *equal treatment*, *equal opportunities*, *gender equality* and *gender mainstreaming* and their contexts of application in EU policy making. The chapter 'EU enlargement and gender equality: perspectives of the European Commission on the accession progress of the Czech Republic' investigates meanings and legitimising frameworks of EU enlargement and gender equality in the specific context of the accession of the Czech Republic to the European Union from the perspective of the EU. Focussing particularly on the *Regular Reports on the Czech Republic's Progress towards Accession* and the Commission's *Annual Reports on Equal Opportunities for Men and Women* (issued between 1998 and 2002), I will examine if and where gender equality concerns have been compartmentalised and contained in accession documents and where and how EU enlargement has been deemed relevant in equal opportunities documents. The final chapter, 'Czech accession documents and gender equality', explores two series of annually updated Czech state documents on accession-related tasks and policies that deal with gender equality, which likewise were published between 1998 and 2002. Here I focus on the Czech *National Action Plans for Employment* and their evaluations as an example of gender mainstreaming in the Czech Republic, and the annual *Priorities and Procedures of the Government towards Enforcement of Equality between Men and Women* (which are considered as the annual Czech action plans for gender equality). A crucial question to be addressed in the conclusion is whether and where policy concepts and tools for promoting gender equality in Czech state documents remain behind or move beyond the EU agenda on gender equality in enlargement.

II.2 European Union Gender Equality Policies: Key Concepts and Policy Tools

The concepts of equal treatment for women and men, equal opportunities between women and men, gender equality, and gender mainstreaming are directly or indirectly connected with promoting the full social and political participation of women. Despite their distinct meanings these terms are often used interchangeably. Undifferentiated usage, ambiguities and possible misinterpretations are furthered by the fact that the terms are rarely positively defined in EU documents. More commonly their meaning is delineated negatively through what is to be eradicated, namely discrimination and inequality 'on the basis of sex'. That is, equal treatment, equal opportunities and gender equality are often equated with the principle of non-discrimination, although the absence of discrimination does not equate equality. This practice leads to vagueness and ultimately to a diminishing of their critical content, a problem that is exacerbated in translating these policy concepts across cultures, where they tend to assume an additional set of cultural associations. (In the Czech and Central European context, for example, equality is often understood and discredited as an ideology of sameness).

In the following sections I will discuss each of the four concepts in turn, focussing both on communalities and differences of meaning of these concepts and on the contexts in which they are used.

II.2.1 Equal Treatment for Women and Men

The term 'equal treatment for women and men' is used in the European Union's secondary law, specifically in the legally binding ten European Council Directives that deal with equal rights for access to employment and social security. These directives were issued and amended between 1976 and 2002 and have now been transposed into Czech law. While the liberal principle of equal treatment generally refers to the prohibition of direct and indirect discrimination 'on grounds of sex' (76/207/EEC, Art 2.1.), the equal treatment directives issued in the 1990s also include special measures to improve the situation of the 'the under-represented or disadvantaged sex'. Thus the legalisation of differential treatment of women and men (in certain cases such as pregnancy and maternity) is consistent with the prohibition of indirect discrimination. Indirect discrimination is given 'where an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage unless that provision, criterion or practice is objectively justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary' (2002/73/EC, Art 2.2.).

This shows that the principle of equal treatment does not equate equality and sameness, but acknowledges that treating women and men in the same way can mean to treat them differently. In a recent press report the European Commission has explicitly endorsed the legal interpretation of the European Court of Justice that 'the aims of the equal treatment directive (76/207/EEC) is substantive, not formal equality'.

Analysts of Czech anti-discrimination law have argued that the codification of direct and indirect discrimination makes a decisive difference in legal practice. Although discrimination was prohibited under Czech law, there were no definitions of direct and indirect discrimination, which until 2001 made it virtually impossible to prosecute discriminatory behaviour (Bukovska & Taylor 2001). Yet the legally enforceable principle of equal treatment for men and women has thus far been restricted to the sphere of employment and some areas of social security. Its substantive range is limited through the minimal requirement 'that distributive decisions not be based on certain criteria' (Somek 1999, 244). For example, parental leave provisions that guarantee continued access to employment for a certain period of time after

childbirth do not affect the underlying gender division of childcare responsibilities. Despite these shortcomings the inclusion of special measures into equal treatment directives in EU policy-making means that the principle of equal treatment can be applied beyond its liberal remit to promote substantial and not merely *de facto* gender equality policies. Such usage suggests that a kernel of what is implied in gender equality (see below) is already contained in the principle of equal treatment, provided that its implications are made explicit.

II.2.2 Equal Opportunities between Women and Men

In contrast to equal treatment, the term ‘equal opportunities between women and men’ is not used in a legal sense. It is mainly used in the Union’s soft law, i.e. the Council Resolutions and Community Initiatives such as the ‘Medium-Term Action Programmes for Equal Opportunities between Women and Men’. The concept refers to the broad policy aim and commitment that women and men should have the same rights and prospects for advancement. Community Action Programmes for Equal Opportunities kick-started specific policy actions to promote opportunities for women in Member States and monitored progress and achievements, usually with limited budgetary resources.

As a decidedly liberal concept, the term ‘equal opportunities’, like ‘equal treatment’, can be taken to endorse the liberal assumption of individualism and the interpretation of gender as a mere personal characteristic that can be disregarded for the purpose of ensuring equal rights. But merely extending the same rights and guarantees to both genders may, as Anne Phillips has argued, ‘obscure (and in some circumstances reinforce) those background inequalities that continue to generate inequalities of power’ (Phillips 2001, 3). In EU policy-making as early as the 1970s, however, equal opportunity policies were concerned with tackling structural inequalities and have included specific actions to improve the situation of women. This is suggested, for example, in the 1976 Council Directive on equal access to employment, vocational training and social security. The directive states that equal treatment in these areas ‘shall be without prejudice to measures to promote equal opportunity for men and women, in particular *by removing existing inequalities, which affect women’s opportunities*’ (76/207/EEC, Art 2.4, emphasis added).

II.2.3 Gender Equality

The concepts gender and gender equality have only become more widely used in EU policy documents since the end of the 1990s, but the concepts are rarely explicitly defined. Although, or perhaps because gender introduces multidimensionality, in particular a focus on inequalities of power between women and men embedded in culture and social structure² and on the fluidity of identities that may move across distinctions associated with biological maleness or femaleness, the concept is not used in EU treaties and Council directives. Gender equality is a term that is exclusively used in the Union’s soft law and – like equal opportunities – denotes a complex policy aim.

The few definitions of gender equality given by the European Commission suggest that this concept, more explicitly than equal treatment and equal opportunities, refers to the aim

² Nancy Fraser, for example, has conceptualised gender as a *political-economic differentiation* evident in the division of unpaid and paid labour by gender and a *cultural-valuational differentiation*, in particular the authoritative construction of norms that privilege traits associated with masculinity and devalue things coded as feminine (Fraser 1997, 20).

of achieving substantial and material equality between the genders. The Commission's Directorate General V (now DG Employment and Social Affairs) has stated that '[b]y gender equality we mean that all human beings be free to develop their personal abilities and make choices without the limitations set by strict gender roles; that the different behaviour, aspirations and needs of women and men are equally valued and favoured. *Formal (de jure) equality is only the first step towards material (de facto) equality*' (European Commission DG V 1998, 3, emphasis added). Gender equality thus encompasses both cultural-valuational equality of gender-specific activities and interests, *and* material equality, such as establishing 'equal economic independence for women' (Advisory Committee for Equal Opportunities between Women and Men 2002, 2).

Substantial equality requires structural and institutional change, a fact that is acknowledged and anticipated both by the European Commission and the Council of Europe. With respect to equal participation of women and men, the European Commission, for example, has argued that 'the quantitative objective of a balanced participation of women and men in decision making bodies is also connected with the qualitative objective of changing politics and the way decisions are taken. A critical mass of around 30 % of women is seen to be necessary to create the necessary dynamic for improving the quality of decisions allowing the concerns, needs and interests of women and men to be reflected in them' (CEC 1999a, 20). More generally, the Council of Europe has defined gender equality as 'an equal visibility, empowerment and participation of both sexes in all spheres of public and private life. Gender equality is the opposite of gender inequality, not of gender difference, and aims to promote the full participation of women and men in society... Gender equality means discussing how it is possible to ... *change the structures in society which contribute to maintaining the unequal power relationships between women and men*' (Council of Europe 1998, 7-8, emphasis added).

In EU policy documents these implications and aims are rarely spelled out. Thus commentators on EU policy-making often focus one-sidedly on cultural-valuational aspects of gender equality.³ Neither are gender equality and equal participation usually considered values in themselves. Instead the EU mobilises several mutually reinforcing frameworks to justify these goals. Gender equality is legitimised as a requirement of and for democracy given that in a democratic society all values and interests must be reflected in policy-making: 'while democracy requires equal rights for women, this in turn guarantees democracy' (CEC 1996, as cited in CEC 2000a, 3). With respect to democracy, the widespread under-representation of women 'amounts to a democratic deficit' (ibid.). More traditionally, gender equality in the sense of equal treatment for women and men has been conceived of as a universal human right, 'the right to equality before the law and protection against discrimination for all persons' (2002/73/EC, 15). Social justice is also mobilised as a legitimising framework, as 'the principle of social justice suggests the provision of a *de facto* equality of access in all available economic and power sources' (CEC 1999a, 20). Increasingly, however, the argument of 'good economics' is put forward with the rationale that '[t]he principle of better utilisation of human resources suggests taking full advantage of women's talents and potential' (CEC 1999a, 20). 'If social justice did not demand equal opportunities for women and men in employment, then the economy would' (European Commission DG-Employment and Social Affairs 2001a, 14).

Thus, while frequently under-defined in its aims and implications, gender equality is

³ Bretherton, for example, has recently paraphrased the EU definition of gender equality as 'the equal valuation of different characteristics among and between women and men' (Bretherton 2002, 5) thereby omitting the reference to material equality.

‘over-determined’ by a mutually reinforcing cluster of philosophical, social and economic ideals. Importantly, the lack of clear-cut definitions leads to a reduction of equality’s multiple dimensions, particularly to the obfuscation of material equality and the necessity of structural change.

II.2.4 Gender Mainstreaming

Gender mainstreaming refers to a political strategy that seeks to address gender inequality at a more structural and broader level than specific equal opportunity programmes. The European Union defines it using the definition of the Council of Europe: ‘Gender mainstreaming is the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by all actors normally involved in policy-making’ (Council of Europe 1998, 15). This definition names the goal of mainstreaming (gender equality), the process (policy making), the objects (all policies, at all levels) and the actors (normal policy makers). However, given the multi-dimensionality of the concept of gender equality and particularly the lack of concrete guidelines on how to develop and implement this policy strategy, there remains much ambiguity about the meaning of gender mainstreaming as well.

The term ‘gender mainstreaming’ emerged in the early 1980s in the context of development policies that criticised Eurocentric conceptions of women’s roles in development aid and placed an emphasis on gender *relations*. The UN took up this term after the World Conference on Women in 1985 when it urged its institutions to incorporate a comprehensive policy on women’s equality into all policy programmes and plans, i.e. to bring gender equality into ‘the mainstream’. Within the European Union the strategy of mainstreaming was introduced in the Third Medium-Action Programme on Equal Opportunities 1991–1995. In 1994 the European Council declared that the promotion of equal opportunities was a key priority: ‘Equal opportunities has now become a policy which would intersect all other policies – a mainstream policy which is to be applied by all’. The Treaty of Amsterdam (1997) formalised the mainstreaming commitment (Art. 2 and 3) and the EU is now conceived as a major supranational actor in gender mainstreaming (Council of Europe 1998).⁴

Gender mainstreaming differs from equal opportunities policies in several ways. The latter initiate policies usually with respect to a particular kind of gender inequality, and policy-makers tend to be gender equality experts who develop a specific measure to remedy the problem. Mainstreaming, in contrast, concerns *any* given policy, and aims to take into account the possible effects of such policy on the respective situation of men and women, from the planning stage through to its approval, implementation and evaluation. Specific gender equality policies tend to be implemented faster but are more limited in scope than mainstreaming policies. However, the expertise and knowledge of these ‘traditional’ policy-makers and their ‘equality machineries’ are considered to be a necessary condition for and complementary to implementing gender mainstreaming. Therefore the European Commission promotes a ‘dual-track approach’ (CEC 1999a, 5) that consists of *proactive intervention (gender mainstreaming)* and the implementation of concrete actions designed to improve the situation of women in society or *reactive intervention (specific actions)* (CEC 2000a).

⁴ Note that the Commission extended the meaning of mainstreaming to include the mainstreaming of anti-racist measures, i.e. to integrate ‘the fight against racism as an objective into all Community actions and policies at all levels’ (European Commission 1998 as cited in the European Commission DG Employment and Social Affairs 2000, 9).

In practice, gender mainstreaming requires a range of analytical, educational and consultative techniques. An important method is *gender impact assessment*, which has been widely used in development co-operation. According to the European Commission '[g]ender impact assessment means to compare and assess, according to four gender relevant criteria, the current situation and trend with the expected development resulting from the introduction of the proposed policy' (European Commission DG V 1998, 4). These four criteria - participation, rights, resources, and norms and values - are of varying complexity and include quantitative and qualitative indicators. For example, the socio-structural criterion *resources* refers to the 'distribution of crucial resources such as time, space, information and money, political and economic power, education and training, job and professional career, new technologies, healthcare services, housing, means of transport, leisure' (European Commission DG V 1998, 5). However, neither the EU reports on gender mainstreaming nor those of the Council of Europe illustrate how these indicators can be operationalised and measured in practice. Such an illustration would, I believe, greatly facilitate the understanding and application of gender mainstreaming - and it would highlight substantial inequality among women, a heretofore neglected area in EU gender equality policies (Lorenz-Meyer 2003).

Despite the potentially misleading semantic reference to mainstream and its conception as a top-down strategy, gender mainstreaming is explicitly conceived as a tool of political and social transformation. According to the Council of Europe, the emphasis on the reorganisation and improvement of policies 'make[s] it possible to challenge the male bias that characterises society and the structural character of gender equality' (Council of Europe 1998, 15). As a top-down strategy, however, this requires a large amount of *political will* 'to question current gender relations and the structures, processes and policies perpetuating gender inequality' (Council of Europe 1998, 21-22, emphasis added). Closely linked to political will are public awareness of gender inequalities and the allocation of funds and human resources. Without financial means and considerable expertise arising from national equality machineries as well as research and training on gender equality issues, gender mainstreaming cannot succeed (Advisory Committee on Equal Opportunities 2002). 'To flourish, gender mainstreaming must be properly rooted in the institution rather than dependent for survival on the efforts of committed individuals' (European Commission DG-Employment and Social Affairs 2001a, 10).

To sum up, the policy concepts and tools equal treatment, equal opportunities, gender equality, and gender mainstreaming have specific meanings in EU policy-making that are not self-explanatory. While their liberal or 'mainstream' connotations may be seen as a strategy to promote structural change in gender relations in a liberal disguise, under-defined concepts and the absence of indications of how to operationalise them are more likely to promote the dissolution of critical content and transformative aims. The following two chapters will therefore examine how these concepts and tools are deployed in a specific policy area, namely EU enlargement and the Czech accession to the EU.

II.3 EU Enlargement and Gender Equality: Perspectives of the European Commission on the Accession Progress of the Czech Republic

In this chapter I will investigate the place and status of gender equality in the process of accession of the Czech Republic from the viewpoint of the European Commission. I will examine and compare two series of documents: the Commission's Regular Reports on the Czech Republic's Progress towards Accession with the accompanying Enlargement Strategy Papers issued between 1998 and 2002, and the Commission's Annual Reports on Equal Opportunities between Women and Men which over the same period include a new chapter on 'Equality and Enlargement'. Next, I will explore the critical perspectives of the European Parliament's Women's Rights Committee and the Commission's Advisory Committee on Equal Opportunities, on the European Commission's stance on gender equality in enlargement.

I shall start with a few general remarks on the process, the institutions and actors in EU enlargement, as conceived under the so-called pre-accession strategy, and the frameworks and ideals the Commission uses to legitimise it.

II.3.1 The Pre-Accession Strategy

The current process of Eastern enlargement of the European Union is based on the decision of the European Council in 1993 'that countries in Central and Eastern Europe that so desire shall become members of the Union' (European Council 1993, cited in CEC 2000c, 1) once they fulfil the necessary accession criteria. The Council specified the following political, economic and legal criteria: *Political criteria* comprise the stability of institutions guaranteeing democracy, the rule of law, human rights, and the respect for and the protection of minorities. *Economic criteria* refer to the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. The *acquis criterion* is described as the candidate country's ability to take on the obligation of EU membership, including adherence to the aims of political, economic and monetary union. It refers to translating and implementing the extensive *acquis communautaire* and ensuring its effective application through appropriate administrative and judicial structures.⁵

In 1997 the EU defined standard sub-criteria for each accession criterion as benchmarks to measure progress. Progress is assessed individually for each candidate country in terms of legislation and measures actually adopted or implemented. This process has developed under the so-called *Pre-Accession Strategy*. It consists of the definition and development of *Accession Partnerships* and *Association Agreements* between the EU and each of the accession countries. The Accession Partnerships put forward the short- and medium-term priorities for the candidate country in fulfilling the accession criteria, and indicate financial assistance from the Community in support of these priorities. The Accession Partnerships are published in the Commission's Annual Regular Reports on Progress towards Accession (see below). The Association Agreements, or Europe Agreements (EAs), provide a legal framework for monitoring the adoption of the *acquis* and the implementation of the Accession Partnership priorities. The EAs are mixed agreements, which include the responsibilities of

⁵ The *acquis communautaire* includes all rights and obligations deriving from EU treaties and laws. It consists of primary (EC Treaty) and secondary European Law (Council directives), soft law instruments (e.g. Community acts and initiatives), as well as the case law of the European Court of Justice. It currently amounts to between 60,000 and 70,000 pages (CEC 2002c).

the Community and the Member States, and which must be ratified by all Member State parliaments, the European Parliament and the European Council.

The key players in the enlargement process are: the presidency of the Council of Ministers that presents the European Union's negotiating positions, agreed by the Council unanimously; the Chief Negotiator of the applicant country, who presents the country's position on the chapters of the *acquis communautaire*; the European Commission, which proposes draft negotiation positions; and the European Parliament, which is kept informed on the progress of the negotiations and gives its assent to the resulting accession treaties. The Association Agreements also established three joint institutions with each accession country: the *Association Council*, which works at the ministerial level and comprises members of the of the European Council, the European Commission and the government of the associated country; the *Association Committee*, which assists the work of the Association Council on the level of senior civil servants; and the *Parliamentary Association Committee*, comprised of members of the accession country's and the European Parliament (Mayhew 1998).

One of the most important documents that annually summarises developments and analyses progress in accession for each candidate country is the Regular Report on Progress towards Accession. Between 1998 (when the accession negotiations began) and 2002, the European Commission issued five series of 13 Regular Reports (one for each candidate country). Each series is accompanied by a joint Enlargement Strategy Paper (formerly Composite Paper) that contains a synthesis of the annual progress analyses and recommendations for each country and presents the Commission's public outlook on enlargement.

II.3.2 Legitimising Frameworks of EU Enlargement and the Absence of a Gender Equality Perspective

The Enlargement Strategy Papers show that EU enlargement (like gender equality) is not merely an aim in itself but is conceived of as a multidimensional process that is justified by a series of mutually reinforcing and legitimising frameworks and ideals. These include the ideals of unity, stability, security, peace, democracy, justice, prosperity and economic growth. In order to generate public support, the process of EU integration is characterised as a move towards the positive pole in a series of binary oppositions. 'The enlargement of the EU ... has an unprecedented political, historical and moral dimension... We are moving from division to unity, from a propensity for conflict to stability, and from economic inequality to better life-chances in the different parts of Europe' (CEC 2000c, 1). Enlargement is further conceived of as a 'win-win game' (CEC 2002b, 7) for old and new Member States, and the idea of an 'added value of an enlarged Union' is promoted.

More specifically, one can distinguish four distinct registers of justification: a historical and moral register, a political register, an economic register and a social register. These registers have to different degrees been mobilised in the Enlargement Strategy Papers and the speeches given at the release of the last series of Regular Reports in October 2002 by the Commission president, R. Prodi, and the Commissioner of the Directorate General Enlargement, G. Verheugen. I will discuss each of these legitimising frameworks in turn and then focus on the place of gender equality.

In the historical and moral register, the principle of joining together what belongs together is emphasised. Enlargement is described as a 're-unification of Europe' (European Commission 1999b), 'the *fulfilment of the European project*... [that is required also for] ethical reasons' (Prodi 2002, 5). Re-unification is thereby characterised as an organic, quasi-natural process of 'fulfilment' - opposed to 'an artificially divided continent' (Prodi 2002, 4) - and

as a moral demand on the grounds that 'Europe' is 'rooted in common European values: democracy, the rule of law, respect for human rights and the protection of minorities' (CEC 2002b, 1). Verheugen uses the metaphor of kinship ties in stating that the candidate countries 'were kept apart from us against their will and now want to join our family permanently, once and for all' (Verheugen 2002, 2). The historical dimension of enlargement is thus strongly connected with the idea of an arch-European shared identity, kinship and belonging, and paradoxically connotes both naturalness (history fulfilling itself) and belated justice.

In the political register, unity is said to entail political stability and stable democracies. Democracy, as the philosophy of inclusion, guarantees the protection of minorities and the upholding of human rights. More recently, political gains have also included the idea that an enlarged Union is better able to confront global challenges such as a common foreign and security policy, and, since the terrorist attacks in the US on 11 September 2001, combating international crime and terrorism. But stable democracies bring about important non-political gains as well: 'A stable political framework is a precondition for lasting peace... as well as for a successful economy' (CEC 2002b, 5).

In the economic register, then, the achievement of substantial economic benefits is highlighted. Through a growth in trade, both old and new Member States benefit from EU enlargement, and socially and environmentally sustainable growth is enhanced. Improved living standards, better life-chances and prospects in global competition are anticipated. Note that the Commission attributes credit for political and economic achievements to the people in the candidate countries. 'They alone took the decision to follow the difficult path and build open societies, modern democracies and functioning market economies. The speed with which they have accomplished this is a tribute to their own political farsightedness and courage' (CEC 2000c, 3).

In contrast to the historical, moral, political and economic registers, the social dimension of enlargement is noticeably de-emphasised in the Commission's policy documents. Only the 2001 Enlargement Strategy Paper refers to gains in 'social justice and well-being throughout Europe' (CEC 2001b, 4) without, however, expanding on the issue. The fact that '[a]ccession is a major social process rather than an administrative process, which involves not only the transposition and application of the *acquis* but the introduction of a new social model' (European Parliament 2000, 1) is only indirectly alluded to in the Strategy Papers in a reference to the necessity of active civic participation. 'Enlargement can only succeed if it is a social project involving all citizens and not just an elite. Only genuine participation can achieve this' (CEC 2000c, 5).

The analysis of the Enlargement Strategy Papers thus shows that EU enlargement is conceived of as a multi-dimensional process that is multiply-justified by history, social justice, politics and economics. Sometimes the impression is generated that these achievements quasi-automatically follow from one another: The creation of European unity, based on shared values, creates political stability and democracy that create peace and economic growth that create well being. The social register remains of secondary importance as a framework of justification, and nowhere are the candidate countries credited for their social achievements.

A comparison with the overlapping legitimising frameworks of gender equality (II 2.3.) shows that even though the Commission also uses the discursive registers of democracy, human rights and good economics to justify gender equality, these ideals do not connote or mobilise gender equality concerns in enlargement. That is, the connection between gender equality and these ideals remains so weak that even in the Commission's own documents the

discursive registers of democracy, economic growth and human rights remain generally 'gender-neutral', i.e. in fact masculine connoted. Not even the need for full and equal participation or the European Parliament's reference to the 'new social model' evokes gender equality concerns.

Further analysis of the Enlargement Strategy Papers shows consistently that the Strategy Papers contain no or few references to gender equality concerns. While the 1998 and 1999 Papers do not use the terms sex, gender, women, equality or equal opportunities at all, gender equality in the remaining three Strategy Papers is limited to implementation of equal treatment legislation.⁶ There is no clarification of the concepts of equal treatment and gender equality, and the Commission's horizontal priority of gender mainstreaming is not mentioned at all.

However, the Commission's Regular Progress Reports for the individual candidate countries are much more detailed than the joint Strategy Papers, and in the following section I will examine in more depth the place of gender equality in the series of Regular Reports on the Czech Republic.

II.3.3 Gender Equality in the Regular Reports on the Czech Republic's Progress towards Accession (1998–2002)

The Commission's Regular Reports assess the Czech Republic's progress in meeting the annual priorities in fulfilling the Union's political, economic and *acquis* related criteria for membership. Published by DG Enlargement in Czech and in English, the reports are based on information provided by the accession state, the European Parliament, experts of the Member States, non-governmental organisations, and international organisations such as the Council of Europe. Between 1998 and 2002 the English version of the Regular Reports for the Czech Republic has continuously increased in size from under 50 pages to 155 pages.

A first analysis of the deployment of gender equality concepts shows that the concepts gender and gender equality do not appear in the 1998 and 1999 Regular Reports. The Reports do, however, refer twice to 'equal opportunities for men and women' in the context of employment (Kalivodová 2003a; Marksová-Tominová 2003a), and in 2000 to 'equality of treatment' (CEC 2000d, 66). Since 2001 the concept of gender and gender equality have been used at least once, likewise in the context of the transposition and enforcement of the equal treatment directives. Yet none of these terms is explained and no reference is made to gender mainstreaming.

An in-depth analysis of the status of gender equality concerns in the Czech Regular Reports shows that gender equality has indeed been compartmentalised and associated mainly with respect to human rights violations in the trafficking of women and anti-discrimination legislation in employment. Four findings are particularly noteworthy. First, even though according to the Community Framework Strategy on Gender Equality (CEC 2000a) and DG Enlargement's actions stated in the annual work programmes (CEC 2001a; CEC 2001c) gender mainstreaming was considered relevant in EU enlargement, *there is no indication in the Regular Reports that any of the substantial pre-accession financial programmes or the 61 Twinning projects of administrations and services have been gender mainstreamed*

⁶ This is consistent with the Accession Partnership documents issued by the European Commission since 1998. Neither the 1998 nor the 1999 Accession Partnership with the Czech Republic contain short-term priorities related to gender equality; in the medium-term priorities there is a single reference to the need to enforce equal opportunities of women and men in employment and to 'transpose and implement EU legislation in the field of ... equal treatment of women and men' (CEC 1999 as cited in Kalivodová 2003b).

with respect to participants, beneficiaries and gender impact analysis. The absence of gender mainstreaming in the PHARE activities is crucial not only because the pre-accession programmes involve substantial financial resources for institution and capacity building (an annual total of EUR 65.4 million was given to the Czech Republic's PHARE programme in 2001), but also because they would have been a prime opportunity to integrate a gender equality dimension into ongoing reforms and the restructuring of *all policy areas*. As the Council of Europe has stated, mainstreaming has the largest impact 'when major reforms are being undertaken in a country or new legislation is being introduced' (Council of Europe 1998, 26).

Second, *with respect to fulfilling the first two political criteria for EU membership ('democracy' and 'the rule of law')* the Commission assesses the Czech Republic's Parliament, Executive and Judiciary and their procedures in a completely 'gender-neutral' way. Against its own claim that democracy requires the equal participation of women and men, the Commission does not even mention the extraordinarily low representation of women in Czech political institutions as a 'democratic deficit' and an area for intervention and change when discussing the stability of institutions guaranteeing democracy. *With respect to the other two political criteria ('human rights' and 'the protection of minorities')* gender inequality is largely restricted to concerns about 'trafficking in women and children' in the 1999, 2000 and 2001 Reports. In 1998, trafficking in women was considered a form of organised crime, and since 2002 it has been referred to as 'trafficking in human beings'. In addition, the Regular Reports mention the gender pay gap and the low representation of women in the Czech Parliament and government under the rubric of human rights without, however, outlining specific remedies.⁷ Gender equality concerns remain completely absent in the section on minority rights.

Third, *with respect to the economic criteria for membership the Regular Reports do not mention the application of gender mainstreaming or gender impact analysis in any of the economic policies and restructuring implemented or planned in the Czech Republic*. The only two indirect references to gender inequality in the economic sphere concern the on average higher unemployment rate among women in the Czech Republic, and an indication that 'effective implementation and enforcement of [the free movement of goods, persons, services and capital] requires compliance with such important principles as, for example, non-discrimination' (CEC 1999 as cited in Kalivodová 2003a, 2). The absence of assessing distributional consequences of macro-economic policies, the reallocation of assets through privatisation and of cuts in public expenditure by gender is one of the most serious shortcomings in the Regular Reports. There is much evidence that economic inequality between women and men has been increasing, for example, that women in the acceding countries 'have benefited less than men from privatisation of enterprises, are underrepresented among the self-employed and business owners and reap fewer benefits from foreign investment' (Steinhilber 2002, 5; UN Economic and Social Council 2002). Women are also likely to be adversely affected by the effects of the deregulation of prices for rent and energy and major reforms of the health and pension system.

Fourth, *with respect to the acquis criterion, gender equality concerns are absent in all chapters of the acquis save Chapter 13 'Social policy and employment' where all EU legislation on equality of treatment of women and men is contained. In the Czech Accession Partnership the transposi-*

⁷ The Regular Report 2002 concludes vaguely that major amendments of the Czech Labour Code 'have unfortunately so far gone largely unnoticed. More pro-active enforcement and awareness campaigns are needed' (CEC 2002c, 30).

tion and enforcement of the equal treatment directives is conceived of as a medium-term priority. But even in the section on Chapter 13, the majority of social policy issues mentioned (such as the ageing of the population, the implementation of anti-discrimination legislation or a new initiative on combating social exclusion) are not discussed or assessed with respect to their gender impact. Furthermore, the relatively short assessment of progress in implementing equal treatment in the field of employment and social policy repeats developments already described under the political accession criterion 'human rights', namely progress made in the legal transposition of the Council Directives and, since 2001, the establishment of new institutional bodies for equal opportunities. There is a continuous lack of precise indicators for measuring progress in transposing and enforcing legislation, assessing changes in employment and social policies, and evaluating the efficacy and real impact of the newly established Council for Equal Opportunities for Women and Men and gender experts (gender focal points) in each ministry. The 2001 and 2002 Reports merely summarise that the Czech Republic 'has continued to make very good progress in the area of social policy and employment' (CEC 2002c, 82).

In sum, the Regular Reports on the Czech Republic's Progress towards Accession issued between 1998 and 2002 clearly indicate that a very selective and limited approach to gender equality issues has been deployed. Although the sections on gender equality have slightly expanded since 2000, they remain merely descriptive, not analytic. In terms of equal participation of women and men, statistical figures on the gender pay gap and the low political participation rate of women in the Czech Republic are contained in the human rights section without interpreting them in terms of their social and political meaning or proposing concrete policy measures to be taken. Importantly, there are no progress indicators and benchmarks that would allow for a systematic analysis and a year-to-year comparison of legal and *de facto* progress in the field of equal opportunities. More space and detailed analysis is provided with respect to the situation of Roma than to women overall, although Roma issues are also devoid of gender analysis and compartmentalised in the human rights section.⁸

Thus in contrast to the Commission's claim that gender equality is a cross-sectional issue and task, and integral to the process of enlargement, in the Regular Reports on the Czech Republic's Progress towards Accession gender equality is largely limited to non-discrimination in employment and trafficking and has absolutely no carry-over effect. This raises the question of whether the documents on equal opportunities issued by DG Employment and Social Affairs provide a more nuanced and politicised analysis of gender equality in enlargement, and it is to these documents that I will now turn.

II.3.4 Gender Equality and Enlargement in the Annual Reports on Equal Opportunities between Women and Men (1998–2002)

The Annual Reports on Equal Opportunities have been issued by the European Commission's DG Employment and Social Affairs since 1996 and offer a yearly review of developments in gender equality at both the Member State and European level. The reports provide information on new activities and advances (e.g. court rulings of the ECJ) and future activities in gender equality and have been considered an instrument for monitoring progress in the field. Since the Third Annual Report for 1998, a section on 'Equality and enlargement' has been included as the fifth substantive area covered. This section follows a chapter on mainstreaming gender, on gender and employment, on promoting gender balance in deci-

⁸ This should not be taken to suggest that discrimination against Roma actually receives more attention in Czech policy making than gender equality. This is clearly not the case (Bukovska & Taylor 2001).

sion-making and on legal developments in gender equality. Regrettably, no references to the sources of the information provided are given in the chapter on enlargement.

In contrast to the Commission's Enlargement Strategy Papers and Regular Reports issued over the same period, the Annual Reports on Equal Opportunities explicitly assert that '[g]ender equality is an integral part of the enlargement process' (CEC 2000b, 24). With respect to the situation of women in the candidate countries, the emphasis is on the elimination of women's disadvantage not on the transformation of gender relations and underlying socio-economic structures. Yet the significance of economic policies is mentioned: 'It must be ensured that in the transition to a market economy and in the enlargement process generally, women are not affected negatively and that they have full opportunity to share in the benefits' (CEC 1999a, 29). The 2000 Report specifies that 'all types of inequality must be tackled: economic, political, social and cultural' (European Commission, DG Employment and Social Affairs 2001a, 23).

As regards mobilising legitimising frameworks of gender equality in enlargement, the 1998 and 2000 Reports on Equal Opportunities briefly refer to the ideals of democracy and a good use of human resources. Primacy, however, is given to the social register that is de-emphasised in the Commission's Enlargement Strategy Papers: 'The social dimension is an essential element of the Community order and gender equality and equal opportunities are an integral part of the social dimension' (CEC 1999a, 28). If the candidate countries want to join the EU, the argument goes, they have to adopt the European social model.

In the chapter on enlargement the Equal Opportunity Reports discuss gender equality mainly with respect to certain types of inequality prevailing in the accession countries and with respect to the candidate countries' progress in implementing the *acquis*. With respect to types of gender inequality, all the Reports mention discrimination in employment (with references to women's employment and unemployment rates, the gender pay gap and labour market segregation), the low political participation rates of women compared to the EU average, and the legal enforcement of equal treatment legislation. Other areas of inequality go beyond the remit of the Commission's Regular Progress Reports on Accession but they too lack concrete progress indicators, and cease to be mentioned after 2000. Examples include inequalities in health care and social protection, the decrease of available childcare facilities, the precarious situation of women NGOs in the candidate countries, and the promotion of traditional gender role models. In place of these areas of inequality, violence against women, particularly domestic violence and trafficking, appear as new foci of concern.⁹ This shift appears to support concerns in the human rights field that socio-economic inequalities become less visible and important than issues of violence (Grewal 1999). The Equal Opportunity Reports certainly do not provide an analysis of the gender impact of economic policies and restructuring, but neither do they analyse cultural-valuational inequalities and gender stereotypes in the accession countries.

The continued absence of precise assessment indicators for measuring gender inequality also concerns the screening of the implementation of the *acquis communautaire*. In this section the Equal Opportunity Reports focus on differences between the candidate countries in

⁹ Note that trafficking in women is the only issue that is discussed in other chapters of the Annual Reports on Equal Opportunities as well. Trafficking is a relatively prominent concern in the Regular Reports on Progress towards Accession and in the Community Framework Strategy on Gender Equality where 'Promoting gender equality in civil life' is the only strategic objective that explicitly addresses a relevance of specific policy measures for the accession countries (CEC 2000a).

transposing and enforcing Community law. In terms of transposing legislation, the Czech Republic is continuously characterised as one of the front-runners among the candidate countries. However, as in the Progress Reports, concrete criteria for assessing progress in institutional capacity are lacking. Yet the Commission's overall assessment in the Equal Opportunity Reports is more critical and also addresses the lack of financial resources allocated by the Czech government. For example, while the 2001 Report on the Czech Republic's Progress towards Accession merely states that in the Czech Republic 'institutional and administrative structures for implementing and enforcing the *acquis* require further strengthening' (CEC 2002c, 85), the 2001 Annual Report on Equal Opportunities admonishes that '[l]imited or no progress has been made in developing effective institutions for the application of the *acquis* ... Developing Concept Papers and National Action Plans are a welcome step in the right direction, but achieve little unless converted into concrete, effectively financed, measures' (CEC 2002a, 19).

In sum, even though the Annual Reports on Equal Opportunities, in contrast to the Regular Progress Reports, consider gender equality in enlargement as an issue in its own right and mention gender equality concerns beyond trafficking and discrimination in employment, its assessment remains vague. There is no indication that the Commission conceives gender equality in enlargement as going beyond ensuring an equality of opportunities. With respect to the candidate countries, DG Employment and Social Affairs does not raise the issue of structural change in gender relations and material equality. Furthermore, even though all Equal Opportunity Reports start with a chapter on gender mainstreaming, the complete absence of gender mainstreaming in the enlargement process is neither noted nor discussed – nor are any concrete and feasible actions to promote gender equality and women's full participation in society proposed.

II.3.5 Critical Perspectives on the Status of Gender Equality in Enlargement by other EU Equal Opportunities Bodies

It is important to note that the lack of gender equality concerns in enlargement has been criticised by other EU equal opportunities bodies, notably the European Parliament's Committee on Women's Rights and Equal Opportunities and the Commission's Advisory Committee on Equal Opportunities between Women and Men. Moreover, the European Commission makes these critical reports available on its Europa information website.

In its critical analysis of the Annual Reports on Equal Opportunities issued between 1997 and 1999, the Women's Rights Committee has admonished the lack of 'cross-cutting analysis of the different cultural perceptions of the position and role of women in family and social life' (European Parliament, Committee on Women's Rights and Equal Opportunities 2000, 10) in the accession countries. More generally it pointed to the *lack of broad gender assessment* in the Annual Reports, stating that 'without proper statistics and analysis it is very difficult to follow which way things are moving. Are we really getting more equality of opportunity?' (ibid.). The Committee therefore requested, first, that 'the Commission undertake a major study into the state of women in the Union, the applicant countries included, covering all aspects of gender concern... which will serve as a basis for a new problem definition and an overall medium- and long-term all-inclusive strategy to end all forms of gender inequality... [It] calls therefore on the Commission to allocate/ensure the resources and expertise needed to develop and collect data' (p. 7).

Second, the Women's Rights Committee addressed the *lack of critical policy evaluation* in the Equal Opportunity Reports, calling 'on the Commission to strengthen the strategic

nature of the report by upgrading the evaluations of the effectiveness of policy measures rather than merely describing them... so that the consequences of political decisions for men and women that lie in mainstreaming can be better evaluated' (European Parliament, Committee on Women's Rights and Equal Opportunities 2000, 10). Arguing that 'the reports on the face of it simply seem to take note of the situation with no proposals for activities to improve it' (p. 9), the Committee suggested that the Annual Reports include policy recommendations and disseminate best practices.

In a more recent report on the European Commission's first staff work programme under the Framework Strategy on Gender Equality, in which each Directorate General and Commission Service annually has to specify activities in gender equality, the Committee for Women's Rights strongly criticises the 'imprecise' nature of the priority actions in 2001: 'What emerges from the programme other than a number of more than vague declarations, is that the Commission has in fact been only minimally active in assessing compliance with the resolutions, recommendations and directives already adopted' (European Parliament 2001a, 8-9). This certainly applies to the actions in gender mainstreaming proposed by DG Enlargement.

While the Women's Rights Committee has not directly addressed the absence of gender mainstreaming in enlargement, the Commission's Advisory Committee on Equal Opportunities has commented on this lack, albeit in a very general way. 'Mainstreaming gender equality has not been applied very successfully in the enlargement process. The result is that there is little consideration of gender equality in the process as a whole' (Advisory Committee on Equal Opportunities between Women and Men 2002, 8). Both its assessment and its recommendation that 'the objectives in the Framework Strategy and the gender equality objectives of the European Employment Strategy become a central and integral part of the process towards accession' (p. 9) remain general and do not discuss any specific barriers in implementation or measures to be taken. Thus Steinhilber's critique that while the Committee for Women's Rights is 'an important internal EU voice to support women in the enlargement process, they would also benefit from greater detail and consistency, as well as clarity with respect to the indicators applied in assessing progress' (Steinhilber 2002, 3) also applies to the Commission's Advisory Committee on Equal Opportunities.

Given the relatively low priority accorded to gender equality in the process of EU enlargement in policy documents issued by the European Commission, I will now turn to Czech state documents that exemplify the current approach to gender mainstreaming and specific actions in the Czech Republic.

II.4 Czech Accession Documents and Gender Equality

In the final chapter I shall examine the conception of gender equality and its policy tools in two series of documents produced by the government of the Czech Republic and the Ministry of Labour and Social Affairs: the Czech National Employment Action Plans and their annual joint evaluations issued in preparation for implementing the European Employment Strategy since 1999, and the Czech 'Priorities and Procedures of the Government towards Enforcement of Equality between Men and Women' issued annually since 1998 in compliance with the Beijing Platform for Action. I take the first series of documents as an example of introducing gender mainstreaming in the Czech Republic and the second series as the equivalent of an annual Czech Action Plan for gender equality.¹⁰

I shall start with a few general remarks on the development of gender equality institutions in the Czech Republic (see also Linková, this volume, and Pavlík 2003).

II.4.1 The Development of Gender Equality Institutions in the Czech Republic

Prior to 1998 there was no state policy on gender equality in the Czech Republic and consequently no institutional structures to enforce it. The *Division for Equality of Women and Men* was established by the Czech government only in 1998 at the Department of EU Integration and Foreign Affairs within the Ministry of Labour and Social Affairs. Its task was to develop equal opportunities policies and to draft a national report on the Czech Republic's implementation of the Beijing Platform for Action, which the government had ratified at the World Conference on Women in 1995. In his more detailed analysis of the development of Czech gender equality policies, Pavlík (2003) shows that from its inception the Division for Equality lacked institutional, human and financial resources and power to enforce comprehensive gender equality policies. Initiative depended largely on the Division's key employee, Stanislava Horská, and her personal contacts as well as 'on the willingness of individuals to take up the [gender equality] agenda in addition to their regular workload' (Horská 2001 as cited in Pavlík 2003, 7).

This lack of resources and support did not cease when the government established the *Inter-Ministerial Commission on Equal Opportunities between Men and Women* in the same year to facilitate the co-ordination of gender equality policies. Members of the Inter-Ministerial Commission were to participate in drafting and evaluating gender policies. In an interview with Pavlík in 2001, Horská recalls how the Division for Equality attempted to inform and train the members of the Inter-Ministerial Commission who had neither much interest in nor the authority to influence gender equality policies (Pavlík 2003, 8-9).

In 2001 the government replaced the Inter-Ministerial Commission with the *Government Council for Equal Opportunities of Women and Men* and endorsed the appointment of a part-time gender equality expert ('gender focal point') at each ministry to facilitate the promotion of gender equality as a cross-sectional task (see Linková, this volume). The remit of the Government Council is to draw up policy proposals, define priorities and advise government policies with respect to gender equality. It consists of 23 members and includes representatives from all ministries at deputy minister level, regional representatives and selected NGOs, as well as an academic gender equality expert. But despite the relatively high profile of its members the Council lacks human and financial resources and decision-making

¹⁰ For the investigation of the Czech national employment strategy I am indebted to the analysis by Kalivodová (2003c) and for the analysis of the 'Priorities and Procedures of the Government towards Enforcement of Equality between Men and Women' to the work of Pavlík (2003) and Marksová-Tominová (2003b).

powers. According to Pavlík (2003) ‘there is little [evidence] to suggest that any of the deputies or directors have any knowledge of gender issues’ (Pavlík 2003, 10). Their attendance rate at the Council’s meetings is low and there has been little personal continuity due to a change in government in 2002. In 2002 the Council, which is supposed to meet at least three times a year, met only twice, and so far it has not established any expert working groups to facilitate its work. Analysts have also shown that the majority of gender focal points did not have prior expertise in gender equality policies and ‘do not get the support they need in order to have a fair chance to achieve any change or influence the structure in which they work’ (Asklöf 2003 as cited in Pavlík 2003, 11).

So far the Czech government has not allocated any financial resources from the state budget specifically for gender equality activities (Pavlík 2003, 8). As a result, activities carried out by the Division for Equality of Women and Men such as the training of civil servants and the publication of information brochures on EU gender equality laws depends largely on funding from the European Union and other donor organisations.

II.4.2 Gender Equality and Mainstreaming in the Czech Action Plans for Employment and Joint Progress Reports (1999–2002)

Among the many policies and procedures that the Czech Republic had to adopt under the pre-accession strategy is the legislative framework of the European Employment Strategy. The European Employment Strategy was formulated in 1997 in the context of economic recession and rising mass unemployment in many EU Member States. Its key objective is to increase employment and thereby reduce unemployment. The employment strategy is based on four pillars that refer to the policy objectives: ‘Improving employability’ (pillar I), ‘Developing entrepreneurship’ (pillar II), ‘Encouraging adaptability of businesses and their employees’ (pillar III), and ‘Strengthening equal opportunity policies for women and men’ (pillar IV). Each pillar includes a number of directives or (not legally binding) guidelines, adopted in line with the needs of the common market and the general macro-economic situation in the EU. Some authors consider the European Employment Strategy as a prime reason for the Union’s interest in gender mainstreaming (Riedmüller 2002).

As part of the medium-term strategy in employment policy contained in the Accession Partnership, the Czech Ministry of Labour and Social Affairs drew up its first National Employment Plan in 1999. Its central long-term objective is the establishment of an effective and flexible labour market in the Czech Republic. The Employment Strategy addresses national and regional governments as well as metropolitan authorities. It refers to the four pillars of the European Employment Strategy and adapts them to the specific situation and needs of the Czech economy. Annual priority tasks have subsequently been formulated in National Action Plans of Employment that outline altogether 18 guidelines under the four pillars, and four to five concrete policy measures for each guideline. In addition, Joint (EU and Czech) Assessments Papers (JAPs) and Progress Reports have identified and assessed key priorities in the Czech Republic’s employment policy, examined the flexibility and dynamics of the Czech labour market and its workforce, as well as relevant policies and institutions that further this aim. All reports are published in Czech and in English.

An analysis of the application of gender equality and gender mainstreaming in the Czech National Employment and Annual Action Plans shows that gender equality concerns are largely contained in pillar IV ‘Strengthening equal opportunity policies for women and men. The (almost) complete absence of a gender equality perspective in pillars I, II and III is a first indication that contrary to the principle of gender mainstreaming, gender equality

remains in fact compartmentalised rather than constituting an integral and systematic part of all employment policy measures (Kalivodová 2003c).

Thus, despite the fact that women in the Czech Republic are under-represented as business owners and entrepreneurs, gender equality concerns have not been taken up in pillar II 'Developing entrepreneurship' between 1999 and 2002. Under pillar I 'Improving employability', 'mothers with children', and in 2001 'women on return from maternity leave' are named as belonging to the subgroup of 'the long-term unemployed ... with an accumulation of various labour market handicaps' (Government of the Czech Republic 1999, 20). Yet women with small children have not been explicitly addressed as a target group for measures to combat long-term unemployment.

Under pillar III 'Encouraging adaptability of businesses and employees', measures with obvious relevance for women, such as flexible working hours or re-qualification are discussed in a completely gender neutral way. For example, the National Employment Plan 1999 states that '*employees* have little opportunity to reconcile their professional and family responsibilities [such as care for small children, in the Czech version] or adapt their working hours to the timetable of public transport' (Government of the Czech Republic 1999, 25, emphasis added). As the Joint Assessment Paper in 2000 (see below), this is considered a reason to promote flexible forms of employment. The Employment Plan conveniently forgets to specify *who* has problems reconciling work and family life and is therefore targeted for flexible employment - namely women - and what the consequences in terms of remuneration, social security benefits and work contacts are likely to be. This statement is an example of how 'gender-neutral' language actively obscures the target group for specific policy measures and obviates the kind of gender impact assessment that the Employment Strategy is said to promote. Basic gender arrangements that reproduce gender inequality are thereby left in place.

Finally, the objective 'Strengthening equal opportunities policies for women and men' (pillar IV) is legitimised by the human resource argument: the government asserts that it is 'in the interest of society as a whole that the skills of all are used as far as possible' (Government of the Czech Republic 2002, 15). Yet both the language employed in this part and the proposed policy measures remain largely 'gender-neutral'. For example, the target group for temporary positive discrimination measures is described as 'groups of citizens who are liable to suffer from discrimination' in the labour market. Before the 2002 National Action Plan of Employment the only explicit reference to combating gender inequality is the goal of 'reducing and/or removing the gap in wage levels between men and women' (Government of the Czech Republic 1999, 31). No concrete measures to combat the wage gap have been specified.

A comparison between the Czech and the EU employment guidelines in the National Action Plan 2001 shows that one EU directive under pillar IV suggests implementing policies towards removing gender inequalities under all four pillars of the Employment Strategy. In contrast, the respective Czech guideline specified gender mainstreaming only in relation to two measures in pillar IV (Kalivodová 2003c). This has been remedied in the National Action Plan 2002, which adds further policy aims such as a balanced representation of women and men in all sectors and occupations, and the diminishing of income differentials in the public and private sector. The major weakness of the Czech Action Plan remains the concrete and meaningful translation of the policy aims into precise and feasible policy measures. Plans to promote more part-time work to allow 'harmonising work with family life' (Government of the Czech Republic 2002, 15) have still not been re-thought in terms of their material effects on women. While this policy measure is consistent with the neo-liberal agen-

da that underlies the Employment Strategy, it contradicts the partially progressive interpretation of gender equality put forward in the 2002 National Action Plan. There the Czech government assumed responsibility 'for applying policy for equality between the genders and supporting equal opportunities for men and women in areas concerning their *financial independence* and *opportunities for earning a living of their choice*' (Government of the Czech Republic 2002, 58, emphasis added). In eliminating inequalities 'in terms of standing, employment and remuneration' the government wishes to secure choice and financial independence – an objective not mentioned in the Regular Reports on Progress towards Accession and often de-emphasised in Commission gender equality documents.

In sum, the Czech Employment Plans remain ambivalent: they contain an unresolved tension between ideals of increasing flexible forms of labour and of increasing women's financial independence; between addressing gender inequality at all levels and the persistence of a largely gender-neutral language that prevents gender impact analysis; between progressive definitions of gender equality that refer to material equality and definitions that suggest that the principle way to combat gender equality is raising awareness and eradicating individual prejudice (see Lorenz-Meyer 2003 on this latter point); between the stated aim of gender mainstreaming and its *de facto* compartmentalisation in the Employment Plans themselves.

These tensions also characterise the Joint Assessment Papers and Joint Progress Reports issued by the EU and the Czech government between 2000 and 2002. Although they attest to progress with respect to gender-differentiated analysis of the labour market and targeting women, there is no evidence that gender mainstreaming and gender impact analysis has been carried out. Thus the JAP in 2000 suggests that the recent decline in women's employment will be ameliorated by 'an increase in service sector employment, [which] is also likely to lead to more flexible work practices. This in itself may also have effects on the opportunities for people, in particular women, to combine work and family responsibilities' (Government of the Czech Republic & DG Employment and Social Affairs 2000, 8). More explicitly than the National Action Plans, the JAPs package the economic necessity to promote part-time work (with its attendant wage reductions) as a woman-friendly policy to combine family and employment. Experiences in EU countries suggest, however, that if such policies are realised they are likely to increase gender inequalities and women's dependency on men or the state. This directly contradicts the stated aim of the Czech National Action Plan 2002 to 'support equal opportunities for men and women in areas concerning their financial independence' (Government of the Czech Republic 2002, 58).

In the Czech Employment Strategy, gender mainstreaming so far remains a stated aim rather than an applied policy measure. Moreover, where women are addressed as a target group, policy measures may weaken rather than strengthen their economic independence.

II.4.3 The Czech 'Priorities and Procedures of the Government towards Enforcement of Equality between Men and Women' (1998–2002)

The first Report on the Priorities and Procedures of the Government towards Enforcement of Equality between Men and Women was produced by the *Division for Equality* within the Ministry of Labour and Social Affairs in 1998 as a result of the Czech Republic's obligation to issue a national report on the implementation of the Beijing Platform for Action. The Report identified the 'seven most important areas in which barriers [exist] that keep women from achieving a status comparable to that men' (Ministry of Labour and Social Affairs of the Czech Republic 2001, 1) and formulated measures to be adopted in these areas. It oblig-

ed the Ministry of Labour and Social Affairs to present an annual progress report on the enforcement of equal opportunities and is considered a 'National Action Plan' in Czech gender equality policies.

Four annual reports of the Government Priorities and Procedure were produced between 1998 and 2002, presenting the current aims and revised policy measures for promoting gender equality. The reports were drawn up by the Ministry of Labour and Social Affairs on the basis of information provided by government ministries, women's NGOs and other organisations, and were published in Czech and in English. They contain a summary of the history and achievements of the Priorities and outline the seven policy priorities and their respective policy measures. Appendices present statistics on the socio-economic situation of women and men in the Czech Republic, comments and suggestions by different departments, ministries and NGOs in response to a draft report, and a full version of the government priorities that highlights changes and additions.

In terms of legitimising and interpreting gender equality, the Priorities and Procedures explicitly refer to the Czech accession to the European Union and the requirement that the Czech Republic adopt 'the European social model, including the commitment to enforce gender equality and equal opportunities for men and women' (Ministry of Labour and Social Affairs of the Czech Republic 2002, 1). Gender equality is closely linked to the aim of equal participation of women and men, which is legitimised as a matter of social justice (more than by the human resource argument that is prominent in the Czech Employment Plans): 'The main reason for enforcing this policy is the goal of making all citizens fully and equally involved in all social activities and letting them share in their benefits' (Ministry of Labour and Social Affairs of the Czech Republic 2002, 2). While policy aims and measures outlined in the Priorities also address socio-structural inequalities, primacy so far is given to the task of combating cultural-valuational inequalities: 'The main practical implementation of the principle of [gender] equality requires a targeted awareness campaign and a gradual change in the behaviour, attitudes, standards and social values, so that the stereotypical perception of men and women is overcome' (Ministry of Labour and Social Affairs of the Czech Republic 2002, 3).

The centrepiece of the Priorities outlines new measures and annual achievements in fulfilling the following seven policy aims: '1 Enforcing the principles of equality of men and women as a part of government policy'; '2 Legislating for gender equality and raising the level of legal awareness'; '3 Providing equal opportunities for women and men in access to economic activity'; '4 Equalising the social status of women and men caring for children and other members of the family'; '5 Respecting women with regard to their reproductive function and physiological differences'; '6 Combating violence against women'; and '7 Monitoring and assessing the effectiveness of the application of equal status for men and women' (Ministry of Labour and Social Affairs of the Czech Republic 2002).

Each priority consists of between three and thirteen policy measures, and the total number of measures increased from 23 in the 1998 Report to 34 in the 2001 Report (Pavlik 2003). For each policy measure, responsibility is assigned to one or several government ministries and a deadline specified. For example, policy aim '3 Providing equal opportunities for women and men in access to economic activity' was supported by a new measure (3.7.) in 2001, according to which 'the Minister of Education, Youth and Physical Education shall perform an analysis of school curricula schoolbooks and teaching aids to identify what part they play in the formation and reproduction of gender-based stereotypes and prejudices... Responsible: Minister of Education, Youth and Physical Education. Deadline: 31.12. 2002' (Ministry of Labour and Social Affairs of the Czech Republic 2002, 17-18).

Gender analysts have identified a range of problems with the operationalisation, assessment criteria and deadlines of these policy measures, as well as with the progress reports of the responsible ministries and their co-operation with non-governmental organisations (Pavlík 2003, Marksová-Tominová 2003b, Linková this volume).

First, there is a significant problem with how policy measures can be operationalised and translated into policy actions. Taking measure 3.7. as an example, it may be relatively straightforward to perform a gender analysis of schoolbooks and teaching aids but much harder to specify what role they play in the maintenance of gender stereotypes. Similarly, it may be relatively easy to provide annual sex-desegregated data on women and men's participation in key social activities but much harder to determine 'the degree to which they benefit from the results of these activities' (measure 7.3. in 2001, supporting priority '7 Monitoring and assessing the effectiveness of the application of equal status for men and women') (Ministry of Labour and Social Affairs of the Czech Republic 2002, 31).

Second, the problem of meaningfully translating policy measures into concrete actions is exacerbated by the lack of precise assessment indicators, responsible personnel and obligatory and enforceable deadlines. For example, measures 1.2. 'Members of the government shall actively support the selection of suitable women candidate for posts in government bodies' and 1.8. 'Members of the government shall apply the criterion of equal opportunities for men and women to conceptual, decision-making and assessment processes, in all stages of their preparation and implementation' (both supporting priority 1 'Enforcing the principles of equality of men and women as a part of government policy') do not specify assessment indicators, assign responsibility vaguely to 'members of government', and designate the deadline as 'continuous' (Ministry of Labour and Social Affairs of the Czech Republic 2002, Annex V). Continuous deadlines tend to obliterate progress assessment; they are, as Marksová-Tominová (2003b) points out, 'actually no deadline at all'. Other deadlines have been postponed on an annual basis, such as measure 6.1. 'To organise a public campaign on the unacceptability of domestic violence and other forms of violence against women... Responsibility: Minister of Interior, Minister of Labour and Social Affairs.' The deadline for running the campaign specified in the 2000 Report was 'by the end of 2001', the 2001 Report revised it to 'by the end 2002'. Currently the campaign is supposed to start in the autumn of 2003. The reason for these continuous postponements of deadlines is the lack of financial resources: even though the government has committed itself to organise the campaign since 2000, there was no money allocated for it in the state budget (Marksová-Tominová 2003b, 3). This example also illustrates that there are no sanctions imposed on responsible ministries if policy measures are not undertaken.

Third, the reported progress in the Priorities and Procedures is often vague and open to contention. While the Czech Ministry of Labour and Social Affairs has claimed that 75 % of the policy measures have been successfully addressed, Pavlík (2003) concludes from his analysis that *at best* 30 % of the measures can be considered to have been implemented satisfactorily, 36 % partially addressed, and at least 46 % not at all. One example of the disparity between the assessment by government ministries and non-governmental organisations is that activities carried out by NGOs, which usually do not receive state funding, may be presented as if they had been carried out by the state. This concerns, for example, social work that assists victims of domestic violence and the establishment of women's refuges. For 1999, the responsible Ministry of Labour and Social Affairs vaguely stated that 'the Ministry supported within its funding policy the running of asylum houses organised by humanitarian and charity organisations' (Ministry of Labour and Social Affairs of the Czech Republic

2000, as cited in Marksová-Tominová 2003b, 2). Descriptions such as these not only fail to specify the monetary support allocated for the projects but also do not identify the kinds of institutions that were set up for victims of domestic violence, their capacity and possible shortcomings, and the role of women's NGOs in planning, implementing and running such projects. So far, women's NGOs have received almost no financial support from the government ministries because most ministries prefer to co-operate with NGOs and interest groups that are explicitly non-feminist (Marksová-Tominová 2003b; Hašková & Kolářová, this volume).¹¹

To sum up, gender equality experts have characterised the Government Priorities issued between 1998 and 2002 as 'ill-sorted, incoherent exercises in window-dressing with little or no conceptual structure' (Pavlik 2003, 14). At the same time the Czech Ministry of Labour and Social Affairs has identified a range of problems in promoting equal opportunities itself, in particular that the government ministries lack political will and financial resources: 'The reports on [the] fulfilment of the Priorities as drawn up by individual ministries indicate that there still is a formal attitude to the issue of gender equality that continues to preside and that among the departments' other activities this is not a priority; there continues to be insufficient support and funds for this policy area' (Ministry of Labour and Social Affairs of the Czech Republic 2002, 4). While this may be seen as a strategy of the Ministry of Labour and Social Affairs to deflect responsibility and accountability, there is indeed much evidence for the absence of political will (and expertise), which is also manifest in that gender mainstreaming is consistently absent from the Czech Employment Strategy.¹²

¹¹ A request by the NGO umbrella organisation *Association of Equal Opportunities* that ministries make their funding policies transparent has so far been left unanswered (Marksová-Tominová 2003b).

¹² There is also evidence, however, that the Ministry for Labour and Social Affairs is not particularly open to criticism and promoting accountability itself. When Pavlik's critical analysis of the Priorities and Procedures was sent to the gender focal points for discussion, the current head of the *Division for Equality between Men and Women* at the Ministry of Labour and Social Affairs marked it as 'anti-governmental material' and cancelled Pavlik's next training session with the focal points without further explanation (Marksová-Tominová 2003b, 5).

II.5 Conclusion

The preceding three chapters have explored in detail EU and Czech state policy documents on gender equality, particularly with respect to the place, status and meanings of gender equality in the process of the Czech Republic's accession to the European Union.

The critical exploration of key concepts and policy tools in European Union gender equality policies shows that the policy concepts *equal treatment*, *equal opportunities*, *gender equality*, and *gender mainstreaming* are not self-explanatory, despite the fact that they are routinely under-defined and used synonymously even in EU policy documents themselves. Equal opportunities and gender equality refer to the policy aim to promote equality between women and men both at the cultural-valuational and at the socio-structural level. Gender equality in particular connotes the necessity of social transformation to achieve substantial and material equality between men and women. Equal treatment refers to a legally enforceable principle that despite its liberal connotation also legalises specific measures to improve the situation of the 'disadvantaged sex'. Gender mainstreaming is a political strategy that requires that policy-makers consider the effects on women and men of all policies at all levels. Whether a policy measure maintains, increases or decreases gender inequality becomes decisive with respect to its implementation and evaluation.

The analysis of EU and Czech state documents shows that not clearly defining and operationalising policy concepts and tools tends to promote vagueness and reduce critical content, a problem that is exacerbated when these tools are implemented across cultures and the political will for their implementation is lacking. There are considerable gaps and contradictions between the usage of these policy concepts and the policies and policy measures pursued in their name. In using the concept of gender equality, for example, cultural-valuational inequality is often prioritised over material inequality between women and men. In the *Czech Priorities and Procedures*, measures that aim at cultural change consequently appear as more important than those aiming at institutional change. Furthermore, the stated application of gender mainstreaming in the process of EU enlargement has not been carried out even on the conceptual level in the policy documents, as has been shown in the Regular Reports on the Czech Republic's Progress towards Accession and the Czech Employment Plans. The Employment Plans contain an unresolved tension between the ideals of increasing flexible forms of labour and of increasing women's financial independence, and also between addressing gender inequality at all levels and the persistence of a largely gender-neutral language that prevents gender impact analysis.

The Commission's Regular Progress Reports and the Annual Reports on Equal Opportunities further show that since enforceable EU gender equality legislation is restricted to the sphere of employment and social policy, gender equality concerns remain compartmentalised and contained in this substantive areas, referring first and foremost to the transposition and enforcement of legal mechanisms to ensure equal treatment in employment. An exception is the increasing prominence of issues of violence against women, particularly trafficking, that is addressed as a human rights violation often over and above increasing socio-economic inequalities between the genders.

A key problem in the policy documents under review is the translation of policy aims into concrete and feasible policy measures and the development of precise indicators for progress assessment. In terms of equal participation of women and men there is no indication of how the gender pay gap or the low participation of women in formal political structures can be addressed. A comparison of EU and Czech policy documents on gender equal-

ity in enlargement shows that despite the expertise and funds available in EU bodies, the Commission documents are not necessarily of better quality than Czech state documents with respect to clearly defining key concepts, guidelines, and progress indicators. Arguably, a more decisive difference is that in the European Union, equal opportunity institutions have the responsibility to critically assess the work of the European Commission, and these institutions are integrated into the process of policy-making itself. While some of these bodies have been criticised by independent organisations and gender experts for lack of detail, consistency, and clarity in progress assessment, those structures of debate and criticism in the Czech Republic have not been included as an institutionalised mechanism in the political process.

The analysis of EU policy concepts and tools of gender equality, their meanings, inconsistencies and limitations in the process of enlargement therefore suggests that using these concepts critically and effectively requires knowledge and expertise as well as effort, courage and the political will to question current gender arrangements and policy measures, both in old and new EU Member States. It also emphasises the necessity of precisely defining what we mean and consider politically desirable when we talk about gender equality and equal opportunities and how this can be achieved. This seems necessary not only for the purpose of promoting the actual implementation of gender equality, but also as a means to make government agencies spell out which aspects of the envisioned structural change they reject and why.

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Shrnutí

V těchto Sociologických textech se autorky zabývají politickou a občanskou participací žen a reprezentací jejich zájmů v české společnosti v rámci procesů demokratizace a vstupu ČR do Evropské unie.

V první části publikace „Patterns and Strategies of Women’s Civic and Political Participation in the Czech Republic“ je analyzována účast žen a reprezentace jejich zájmů ve formálních politických strukturách i v občanském neziskovém sektoru; v rámci institucí, které se podílejí v demokratických společnostech na politických a rozhodovacích procesech.

V prvních kapitolách Sociologických textů mapuje Petra Rakušanová a Lenka Václavíková-Helšusová zastoupení žen ve vládě, parlamentu, politických stranách a na úrovni regionální politiky. Důraz je přitom kladen na doložení a vysvětlení poklesu účasti žen v parlamentní politice po roce 1989, k němuž došlo ve všech postkomunistických zemích střední Evropy. Dále je pozornost zaměřena na snižování podílu žen na zvyšujících se pozicích politické scény. Kromě toho je diskutována také situace, jež je typická jak pro regionální, tak i parlamentní politiku, a to sice, že ženy na volebních kandidátkách dosahují ve volbách srovnatelně menších úspěchů než muži. Z těchto důvodů je v textu zahrnuta také diskuse o efektivnosti kvót, které měly v období před rokem 1989, ale i po roce 1989 v české společnosti spíše symbolický charakter.

Narozdíl od relativně nízkého zastoupení žen na úrovni parlamentní politiky, ale i vedení regionálních politických institucí, existuje v ČR, obdobně jako i v jiných postkomunistických zemích střední Evropy, relativně vysoké zastoupení žen v rámci nejvyšších orgánů v oblasti soudnictví. Analýza Aleny Křížkové však odhaluje, že se ženy i zde nejméně koncentrují právě na místech s nejvyšším platovým oceněním.

Co se týče reprezentace a prosazování zájmů žen v rámci odborových organizací, na což se v předložené publikaci soustředila pozornost Hany Haškové a Petry Rakušanové, došlo po roce 1989 k významnému poklesu odborové účasti jak mužů, tak i žen. Ačkoliv jsou zaměstnanci vesměs spokojeni s tím, jakým způsobem hájí odbory jejich zájmy, téma diskriminace žen na trhu práce, rovnosti a rovných příležitostí mužů a žen začalo být explicitně formulováno v rámci odborů až na konci 90. let v souvislosti s harmonizací české legislativy s legislativou Evropské unie. Samostatný orgán, který by se v odborové struktuře věnoval specificky otázkám genderové rovnosti, byl založen až v roce 2002.

Obdobně docházelo na úrovni vládní politiky na konci 90. let pod tlakem přístupových jednání o vstupu České republiky do Evropské unie k zavádění politiky gender mainstreamingu jako hlavního nástroje k implementaci rovných příležitostí pro ženy a muže. Analýza Marcely Linkové však ukazuje, že v rámci tohoto procesu dochází k významným rozdílům mezi jednotlivými státními orgány, a to jak v míře jejich naplňování politiky gender mainstreamingu, tak i v jejich pojetí důležitosti této politiky.

Na závěr první části Sociologických textů mapuje Hana Hašková a Marta Kolářová vý-

voj ženské participace v rámci českého ženského neziskového sektoru. Současné občanské aktivity žen pokrývají široké ideologické i tematické spektrum. Ačkoliv mnohé z nich doplňují aktivity vzdělávacích a státních institucí, zaměřují se jak na vzdělávání a osvětu veřejnosti v oblasti genderové rovnosti a rovných příležitostí, tak i na pomoc specifickým skupinám žen, zůstává jejich problémem nízká podpora ze strany státních institucí i veřejnosti, a především jejich malý vliv na sociální mechanismy, které udržují současný stav genderových nerovností. Kromě aktivit a problémů žen v rámci ženských neziskových organizací se Hana Hašková a Marta Kolářová dále věnují aktivitám malých skupin žen, a to především socialistickým a anarchistickým skupinám žen, které se kriticky vymezují vůči českým ženským neziskovým organizacím i k feministickým aktivitám v akademickém prostředí. Narozdíl od těchto akterek v akademickém prostředí a v prostředí neziskových organizací, které spolu do určité míry spolupracují již od počátku 90. let, začaly malé socialistické a anarchistické skupiny žen vznikat teprve až v druhé polovině 90. let.

Ve druhé části této publikace „Policy Initiatives and Tools to Promote The Participation of Women and Gender Equality in the Process of the Czech Republic’s Accession to the European Union“ analyzuje Dagmar Lorenz-Meyer celou škálu dokumentů o genderové rovnosti a rozšiřování EU, které vytvořily české vládní instituce a instituce Evropské unie mezi lety 1998 a 2002. Zkoumá, které hlavní myšlenky a koncepty jsou v těchto dokumentech obsaženy a jaké významy jsou zdůrazněny ve specifických kontextech. Její výchozí myšlenkou je, že správné pochopení popisu a aplikace konceptů a politik v těchto dvou politických oblastech (genderové rovnosti a rozšiřování EU) je nezbytné pro kritické zhodnocení stávajících a nových politických opatření na podporu rovnosti mužů a žen. Zvláštní důraz klade na vyskytující se nekonzistence významů genderové rovnosti stejně jako na snahy rozškátulovat, izolovat a obsáhnout jejich kritické a potenciálně přetvářející elementy, a to z důvodu nezbytnosti takového rozboru pro zajištění aplikovatelnosti a účinnosti politik genderové rovnosti.

Analýza dokumentů Evropské unie k genderové rovnosti a rozšiřování EU ukazuje, že politické koncepty genderové rovnosti jsou v EU běžně poddefinované a že zde existují významné mezery v jejich konceptualizaci. Z porovnání politických dokumentů EU a ČR o genderové rovnosti a rozšiřování EU lze vyvodit závěr, že přes expertizy a finanční zdroje dostupné v rámci institucí EU nejsou dokumenty Evropské komise nutně lepší kvality vzhledem k přetrvávající poddefinovanosti klíčových konceptů, chybějícím indikátorům změn, vágním směrnicím a nedostatku politické vůle. Rozhodujícím rozdílem je však existence kritických institucí, které jsou součástí struktury Evropské unie samotné, a které tak mohou svoji kritiku vyjádřit, zatímco v České republice tento aspekt chybí.

Summary

The authors of this volume of *Sociological Papers* look at the political and civic participation of women and the representation of their interests in Czech society as part of the processes of democratisation and accession of the Czech Republic to the EU.

The first section of the publication, “Patterns and Strategies of Women’s Civic and Political Participation in the Czech Republic”, examines the degree to which women and women’s interests are represented within the framework of the formal political structures and in the civic non-governmental sector, thus in institutions which in democratic societies are engaged in the process of political decision-making.

In the first chapters of this volume of *Sociological Papers*, Petra Rakušanová and Lenka Václavíková-Helšusová map the representation of women in government, Parliament, and political parties, and on the level of regional politics. The primary emphasis is on documenting and explaining the decline in the participation of women in parliamentary politics after 1989 that occurred in all the post-communist countries of Central Europe. The decrease in the share of women in higher positions on the political stage is also examined. In addition to this, the discussion also turns to a situation typical both in regional and parliamentary politics: as election candidates, women systematically are less successful in the elections than men. For this reason the text includes a discussion of the effectiveness of quotas, which (particularly before 1989, but also even later) could be characterised more as a symbolic measure in the Czech Republic.

Unlike the relatively limited representation of women on the level of parliamentary politics (even among the management of regional political institutions), in the Czech Republic (as in other post-communist countries of Central Europe) there is a relatively strong degree of representation of women in higher bodies within the judiciary sphere. However, the analysis by Alena Křížková reveals that even here the concentration of women is lowest particularly in those positions with the highest remuneration.

The representation and assertion of women’s interests within the framework of trade union organisations is the focus of the analyses by Hana Hašková and Petra Rakušanová. After 1989 there was a decline in trade-union participation both among men and women. A weakening of employee benefits occurred primarily in feminised sectors of the labour market. While employees are on the whole satisfied with the way in which trade unions defend their interests, the issues of gender discrimination, gender equality, and equal treatment and equal opportunities for men and women were not opened up within the trade unions until the end of the 1990s, in connection with the need to align Czech legislation with that of the EU. An independent body devoted specifically to gender issues within the trade union structure was not founded until 2002.

Similarly, although the pressure of the negotiations concerning the entry of the Czech Republic into the EU gave rise to a policy of “gender mainstreaming”, which was introduced

as the main instrument of implementation of equal opportunities for men and women, we continue to witness significant differences between the individual state institutions. These institutions are required to implement this policy both with regard to any real steps taken by them and in terms of their conception of the importance of this policy.

At the end of the first section of this volume, Hana Hašková and Marta Kolářová trace the evolution of women's participation in women's non-governmental organisations in the Czech Republic. The current civic activities in which women are engaged cover a broad ideological and thematic spectrum, and although many of them supplement the activities of educational and state institutions, aiming at both the education and enlightenment of the public and at helping specific groups of women, their problem is still the low level of support on the part of state institutions and the public, and primarily the insufficient influence they have on the social mechanisms that maintain the current state of gender inequalities. In addition to the activities and problems centred on women engaged in non-profit organisations, Hana Hašková and Marta Kolářová also look at the activities of small groups of women, particularly socialist and anarchist women's groups, which take a critical stance towards and distance themselves from women's non-profit organisations and feminist activities within the academic sphere. While in the academic environment and in the environment of the NGO sector these activities have to a certain degree been interconnected since the early 1990s, the small socialist and anarchist women's groups did not begin to emerge until the second half of the 1990s.

In the second section of the publication, "Policy Initiatives and Tools to Promote the Participation of Women and Gender Equality in the Process of the Czech Republic's Accession to the European Union", Dagmar Lorenz-Meyer analyses a range of documents on gender equality and enlargement which were issued by the EU and Czech state institutions between 1998 and 2002. She investigates what ideas and representations cluster around them and what meanings are mobilised in specific contexts, and argues that a good understanding of how concepts and policy tools are described and applied in these two policy areas is indispensable for the critical assessment of the existing and new policy tools that aim at promoting women's equal participation. Particular emphasis is put on the variety and, sometimes, the inconsistencies of meanings of gender equality, and on the efforts to compartmentalise, isolate and contain their critical and potentially transformative elements. Ultimately, such knowledge is necessary for ensuring the applicability and efficiency of gender equality policies.

The analysis of EU gender equality and enlargement documents shows that policy concepts of EU gender equality are routinely under-defined, and that there remain decisive conceptual gaps in EU conceptualisations of these terms. The conclusion that emerged out of the comparison of EU and Czech policy documents on gender equality and enlargement is that, despite the expertise and funding available to EU bodies, the Commission documents are not necessarily of better quality with respect to the persistent under-defining of key concepts, the lack of progress indicators, vague guidelines and a lack of political will. Perhaps the decisive difference is that critical bodies are part of the EU structure itself and can voice their criticism. This seems to be absent in the Czech Republic.

Zusammenfassung

In diesen soziologischen Texten befassen sich die Autorinnen mit der politischen Partizipation der Frauen, ihrer Partizipation als Bürger und der Repräsentation ihrer Interessen in der tschechischen Gesellschaft im Rahmen des Prozesses der Demokratisierung und des Beitritts zur EU.

Im ersten Teil "Patterns and Strategies of Women's Civil and Political Participation in the Czech Republic", wird untersucht, inwieweit Frauen und ihre Interessen im Rahmen politischer Institutionen und bürgerlicher Organisationen und deren Aktivitäten, die sich in demokratischen Gesellschaften ebenfalls an politischen Entscheidungen beteiligen, repräsentiert sind.

In den ersten Kapiteln der Soziologischen Texte beobachten Petra Rakušanová und Lenka Václavíková-Helšusová die Vertretung von Frauen in der Regierung, im Parlament, in den politischen Parteien, sowie in der Regionalpolitik. Der Schwerpunkt liegt dabei auf dem Nachweis und der Erläuterung des Rückgangs der Beteiligung von Frauen an der Parlamentspolitik nach 1989, welcher in allen postkommunistischen Ländern Mitteleuropas zu verzeichnen war. Des Weiteren wird die Aufmerksamkeit auf die sinkende Beteiligung von Frauen an höheren Positionen im politischen Leben gelenkt. Auch wird die sowohl für die Regional- als auch die Parlamentspolitik typische Situation diskutiert, dass Frauen auf den Wahllisten in den Wahlen durchgehend weniger erfolgreich sind als Männer. Aus diesen Gründen enthält der Text auch eine Diskussion über die Effektivität von Quoten, die vor 1989, aber auch danach eher von symbolischer Bedeutung waren.

Was die Organisation der Frauen in den Gewerkschaften angeht, die in der vorliegenden Publikation von Hana Hašková und Petra Rakušanová behandelt wird, so kam es nach 1989 sowohl bei Männern als auch bei Frauen zu einem Absinken der gewerkschaftlichen Beteiligung. Auch wenn die Beschäftigten im Allgemeinen mit der Vertretung ihrer Interessen durch die Gewerkschaften zufrieden sind, wurden die Themen Frauendiskriminierung auf dem Arbeitsmarkt, Gleichstellung und Chancengleichheit von Männern und Frauen in den Gewerkschaften erst Ende der 90er Jahre im Zusammenhang mit der Harmonisierung der tschechischen Legislative mit dem Gemeinschaftsrecht aufgegriffen. Ein eigenständiges Organ, das sich in den gewerkschaftlichen Strukturen dem spezifischen Problem der Gender-Gleichheit widmet, wurde erst 2002 gegründet.

Ebenso kam es auf der Ebene der Regierungspolitik Ende der 90er Jahre unter dem Druck der Beitrittsverhandlungen der Tschechischen Republik zur EU zur Einführung einer Politik des „Gender Mainstreaming“, als wichtigstem Werkzeug zur Implementierung der Chancengleichheit für Frauen und Männer. Die Analyse von Marcela Linková zeigt jedoch auf, dass es hier zu starken Unterschieden zwischen den einzelnen staatlichen Organen kommt, wobei diese Unterschiede sowohl den Umfang der Umsetzung der Politik des „Gender Mainstreaming“, als auch das Verständnis für die Wichtigkeit dieser Politik betrifft.

Zum Abschluss des ersten Abschnitts der Soziologischen Texte verfolgen Hana Hašková und Marta Kolářová die Entwicklung der Beteiligung von Frauen an Bürgerbewegungen in der Tschechischen Republik. Die gegenwärtigen Aktivitäten von Bürgerbewegungen decken ein breites ideologisches und thematisches Spektrum ab. Obgleich viele dieser Aktivitäten die fehlende Tätigkeit von Bildungseinrichtungen und staatlichen Institutionen ersetzen und sich sowohl mit der Bildung und Aufklärung der Öffentlichkeit im Bereich der Gender- und der Chancengleichheit, als auch mit konkreter Hilfe für bestimmte Gruppen von Frauen befassen, bleibt die geringe Unterstützung der staatlichen Institutionen und der Öffentlichkeit, insbesondere aber der geringe Einfluss auf die sozialen Mechanismen, die den derzeitigen Zustand der Gender-Ungleichheit aufrecht erhalten, ein großes Problem. Neben den Aktivitäten und Problemen von Frauen im Rahmen von Non-Profit-Organisationen, widmen sich Hana Hašková und Marta Kolářová auch kleineren Gruppierungen von Frauen zu, insbesondere anarcho-feministisch und sozialistisch orientierten Gruppierungen, die sich kritisch von anderen tschechischen Non-Profit-Frauenorganisationen und feministischen Aktivitäten im akademischen Rahmen absetzen. Im Unterschied zu diesen Aktivitäten im akademischen Umfeld sowie in den Non-Profit-Frauenorganisationen, die in gewissem Maße bereits seit Anfang der 90er Jahre zusammen arbeiteten, entstanden die kleinen sozialistischen und anarchistischen Frauengruppen erst in der zweiten Hälfte der 90er Jahre und danach.

Im zweiten Teil dieser Publikation "Policy Initiatives and Tools to Promote the Participation of Women and Gender Equality in the Process of the Czech Republic's Accession to the European Union" analysiert Dagmar Lorenz-Meyer eine ganze Reihe von Dokumenten zur Gender-Gleichheit und der EU-Erweiterung, die die EU oder tschechische Regierungsinstitutionen zwischen 1998 und 2002 erstellt haben. Sie untersucht, welche Hauptgedanken und Konzepte in den Dokumenten enthalten sind und welche Bedeutungen in bestimmten Kontexten hervorgehoben werden. Ihr Ausgangsgedanke ist, dass das richtige Verstehen der Beschreibung und die Anwendung der Konzepte und der Politik in den beiden politischen Gebieten (Gender-Gleichheit und EU-Erweiterung) für eine kritische Bewertung aktueller und neuer politischer Maßnahmen zur Unterstützung gleicher Möglichkeiten von Frauen und Männern notwendig ist. Einen besonderen Augenmerk richtet sie auf eine Reihe verschiedener, teils inkonsistenter Bedeutungen von Gender-Gleichheit, ebenso wie dem Versuch der Einteilung, Isolierung und der Erfassung von kritischen und potentiell auf Veränderung hinwirkenden Elementen. Letztendlich ist solch ein Wissen notwendig, um die Anwendbarkeit und Wirksamkeit der Politik der Gender-Gleichheit zu gewährleisten.

Die Analyse der Dokumente der Europäischen Union zur Gender-Gleichheit und zur Erweiterung zeigt, dass die politischen Konzepte der Gender-Gleichheit in der Regel unterdefiniert sind und dass wichtige Lücken in der Konzeptionalisierung dieser Begriffe in der EU herrschen. Aus dem Vergleich politischer Dokumente der EU und der Tschechischen Republik zur Gender-Gleichheit und zur EU-Erweiterung folgt der Schluss, dass trotz Expertisen und im Rahmen von EU-Institutionen zugänglichen finanzielle Quellen, die Dokumente der EU nicht notwendig von besserer Qualität sind, insbesondere im Hinblick auf die andauernde Unter-Definition von Schlüsselkonzepten, fehlenden Indikatoren von Verbesserungen, vagen Richtlinien und Mangel an politischem Willen. Der entscheidende Unterschied besteht darin, dass die wichtigsten Institutionen Teil der Struktur der EU selbst sind und somit ihre Kritik ausdrücken können, während dieser Aspekt in der Tschechischen Republik nicht gegeben ist.

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